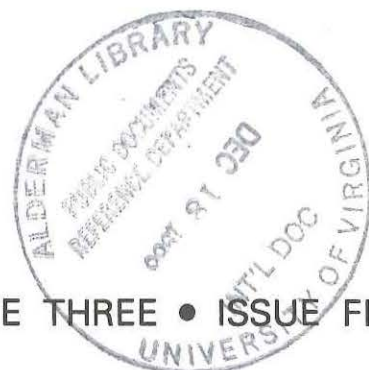


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THE VIRGINIA REGISTER

OF REGULATIONS



VOLUME THREE • ISSUE FIVE

December 8, 1986

1986

INFORMATION ABOUT THE VIRGINIA REGISTER OF REGULATIONS

VIRGINIA REGISTER

The *Virginia Register* 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 full text of all regulations, both as proposed and as finally adopted or changed by amendment are required by law to be published in the *Virginia Register of Regulations*.

In addition, the *Virginia Register* is a source of other information about state government, including all Emergency Regulations issued by the Governor, and Executive Orders, the Virginia Tax Bulletin issued monthly by the Department of Taxation, and notices of all 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 proposed action; a basis, purpose, impact and summary statement; a notice giving the public an opportunity to comment on the proposal, and the text of the proposed regulations.

Under the provisions of the Administrative Process Act, the Registrar has the right to publish a summary, rather than the full text, of a regulation which is considered to be too lengthy. In such case, the full text of the regulation will be available for public inspection at the office of the Registrar and at the office of the promulgating agency.

Following publication of the proposal in the *Virginia Register*, sixty days must elapse before the agency may take action on the proposal.

During this time, the Governor and the General Assembly will review the proposed regulations. The Governor will transmit his comments on the regulations to the Registrar and the agency and such comments will be published in the *Virginia Register*.

Upon receipt of the Governor's comment on a proposed regulation, the agency (i) may adopt the proposed regulation, if the Governor has no objection to the regulation; (ii) may modify and adopt the proposed regulation after considering and incorporating the Governor's suggestions, or (iii) may adopt the regulation without changes despite the Governor's recommendations for change.

The appropriate standing committee of each branch of the General Assembly may meet during the promulgation or final adoption process and file an objection with the *Virginia Registrar* and the promulgating agency. The objection will be published in the *Virginia Register*. Within twenty-one days after receipt by the agency of a legislative objection, the agency shall file a response with the Registrar, the objecting legislative Committee, and the Governor.

When final action is taken, the promulgating agency must again publish the text of the regulation, as adopted, highlighting and explaining any substantial changes in the final regulation. A thirty-day final adoption period will commence upon publication in the *Virginia Register*.

The Governor will review the final regulation during this time and if he objects, forward his objection to the Registrar and the agency. His objection will be published in the *Virginia Register*. If the Governor finds that changes made to the proposed regulation are substantial, he may suspend the regulatory process for thirty days and require the agency to solicit additional public comment on the substantial changes.

A regulation becomes effective at the conclusion of this thirty-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 twenty-one day extension period; or (ii) the Governor exercises his authority to suspend the regulatory process for solicitation of additional public comment, in which event the regulation, unless withdrawn, becomes effective on the date specified which date shall be after the expiration of the period for which the Governor has suspended the regulatory process.

Proposed action on regulations may be withdrawn by the promulgating agency at any time before final action is taken.

EMERGENCY REGULATIONS

If an agency determines that an emergency situation exists, it then requests the Governor to issue 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 in time and cannot exceed a twelve-months duration. The emergency regulations will be published as quickly as possible in the *Virginia Register*.

During the time the emergency status is in effect, the agency may proceed with the adoption of permanent regulations through the usual procedures (See "Adoption, Amendment, and Repeal of Regulations," above). If the agency does not choose 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 of Chapter 1.1:1 (§§ 9-6.14:6 through 9-6.14:9) 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. 1:3 VA.R. 75-77 November 12, 1984 refers to Volume 1, Issue 3, pages 75 through 77 of the

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Staff of the Virginia Register: Joan W. Smith, Registrar of Regulations; Ann M. Brown, Deputy Registrar of Regulations.

VIRGINIA REGISTER OF REGULATIONS

PUBLICATION DEADLINES AND SCHEDULES

PUBLICATION DATE	MATERIAL SUBMITTED BY 12 noon Wednesday
July 7	June 18
July 21	July 2
Aug. 4	July 16
Aug. 18	July 30
Sept. 1	Aug. 13
Sept. 15	Aug. 27
Sept. 29	Sept. 10
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Oct. 13	Sept. 24
Oct. 27	Oct. 8
Nov. 10	Oct. 22
Nov. 24	Nov. 5
Dec. 8	Nov. 19
Dec. 22	Dec. 3
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1987	
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Jan. 19	Dec. 31
Feb. 2	Jan. 14
Feb. 16	Jan. 28
Mar. 2	Feb. 11
Mar. 16	Feb. 25
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June 8	May 20
June 22	June 3
Index - 3rd Issue	
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PROPOSED REGULATIONS

For information concerning Proposed Regulations, see information page.

Symbol Key

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

DEPARTMENT OF HEALTH (BOARD OF)

Title of Regulation: VR 355-34-02. Sewage Handling and Disposal Regulations.

Statutory Authority: §§ 32.164 B and 32.1-164.2 through 32.1-164.4 of the Code of Virginia.

Public Hearing Dates:

February 9, 1987 - 7 p.m.

February 10, 1987 - 7 p.m.

February 12, 1987 - 7 p.m.

February 17, 1986 - 7 p.m.

February 18, 1987 - 7 p.m.

(See Calendar of Events section for additional information)

REGISTRAR'S NOTICE: Due to its length, the proposed Sewage Handling and Disposal Regulations filed by the State Department of Health is not being published. However, in accordance with § 9-6.14:22 of the Code of Virginia, the summary is being published in lieu of the full text. The full text of the regulations is available for public inspection at the office of the Registrar of Regulations and at the Department of Health. The proposed amendments published (summary only) in Volume 2, Issue 3 of the Virginia Register of Regulations are being withdrawn and are being repropose.

Summary:

The Department of Health proposes to amend the Sewage Handling and Disposal Regulations by allowing additional options by which septage may be handled and disposed. The proposed amendments represent a change in format, organization, and style, as required by the Virginia Registrar.

Current regulations require septage handlers to be permitted to handle septage and before permitting, they must demonstrate that they have an approved site for disposal of septage. Septage disposal sites currently approved include the use of sewage treatment plants and anaerobic lagoons. There are situations where the above options are not available and the proposed amendments were developed to allow other methods by which septage may be disposed.

The preferred methods for septage disposal are disposal in an approved sewage treatment facility or stabilization and subsequent disposal by land application or landfilling. Unstabilized septage may be applied directly to land only under certain conditions.

The amendments describe lime stabilization as a process by which septage may be handled prior to landfilling or land spreading. The land spreading of unstabilized septage via shallow injection plowing is described in the proposed amendments.

The State Department of Health in order to implement § 32.1-164.4 as amended in 1986: Land Disposal of Septage in Counties, has proposed the amendments. The purpose of the proposed changes is to protect the public health by regulating how septage may be disposed of through land application.

BOARD OF OPTOMETRY

Title of Regulation: VR 510-01-1. Regulations of the Virginia Board of Optometry.

Publication: VA.R., 2:9, pp. 960-964, February 3, 1986

The regulations previously published in the Virginia Register of Regulations are being withdrawn. The board has replaced the regulations, published last winter, with a new body of regulations. Therefore the process of promulgating the first set of regulations has permanently ceased.

DEPARTMENT OF SOCIAL SERVICES (BOARD OF)

Title of Regulation: VR 615-70-1. State Income Tax Intercept for Child Support.

Statutory Authority: § 63.1-25 of the Code of Virginia.

Public Hearing Date: N/A

(See Calendar of Events section for additional information)

Summary:

Under the provisions of Article 21 (§ 58.1-520 et seq.) of Chapter 3 of Title 58.1 (Setoff Debt Collection Act) of the Code of Virginia, the Department of Social Services may intercept state income tax refunds to pay back a debt owed to the Commonwealth. The department, under the authority of 45 CFR 303.102, chooses to satisfy the arrearage owed to the custodial parent first prior to satisfying a debt owed to the Commonwealth. (This can happen when the individual has previously received public assistance and makes

Proposed Regulations

application for support enforcement services.)

VR 615-70-1. State Income Tax Intercept for Child Support.

§ 1. Definitions.

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

"Arrearage" means money owed for past due support.

"Debt" means the total unpaid support obligation owed to the Commonwealth for public assistance paid.

"Department" means State Department of Social Services.

"Setoff Debt Collection Act Process" means procedures established for applying state tax refunds toward any delinquent debt owed to the Commonwealth.

§ 2. Setoff debt collection.

Money the department receives through the Setoff Debt Collection Act process, Article 21 (§ 58.1-520 et seq.) of Chapter 3 of Title 58.1 of the Code of Virginia, for overdue support payments, shall satisfy a debt owed to the Commonwealth for public assistance paid before satisfying any other arrearage owed arrearage owed to the custodial parent before satisfying any other debt owed to the Commonwealth for public assistance paid .

BOARD OF VETERINARY MEDICINE

Title of Regulation: VR 645-01-1. Regulations Governing the Practice of Veterinary Medicine.

Publication: VA.R., 2:9, pp. 964-972, February 3, 1986

The regulations previously published in the Virginia Register of Regulations are being **withdrawn**. The board has replaced the regulations, published last winter, with a new body of regulations. Therefore the process of promulgating the first set of regulations has permanently ceased.

FINAL REGULATIONS

For information concerning Final Regulations, see information page.

Symbol Key

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

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Title of Regulation: VR 115-04-02. Rules and Regulations for Enforcement of the Virginia Pest Law - Virginia Gypsy Moth Quarantine.

Statutory Authority: §§ 3.1-188.23 and 3.1-188.24 of the Code of Virginia.

Effective Date: January 1, 1987

NOTICE FROM THE REGISTRAR OF REGULATIONS The changes in the Virginia Gypsy Moth Quarantine Regulated Areas has been issued by the Commissioner of Agriculture and Consumer Services pursuant to the authority granted under § 3.1-188.23 of the Code of Virginia. The changes in the regulated areas become effective January 1, 1987.

Section 9-6.14:4.1 of the Code of Virginia provides that certain actions taken by an agency are not subject to the public participation requirements of the Administrative Process Act. Therefore, the amended regulated areas were established without the public procedures prescribed in the Administrative Process Act. The regulated areas will be on the agenda of the next State Board of Agriculture and Consumer Services meeting scheduled for December 11, 1986. The Board will receive written comments on the extension of quarantine through December 10 and will receive oral presentations at the scheduled meeting. The Board of Agriculture and Consumer Services will receive, consider and respond to petitions by any interested persons at any time with respect to reconsideration or revision of this amended regulation.

Summary:

By the authority under § 3.1-188.23 of the Code of Virginia the Commissioner of the Virginia Department of Agriculture and Consumer Services hereby extends the regulated areas under the Virginia Gypsy Moth Quarantine due to the detection of larvae and other life stages and the past history of the gypsy moth in areas not currently under regulation. The changes from the current regulated areas include all of Caroline, Gloucester, Goochland, Greene, Hanover, Henrico, King George, Lancaster, Louisa, Mathews, Middlesex, Northampton, Northumberland, Orange, Richmond, Rockingham, Spotsylvania, Westmoreland and York Counties as well as the southern 4/5 of Accomack County, the northern 1/2 of Albemarle County, the northeastern 1/4 of Augusta County, the southern 2/3 of Madison County, and the southern 1/3 of Shenandoah County. The independent cities of

Ashland, Charlottesville, Fredericksburg, Hampton, Harrisonburg, Newport News, Norfolk, Poquoson, Waynesboro, as well as the northern 1/4 of Virginia Beach are included. Effective January 1, 1987, § 3 is amended as follows:

VR 115-04-02. Rules and Regulations for Enforcement of the Virginia Pest Law - Virginia Gypsy Moth Quarantine.

§ 1. Definitions.

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

"Associated equipment" means articles associated with mobile homes and recreational vehicles such as, but not limited to : awnings, tents, outdoor furniture, trailer blocks, LP gas containers, and trailer skirts.

"Compliance agreement" means a written agreement between a person engaged in growing, handling, or moving regulated articles, and the VDACS, U.S. Department of Agriculture (USDA), or both, wherein the former agrees to comply with the requirements of the compliance agreement.

"Gypsy moth" means the insect "*Lymantria dispar*" (Linnaeus) in any living stage.

"Hazardous recreational vehicle site" means any site where a recreational vehicle is, or may be parked, which is determined by an inspector to harbor populations of gypsy moth that could be spread by movement of recreational vehicles or associated equipment.

"Inspector" means any employee of the Virginia Department of Agriculture and Consumer Services, or other person authorized by the commissioner to enforce the provisions of the quarantine and regulations.

"Mobile home" means any vehicle, other than a recreational vehicle, designed to serve, when parked, as a dwelling or place of business.

"Outdoor household articles" means articles associated with a household that have been kept outside the home, including but not limited to outdoor furniture, barbeque grills, building materials, children's play things, yard items, trash cans, dog houses, boats, hauling trailers, garden tools, tents, and awnings.

"Recreational vehicles" means highway vehicles, including pickup truck campers, one-piece motor homes,

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and camping or travel trailers, designed to serve as a temporary dwelling.

"*Scientific permit*" means a document issued by the Virginia Department of Agriculture and Consumer Services to authorize movement of regulated articles to a specified destination for scientific purposes.

"*Virginia Pest Law*" means that law set forth in Article 6 (§ 3.1-188.20 et seq.) of Title 3.1 of the Code of Virginia.

§ 2. Regulated articles.

The following articles are regulated under the provisions of this quarantine, and shall not be moved into or within Virginia, except in compliance with the conditions prescribed in this quarantine:

1. Trees with roots, shrubs with roots, and persistent woody stems, except if greenhouse grown throughout the year.
2. Logs and pulpwood, except if moved to a mill operating under a compliance agreement.
3. Firewood.
4. Mobile homes and associated equipment.
5. Recreational vehicles and associated equipment, moving from hazardous recreational vehicle sites and the person in charge of the site has been notified.
6. Cut Christmas trees.
7. Any other products, articles (e.g., outdoor household articles), or means of conveyance, of any character whatsoever, when it is determined by an inspector that any life stage of gypsy moth is in proximity to such articles and the articles present a risk of artificial spread of gypsy moth infestations and the person in possession thereof has been so notified.

§ 3. Regulated areas.

A. Any area of another state or the District of Columbia, whether designated high risk or low risk, in which gypsy moth is known to occur and is so geographically described and regulated by the United States Department of Agriculture under the Gypsy Moth and Browntail Moth Quarantine No. 45, or under a state gypsy moth quarantine or other state legislation.

B. The following areas in Virginia:

1. The entire counties of: *Accomack, Arlington, Caroline, Clarke, Culpeper, Fairfax, Fauquier, Frederick, Gloucester, Goochland, Greene, Hanover, Henrico, King George, Lancaster, Loudoun, Louisa, Madison, Mathews, Middlesex, Northampton, Northumberland, Orange, Page, Prince William,*

Rappahannock, Richmond, Rockingham, Shenandoah, Spotsylvania, Stafford, and Warren, Westmoreland, and York.

2. The entire independent cities of: *Alexandria, Ashland, Charlottesville, Fairfax City, Falls Church, Fredericksburg, Hampton, Harrisonburg, Manassas, Manassas Park, Newport News, Norfolk, Poquoson, Waynesboro, and Winchester.*

3. Portions of the following counties:

a. *Albemarle County - that portion of the county being north of Interstate 64.*

b. *Augusta County - that portion of the county being east of Interstate 81 and north of Interstate 64.*

c. *Virginia Beach - that portion of the city being north of State Route 44.*

Accomack County

That portion of the county which lies north of State Route 605 beginning at the junction of State Route 605 and the Chesapeake Bay on the west and then east along State Route 605 to its junction with State Route 670; then north 0.2 miles on State Route 670 to its junction with State Route 605; then east on State Route 605 to its junction with Powells Bay; then east along an imaginary line to its junction with the Atlantic Ocean.

Madison County

That portion of the county being north of a line beginning at the junction of State Route 615 and the Greene, Madison County Line; then east along State Route 615 to its intersection with State Route 662; then north along State Route 662 to its boundary of the Shenandoah National Park; then north along the Shenandoah National Park boundary to State Route 672; then east along State Route 672 to its intersection with State Route 640; then east along State Route 640 to its intersection with State Route 670; then south and east along State Route 670 to its intersection with State Route 231; then south and east along State Route 231 to its intersection with State Route 600; then east along State Route 600 to its intersection with the Madison County, Culpeper County Line.

Shenandoah County

That portion of the county which lies north and east of State Route 675.

§ 4. Conditions governing movement of regulated articles into or within Virginia.

A regulated article may not be moved into or within the state from a regulated area as described in § 3 unless a

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certificate or permit has been issued and attached to the regulated article in accordance with § 5. -

§ 5. Conditions governing the issuance of certificates and permits.

A. Certificates.

Certificates may be issued by an authorized inspector for the movement of the regulated articles designated in § 2 under any of the following conditions when:

1. In the judgement of the inspector, they have not been exposed to infestations;
2. They have been examined by the inspector and found to be free of gypsy moth;
3. They have been treated to destroy gypsy moth under the direction of the inspector and according to methods selected by him from administratively authorized procedures known to be effective under the conditions in which applied;
4. Grown, produced, manufactured, stored, or handled in such manner that, in the judgement of the inspector, gypsy moth would not be transmitted by movement of the article.

B. Permits.

Permits may be issued by an authorized inspector for the movement of noncertified regulated articles to specified destinations under conditions specified for limited handling, use, processing, or treatment.

C. Compliance agreement.

As a condition of issuance of certificates or permits for the movement of regulated articles, any person engaged in purchasing, assembling, exchanging, handling, processing, utilizing, treating, or moving regulated articles may be required to sign a compliance agreement. The agreement shall stipulate that safeguards will be maintained against the establishment and spread of infestation, and will comply with the conditions governing the maintenance of identity, handling, and subsequent movement of such articles, and the cleaning and treatment of means of conveyance and containers.

D. Use of certificates or permits with shipments.

All regulated articles are required to have a certificate or permit attached when offered for movement. If a certificate or permit is attached to the invoice or waybill, the attachment of a certificate or limited permit to the regulated article will not be required. Certificates or permits attached to the invoice, waybill, or other shipping document, shall be given by the carrier to the consignee at the destination of the shipment, or to an inspector when requested.

E. Assembly of articles for inspection.

Persons intending to move any regulated articles shall apply for inspection as far in advance as possible. They shall safeguard the articles from infestation. The articles shall be assembled at a place and in a manner designated by the inspector to facilitate inspection.

§ 6. Cancellation of certificates or permits.

Any certificate or permit which has been issued or authorized will be withdrawn by the inspector if he determines that the holder has not complied with conditions for their use or with any applicable compliance agreement.

§ 7. Inspection and disposal of regulated articles and pests.

Any properly identified inspector is authorized to stop and inspect, and to seize, destroy, or otherwise dispose of, or require disposal of regulated articles and gypsy moths as provided in the Virginia Pest Law under which this quarantine is issued.

§ 8. Shipment for experimental or other scientific purposes.

Any living stage of gypsy moth may be moved intrastate only if such movement is made for scientific purposes under scientific permit from the Virginia Department of Agriculture and Consumer Services, and in accordance with any conditions which may be required in the permit. The permit shall be securely attached to the outside of the shipping container.

§ 9. Nonliability of the department.

The Virginia Department of Agriculture and Consumer Services shall not be liable for any costs incident to inspections required under the provisions of the quarantine and regulations, other than for the services of the inspector.

* * * * *

Title of Regulation: VR 115-05-06. Rules and Regulations Pertaining to Carbonated and Still Water Bottling Plants and Beverages.

Statutory Authority: §§ 3.1-394 and 3.1-398 of the Code of Virginia.

Effective Date: January 7, 1987

Summary:

These amendments were necessary to promote clarity, simplicity and the improvement of sentence structure and to delete rules 5, 9 and 10 that are no longer considered necessary. Rule 5 is unnecessary since it is duplicative of § 3.1-371 of the Virginia Food Laws.

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Rule 9 which related to labeling requirements for beverages for special dietary uses has been repealed and rule 10 relating to the location and legibility of the beverage label is adequately covered by the labeling requirements found within the provisions of § 3.1-396 of the Virginia Food Laws. These changes came about as the result of the VDACS revised agency work plan for the review of existing regulations conducted in accordance with the Robb Administration's Executive Policy Memorandum 1-82 and Administration and Finance Temporary Directive 2-82.

These amendments were adopted by the Board of Agriculture and Consumer Services without a formal public hearing. The hearing requirements which are set forth in the Administrative Process Act were satisfied by the regulatory review process.

VDACS will receive, consider and respond to petitions by any interested person at any time with respect to reconsideration or revision of these admendments.

VR 115-05-06. Rules and Regulations Pertaining to Carbonated and Still Water Bottling Plants and Beverages.

Rule 1-

§ 1. Facilities requirements.

All buildings or rooms used for the preparation for sale, manufacture, bottling, packing, storage, sale or distribution of any carbonated or stillwater beverages shall be properly lighted, plumbed and ventilated and conducted with due regard for the purity and wholesomeness of the products, therein and for the health of all persons employed therein employed there. The floors in the processing and bottling rooms must have a surface of concrete or other impervious material, and must be graded to drain properly, and flushed with water often enough to keep them clean.

Rule 2-

§ 2. Sanitary requirement.

All buildings where carbonated or still water beverages are manufactured or bottled, shall be kept at all times in a sanitary condition at all times.

Rule 3-

§ 3. Syrup rooms.

Rooms in which syrups, flavors, extracts, or other liquid beverage ingredients are measured, mixed, or prepared, shall be separately enclosed, and shall have automatically closing entrances and exits. The walls and ceiling shall be smooth and so constructed as to be easily cleaned. The syrup room shall be effectively ventilated (forced filtered air may be used) and adequately lighted by natural or

artificial light, and shall be provided with a sink and running hot and cold water.

Rule 4-

§ 4. Equipment sanitation.

All apparatus and vessels used in the manufacture or bottling of carbonated or still water beverages shall be maintained in a sweet wholesome sanitary condition, and All equipment except for storage tanks shall be washed at least once every day when being used, followed by chlorine sterilization. Syrup shall be cut off from the bottle-filled machine at the close of each day's work, and the syrup thoroughly washed from the inside of the machine. No vessel shall be used in the mixing of syrups, except for glass, or vessels that are lined with porcelain, lined, block tin, lined, stainless steel, or some other suitable impervious material.

Rule 5-

Section 5-

The clothing of operatives and employees must be reasonably clean.

Rule 6-

§ 5. Infectious disease prohibition.

No employer shall knowingly permit, or require or suffer any person to work in any a carbonated or still water bottling or manufacturing plant who is afflicted with any contagious or infectious disease, or with any skin disease.

Rule 7-

§ 6. Restroom requirements.

Every place in which carbonated or still water beverages are manufactured or prepared shall be provided with a toilet of sanitary construction which is properly ventilated, screened, with self-closing doors, ; ; and a lavatory with hot and cold running water, individual towels, and soap. Suck This toilet shall be separate and apart from any room used for the manufacture or ingredient storage of carbonated or still water beverages.

Rule 8-

§7. Container sanitization requirements.

All bottles, jugs, cans, barrels, and containers used in the packing, bottling, storage, distribution, and sale of carbonated and still water beverages must be sterilized before using by one of the following methods:

1. By sterilization with boiling water or live steam.

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2. By soaking in a hot caustic solution that shall contain not less than ~~three per centum (3%)~~ 3% alkali, of which not less than ~~sixty per centum (60%)~~ 60% is caustic (sodium hydroxide) or its equivalent in cleansing or germicidal effectiveness, for a period of not less than five minutes at a temperature of not less than one hundred and thirty degrees Fahrenheit 130°F, and then rinsed in potable water; until free from alkali or sodium hydroxide.

Rule 9.

All carbonated or still water beverages containing any non nutritive artificial sweetener shall be labeled in accordance with the provisions relating to labeling contained in the Regulations governing Definitions, Standards and Labeling Requirements for Foods for Special Dietary uses. (See note below.)

Rule 10.

Labeling shall conform to the requirements as outlined in Title III, Section 316 of the Code of Virginia, 1950. In addition, the entire information required must appear with on the container or on the crown, and it may not be blown into the container; the quantity of contents declaration excepted, provided such declaration is likely to be read and understood by the ordinary individual under customary conditions of purchase and use. (See note below)

NOTES:

Rule 9 as originally adopted January 22, 1952, was amended by the Board of Agriculture and Immigration on January 27, 1954, so as to contain the present terminology.

Rule 10 as originally adopted January 22, 1952, was amended by the Board of Agriculture and Immigration on April 16, 1956, so as to contain the present terminology.

* * * * *

Title of Regulation: VR 115-05-07. Rules and Regulations Pertaining to Tolerances and Prohibitions Applicable to Sausage.

Statutory Authority: § 3.1-394 of the Code of Virginia.

Effective Date: January 7, 1987

Summary:

These amendments were necessary to promote clarity, simplicity and the improvement of sentence structure and to decrease the total permissible fat content in raw sausage from 55% to 50% to conform to federal regulations. These changes came about as the result of the VDACS revised agency work plan for the review of existing regulations conducted in accordance with the Robb Administration's Executive Policy

Memorandum 1-82 and Administration and Finance Temporary Directive 2-82.

These amendments were adopted by the Board of Agriculture and Consumer Services without a formal public hearing. The hearing requirements which are set forth in the Administrative Process Act were satisfied by the regulatory review process.

VDACS will receive, consider and respond to petitions by an interested person at the time with respect to reconsideration or revision of these amendments.

VR 115-05-07. Rules and Regulations Pertaining to Tolerances and Prohibition Applicable to Sausage.

§ 1. Sausage.

A. Cereal, vegetable starch, starchy vegetable flour, soya flour, soy protein concentrate, dried milk, nonfat dry milk, or calcium reduced dried skim milk may be added to sausage in quantities not to exceed, individually or collectively, 3 1/2% by weight of the finished product.

B. Water or ice in quantities not to exceed 3% may be added to sausage which is not cooked; sausage of the type which is cooked, such as frankfurter style, or normal style, and bologna style, may contain not more than 10% added water or moisture to make the product palatable.

C. When dried milk, nonfat dry milk, or calcium reduced dried skim milk is added to sausage as provided above in A. and B. above its use must not result in added water or moisture in excess of 3% for raw sausage, and 10% for cooked sausage.

D. When cereal, vegetable starch, starchy vegetable flour, soya flour, soy protein concentrate, dried milk, nonfat dry milk, or calcium reduced dried skim milk is added to sausage within the limits above prescribed, the product and the label shall be marked with the specific name of each added ingredient.

E. Raw pork sausage shall not be permitted to contain in excess of ~~55.0 percent~~ 50% total fat, as determined by the prescribed official AOAC method.

F. Sausage of the cooked type, such as frankfurter, vienna and bologna styles, shall not contain in excess of ~~30.0 percent~~ 30% total fat, as determined by the prescribed official AOAC method.

* * * * *

Title of Regulation: VR 115-05-08. Rules and Regulations Pertaining to Labeling and Sale of Infant Formula.

Statutory Authority: § 3.1-398 of the Code of Virginia.

Effective Date: January 7, 1987

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Summary:

These amendments were necessary to promote clarity, simplicity and the improvement of sentence structure. These changes came about as the result of the Virginia Department of Agriculture and Consumer Services revised agency work plan for the review of existing regulations conducted in accordance with the Robb Administration's Executive Policy Memorandum 1-82 and Administration and Finance Temporary Directive 2-82.

These amendments were adopted by the Board of Agriculture and Consumer Services without a formal public hearing. The hearing requirements which are set forth in the Administrative Process Act were satisfied by the regulatory review process.

Virginia Department of Agriculture and Consumer Services will receive, consider and respond to petitions by any interested person at any time with respect to reconsideration or revision of these amendments.

VR 115-05-08. Rules and Regulations Pertaining to Labeling and Sale of Infant Formula.

§ 1. Infant formulas.

Each and every container of liquid or powdered infant formula made from two or more ingredients, and represented as or intended as a replacement or supplement for milk, shall conspicuously show in common and express terms the calendar month and year after which the product is not to be sold or used for human consumption.

§ 2. Basis for expiration date.

The expiration date, or (the date after which the product is not to be sold or used for human consumption) shall be determined by the manufacturer, based on empirical data when available; or, in the its absence, thereof shall be determined by other verifiable scientific means.

§ 3. Supply scientific data establishing expiration date.

Upon the request of the commissioner or his authorized agent, the manufacturer shall, for each and every brand, variety, or formulation of infant formula intended to be sold or offered for sale in Virginia, submit scientific data establishing the expiration date to comply with § (a) 1. of this regulation. Such This data shall include, but is not limited to, physical, nutritional, and chemical properties, and rate of breakdown or loss of such properties. In the absence of empirical data on any specific formulation, the manufacturer shall provide such scientific data to reasonably substantiate the expiration date. If the data submitted does not, in the opinion of the commissioner does not justify the expiration date, the commissioner shall prohibit the sale of the product until such time as

satisfactory data is supplied, or until a new expiration date consistent with the data is applied to the food product.

§ 4. Expiration date required on every carton, container, or consumer package.

Each and every shipping carton, container, or consumer package shall in like manner also show the calendar month and year after which the product is not to be sold or used.

§ 5. Misbranding.

Knowingly filing with the Commissioner incorrect or unverifiable data with the commissioner, or placing an expiration date upon a shipping carton, container or any consumer package, which date is inconsistent with the data filed with the commissioner, shall be deemed considered to be misbranding under § 3.1-396 (a) of the Code of Virginia. provided; However, that it shall not be deemed considered misbranded if the expiration date shown is an earlier date than the filed data could warrant.

Section 6.

This regulation shall become effective on July 1, 1973.

§ 6. Special formulation.

The provisions of this regulation shall not apply to any special formulation manufactured on request of any licensed physician for the express purpose of meeting dietary needs of a specific individual.

§ 7. Sale of a product unfit for food.

Any manufacturer, distributor, dealer, or other person who offers for sale or sells infant formula not showing without an expiration date, or who offers for sale or sells infant formula on a date after the expiration date shown, shall be deemed to be offering for sale a product unfit for food within the meaning of § 3.1-395 (a) (3) of the Code of Virginia.

* * * * *

Title of Regulation: VR 115-05-12. Rules and Regulations Pertaining to Tolerances and Prohibitions Applicable to Ground Beef.

Statutory Authority: §§ 3.1-394 and 3.1-398 of the Code of Virginia.

Effective Date: January 7, 1987

Summary:

These amendments were necessary to promote clarity, simplicity and the improvement of sentence structure. These changes came about as the result of the

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Virginia Department of Agriculture and Consumer Services revised agency work plan for the review of existing regulations conducted in accordance with the Robb Administration's Executive Policy Memorandum 1-82 and Administration and Finance Temporary Directive 2-82.

These amendments were adopted by the Board of Agriculture and Consumer Services without a formal public hearing. The hearing requirements which are set forth in the Administrative Process Act were satisfied by the regulatory review process.

Virginia Department of Agriculture and Consumer Services will receive, consider and respond to petitions by any interested person at any time with respect to reconsideration or revision of these amendments.

VR 115-05-12. Rules and Regulations Pertaining to Tolerances and Prohibitions Applicable to Ground Beef.

§ 1. Ground beef.

A. Chopped beef, ground beef, hamburger.

"Chopped beef", "ground beef", or "hamburger" shall consist of chopped fresh ~~and/~~ or frozen beef, with or without seasoning, and with or without the addition of beef fat as such. ~~It shall not~~ contain no more than 30 percent % fat, and shall not contain added water, binders, or extenders. When beef cheek meat (trimmed beef cheeks) is used in the preparation of chopped or ground beef, the amount of such cheek meat shall be limited to 25 percent %. ~~and~~ If in excess of natural proportions, its presence shall be declared on the label.

B. Beef patties.

"Beef patties" shall consist of chopped fresh ~~and/~~ or frozen beef, with or without the addition of beef fat as such ~~and/~~ or seasonings. Binders or extenders ~~and/~~ or partially defatted beef fatty tissue may be used, without added water or with added water, only in amounts such that the product's characteristics are essentially that of a meat patty. When seasoning, water, binders, or extenders or partially defatted beef fatty tissue are used, their presence shall be declared on the label by their common or usual name in descending order of predominance. Beef patties shall ~~not~~ contain no more than 30 percent % fat.

C. Fabricated steak.

Fabricated beef steaks, veal steaks, beef and veal steaks, or veal and beef steaks, and similar products, such as those labeled "beef steak, chopped, shaped, frozen", "minute steak, formed, wafer sliced, frozen", "veal steaks, beef added, chopped-molded-cubed-frozen, hydrolized plant protein, and flavoring" shall be prepared by comminuting and forming the product from fresh ~~and/~~ or frozen meat, with or without added fat, of the species indicated on the label. ~~Such~~ These products shall ~~not~~ contain no more than

30 percent % fat, and shall not contain added water, binders, or extenders. Beef cheek meat (trimmed beef cheeks) may be used in the preparation of fabricated beef steaks only in accordance with the conditions prescribed in paragraph ~~(a)~~ of Regulation ~~1~~ A. of § 2.

§ 2. Labeling and fat declaration requirements.

A. Qualifying terms.

No qualifying terms pertaining to product names, quality, or fat content of ground beef, other than those permitted by these regulations or applicable federal regulations, shall be used in the advertisement or labeling of ground beef products, unless a placard is displayed in reasonable proximity to the display of the product a placard which clearly stating states:

1. The name of the product;
2. Clarification of any qualifying term which is not self-evident; and
3. A statement of the maximum fat content of the product. Terms such as "lean", "extra lean", "super lean" and "premium" are examples of "qualifying terms".

B. Primal cuts.

Ground beef sold or offered for sale by the name of a primal cut such as "ground chuck", "ground round", "chopped sirloin" or similar terms, shall be composed of meat exclusively from that part of the animal carcass.

C. Display placard.

The display placard shall contain the name of the product and the statement "Does Not Exceed Per Cent Fat" , the blank being filled in with the maximum per cent of fat by weight. The placard statement shall be in block letters no less than one-half inch in size. ~~Provided~~ However, placard labeling shall not be required when the package label includes the information specified in this regulation.

D. Use of terms optional.

~~Nothing in~~ This regulation shall ~~not~~ be construed interpreted to require any processor or retailer to use any term other than "chopped beef", "ground beef", or "hamburger". If a processor or retailer elects to use qualifying terms, ~~such~~ ~~he~~ processor or retailer shall determine and declare by label or placard the maximum percentage of fat in the product which can be maintained by customary operating procedure. The processing margin between the intended fat content and the declared maximum fat content of the product shall be determined by the processor or retailer.

E. Samples and analyses.

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Upon analysis by official AOAC methods of random samples collected by the Department of Agriculture and Commerce Consumer Services from display, a variation of not more than three percent 0.3% in excess of the declared maximum shall be considered as meeting the declared maximum. Random samples shall consist of one package from display for each 10 packages or fractions thereof on display.

COMMISSION OF GAME AND INLAND FISHERIES

NOTE: The Commission of Game and Inland Fisheries is exempted from the Administrative Process Act, (§ 9-6.14:4 of the Code of Virginia); however, it is required by § 9-6.14:22 to publish all proposed and final regulations. These regulations are numbered to conform to the new classification system established by the Virginia Code Commission.

Summary:

Summaries are not provided since, in most instances, the summary would be as long or longer than the full text.

Title of Regulation: VR 325-01-1. In General.

Statutory Authority: §§ 29-125, 29-126 and 29-127 of the Code of Virginia.

Effective Date: January 1, 1987

VR 325-01-1. In General.

Amend § 4 to delete "grayling" and "lake trout" from the definition of "game fish."

§ 4. Definitions - "Game fish."

"Game fish" as mentioned in commission regulations means and includes trout (including all salmonidae), grayling, all of the sunfish family (including largemouth bass, smallmouth bass and spotted bass, rock bass, bream, bluegill and crappie), walleye or pike perch, white bass, chain pickerel, or jackfish, muskellunge; and northern pike and lake trout, wherever such fish are found in the waters of this Commonwealth and rockfish or striped bass where found above tidewaters or in streams which are blocked from access from tidewaters by dams.

* * * * *

Title of Regulation: VR 325-03-1. Fishing Generally.

Statutory Authority: §§ 29-125, 29-126 and 29-127 of the Code of Virginia.

Effective Date: January 1, 1987

VR 325-03-1. Fishing Generally.

§ 2. Creel limits.

The creel limits for the various species of fish shall be as follows:

1. Largemouth, smallmouth and spotted bass, eight five a day in the aggregate;

2. Landlocked striped bass and landlocked striped bass X hybrids, in the aggregate, four a day; except, that in Smith Mountain Reservoir and its tributaries, including the Roanoke River upstream to Niagara Dam, the limit shall be two a day in the aggregate.

3. White bass, no limit, except that in Gaston Reservoir the limit shall be 25;

4. Walleye or yellow pike perch and chain pickerel or jackfish, eight a day of each, provided that 10 walleye a day may be taken from South Holston Reservoir below full pool elevation of 1730;

5. Northern pike and muskellunge, two a day;

6. Sauger, no limit, provided that only 15 a day may be taken from South Holston Reservoir below full pool elevation of 1730;

7. Bluegill (bream) and other sunfish, including crappie or silver perch and rock bass or redeye, no limit.

[NOTE: The amendment to paragraph 1 of this section is effective January 1, 1987; except, that in Gaston Reservoir and in Kerr Reservoir, the amendment is effective July 1, 1987.]

§ 3. Size limit.

Except as provided in this regulation and VR 325-03-2, §§ 5, 11, 12 and 13, there shall be no size limit on any species of fish.

1. There shall, however, be a 26-inch minimum size limit on muskellunge, a 20-inch minimum size limit on northern pike and a 20-inch minimum size limit on landlocked striped bass (rockfish) and a 15-inch minimum size limit on landlocked striped bass X white bass hybrids.

2. There shall be a 14-inch minimum size limit on largemouth, smallmouth and spotted bass in Occoquan Reservoir from the reservoir dam upstream to the Lake Jackson Dam on Occoquan Creek and upstream to the Yates Ford Bridge (Route 612) on Bull Run Creek. It shall be unlawful to have any such bass less than 14 inches in length in one's possession on the above described waters of this reservoir.

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3. Also, There shall be a 12-inch minimum size limit on largemouth, smallmouth and spotted bass in the North Fork Shenandoah River downstream from Route 42 bridge at Timerbille and the Shenandoah River below the Riverton Dam to the West Virginia boundary line and the New River from Claytor Dam to the West Virginia boundary line, and in the North Fork of Pound, Chickahominy, Claytor, Philpott, Flannagan, and Beaverdam (Loudoun County) Reservoirs, and in Lake Moomaw (Gathright Project), and in the waters of Fort A.P. Hill, and in the waters of Quantico Marine Reservation. It shall be unlawful to have any largemouth, smallmouth or spotted bass less than 12 inches in length in one's possession while on any of the waters mentioned in the preceding sentence.

4. There shall be a 14-inch minimum size limit on largemouth, smallmouth and spotted bass on the Roanoke (Staunton) and Dan Rivers and their tributaries and impoundments (Gaston, John Kerr, Leesville and Smith Mountain Reservoirs) downstream from Niagara Dam on the Roanoke River and the Brantly Steam Plant Dam on the Dan River; except, that as many as two of such bass of a lesser size caught in such waters may be retained in the creel, but no more than two such bass may be in possession on such waters that are less than 14 inches in length.

5. It shall be unlawful to have any largemouth, smallmouth or spotted bass from 12 to 15 inches in length, both inclusive, in one's possession on North Anna Reservoir and its tributaries and on Chesdin Reservoir or the Appomattox River from the Brasfield (Chesdin) Dam to Bevel's Bridge on Chesterfield County Route 602.

6. It shall be unlawful to have any walleye or yellow pike perch less than 15 inches in length in one's possession on Gaston Reservoir. It shall be unlawful to have any smallmouth, largemouth or spotted bass from 11 to 13 inches in length, both inclusive, in one's possession on the South Fork Shenandoah River from the Luray Power Dam near Luray downstream to its confluence with the North Fork Shenandoah River at Riverton.

7. It shall be unlawful to have any smallmouth, largemouth or spotted bass from 11 to 14 inches in length, both inclusive, in one's possession on the Shenandoah River, including the North and South Forks downstream from the Route 42 bridge on the North Fork and from the confluence of the North and South Rivers on the South Fork below Port Republic; on the New River from Claytor Dam to the West Virginia boundary line; or on the James River from the confluence of the Jackson and Cowpasture Rivers downstream [to the Interstate 95 bridge at Richmond].

§ 8. Fishing prohibited in certain section of Little Stony

Creek.

It shall be unlawful to fish at any time in that section of Little Stony Creek for a distance of 15 chains above the reservoir of the Town of Woodstock in the North Mountain section of the Lee District just west of Columbia Furnace.

* * * * *

Title of Regulation: VR 325-03-2. Trout Fishing.

Statutory Authority: §§ 29-125, 29-126 and 29-127 of the Code of Virginia.

Effective Date: January 1, 1987

VR 325-03-2. Trout Fishing.

§ 1. Season – General open season.

Except as otherwise specifically provided in the sections appearing in this regulation, the open angling season for trout shall be from noon 9 a.m. the first third Saturday in April March through February 15, 1, both dates inclusive. Except for the first day, angling during the season shall be permitted from 5 a.m. until one hour after sunset.

§ 5. Size limit.

Except as otherwise specifically provided by the sections appearing in this regulation, there shall be a 7-inch minimum size limit on trout generally and a 10-inch minimum size limit on trout in Philpott Reservoir.

§ 6. Methods and equipment used in fishing.

A. All seines, nets and the use of more than one rod or one line by any one person are prohibited while fishing in waters stocked with trout, except it shall be lawful to use a hand landing net to land fish legally hooked in all waters.

B. It shall be unlawful to fish with more than one hook attached to a single line in streams stocked with trout and such hook shall be baited with natural or artificial bait. Provided, however, this shall not be construed to prohibit the use of artificial lures with more than one hook. (NOTE: The Commission voted to not approve proposed amendments published October 13, 1986. Section 6 will remain in the original wording).

§ 13. Special provision applicable to certain portions of Conway River, Green Cove Creek, Little Stony Creek, North Creek, North Fork Buffalo River, St. Mary's River and Whitetop Laurel.

It shall be lawful to fish using only artificial lures with single hooks in that portion of the Conway River and its tributaries in Green and Madison Counties within the Rapidan Wildlife Management Area, in that portion of

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Green Cove Creek in Washington County from Route 859 downstream to its mouth, in that portion of Little Stony Creek in Giles County within the Jefferson National Forest, in that portion of Little Stony Creek in Shenandoah County more than 330 yards above the Woodstock Water Supply Dam within the George Washington National Forest, in that portion of North Creek in Botetourt County and its tributaries upstream from the first bridge above North Creek Campground, in the North Fork Buffalo River and its tributaries in Amherst County within the George Washington National Forest, in that portion of St. Mary's River in Augusta County and its tributaries upstream from the gate at the George Washington National Forest property line, and in that portion of Whitetop Laurel in Washington County upstream from the first railroad trestle above Taylor Valley to the mouth of Green Cove Creek at Creek Junction. All trout caught in the Conway River and its tributaries under eight inches in length and all trout caught in the other above named streams under nine inches in length shall be immediately returned to the water unharmed. It shall be unlawful for any person to have in his possession any natural bait, any trout under eight inches in length on the Conway River or its tributaries or any trout under nine inches in length on the other above named streams.

VIRGINIA MARINE RESOURCES COMMISSION

NOTE: Effective July 1, 1984, the Marine Resources Commission was exempted from the Administrative Process Act for the purposes of promulgating regulations. However, they are required to publish the full text of final regulations.

Title of Regulation: VR 450-01-0035. Pertaining to the Culling of Oysters.

Statutory Authority: §§ 28.1-23 and 28.1-85 of the Code of Virginia.

Effective Date: October 29, 1986

Preamble:

This regulation establishes a minimum size limit, shell culling requirements, and inspection procedures for oysters taken from public oyster beds, rocks, and shoals. The 1985 General Assembly passed House Bill 1386, which repealed culling and inspection requirements on the taking of oysters from all public oysters beds, rocks, or shoals and transferred, to Virginia Marine Resources Commission, the authority to set these requirements. This regulation, therefore, is designed to reestablish culling inspection requirements.

This regulation reestablishes the 3-inch cull size (minimum size limit) and inspection procedures in all clean cull areas and also establishes a requirement that oysters taken from public grounds be placed in

an open pile on the boat for inspection purposes.

VR 450-01-0035. Pertaining to the Culling of Oysters.

§ 1. Authority, prior regulations, effective date.

A. This regulation is promulgated pursuant to the authority contained in §§ 28.1-23 and 28.1-85 of the Code of Virginia.

B. *This regulation amends previous regulation, VR 450-01-0035, which was promulgated by the Marine Resources Commission and made effective October 1, 1985. No prior regulations pertain to oyster culling and inspection requirements.*

C. The effective date of this regulation is ~~October 1, 1985.~~ October 29, 1986.

§ 2. Purpose.

The purpose of this regulation is to establish culling requirements (minimum size limit) and inspection procedures which will provide protection for the public oyster beds, rocks, and shoals in Virginia's tidal waters.

§ 3. Definitions.

A. Clean cull areas: All natural public oyster beds, rocks, or shoals in the tidal water of Virginia, except those designated by the Marine Resources Commission as seed areas, shall be considered clean cull areas.

B. Seed areas: All natural public oyster beds, rocks, or shoals designated for the harvest of seed oysters, as follows:

1. Seaside of Eastern Shore - All of the public oyster grounds on the eastern side of Accomac and Northampton counties on Virginia's Eastern Shore.

2. James River - All of the public oyster grounds in the James River and its tributaries above a line drawn from Cooper's Creek in Isle of Wight County on the south side of the James River to a line in a northeasterly direction across the James River to the Newport News municipal water tank located on Warwick Boulevard between 59th Street and 60th Street in the City of Newport News, excluding the clean cull area at the Southwest corner of Jail Island as described in VMRC Order 82-8.

C. Oysters in the James River seed area will be defined as follows for the purposes of this regulation (see related cull standards § 6.c).

1. Market oysters, also know as clean culls or pick outs, generally exceed 2.5 inches in length, are not intended to be replanted in other waters, will not exceed 600 count of live oysters per bushel, and will exceed \$6.00 per bushel in dockside value.

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2. Soup-sized seed oysters, generally between 1.5 and 2.5 inches in length, are intended for replanting in other waters, will not exceed 600 count of live oysters per bushel, and will have a dockside value \$3.00 and \$5.00 per bushel.

Small seed oysters, generally less than 1.5 inches in length, are intended for replanting in other waters, will exceed 600 count of live oysters per bushel, and will have a dockside value of less than \$3.00 per bushel.

§ 4. Minimum ("cull") size.

All oysters taken from clean cull areas shall be culled on their natural beds, rocks, or shoals as taken and shall not be less than three inches in length. All undersized oyster and shells shall be returned immediately to their natural beds, rocks, or shoals. When small oysters are adhering so closely to the shell of the marketable oysters as to render removal impossible without destroying the young oyster, then it shall not be necessary to remove it.

§ 5. Culling requirements.

A. All oysters taken from natural public oyster beds, rocks, or shoals shall be placed on the culling board and culled by hand to the inside open part of the boat in a loose pile; however, when oysters are taken by hand and held in baskets or other containers they shall be culled as taken and transferred from the container to the inside open part of the boat in a loose pile and subject to inspection by any Marine Resources Commission law-enforcement officer.

B. If oysters from leased grounds and oysters from public grounds are mixed in the same cargo on a boat or motor vehicle, the entire cargo shall be subject to inspection under this regulation.

C. It shall be unlawful for any harvester/catcher to store oysters taken from public grounds on any boat in any type of container and all oysters taken from said areas shall be sold or purchased only in the regular oyster one-half bushel or one bushel measure as described in § 28.1-136 of the Code of Virginia.

§ 6. Inspection procedures.

In the inspection of oysters the law-enforcement officer shall, with a shovel, take at least one bushel of oysters at random, provided that the entire bushel shall be taken at one place in the open pile of oysters.

A. In the clean cull areas, if as much as one four-quart measure of undersized oysters and shells are found per bushel inspected it shall constitute a violation of this regulation.

B. In the seed areas, *except the James River Seed area*, if as much as one six-quart measure of shells are found

per bushel inspected it shall constitute a violation of this regulation.

C. In the James River seed area, if as much as one six-quart measure of shells is found per bushel of clean cull or soup-sized seed oysters, or if as much as one 10-quart measure of shell is found per bushel of small seed oysters it shall constitute a violation of this regulation. (See § 3 C for definitions of clean cull, soup-sized seed, and small seed oysters for the James River seed area.)

§ 7. Penalty.

As set forth in § 28.1-23 of the Code of Virginia, any person, firm, or corporation violating any provision of this regulation shall be guilty of a Class I misdemeanor.

/s/ William A. Pruitt
Commissioner

DEPARTMENT OF MINES, MINERALS AND ENERGY

Title of Regulation: VR 480-03-19. Coal Surface Mining Reclamation Regulations.

Statutory Authority: § 45.1-230 of the Code of Virginia.

Effective Date: January 7, 1987.

Summary:

The agency submitted two types of proposed amendments to the Department's Coal Surface Mining Reclamation Regulations. Both types of amendments are exempt from Article 2 of the Administrative Process Act. The first type consists of amendments necessary to comply with corresponding federal regulations. The changes are being proposed in response to a federal review of the regulatory program that was approved in December, 1985. The agency has no choice but to bring the regulations into compliance. There are 11 amendments to this type. The second type consists of amendments to correct typographical or editing errors that were made previously in the adopted regulations. There are five amendments of this type; three of which correct references to other sections of the regulations, and two of which correct the numbering of sections. None of the five changes have a substantial effect on the regulations. None of the second type of changes have a substantial effect on the regulations.

REGISTRAR'S NOTICE: Due to its length, the Coal Surface Mining Reclamation Regulations are not being published. However, in accordance with § 9-6.14:22 of the Code of Virginia, a summary is being published in lieu of the full text. The full text of the regulation is available for public inspection at the office of the Registrar of Regulations and

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the Department of Mines, Minerals and Energy.

VR 480-03-19. Coal Surface Mining Reclamation Regulations.

VR 480-03-19.700.5. Removal of Definition of "Adverse Physical Impact"; Amendment of Definition of "Fragile Lands", and Amendment of Definition of "Historic Lands".

VR 480-03-19.773.15(c)(3). Addition of Reference to Federal Regulations.

VR 480-08-19.773.16(d)(1). Deletion of Preparation Plants from Regulations Governing Support Facilities and Addition of Language to Determine Performance Standards for Support Facilities.

VR 480-03-19.773(d)(1). Deletion of Reference to Nonexistent Section.

VR 480-03-19.779.12(b). Addition of Language Requiring Identification Eligible Historic Sites.

VR 480-03-19.783.12(b). Addition of Language Requiring Identification Eligible Historic Sites.

VR 480-03-19.784.13(a). Correction of Typographical Error: Reference to Incorrect Section.

VR 480-03-19.800.15(b)(1). Correction of Typographical Error: Reference to Incorrect Section.

VR 480-03-19.800.40(b)(2). Correction of Typographical Error: Reference to Incorection Section.

VR 480-03-19.816.116(a)(2). Addition to Language for Approval of Techniques to Measure Vegetative Production.


VR 480-03-19.816.116(b)(2). Addition of Language for Standard for Crop Yields of 90 Percent of Yields for Unmined Representative Farms.

VR 480-03-19.800.116(b)(4). Correction of Typographical Error: Incorrect Numbering.

VR 480-03-19.817.116(a)(2) and (b)(2). Addition of Language for Approval of Techniques to Measure Vegetative Production and for Standard for Crop Yields of 90 Percent of Yields for Unmined Representative Farms.

VR 480-03-19.800.117(b)(4). Correction of Typographical Error: Incorrect Numbering.

Exemption Under § 9-6.14:4.1 C.4.(c) of the APA.


COMMONWEALTH of VIRGINIA
VIRGINIA CODE COMMISSION
General Assembly Building

POST OFFICE BOX 340
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November 6, 1986

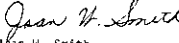
O. Gene Dishner, Director
Department of Mines, Minerals, and Energy
The Bookbindery Building
2201 West Broad Street
Richmond, Virginia 23220

Re: VR 480-03-19 - Amendments to the Coal Surface Mining Reclamation Regulations

Dear Mr. Dishner:

This will acknowledge receipt of the above-referenced Regulations from the Department of Mines, Minerals, and Energy.

As required by § 9-6.14:4.1 C.4.(c) of the Code of Virginia, I have determined that these Regulations are exempt from the operation of Article 2 of the Administrative Process Act since they do not differ materially from those required by federal law.

Sincerely,

Juan W. Smith
Registrar of Regulations

JWS:s11

EMERGENCY REGULATION

VIRGINIA BOARD OF FUNERAL DIRECTORS AND EMBALMERS

Funeral Establishment Permit 100 (annual) 150

Title of Regulation: VR 320-01-1. Regulations Governing the Practice of Funeral Services in the Commonwealth.

Statutory Authority: § 54-260.69 of the Code of Virginia.

Effective Date: November 13, 1986 through November 12, 1987.

Summary:

The Board of Funeral Directors and Embalmers has determined that it is necessary to adopt new fees and to change its licensure renewal cycle by emergency regulation. If higher fees are not adopted prior to the forthcoming renewal of licensure notices, to be mailed on or about December 1, 1986, the Board's receipts will be insufficient to meet anticipated expenses for the biennium. By increasing licensure fees and changing the renewal cycle from a biennial to an annual cycle, the Board can generate adequate revenues to implement the programs it is mandated by law to provide.

The purpose of the proposed fee increases is to meet anticipated shortfall between revenue and budgeted expenses for the 1986-1988 biennium. Under existing regulations, the Board will generate approximately \$270,190 in revenue for the biennium; budgeted expenses of \$436,810 are necessary and minimum for the Board's regulation of the funeral industry in accordance with Code of Virginia § 54-260.64 (et. seq.). Absent fee increases, a shortfall of approximately \$166,620 will occur. Proposed emergency fee increases will generate sufficient revenue to meet budgeted expenses. The change from a biennial to an annual renewal cycle is proposed to create a more even flow of revenues.

Basis of Emergency:

The Board of Funeral Directors and Embalmers last raised its fees in January, 1983. Since then its expenses have risen as a result of increased enforcement activity and inflation.

The Board's proposed new regulations including this fee structure will be adopted under the Administrative Process Act on or about April 1, 1987. The emergency regulations proposed herein will be effective for one year following the date of their adoption, or until they are superseded by identical or revised regulations adopted under nonemergency provisions of the Administrative Process Act.

As a result of a comprehensive review of its regulations, the Board is proposing new regulations including a revised fee structure identical to this emergency proposal. A Notice of Intent to propose these new regulations, was published in the Virginia Register June 23, 1986; July 7, 1986; and July 21, 1986. No objections to the revised fee structure were received during the public comment period. The proposal and adoption of regulations under nonemergency provisions of the Administrative Process Act will not be completed prior to the necessary mailing of renewal notices in December, 1986. The Board therefore finds that it is necessary to adopt its new fee structure by emergency regulation.

The Virginia Board of Funeral Directors and Embalmers will receive, consider, and respond to petitions by any interested persons at any time for the reconsideration or revision of these emergency regulations which are proposed for the approval of the Governor in accordance with Code of Virginia § 9-6.14:4.1.C.5.

Article XXI.
BIENNIAL ANNUAL RENEWAL OF LICENSES.

Nature of Regulations:

The proposed emergency regulations will increase fees for professional licenses and funeral establishment permits as follows:

License or Permit	Present Fees	Proposed Annual Fees
Funeral Service License	\$100 (biennial)	\$100
Funeral Director License	70 (biennial)	70
Embalmer License	70 (biennial)	70

1. Application for Renewal, Form of and Time of Filing. Every license issued by this Board shall expire by operation of law on the first day of March in each ~~odd~~ numbered year and every person to whom any such license shall have been issued and who shall desire to renew the same for the next ~~biennium~~ year shall make written application to the Board for renewal of such license on forms provided therefor not later than April first of each ~~odd~~ numbered year and pay therewith the ~~biennial~~ renewal fee provided by law for such license.

2. Renewal Fees. The fees for the ~~biennial~~ annual renewal of licenses issued by the Board shall be:

- (a) Funeral Service \$100
- (b) Funeral Director \$ 70
- (c) Embalmer \$ 70

3. Notice to Renew. On or about January first in each ~~odd~~ numbered year, the Board shall cause to be mailed to each holder of a license issued by the Board at the address at which he is registered with the Board as such

Emergency Regulation

holder, a notice that his license will expire on March first of that year and must be renewed, together with an application therefor and a statement of the biennial renewal fee required to be paid, but the failure of the Board to send such notice as herein required shall not relieve such holder from the forfeiture of his license and other penalties for the failure to renew the same as herein provided.

4. Failure to Renew-Penalties. Any person holding any license issued by this Board who shall fail to make application for the biennial renewal thereof in the manner herein prescribed and who shall fail to pay the biennial renewal fee therefor on or before April first of the ~~odd~~ ~~numbered~~ year during which such license is to be renewed shall be deemed to have forfeited and surrendered such license as of such date and any such person, who shall thereafter perform any act for which such license is required, shall be deemed to be practicing without license the profession or business for which such license was formerly granted, and the conditions for reinstatement of the same, and the Board shall also forthwith notify the Commonwealth's Attorney for the city or county in which such person conducted the profession or business for which he was formerly licensed that such license is forfeited and surrendered.

5. Reinstatement. An expired license may be reinstated at the discretion of the Board. No such expired license shall be reinstated by the Board except upon written request therefor following such forfeiture, and upon the payment of all delinquent renewal fees plus a reinstatement fee of twenty-five dollars (\$25), provided however, that the Board may waive the provisions of this section for the holder of any license during the period of service of such holder in any of the armed services of the United States when the request for reinstatement is made within six months of severance therefrom.

Article XV.

Regulations of Funeral Service Establishments.

1. Regulation. All places of business in the Commonwealth wherein the practice of funeral directing or embalming, or any part of either, is engaged in, herein designated as funeral service establishments, shall be subject to regulation and inspection by the Board.

2. Operation. No person, firm or corporation shall conduct any place of business in the Commonwealth wherein the practice of funeral directing or embalming, or any part of either, is engaged in unless the Establishment Permit by the Board for the current calendar year in the name of the funeral service licensee or licensed funeral director designated by the ownership to be manager of the establishment, and unless the same shall be operated in all respects in accordance with law and in compliance with these Rules and Regulations.

3. Failure to Secure Permit-Penalties. Any manager of a funeral service establishment who shall fail to apply for

the renewal of the establishment permit specified in (2) above and shall fail to pay the renewal fee therefor on or before February first of the calendar year for which such establishment permit is to be renewed shall be deemed to be operating a funeral service establishment without authority from this Board. Upon the failure of the manager to renew such permit as herein provided, the Board shall forthwith notify the manager and the Commonwealth's Attorney for the city or county in which such establishment, until such Establishment Permit has been issued by the Board, is a violation of Section 54-260.73, of Chapter 10.2., Code of Virginia. No renewal of an establishment permit shall be issued by the Board after February first of the calendar year for which such establishment is to be renewed without the payment of a reinstatement fee of twenty-five (\$25), in addition to the establishment permit fee of ~~one-hundred dollars (\$100)~~ *one hundred fifty dollars (\$150)*.

4. Licensed Personnel Required. Every funeral service establishment and every branch of any funeral service establishment in the Commonwealth, regardless of how owned, shall be under the direct supervision and management of a separate funeral service licensee or funeral director licensed by the Board for each such funeral service establishment or branch thereof, and no person other than such funeral service licensee or licensed funeral director shall operate, manage or supervise the operation or management of any such funeral service establishment or branch thereof. No person other than a funeral service licensee, or a licensed funeral director shall engage in the care, preparation, disposal or burial of dead human bodies, the management of funerals, or the discharge of any of the duties of functions in connection therewith. A regularly registered funeral service trainee may perform such acts in furtherance of any approved traineeship in strict conformity with the provisions of Article XIII of these Rules and Regulations; and, in an emergency, any funeral service licensee or funeral director or embalmer licensed by the Board may assist or act in the place of such funeral service licensee or funeral director or embalmer regularly so employed.

5. Premises. Every funeral service establishment at which are performed any of the functions connected with the embalming of dead human bodies shall maintain the following equipment and observe the following conditions at all times:

(a) At least one room of adequate size and properly ventilated according to Department of Health requirements shall be set aside and used exclusively for embalming, the walls of which shall extend floor to ceiling and the floor of which shall be of a material or covered by a material impervious to water extending from wall to wall with all joints tight and sanitary. No other room shall be used for the performance of any function connected with [embalming].

(b) The embalming room shall be equipped with—

Emergency Regulation

- (1) Running hot and cold water.
 - (2) Flush or slop sink connected with public sewer or with septic tank where no public sewer is available.
 - (3) Metal or porcelain morgue table.
 - (4) Covered waste container.
 - (5) Emergency first aid kit.
 - (6) All instruments and apparatus necessary to the embalming process.
 - (7) A means or method for the sterilization of instruments approved by the Board.
 - (8) All necessary disinfectants and antiseptics.
 - (9) Clean gowns or aprons, preferably impervious to water.
 - (10) Rubber gloves for each embalmer or trainee making use of the room.
- (c) At the completion of each embalming operation all used cotton, bandages and other waste materials shall be destroyed immediately to avoid contagion and the possible spread of disease.
- (d) The embalming room shall be kept in a clean and sanitary condition at all times, subject to inspection.
- (e) Every hydro-aspirator used in any embalming room shall be equipped with a vacuum breaker of type and design approved by the Board.

/s/ Bernard L. Henderson, Jr., Director
Virginia Department of Health Regulatory Boards
Date: November 5, 1986

/s/ Gerald L. Baliles, Governor
Commonwealth of Virginia
Date: November 12, 1986

/s/ Ann M. Brown, Deputy Registrar
Virginia Code Commission
Date: November 13, 1986 - 2:40 p.m.

GENERAL NOTICES/ERRATA

Symbol Key †

† Indicates entries since last publication of the Virginia Register

NOTICES OF INTENDED REGULATORY ACTION

DEPARTMENT OF CORRECTIONS (VR 230-40-001)
DEPARTMENT OF EDUCATION (VR 270-01-003)
DEPARTMENT OF MENTAL HEALTH AND
MENTAL RETARDATION (VR 470-02-01)
DEPARTMENT OF SOCIAL SERVICES (VR 615-29-02)

Notice of Intended Regulatory Action

Notice is hereby given in accordance with this agency's public participation guidelines that the Departments of Corrections, Education, Mental Health and Mental Retardation and Social Services intends to consider amending regulations entitled: **Core Standards for Interdepartmental Licensure and Certification of Residential Facilities for Children**. The regulations establish standards to provide children in residential facilities with at least a minimal level of care. The current effort is intended to amend and clarify those sections of the standards which address discipline and punishment.

Statutory Authority: §§ 16.1-286, 53.1-237 thru 53.1-239, 16.1-310 thru 16.1-314, 53.1-249, 22.1-319 thru 22.1-335, 22.1-218, 37.1-179 thru 37.1-189, 37.1-199, 63.1-195 thru 63.1-219 and 63.1-56.1 of the Code of Virginia.

Other pertinent information: Only those sections of the regulation which address discipline and punishment will be considered for amendment.

Written comments may be submitted until December 10, 1986.

Contact: John J. Allen, Jr., Coordinator, Office of the Coordinator, Interdepartmental Licensure and Certification, 8007 Discovery Dr., Richmond, Va. 23229-8699, telephone (804) 281-9025

Notice of Intended Regulatory Action

Notice is hereby given in accordance with this agency's public participation guidelines that the Departments of Corrections, Education, Mental Health and Mental Retardation and Social Services intends to consider amending regulations entitled **Core Standards for Interdepartmental Licensure and Certification of**

Residential Facilities for Children. This regulation establishes standards to provide children in residential facilities with at least a minimal level of care. The current effort is intended to amend those sections of the standards which address the categories of facilities subject to regulation.

Written comments may be submitted until December 10, 1986.

Statutory Authority: §§ 16.1-286, 53.1-237 thru 53.1-239, 16.1-310 thru 16.1-314, 53.1-249, 22.1-319 thru 22.1-335, 22.1-218, 37.1-179 thru 37.1-189, 37.1-199, 63.1-195 thru 63.1-219 and 63.1-56.1 of the Code of Virginia.

Other pertinent information: Only those sections of the regulation which address the categories of facilities subject to regulation will be considered for amendment.

Contact: John J. Allen, Jr., Coordinator, Office of the Coordinator, Interdepartmental Licensure and Certification, 8007 Discovery Dr., Richmond, Va. 23229-8699, telephone (804) 281-9025

DEPARTMENT OF HEALTH (BOARD OF)

Notice of Intended Regulatory Action

Notice is hereby given in accordance with this agency's public participation guidelines that the Department of Health intends to consider promulgating regulations entitled: **Private Well Construction Regulations**. The purpose of these regulations is to protect users of groundwater by requiring construction methods which prevent surface and subsurface pollutants from contaminating the groundwater.

Statutory Authority: § 32.1-176.4 of the Code of Virginia.

Written comments may be submitted until December 8, 1986.

Contact: Donald J. Alexander, Director, Bureau of Sewage and Water, Division of Sanitarian Services, Madison Bldg., Room 522, 109 Governor St., Richmond, Va. 23219, telephone (804) 786-1750.

Notice of Intended Regulatory Action

Notice is hereby given in accordance with this agency's

public participation guidelines that the Department of Health intends to consider amending regulations entitled: **Rules and Regulations of the Board of Health, Commonwealth of Virginia Governing Restaurants**. The purpose of the proposed amendments is to make minor technical adjustments to the regulations.

Statutory Authority: §§ 35.1-11 through 35.1-17 of the Code of Virginia.

Written comments may be submitted until December 8, 1986.

Contact: John E. Benko, Director, Bureau of Food and General Environmental Services, Madison Bldg., Room 522, 109 Governor St., Richmond, Va. 23219, telephone (804) 786-3559

Notice of Intended Regulatory Action

Notice is hereby given in accordance with this agency's public participation guidelines that the Department of Health intends to consider amending regulations entitled: **Sewage Handling and Disposal Regulations**. The purpose of the proposed amendments is to address special considerations for large flow sewage systems; redefine rock; permit the use of sand fill on primary and secondary beach dunes; and address soils with rapid percolation rates.

Statutory Authority: §§ 32.1-12 and 32.1-164 of the Code of Virginia.

Written comments may be submitted until December 8, 1986.

Contact: Donald J. Alexander, Director, Bureau of Sewage and Water, Madison Bldg., Room 522, 109 Governor St., Richmond, Va. (804) 786-3559

Notice of Intended Regulatory Action

Notice is hereby given in accordance with this agency's public participation guidelines that the Department of Health intends to consider promulgating, amending and repealing regulations entitled: **Summer Camps**. The purpose of the proposed changes is to upgrade regulations and make standards current.

Statutory Authority: §§ 35.1-11 and 35.1-16 of the Code of Virginia.

Written comments may be submitted until December 8, 1986.

Other pertinent information: This is the first revision since 1948.

Contact: Joseph W. Moschler, Director, Bureau of Tourist

Establishment Sanitation, Madison Bldg., Room 500, 109 Governor St., Richmond, Va. 23219, telephone (804) 786-2087

BOARD OF MENTAL HEALTH AND MENTAL RETARDATION

Notice of Intended Regulatory Action

Notice is hereby given in accordance with this agency's public participation guidelines that the Board of Mental Health and Mental Retardation intends to consider amending regulations entitled: **Mandatory Certification/Licensure Standards for Treatment Programs for Residential Facilities for Children**. The purpose of the proposed amendments is to establish minimum requirements for treatment programs in residential facilities serving mentally ill, mentally retarded, and substance abusing children.

Statutory Authority: § 37.1-10 of the Code of Virginia.

Written comments may be submitted until December 10, 1986 to: Rubyjean Gould, Administrative Services Director, Department of Mental Health and Mental Retardation, P.O. Box 1797, Richmond, Virginia 23214.

Contact: Barry P. Craig, Director of Licensure, Department of Mental Health and Mental Retardation, P.O. Box 1797, Richmond, Va. 23214, telephone (804) 786-3472

DEPARTMENT OF REHABILITATIVE SERVICES

Notice of Intended Regulatory Action

Notice is hereby given in accordance with this agency's public participation guidelines that the Department of Rehabilitative Services intends to promulgate regulations entitled: **Provision of Vocational Rehabilitation Services**. The purpose of the proposed regulations is to establish policies, procedures and requirements governing the provision of services to disabled persons.

Statutory Authority: §§ 51.01-8 through 51.01-30 of the Code of Virginia.

Written comments maybe submitted until January 30, 1987, to Charles H. Merritt, Assistant Commissioner, Department of Rehabilitative Services, P.O. Box 11045, Richmond, Va. 23230

Contact: Jim Hunter, Board Administrator, Department of Rehabilitative Services, P.O. Box 11045, Richmond, Va. 23230, telephone (804) 257-6446 (toll-free 1-800-552-5019)

General Notices/Errata

DEPARTMENT OF SOCIAL SERVICES (BOARD OF)

Notice of Intended Regulatory Action

Notice is hereby given in accordance with this agency's public participation guidelines that the Department of Social Services intends to consider amending regulations entitled: **VR 615-01-17. Deprivation Requirement in the Aid to Dependent Children (ADC) Program.** The purpose of the proposed amendments is in the cases of separation, allow the physical absence of the parent from the home to be considered sufficient to constitute deprivation, without any measurement of the absent parent's provision of maintenance, physical care, and guidance.

Statutory Authority: § 63.1-25 of the Code of Virginia and 45 Code of Federal Regulations 233.90(c)(1)(iii).

Written comments may be submitted until December 10, 1986, to I. Guy Lusk, Director, Division of Benefit Programs, Department of Social Services, 8007 Discovery Drive, Richmond, Virginia 23229-8699.

Contact: Carolyn Ellis, Supervisor, Economic Assistance Unit, Division of Benefit Programs, 8007 Discovery Dr., Richmond, Va. 23229-8699, telephone (804) 281-9046

Notice of Intended Regulatory Action

Notice is hereby given in accordance with this agency's public participation guidelines that the Department of Social Services intends to consider amending regulations entitled: **VR 615-01-18. Entitlement Date in the Aid to Dependent Children (ADC) and General Relief (GR) Programs.** The purpose of the proposed regulation is to begin entitlement for ADC and GR from the date of the application for assistance.

Statutory Authority: § 63.1-25 of the Code of Virginia and 45 Code of Federal Regulations 206.10(a)(6)(i).

Written comments may be submitted until December 10, 1986, to I. Guy Lusk, Director, Division of Benefit Programs, Department of Social Services, 8007 Discovery Dr., Richmond, Va. 23229-8699.

Contact: Carolyn Ellis, Supervisor, Economic Assistance Unit, Division of Benefit Programs, 8007 Discovery Dr., Richmond, Va. 23229-8699, telephone (804) 281-9046

Notice of Intended Regulatory Action

Notice is hereby given in accordance with this agency's public participation guidelines that the Department of Social Services intends to consider repealing regulations entitled: **Minimum Standards for Licensed Child Caring Institutions.** The regulation establishes standards to

provide children in certain residential facilities with at least a minimal level of care.

Statutory Authority: §§ 63.1-25 and 63.1-202 of the Code of Virginia.

Written comments may be submitted until December 10, 1986.

Contact: John J. Allen, Jr., Coordinator, Office of the Coordinator, Interdepartmental Licensure and Certification, 8007 Discovery Drive, Richmond, Va. 23229-8699, telephone (804) 281-9025

Notice of Intended Regulatory Action

Notice is hereby given in accordance with this agency's public participation guidelines that the Department of Social Services intends to consider amending regulations entitled: **Minimum Standards for Licensed Family Day Care Systems, Minimum Standards for Licensed Family Day Care Homes, Minimum Standards for Licensed Independent Foster Homes, and Minimum Standards for Private Child Placing Agencies.** The purpose of the proposed amendment is to prohibit the use of physical means of punishment or discipline. To remove generic licensing procedures to avoid duplication. In addition, the CPA regulation will also be revised to clarify adoptive placement/temporary foster care and to amend standards regarding sanitary disposal/water supply.

Statutory Authority: §§ 63.1-25 and 63.1-202 of the Code of Virginia.

Written comments may be submitted until December 10, 1986.

Contact: Meredyth P. Partridge, Program Development Supervisor, Division of Licensing Programs, 8007 Discovery Dr., Richmond, Va. 23229-8699, telephone (804) 281-9025

† Notice of Intended Regulatory Action

Notice is hereby given in accordance with this agency's public participation guidelines that the Department of Social Services intends to consider amending regulations entitled: **Minimum Standards for Licensed Child Care Centers.** The purpose of the regulation is to identify standards applicable to centers providing child care on an occasional basis only.

Statutory Authority: § 63.1-196.4 of the Code of Virginia.

Written comments may be submitted until January 21, 1987.

Contact: Meredyth P. Partridge, Program Development Supervisor, Division of Licensing Programs, 8007 Discovery

General Notices/Errata

Dr., Richmond, Va. 23229-8699, telephone (804) 281-9025

DEPARTMENT OF WASTE MANAGEMENT

Notice of Intended Regulatory Action

Notice is hereby given in accordance with this agency's public participation guidelines that the Department of Waste Management intends to consider promulgating and amending regulations entitled: **VR 672-20-01. Financial Assurance Regulations for Solid Waste Facilities.** The purpose of the proposed regulations is to replace emergency regulations promulgated on August 8, 1986, which will expire on June 1, 1987. Those regulations established the financial assurance requirements for privately owned or operated nonhazardous solid waste disposal facilities. The proposed amendments will provide for specific exemptions from liability insurance requirements and alternatives for fulfilling the liability insurance requirements. The new regulations will be titled Financial Assurance Regulations for Solid Waste Facilities, VR 421-20-01.

Statutory Authority: §§ 10-266 and 10-273 of the Code of Virginia.

Contact: Cheryl Cashman, Public Information Officer, Department of Waste Management, James Monroe Bldg., 11th Floor, 101 N. 14th St., Richmond, Va. 23219, telephone (804) 225-2667

STATE WATER CONTROL BOARD

Notice of Intended Regulatory Action

Notice is hereby given in accordance with this agency's public participation guidelines that the State Water Control Board intends to consider amending regulations entitled: **Rappahannock Area Development Commission (RADCO) 208 Areawide Waste Treatment Management Plan and the Potomac-Shenandoah River Basin Water Quality Management Plan.** The proposed amendments will include water quality management planning for RADCO Study Area IV including waste treatment disposal alternatives for the King George Courthouse area.

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

Written comments may be submitted until December 9, 1986.

Contact: Stephen L. Hogue, Supervisor, Water Resources Development, State Water Control Board, 5515 Cherokee Avenue, Suite 404, Alexandria, Va. 22312, telephone (703) 642-7422.

Notice of Intended Regulatory Action

Notice is hereby given in accordance with this agency's public participation guidelines that the State Water Control Board intends to promulgate regulations entitled: **Toxics Management.** The purpose of this regulation is to control and manage the discharge of toxic pollutants into the waters of the Commonwealth to insure that no adverse impacts occur.

Statutory Authority: § 62.1-44.15(10) of the Code of Virginia.

Written comments may be submitted until January 19, 1987, to Ms. Doneva Dalton, Hearing Reporter, State Water Control Board, P.O. Box 11143, Richmond, Virginia 23230.

Other pertinent information: Public meetings will be held at the times and places listed below:

January 5, 1987, at 2 p.m. in the Community Room, Roanoke County Administration Center, 3738 Brambleton Avenue, S.W., Roanoke, Virginia

January 7, 1987, at 2 p.m. in the Council Chamber, Williamsburg/James City County Courthouse, Court and South Henry Street, Williamsburg, Virginia

January 8, 1987, at 2 p.m. in the McCourt Building Board Room, County of Prince William, 1 County Complex, 4850 Davis Ford Road, Prince William, Virginia

Contact: Alan J. Anthony, Richard Ayers, or Durwood Willis, Office of Environmental Standards and Research, State Water Control Board, P.O. Box 11143, Richmond, Va. 23230, telephone (804) 257-0791

GENERAL NOTICES

NOTICES TO STATE AGENCIES

RE: Forms for filing material on dates for publication in the Virginia Register of Regulations.

All agencies are required to use the appropriate forms when furnishing material and dates for publication in the Virginia Register of Regulations. The forms are supplied by the office of the Registrar of Regulations. If you do not have any forms or you need additional forms, please contact: Ann M. Brown, Assistant Registrar of Regulations, Virginia Code Commission, P.O. Box 3-AG, Richmond, Va. 23208, telephone (804) 786-3591

FORMS:

PROPOSED (Transmittal Sheet) - RR01

General Notices/Errata

FINAL (Transmittal Sheet) - RR02
NOTICE OF MEETING - RR03
NOTICE OF INTENDED REGULATORY ACTION -
RR04
NOTICE OF COMMENT PERIOD - RR05
AGENCY RESPONSE TO LEGISLATIVE
OR GUBERNATORIAL OBJECTIONS - RR06

ERRATA

STATE AIR POLLUTION CONTROL BOARD

Title of Regulation: **VR 120-01. Regulations for the Control and Abatement of Air Pollution.**

Issue: V.A.R 3:3, pp. 179-180, November 10, 1986

Corrections to proposed regulation are as follows:

Page 179, Column 2, Subsection F reads "Upon declaration of an Alert, Warning of Emergency Stage of..." should read:

"Upon declaration of an Alert, Warning of Emergency Stage or..."

Page 180, Column 1, Subsection E, Number 2, the word "carcasses" should read:

"carcasses"

CALENDAR OF EVENTS

Symbols Key

- † Indicates entries since last publication of the Virginia Register
- ☒ Location accessible to handicapped
- ☎ Telecommunications Device for Deaf (TDD)/Voice Designation

THE VIRGINIA CODE COMMISSION

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.

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) 786-6530.

EXECUTIVE

GOVERNOR'S ADVISORY BOARD ON AGING

January 20, 1987 - 1 p.m. - Open Meeting
January 21, 1987 - 9 a.m. - Open Meeting
Jefferson Sheraton Hotel, 101 West Franklin Street,
Richmond, Virginia. ☒

The board will discuss issues of interest to older Virginians including legislation before the 1987 Session of the Virginia General Assembly and the impending reauthorization of the federal Older American Act.

Contact: William Peterson, Virginia Department for the Aging, 18th Floor, 101 N. 14th St., Richmond, Va. 23219, telephone (804) 225-2271/225-3140

STATE BOARD OF AGRICULTURE AND CONSUMER SERVICES

December 10, 1986 - 1 p.m. - Open Meeting
December 11, 1986 - 1 p.m. - Open Meeting
Washington Building, Room 204, 1100 Bank Street,
Richmond, Virginia. ☒

A regular official meeting.

Contact: Raymond D. Vaughan, P.O. Box 1163, Richmond, Va. 23209, telephone (804) 786-3501

STATE AIR POLLUTION CONTROL BOARD

† December 16, 1986 - 10 a.m. - Open Meeting
Pembroke Office Park, Pembroke IV-Suite 409, Virginia Beach, Virginia. ☒ (Interpreter for deaf provided if requested)

A meeting to allow public comment on a request for a permit to build and operate a steam-electricity cogeneration facility by Cogentrix, Incorporated at the end of Wild Duck Lane in Portsmouth, Virginia.

Contact: Damon P. Minx, Pembroke Office Park, Pembroke IV-Suite 409, Virginia Beach, Va. 23462-5474, telephone (804) 499-6845

* * * * *

January 14, 1987 - 10 a.m. - Public Hearing
Council Chambers, Town of Abingdon Municipal Building,
133 West Main Street, Abingdon, Virginia.

January 14, 1987 - 7 p.m. - Public Hearing
Old Roanoke County Courthouse, 2nd Floor Courtroom,
Salem, Virginia

January 14, 1987 - 10 a.m. - Public Hearing
Lynchburg Public Library, 2315 Memorial Avenue,
Lynchburg, Virginia

January 14, 1987 - 10 a.m. - Public Hearing
State Air Pollution Control Board, State Capitol Regional
Office, 8205 Hermitage Road, Richmond, Virginia

January 14, 1987 - 10 a.m. - Public Hearing
State Air Pollution Control Board, Hampton Roads Regional
Office, Pembroke Four - Suite 409, Pembroke Office Park,
Virginia Beach, Virginia

January 14, 1987 - 10 a.m. - Public Hearing
State Air Pollution Control Board, National Capital
Regional Office, Springfield Towers - Suite 502, 6320
Augusta Drive, Springfield, Virginia

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Air Pollution Control Board intends to amend regulations entitled: **VR 120-91. Regulations for the Control and Abatement of Air Pollution.** The regulations establish limits for sources of air pollution to the extent necessary to attain and maintain level of air quality

Calendar of Events

as will protect human health and welfare.

Statutory Authority: § 10-17.18(b) of the Code of Virginia.

Written comments may be submitted until January 14, 1987 to Director of Program Development, State Air Pollution Control Board, P.O. Box 10089, Richmond, Virginia 23240

Contact: M. E. Lester, Division of Program Development, State Air Pollution Control Board, P.O. Box 10089, Richmond, Va. 23240, telephone (804) 786-7564

VIRGINIA ALCOHOLIC BEVERAGE CONTROL BOARD

December 16, 1986 - 9:30 a.m. - Open Meeting

December 30, 1986 - 9:30 a.m. - Open Meeting

2901 Hermitage Road, Richmond, Virginia. ☒

A meeting to review and discuss reports on activities from staff members. Other matters not yet determined.

Contact: Robert N. Swinson, Virginia Alcoholic Beverage Control Board, 2901 Hermitage Rd., Richmond, Va. 23220, telephone (804) 257-0617

VIRGINIA STATE APPLE BOARD

† December 16, 1986 - 10 a.m. - Open Meeting
VHSH Office Building, 1219 Stoneburner Street, Staunton, Virginia

A monthly board meeting.

Contact: Clayton O. Griffin, P.O. Box 718, Staunton, Va. 24401, telephone (703) 885-9046

VIRGINIA BOARD OF BARBER EXAMINERS

January 26, 1987 - 9 a.m. - Public Hearing
Department of Commerce, Travelers Building, 3600 West Broad Street, Richmond, Virginia. ☒

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Department of Commerce intends to amend regulations entitled: Virginia Board of Barber Examiners. The proposed change of regulation § 1.7 will decrease the license renewal fee from \$35.00 to \$30.00 (§ 1.7H) and late renewal fee, barber from \$70.00 to \$60.00 (§ 1.7L).

Statutory Authority: § 54.1-28 of the Code of Virginia.

Written comments may be submitted until January 23,

1987.

Contact: Evelyn W. Brennan, Assistant Director, 3600 W. Broad St., Richmond, Va. 23230, telephone (804) 257-8509 (toll-free 1-800-552-3016)

STATE BUILDING CODE TECHNICAL REVIEW BOARD

† December 19, 1986 - 10 a.m. - Open Meeting
Fourth Street Office Building, 2nd Floor, 205 North Fourth Street, Richmond, Virginia. ☒ (Interpreter for deaf provided if requested)

A meeting to (i) consider requests for interpretation of the Virginia Uniform Statewide Building Code; (ii) consider appeals from the rulings of local appeal boards regarding application of the Virginia Uniform Statewide Building Code; and (iii) approve minutes of previous meeting.

Contact: Jack A. Proctor, 205 N. Fourth St., Richmond, Va. 23219, telephone (804) 786-4751

DEPARTMENT FOR CHILDREN

Advisory Board

† December 12, 1986 - 10 a.m. - Open Meeting
Sheraton Airport Inn, 4700 S. Laburnum Avenue, Richmond, Virginia. ☒

A regularly scheduled meeting.

Contact: Gladys Finney, 11th Floor, 805 E. Broad St., Richmond, Va. 23219, telephone (804) 786-5991

DEPARTMENT OF CONSERVATION AND HISTORIC RESOURCES

Division of Historic Landmarks

† December 9, 1986 - 10 a.m. - Open Meeting
221 Governor Street, Richmond, Virginia

The State Review Board will meet to consider the addition of the following properties to the Virginia Landmarks Register and their nomination to the National Register of Historic Places:

Culpeper Historic District, Town of Culpeper;
Hatch Archaeological Site, Prince George County;
Montview, (Carter Glass Estate, Lynchburg);
Downtown Norfolk Historic District, Norfolk;

Calendar of Events

Pine Slash, Hanover County;
Snowville Christian Church, Pulaski County;
Suffolk Historic District, Suffolk;
Old Trinity Methodist Church, Richmond;
Verville, Lancaster County.

Virginia Historic Landmarks Board

† December 9, 1986 - 2 p.m.
221 Governor Street, Richmond, Virginia

A general business meeting.

Contact: Margaret T. Peters, Information Officer, 221
Governor St., Richmond, Va. telephone (804) 786-3143

Virginia Soil and Water Conservation Board

December 10, 1986 - 9 a.m. - Open Meeting
Roanoke Airport Marriott, 280 Hershberger Road, N.W.,
Roanoke, Virginia.

A regular bi-monthly business meeting.

Contact: Donald L. Wells, Suite 206, 203 Governor St.,
Richmond, Va. 23219, telephone (804) 786-2064.

STATE BOARD FOR CONTRACTORS

† December 12, 1986 - 9 a.m. - Open Meeting
Board of Supervisor's Meeting Room, County
Administrative Building, 143 Third Street, N.W., Pulaski,
Virginia

The board will meet to conduct a formal
administrative hearing: State Board for Contractors vs
Tilley Construction Co., Inc., Dublin, Virginia.

Contact: Sylvia W. Bryant, Hearings Coordinator,
Department of Commerce, 3600 W. Broad Street,
Richmond, Va. 23230, telephone 257-8524

BOARD OF CORRECTIONS

December 17, 1986 - 10 a.m. - Open Meeting
January 14, 1987 - 10 a.m. - Open Meeting
Department of Corrections, 4615 West Broad Street,
Richmond, Virginia. ☐

A regular monthly meeting to consider such matters
as may be presented.

Contact: Mrs. Vivian Toler, Secretary to the Board, 4615
W. Broad St., P.O. Box 26963, Richmond, Va. 23261,
telephone (804) 257-6274

VIRGINIA STATE CRIME COMMISSION

December 10, 1986 - 10 a.m. - Open Meeting
General Assembly Building, 6th Floor Conference Room,
Capitol Square, Richmond, Virginia. ☐

The commission will examine illegal drug trafficking
in the Commonwealth. The commission will also
consider legislative proposals concerning crime, crime
control, public safety and protection.

Contact: Robert E. Colvin, Executive Director, P.O. Box
3-AG, Richmond, Va. 23235, telephone (804) 225-4534

VIRGINIA BOARD OF DENTISTRY

December 11, 1986 - 8 a.m. - Open Meeting
December 12, 1986 - 8 a.m. - Open Meeting
Koger Center, 1601 Rolling Hills Drive, Richmond, Virginia.
☐

A meeting to hold formal hearings and consider
regular board business.

Contact: Nancy T. Feldman, Executive Director, Koger
Center, 1601 Rolling Hills Dr., Richmond, Va. 23229 (804)
786-0311.

STATE BOARD OF EDUCATION

December 11, 1986 - 9 a.m. - Open Meeting
December 12, 1986 - 9 a.m. - Open Meeting
James Monroe Building, 1st Floor Conference Rooms C
and D, 101 North 14th Street, Richmond, Virginia. ☐

A regularly scheduled meeting. The agenda is
available upon request. The public is reminded that
the Board of Vocational Education may convene, if
required.

Contact: Margaret N. Roberts, James Monroe Building, 101
N. 14th St., Richmond, Va. 23219, telephone (804) 225-2540

* * * * *

January 16, 1987 - 1 p.m. - Open Meeting
James Monroe Building, Rooms C and D, 101 North 14th
Street, Richmond, Virginia. ☐

Notice is hereby given in accordance with § 9-6.14:7.1
of the Code of Virginia that the State Board of
Education intends to amend regulations entitled:
Certification Regulations for Teachers. These
regulations are the requirements for all personnel
whose employment must be certified based on the
standards in the regulations.

Calendar of Events

Statutory Authority: §§ 22.1-298 and 22.1-299 of the Code of Virginia.

Written comments may be submitted until December 31, 1986, to Dr. S. John Davis, Superintendent of Public Instruction, Department of Education, P.O. Box 6Q, Richmond, Virginia. 23216

Contact: Dr. William L. Helton, Administrative Director of Teacher Education, Certification, and Professional Development, Department of Education, P.O. Box 6Q, Richmond, Va. 23216-2060, telephone (804) 225-2027

GOVERNOR'S COMMISSION ON EFFICIENCY IN GOVERNMENT

December 17, 1986 - 10 a.m. - Public Hearing
General Assembly Building, House Room D, Capitol Square, Richmond, Virginia. ☐

The Governor's Commission on Efficiency in Government has established its 1986 meeting schedule as follows:

11/18/86: Review results of work conducted in September and October; prepare recommendations.

12/17/86: Public hearing on recommendations to Governor and 1987 General Assembly; finalize recommendations.

Contact: Alan Albert OR Leonard Hopkins, Office of the Governor, State Capitol, Richmond, Va. 23219, telephone (804) 786-2211

STATE BOARD OF ELECTIONS

December 12, 1986 - 10 a.m. - Open Meeting
Ninth Street Office Building, Room 101, Richmond, Virginia. ☐

Canvass of December 9, 1986, Special Election in the 81st House of Delegates District.

Contact: M. Debra Mitterer, Ninth Street Office Bldg., Room 101, Richmond, Va. 23219, telephone (804) 786-6551

DEPARTMENT OF FIRE PROGRAMS (BOARD OF)

December 19, 1986 - 9:30 a.m. - Public Hearing
James Monroe Building, 101 North 14th Street, Richmond, Virginia. ☐

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Virginia Fire Services Board intends to adopt regulations entitled VR 310-01-2. **Regulations Establishing Certification**

Standards for Fire Inspectors. These regulations establish standards for qualifying fire inspectors to be permitted to issue summonses and serving arrest warrants as provided § 27-34.2 of the Code of Virginia.

Statutory Authority: § 9-155 of the Code of Virginia.

Written comments may be submitted until December 31, 1986. Proposed effective date is April 1, 1987.

Contact: Carl N. Cimino, Executive Director, James Monroe Bldg., 17th Floor, 101 N. 14th St., Richmond, Va. 23219, telephone (804) 225-2681

DEPARTMENT OF GENERAL SERVICES

January 9, 1986 - 10 a.m. - Open Meeting
Virginia Museum of Fine Arts, Main Conference Room, Boulevard and Grove Avenue, Richmond, Virginia. ☐

The board will advise the director of the Department of General Services and the Governor on architecture of state facilities to be constructed and works of art to be accepted or acquired by the Commonwealth.

Contact: M. Stanley Krause, Jr., AIA, AICP, Rancorn, Wildman & Krause, Architects and City Planning Consultants, P.O. Box 1817, Newport News, Va. 23601, telephone (804) 867-8030

State Insurance Advisory Board

December 11, 1986 - 9:30 a.m. - Open Meeting
College of William and Mary, Room C, Campus Center, Williamsburg, Virginia. ☐

Quarterly meeting of the State Insurance Advisory Board.

Contact: Mr. Charles F. Scott, Director, Department of General Services, Division of Risk Management, Room 117, 105 E. Broad St., Richmond, Va. 23219, telephone (804) 225-4519

Division of Consolidated Laboratory Services Advisory Board

January 9, 1987 - 9:30 a.m. - Open Meeting
James Monroe Building, Conference Room D, 1 North Fourteenth Street, Richmond, Virginia. ☐

A meeting to discuss issues, concerns, and programs that impact the Division of Consolidated Laboratory Services and its user agencies.

Contact: Dr. A. W. Tiedemann, Jr., Director, Division of Consolidated Laboratory Services, 1 North 14th St.,

Calendar of Events

Richmond, Va. 23219, telephone (804) 786-7905

INTERAGENCY COORDINATING COUNCIL ON DELIVERY OF RELATED SERVICES TO HANDICAPPED CHILDREN

† December 23, 1986 - 1:30 p.m. - Open Meeting
Commission for the Visually Handicapped, 397 Azalea
Avenue, Richmond, Virginia. ☐

A regular monthly meeting. The council is designed to
facilitate the timely delivery of appropriate services to
handicapped children and youth in Virginia.

Contact: Dr. Michael M. FehI, Department of Mental
Health and Mental Retardation, P.O. Box 1797, Richmond,
Va. 23214, telephone (804) 786-3710

DEPARTMENT OF HEALTH (BOARD OF)

† February 9, 1987 - 7 p.m. - Public Hearing
Washington County Public Library, Auditorium, Valley &
Oak Street, Abington, Virginia

† February 10, 1987 - 7 p.m. - Public Hearing
Walnut Hill Elementary School, Auditorium, 300 South
Boulevard, Petersburg, Virginia

† February 12, 1987 - 7 p.m. - Public Hearing
Henrico Government Center, Henrico County Board Room,
Parham and Hungary Spring Roads, Richmond, Virginia

† February 17, 1987 - 7 p.m. - Public Hearing
Harrisonburg Election Commission, 89 West Bruce Street,
Harrisonburg, Virginia

† February 18, 1987 - 7 p.m. - Public Hearing
Warren/Green Building, Meeting Room, 10 Hotel Street,
Warrenton, Virginia

Notice is hereby given in accordance with § 9-6.14:7.1
of the Code of Virginia that the Department of Health
intends to amend regulations entitled: **VR 355-34-02.
Sewage Handling and Disposal Regulations.** The
Sewage Handling and Disposal Regulations specific
criteria by which sewage is handled and disposed of
in a safe and sanitary manner.

STATEMENT

The purpose of these regulations is to insure that all
sewage is handled and disposed of in a safe and sanitary
manner; to guide the State Health Commissioner in his
determination of whether a permit for handling or
disposing of sewage should be issued or denied; and to
guide the owner in the requirements necessary to receive
a permit of handling and disposing of sewage.

Statutory Authority: §§ 32.1-164 B and 32.1-164.2 through
32.1-164.4 of the Code of Virginia.

Written comments may be submitted until February 8,
1986.

Contact: Robert W. Hicks, Director, Division of Sanitation
Services, James Madison Bldg., Room 522, 109 Governor
St., Richmond, Va. 23219, telephone (804) 786-3559

VIRGINIA HEALTH SERVICES COST REVIEW COUNCIL

December 17, 1986 - 11:30 a.m. - Public Hearing
Virginia Center for Health Affairs, 4200 Innslake Drive,
Glen Allen, Virginia. ☐

Notice is hereby given in accordance with § 9-6.14:7.1
of the Code of Virginia that the Virginia Health
Services Cost Review Council intends to amend
regulations entitled: **VR 370-01-001. The Rules and
Regulations of the Virginia Health Services Cost
Review Council.** The changes in the rules and
regulations are designed to permit the collection of
fees in a more timely and appropriate manner.

Statutory Authority: § 9-164, paragraph 2 of the Code of
Virginia.

Written comments may be submitted until December 17,
1986.

Contact: Dr. Ann Y. McGee, Director, Virginia Health
Service Cost Review Council, 9th Floor, 805 E. Broad St.,
Richmond, Va. 23219, telephone (804) 786-6371

STATE COUNCIL OF HIGHER EDUCATION FOR VIRGINIA

December 10, 1986 - 9 a.m. - Open Meeting
James Monroe Building, 9th Floor Conference Room, 101
North 14th Street, Richmond, Virginia. ☐

A monthly council meeting. The agenda is available
upon request.

Contact: Grace I. Lessner, James Monroe Bldg., 9th Floor,
101 N. 14th St., Richmond, Va. 23219, telephone (804)
225-2638

VIRGINIA DEPARTMENT OF HIGHWAYS AND TRANSPORTATION

December 9, 1986 - 7:30 p.m. - Public Hearing
Training and Development Center, Department Highways
and Transportation Building, 1221 East Broad Street,

Calendar of Events

Richmond, Virginia. ☒

A public hearing on the "1986 Update of the State Rail Plan."

Contact: Billy D. Ketron, Virginia Department of Highways and Transportation, 1221 E. Broad St., Richmond, Va. 23219, telephone (804) 786-1065

* * * * *

December 18, 1986 - 10 a.m. - Open Meeting
Virginia Department of Highways and Transportation, Annex Building, 1401 East Broad Street, Richmond, Virginia. ☒ (Interpreter for deaf provided if requested)

A monthly meeting to vote on proposals presented regarding bids, permits, additions and deletions to the highway system, and any other matters requiring board approval.

Contact: Albert W. Coates, Jr., Assistant Commissioner, Virginia Department of Highways and Transportation, 1401 E. Broad St., Richmond, Va. 23219, telephone (804) 786-9950

Secretary of Transportation and Public Safety's Committee on Industrial Access Railroad Tracks

December 8, 1986 - 11 a.m. - Open Meeting
Ninth Street Office Building, Room 615, Conference Room A, Ninth and Grace Streets, Richmond, Virginia. ☒

A meeting (i) to consider project application from Adoph Coors Company and Spotsylvania County; and (ii) to discuss program procedures.

Contact: Sally H. Cooper, Virginia Department of Highways and Transportation, 1401 E. Broad St., Richmond, Virginia 23219, telephone (804) 786-4798

State Rail Advisory Committee

December 9, 1986 - 1 p.m. - Open Meeting
Training and Development Center, Department of Highways and Transportation Building, 1221 East Broad Street, Richmond, Virginia. ☒

Review of draft "1986 Update of the State Rail Plan" and discussion of proposed work program for the "1987 Rail Plan Update."

Contact: Billy D. Ketron, Virginia Department of Highways and Transportation, 1221 E. Broad St., Richmond, Va. 23219, telephone (804) 786-1065

BOARD OF HOUSING AND COMMUNITY DEVELOPMENT

Amusement Device Technical Advisory Committee

December 18, 1986 - 10 a.m. - Open Meeting
Department of Housing and Community Development, 7th Floor Conference Room, 205 North Fourth Street, Richmond, Virginia. ☒

A meeting to develop recommended regulations pertaining to the construction, maintenance, operation and inspection of amusement devices for consideration by the Board of Housing and Community Development.

Contact: Jack A. Proctor, Deputy Director, Division of Building Regulatory Services, Department of Housing and Community Development, 205 N. 4th St., Richmond, Va. 23219-1747, telephone (804) 786-4751

VIRGINIA HOUSING DEVELOPMENT AUTHORITY

† **December 16, 1986 - 9 a.m. - Open Meeting**
13 South 13th Street, Richmond, Virginia ☒

A regular monthly meeting of the Board of Commissioners to (i) review and, if appropriate, approve the minutes from the prior monthly meeting; (ii) consider for approval and ratification mortgage loan commitments under its various programs; (iii) review the authority's operations for the prior month; and (iv) consider such other matters and take such other actions as they may deem appropriate. The planned agenda of the meeting will be available at the offices of the authority one week prior to the date of the meeting.

Contact: Judson McKellar, Jr., General Counsel, 13 S. 13th St., Richmond, Va. 23219, telephone (804) 782-1986

DEPARTMENT OF LABOR AND INDUSTRY

February 2, 1987 - 7 p.m. - Public Hearing
Woodbridge Senior High School, 3001 Old Bridge Road, Woodbridge, Virginia

February 3, 1987 - 7 p.m. - Public Hearing
J. Sargeant Reynolds Community College, The Auditorium, 1st Floor, 700 East Jackson Street, Richmond, Virginia

February 4, 1987 - 8 p.m. - Public Hearing
Old Dominion University, Chandler Hall, Norfolk, Virginia

February 5, 1987 - 7 p.m. - Public Hearing
Department of Highways and Transportation, 731 Harrison Avenue, Salem, Virginia

Calendar of Events

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Department of Labor and Industry intends to adopt regulations entitled: **Virginia Confined Space Standard**. This standard proposes to regulate entry into and work in confined spaces in Virginia general industry and Virginia construction industry.

Statutory Authority: § 40.1-22(5) of the Code of Virginia.

Written comments may be submitted until January 31, 1987, to Commissioner Carol Amato, Department of Labor and Industry, P.O. Box 12064, Richmond, Virginia 23241

Contact: Jay Withrow, Technical Services Director, Department of Labor and Industry-VOSH, 205 N. 4th St., Richmond, Va. 23241, telephone (804) 786-8011

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February 2, 1986 - 1 p.m. - Public Hearing
War Memorial Building, Lord Fairfax Room, Winchester, Virginia.

February 3, 1986 - 2 p.m. - Public Hearing
Southside Community College, John H. Daniel Campus, Room 55, Keysville, Virginia

February 4, 1986 - 3 p.m. - Public Hearing
Eastern Shore Community College, Lecture Hall, Route 13, Melfa, Virginia

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Department of Labor and Industry intends to adopt regulations entitled: **VR 425-02-13. Virginia Field Sanitation Standard**. This standard proposes to regulate sanitation requirements for Virginia Agricultural Hand-Labor Operations.

Statutory Authority: § 40.1-22(5) of the Code of Virginia.

Written comments may be submitted until January 31, 1987, to Commissioner Carol Amato, Department of Labor and Industry, P.O. Box 12064, Richmond, Virginia 23241

Contact: Jay Withrow, Technical Services Director, Department of Labor and Industry, 205 N. 4th St., Richmond, Virginia 23241, telephone (804) 786-8011

COMMISSION ON LOCAL GOVERNMENT

† **December 17, 1986 - 2 p.m. - Open Meeting**
Walter J. Heberer Building, Courthouse Square, 2nd Floor Conference Room, Rustburg, Virginia

A special meeting of the Commission on Local Government in order to discuss pending issues on the commission's agenda.

Contact: Barbara J. Bingham, Ninth Street Office Building, Room 901, Richmond, Va. 23219, telephone (804)786-6508

VIRGINIA LONG-TERM CARE COUNCIL

January 6, 1987 - 9:30 a.m. - Open Meeting James Monroe Building, Conference Room C, 101 North 14th Street, Richmond, Virginia. ☒ (Interpreter for deaf provided if requested)

A meeting to discuss Virginia's long-term care service system and issues relating to the coordination and provision of services and programs. The council will continue to develop the Statewide Information Management System for human services.

Contact: Catherine Saunders, Long-Term Care Manager, Virginia Department for the Aging, 18th Floor, 101 N. 14th St., Richmond, Va. 23219-2797, telephone (804) 225-2271/225-2912

BOARD OF MEDICAL ASSISTANCE SERVICES

December 9, 1986 - 10 a.m. - CANCELLED
Department of Medical Assistance Services, Suite 1300, 600 East Broad Street, Richmond, Virginia. ☒

A meeting to discuss (i) Rehabilitative Services State Plan Amendment (final regulations); (ii) status reports on budget amendments and legislative proposals for 1987; and (iii) other business pertinent to the board.

Contact: Jacqueline M. Fritz, Department of Medical Assistance Services, Suite 1300, 600 E. Broad St., Richmond, Va. 23219, telephone (804) 786-7933

VIRGINIA BOARD OF MEDICINE

Informal Conference Committee

† **December 19, 1986 - 10 a.m. - Open Meeting**
Mount Vernon Hospital, Board Room, 2501 Parker's Lane, Alexandria, Virginia. ☒

The committee will inquire into allegations that certain practitioners may have violated laws and regulations governing the practice of medicine in Virginia. The committee will meet in open and closed session pursuant to § 2.1-344 Executive and closed meeting - subsection (A) (6) of the Code of Virginia.

Contact: Eugenia K. Dorson, Executive Secretary, Surry Bldg., 1601 Rolling Hills Dr., Richmond, Va. 23229-5005, telephone(804) 786-0575

Calendar of Events

DEPARTMENT OF MINES, MINERALS AND ENERGY

December 30, 1986 - 10 a.m. - Public Hearing
Department of Mines, Minerals and Energy, The Bookbindery Building Conference Room, 2201 West Broad Street, Richmond, Virginia.

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Department of Mines, Minerals and Energy intends to amend regulations entitled: **VR 480-03-16. Minerals Other Than Coal Surface Mining Regulation.** These regulations establish the procedures and requirements pertaining to "Permits for Certain Mining Operators; Reclamation of Land" implemented pursuant to Chapter 16, Title 45 of the Code of Virginia.

Statutory Authority: § 45.1-180.3 of the Code of Virginia.

Written comments may be submitted until December 30, 1986.

Contact: William Roller, Compliance Manager, Division of Mined Land Reclamation, P.O. Box 4499, Lynchburg, Va. 24502, telephone (804) 239-0602

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January 7, 1987 - 10 a.m. - Public Hearing
Division of Mined Land Reclamation Conference Room, 622 Powell Avenue, Big Stone Gap, Virginia.

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Department of Mines, Minerals and Energy intends to amend regulations entitled: **VR 480-03-19. Coal Surface Mining Reclamation Regulations.** Proposed amendments to Virginia's program for surface coal mining operations to consider areas unsuitable for mining, and for reclaiming abandoned mines.

Statutory Authority: § 45.1-230 of the Code of Virginia.

Written comments may be submitted until January 7, 1986.

Contact: Conrad T. Spangler, Chief Engineer, Division of Mined Land Reclamation, P.O. Drawer U, Big Stone Gap, Va. 24219, telephone (703) 523-2925

OLD DOMINION UNIVERSITY

Board of Visitors

December 11, 1986 - (Time to announced) - Open Meeting
Old Dominion University, Webb University Center, Old Dominion University Campus, Norfolk, Virginia. ☒

A regular meeting to handle affairs of the Universtiy (Specific times included in agenda distributed two week prior to meeting).

Contact: Gordon A. McDougall, Office of the Board of Visitors, Old Dominion University, Norfolk, Va. 23508, telephone (804) 440-3072

VIRGINIA BOARD OF OPTOMETRY

January 10, 1987 - Written comments may be submitted until this date.

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Virginia Board of Optometry intends to amend regulations entitled: **VR 510-01-1. Regulations of the Virginia Board of Optometry.** The proposed amendments provide standards for the practice of optometry in Virginia and state requirements for candidates for licensure of optometrists.

Statutory Authority: § 54-376 of the Code of Virginia.

Written comments may be submitted until January 10, 1986.

Other pertinent information: The proposed regulations were developed as a part of the comprehensive review of regulations initiated by Governor Charles S. Robb.

Contact: Moria C. Lux, Executive Director, Board of Optometry, 1601 Rolling Hills Dr., Richmond, Va. 23229-5005, telephone (804) 786-0131 (After 1/1/87 (804) 662-9910) (Toll-free number 1-800-533-1560)

VIRGINIA BOARD OF PHARMACY

† December 17, 1986 - 9 a.m. - Open Meeting
Department of Health Regulatory Boards, Koger Center, Surry Building, Conference Room, 1601 Rolling Hills Drive, Richmond, Virginia. ☒

A meeting to finalize actions of the Informal Conference Committee and conduct regular board business.

Calendar of Events

Informal Conference Committee

† **December 16, 1986 - 9 a.m.** - Open Meeting
Department of Health Regulatory Boards, Koger Center,
Surry Building, Conference Room, 1601 Rolling Hills Drive,
Richmond, Virginia. ☒

The committee will inquire into allegations that certain pharmacists may have violated laws and regulations governing the practice of pharmacy in Virginia. The committee will meet in open and closed sessions pursuant to § 2.1-344 Executive or closed meeting - subsection A (6) of the Code of Virginia.

Contact: J. B. Carson, Executive Director, 1601 Rolling Hills Dr., Richmond, Va. 23229-5005, telephone (804) 786-0182

BOARD OF COMMISSIONERS TO EXAMINE PILOTS

December 10, 1986 - 10 a.m. - Open Meeting
Hasler and Company, 212 Tazewell Street, Norfolk,
Virginia.

The board will meet to conduct routine business at its regular business meeting.

Contact: David E. Dick, Department of Commerce, 3600 W. Broad St., Richmond, Va. 23230, telephone (804) 257-8515/257-8563 OR William L. Taylor, 3329 Shore Dr., Virginia Beach, Va. 23451, telephone (804) 496-0995

VIRGINIA BOARD OF PROFESSIONAL COUNSELORS

December 12, 1986 - 1 p.m. - Open Meeting
John Marshall Hotel, 14th Floor, 5th and Franklin Streets,
Richmond, Virginia. ☒

A meeting to (i) conduct general board business, (ii) make policies, (iii) respond to board correspondence; and (iv) review applications.

Contact: Joyce D. Williams, Koger Center, 1610 Rolling Hills Drive, Richmond, Va. 23229, telephone (804) 756-7702

VIRGINIA REAL ESTATE BOARD

January 16, 1987 - 10:30 a.m. - Public Hearing
Department of Commerce, Travelers Building, Room 395,
3600 West Broad Street, Richmond, Virginia. ☒

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Virginia Real Estate Board intends to amend regulations entitled: **VR 585-01-1. Virginia Real Estate Board Licensing**

Regulations. Regulate licensed real estate firms, brokers and salesperson; registered rental location agents; and proprietary schools

Statutory Authority: §§ 54-1.28 and 54-740 of the Code of Virginia.

Written comments may be submitted until January 10, 1987.

Contact: Florence R. Brassier, Assistant Director, Virginia Real Estate Board, Department of Commerce, 3600 W. Broad St., Richmond Va. 23230-4917, telephone (804) 257-8552 (toll-free number 1-800-552-3016)

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January 16, 1987 - 10:30 a.m. - Public Hearing
Department of Commerce, Travelers Building, 5th Floor,
3600 West Broad Street, Richmond, Virginia. 23230 ☒

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Virginia Real Estate Board intends to amend regulations entitled: **VR 585-01-2. Condominium Regulations.** Rules and regulations governing the marketing and sale of condominiums in Virginia.

Statutory Authority: § 55-79.98 (a) of the Code of Virginia.

Written comments may be submitted until January 10, 1987.

Contact: Lucia Anna Trigiani, Property Registration Administrator, Virginia Real Estate Board, Department of Commerce, 5th Floor, 3600 W. Broad St., Richmond, Va. 23230, telephone (804) 257-8510 (toll free number 1-800-552-3016)

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January 16, 1987 - 10:30 a.m. - Public Hearing
Department of Commerce, Travelers Building, 5th Floor,
3600 West Broad Street, Richmond, Virginia. ☒

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Virginia Real Estate Board intends to amend regulations entitled: **VR 585-01-3. Time-Share Regulations.** Rules and regulations governing the marketing and sale of time-shares in Virginia. The board is amending these regulations because of statutory changes and for clarification.

Statutory Authority: § 55-396 A of the Code of Virginia.

Written comments may be submitted until January 10, 1987.

Contact: Lucia Anna Trigiani, Property Registration Administrator, Department of Commerce, 5th Floor, 3600

Calendar of Events

W. Broad St., Richmond, Va. 23230, telephone (804) 257-8510 (toll-free number 1-800-552-3016)

SOCIAL SERVICES AND STATE MENTAL HEALTH AND MENTAL RETARDATION BOARDS

December 17, 1986 - 10 a.m. - Open Meeting
Department of Mental Health and Mental Retardation,
James Madison Building 13th Floor, 109 Governor Street,
Richmond, Virginia. ☒

† **December 17, 1986 - 2 p.m. - Open Meeting**
Koger Center, Blair Building, 8007 Discovery Drive,
Richmond, Virginia. ☒

A regular monthly meeting of the State Mental Health and Mental Retardation Boards at 10 a.m. The joint board will meet at 2 p.m. The agenda will be published on December 10 and may be obtained by calling Jane Helfrich.

Contact: Jane V. Helfrich, State Mental Health and Mental Retardation Board Secretary, Department of Mental Health and Mental Retardation, P.O. Box 1797, Richmond, Va. 23214, telephone (804) 786-3921

DEPARTMENT OF SOCIAL SERVICES (BOARD OF)

January 9, 1987 - Written comments may be submitted until this date.

Notice is hereby given in accordance with § 9-6.14:7.1 of the the Code of Virginia that the Department of Social Services intends to adopt regulations entitled: **VR 615-70-5. Health Care Coverage.**

Statutory Authority: Code of Federal Regulations 45 CFR 302, 304, 305 and 306 and §§ 20-60.3, 63.1-250, 63.1-250.1, 63.1-250.2, 63.1-252.1 and 63.1-287 of the Code of Virginia.

Contact: Jane Clements, Bureau of Chief Program Operations, Division of Child Support Enforcement, Department of Social Services, 8007 Discovery Dr., Richmond, Va. 23228, telephone (804) 281-9074

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January 7, 1987 - 10 a.m. - Public Hearing
Commonwealth Building, Suite 100, 210 Church Street, S.W.,
Roanoke, Virginia

January 14, 1987 - 8:30 a.m. - Open Meeting
Blair Building, Rooms A and B, 8007 Discovery Drive,
Richmond, Virginia. ☒

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Department of Social

Services intends to adopt regulations entitled: **Policy Regarding Child Protective Services Central Registry Information.** This regulation will establish the timeframe and rationale for name entry into the Central Registry.

Statutory Authority: § 63.1-248.1 et seq. of the Code of Virginia.

Written Comments may be submitted until January 23, 1987.

Contact: Janine Tondrowski, Program Specialist, Department of Social Services, 8007 Discovery Dr., Richmond, Va. 23229-8699, telephone (804) 281-9081 (toll-free 1-800-552-7091)

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February 10, 1987 - 10 a.m. - Public Hearing
Koger Center, Blair Building, 8007 Discovery Drive,
Richmond, Virginia. ☒

February 12, 1987 - 10 a.m. - Public Hearing
Commonwealth Building, 201 Church Street, Roanoke,
Virginia

Notice is hereby given in accordance § 9-6.14:7.1 of the Code of Virginia that the Department of Social Services (Board of) and Division of Licensing Programs intend to amend regulations entitled: **VR 615-22-02. Standards and Regulations for Licensed Homes for Adults.** The purpose of these amendments is to regulate homes which provide care and maintenance to the aged and infirm.

Statutory Authority: § 63.1-174 of the Code of Virginia.

Written comments may be submitted until February 1, 1987.

Contact: Catherine A Loveland, Program Specialist, Division of Licensing Programs, Department of Social Service, 8007 Discovery Dr., Richmond, Va. 23229-8699, telephone (804) 281-9025 (toll-free 1-800-552-7091)

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† **February 6, 1987 - Written comments may be submitted until this date.**

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Department of Social Services intends to amend the regulation entitled: **VR 615-70-1. State Income Tax Intercept for Child Support.**

STATEMENT

Subject: The existing regulation accommodates federal

Calendar of Events

regulation 45 CFR 303.102, Collection of Overdue support by State Income Tax Refund Offset process pursuant to Article 21 § 58.1-520 et seq.) of Chapter 3 of Title 58.1 of the Code of Virginia. Federal regulation 303.102 was effective October 1, 1985. This amended regulation changes the initial application of intercepted state tax refunds to satisfy arrearages due the custodial parent first. Under the existing regulation, a debt due the Commonwealth would be satisfied first.

Substance: The Setoff Debt Collection Act set out in Article 21 (§ 58.1-520 et seq.) of Chapter 3 of Title 58.1 of the Code of Virginia allows a claimant agency to intercept state income tax refunds for payment of debts. A claimant agency is an administrative unit of state government such as a department. The Department of Social Services certifies cases to the Department of Taxation to satisfy a debt owed for public assistance paid or to collect overdue support enforcement services.

Issues: Federal regulation 45 CFR 303.102, effective October 1, 1985, gave states the option of applying intercepted state tax refunds to satisfy a debt due the Commonwealth or to satisfy arrearages due the custodial parent. This can happen when an applicant for support enforcement services has previously been a recipient of public assistance and a debt owed to the Commonwealth was never satisfied. The Department of Social Services has decided to satisfy first arrearage due the custodial parent. It is the consensus of the Board of Social Services and the Department of Social Services that arrearage owed to custodial parents should be paid before satisfying other debt amounts owed to the Commonwealth. Once the arrearage to the custodial parent is satisfied, then the Commonwealth would receive such funds in order to satisfy the debt due for the past public assistance paid.

Basis: This regulation has been developed pursuant to the provision of Title 63.1 of the Code of Virginia and the Setoff Debt Collection Act and 45 CFR 303.102 of the Code of Federal Regulations.

Purpose: The purpose of amending this regulation is to ensure that the State Income Tax Refund Offset will pay back arrearage money owed to custodial parents. The Board of Social Services and the Department of Social Services feel that the needs of custodial parents can be better served with this amendment.

Statutory Authority: § 63.1-25 of the Code of Virginia and 45 CFR 303.102 of the Code of Federal Regulations effective October 1, 1985.

Written comments may be submitted until February 6, 1987, to Ray C. Goodwin, Acting Director, Child Support Enforcement, Department of Social Services, 8007 Discovery Drive, Richmond, Virginia 23288

Contact: Jane L. Clements, Chief, Bureau of Program Operations, Division of Child Support Enforcement, Department of Social Services, 8007 Discovery Dr.,

Richmond, Va. 23288, telephone (804) 281-9074

Board of Trustees Family and Children's Trust Fund

† **December 10, 1986 - 10 a.m.** – Open Meeting
Virginia Union University 1500 North Lombardy Street,
Richmond, Virginia

A regular business meeting of the board.

Contact: Margaret J. Friedenbergh, Department of Social Services, 8007 Discovery Dr., Richmond, Va. telephone (804) 281-9217

BOARD OF SOCIAL WORK

December 19, 1986 - 1 p.m. – Open Meeting
The John Marshall Hotel, 5th and Franklin Streets,
Richmond, Virginia. ☒

A meeting to (i) conduct general board business; (ii) review applications; (iii) respond to correspondence; (iv) act on reports of oral examining committees; and (v) discuss regulations.

Contact: Mary E. Hodges, Acting Executive Director, 1601 Rolling Hills Dr., Richmond, Va. 23229, telephone (804) 786-7703

GOVERNOR'S COMMISSION ON TRANSPORTATION IN THE TWENTY-FIRST CENTURY

† **December 12, 1986 - 2 p.m.** – Open Meeting
General Assembly Building, House Room D, Capitol
Square, Richmond, Virginia. ☒

The proposed agenda for this meeting will center primarily on the subject matter, meeting schedule and subcommittee assignments for the Phase II Study.

Contact: Dr. Gary Johnson, Research Director or Jewel Paige, Administrative Assistant, Ninth Street Office Bldg., 10th Floor, Richmond, Va. 23219, telephone (804) 786-2405/2437

THE TREASURY BOARD

January 8, 1987 - 10 a.m. – Public Hearing
James Monroe Building, Conference Room B, 101 North
14th Street, Richmond, Virginia. ☒

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that The Treasury Board

Calendar of Events

intends to amend regulations entitled: VR 640-02. The Virginia Security for Public Deposits Act Regulations. These regulations make permanent and amend the emergency regulation that expires May 21, 1987.

Statutory Authority: § 2.1-364(a) of the Code of Virginia.

Written comments may be submitted until January 9, 1986.

Contact: Pat Watt, Director, Financial Policy Analysis, Department of Treasury, P.O. Box 6H, Richmond, Va. 23215, telephone (804) 225-2142

VIRGINIA BOARD OF VETERINARY MEDICINE

† December 9, 1986 - 8 a.m. - Open Meeting
Virginia Polytechnic Institute, College of Veterinary Medicine, Squires Student Center, Blacksburg, Virginia. ☐

A general board meeting will be held in Room 308; and the National board examination for veterinarians will be held in the Old Dominion Ballroom.

† December 10, 1986 - 8 a.m. - Open Meeting
Virginia Polytechnic Institute, College of Veterinary Medicine, Squires Student Center, Blacksburg, Virginia. ☐

A general board meeting will be held in Room 308; and the Clinical competency test for veterinarians will be in the Old Dominion Ballroom.

Contact: Moria C. Lux, Executive Director, Virginia Board of Veterinary Medicine, 1601 Rolling Hills Dr., Richmond, Va. 23229, telephone (804) 786-0069

VIRGINIA DEPARTMENT FOR THE VISUALLY HANDICAPPED

† December 17, 1986 - 11 a.m. - Open Meeting
Administrative Headquarters, 397 Azalea Avenue, Richmond, Virginia. ☐ (Interpreter for deaf provided if requested) ☐

The board meets quarterly to review policy and procedures of the Virginia Department for the Visually Handicapped. The board reviews and approves the department's budget, Executive Agreement, and Operating Plan.

Contact: Diane E. Allen, Executive Secretary Senior, 397 Azalea Ave., Richmond, Va. 23227, telephone (804) 264-3145

VIRGINIA WASTE MANAGEMENT BOARD

December 16, 1986 - 9 a.m. - Open Meeting
James Monroe Building, Conference Room D, 101 North 14th Street, Richmond, Virginia. ☐

The board will (i) accept public comments on debris landfills; (ii) consider preliminary approval of an amendment to the Hazardous Waste Management Regulations; and (iii) consider preliminary approval of the financial assurance Solid Waste Regulations.

Contact: Cheryl Cashman, James Monroe Bldg., 11th Floor, 101 N. 14th St., Richmond, Va. 23219, telephone (804) 225-2667

DEPARTMENT OF WASTE MANAGEMENT

January 6, 1987 - 10 a.m. - Open Meeting
James Monroe Building, Conference Room D, 101 North 14th Street, Richmond, Virginia. ☐

A public meeting to consider the proposed draft of the regulations entitled "Financial Assurance Regulations for Solid Waste Facilities."

Contact: Cheryl Cashman, Public Information Officer, Department of Waste Management, James Monroe Building, 11th Floor, 101 N. 14th St., Richmond, Va. 23219, telephone (804) 225-2667

STATE WATER CONTROL BOARD

December 10, 1986 - 1:30 p.m. - Open Meeting
December 11, 1986 - 9 a.m. - Open Meeting
December 12, 1986 - 9 a.m. - Open Meeting
National Conference Center, Williamsburg Hilton, 50 Kingsmill Road, Williamsburg, Virginia. ☐

A regular quarterly meeting (joint with Water Study Commission).

Contact: Doneva A. Dalton, State Water Control Board, Office of Policy Analysis, P.O. Box 11143, Richmond, Va. 23230, telephone (804) 257-6829

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January 5, 1987 - 2 p.m. - Open Meeting
Roanoke County Administration Center, Community Room, 3738 Brambleton Avenue, S.W., Roanoke, Virginia

January 7, 1987 - 2 p.m. - Open Meeting
Williamsburg/James City County Courthouse, Council Chambers, Court and South Henry Street, Williamsburg, Virginia

Calendar of Events

January 8, 1987 - 2 p.m. - Open Meeting
McCourt Building, Board Room, County of Prince William,
1 County Complex, 4850 Davis Ford Road, Prince William,
Virginia

A public meeting to receive comments on the promulgation of regulations to control and manage the discharge of toxic pollutants into the waters of the Commonwealth to ensure that no adverse impacts occur.

Contact: Alan J. Anthony, Ph.D., Richard Ayers, or Durwood Willis, Office of Environmental Research and Standards, State Water Control Board, P.O. Box 11143, Richmond, Va. 23230, telephone (804) 257-0791

LEGISLATIVE

JOINT COMMITTEE MEETING OF HOUSE APPROPRIATIONS, HOUSE FINANCE AND SENATE FINANCE

December 15, 1986 - 9:30 a.m. - Open Meeting
General Assembly Building, House Room D, Capitol
Square, Richmond, Virginia. ☐

A joint monthly meeting. The agenda will include the revised revenue estimates.

Contact: Donna C. Johnson, House Appropriations Committee, General Assembly Bldg., 9th Floor, Capitol Square, Richmond, Va. 23219, telephone (804) 786-1837

JOINT SUBCOMMITTEE STUDYING THE SCREENING OF CHILD-CARE PERSONNEL

† **December 11, 1986 - 2 p.m. - Open Meeting**
General Assembly Building, 8th Floor West Conference
Room, Capitol Square, Richmond, Virginia. ☐

The subcommittee will meet to consider recommendations for legislation.

Contact: Susan Ward, Staff Attorney, Division of Legislative Services, General Assembly Bldg., 2nd Floor, Richmond, Va. 23219, telephone (804) 786-3591

VIRGINIA CODE COMMISSION

† **December 29, 1986 - 10 a.m. - Open Meeting**
† **December 30, 1986 - 10 a.m. - Open Meeting**

General Assembly Building, 6th Floor Conference Room,
Capitol Square, Richmond, Virginia. ☐

The commission will continue with recodification of Title 54.

Contact: Joan W. Smith, General Assembly Bldg., 2nd Floor, Richmond, Va. 23219, telephone (804) 786-3591

JOINT SUBCOMMITTEE STUDYING CREDIT CARDS

† **December 16, 1986 - 10 a.m. - Open Meeting**

General Assembly Building, House Room D, Capitol
Square, Richmond, Virginia. ☐

The subcommittee will meet to discuss interest rates, free period, and disclosure. (HJR 41)

Contact: C. William Cramme', III, Staff Attorney, Division of Legislative Services, General Assembly Bldg., 2nd Floor, Richmond, Va. 23219, telephone (804) 786-3591

SUBCOMMITTEE STUDYING THE REGULATION OF FINANCIAL PLANNERS

December 16, 1986 - 1:30 p.m. - Open Meeting
General Assembly Building, House Room C, Capitol Square,
Richmond, Virginia. ☐

The subcommittee will meet to determine if legislation is needed in the area of financial planners. (HJR 131)

Contact: Terry Barrett Mapp, Research Associate, Division of Legislative Services, General Assembly Bldg., 2nd Floor, Capitol Square, Richmond, Va. 23219, telephone (804) 786-3591

SUBCOMMITTEE STUDYING ECONOMIC DEVELOPMENT

December 8, 1986 - 10 a.m. - Open Meeting
General Assembly Building, House Room C, Capitol Square,
Richmond, Virginia. ☐

A working session of this subcommittee to discuss recommendations to the 1987 General Assembly. (HJR 132)

Contact: Joanne Fisher, Research Associate, Division of Legislative Services, P.O. Box 3-AG, Richmond, Va. 23208, telephone (804) 786-3591

Calendar of Events

SAVINGS AND LOAN SUBCOMMITTEE STUDYING HOUSE BILL 400

December 16, 1986 - 9:30 a.m. – Open meeting
General Assembly Building, House Room C, Capitol Square,
Richmond, Virginia. ☒

The subcommittee will meet to discuss final recommendations on the interest rate revision. (HJR 41)

Contact: C. William Cramme', III, Staff Attorney, Division of Legislative Services, General Assembly, 2nd Floor, Capitol Square, Richmond, Va. 23219, telephone (804) 786-3591

SUBCOMMITTEE STUDYING PROBLEMS OF TEEN PREGNANCY IN THE COMMONWEALTH

† **December 16, 1986 - 10 a.m.** – Open Meeting
General Assembly Building, 8th Floor West Conference Room, Capitol Square, Richmond, Virginia. ☒

A working session to discuss recommendations to the 1987 Session of the General Assembly. (HJR 61)

Contact: Brenda H. Edwards, Research Associate, Division of Legislative Services, P.O. Box 3-AG, Richmond, Va. 23208, telephone (804) 786-3591

JOINT SUBCOMMITTEE STUDYING THE COMMONWEALTH'S TIDAL SHORELINE EROSION POLICY

December 18, 1986 - 1 p.m. – Open Meeting
General Assembly Building, House Room C, Capitol Square,
Richmond, Virginia. ☒

The subcommittee will be looking into the Commonwealth's shoreline policy and whether the policy reflects an appropriate balance between the rights of individual property owners and the Commonwealth's responsibility to protect the environment.

Contact: Martin Farber, Research Associate, Division of Legislative Services, General Assembly Bldg., Capitol Square, Richmond, Va. 23219, telephone (804) 786-3591

CHRONOLOGICAL LIST

OPEN MEETINGS

December 8

Economic Development, Subcommittee Studying Highways and Transportation, Virginia Department of - Secretary of Transportation and Public Safety's Committee on Industrial Access Railroad Tracks

December 9

† Conservation and Historic Resources, Department of - Division of Historic Landmarks - Virginia Historic Landmark's Board Highways and Transportation, Virginia Department - State Rail Advisory Committee
† Veterinary Medicine, Virginia Board of

December 10

Agriculture and Consumer Services, State Board of Conservation and Historic Resources, Department of - Virginia Soil and Water Conservation Board Crime Commission, Virginia State Higher Education for Virginia, State Council of Pilots, Board of Commissioners to Examine

† Social Services, Department of - Board of Trustees - Family and Children's Trust Fund
† Veterinary Medicine, Virginia Board of Water Control Board, State

December 11

Agriculture and Consumer Services, State Board of
† Child-Care Personnel, Joint Subcommittee Studying the Screening of Dentistry, Virginia Board of Education, State Board of General Services, Department of - State Insurance Advisory Board Old Dominion University, Board of Visitors Water Control Board, State

December 12

† Children, Department for - Advisory Board
† Contractors, State Board of Dentistry, Virginia Board of Education, State Board of Elections, State Board of Professional Counselors, Board of
† Transportation in the Twenty-First Century, Governor's Commission on Water Control Board, State

December 15

House Appropriations, House Finance and Senate

Calendar of Events

Finance, Joint Committee Meetings

December 16

- † Air Pollution Control Board, State
- Alcoholic Beverage Control Board
- † Apple Board, Virginia State
- † Credit Cards, Joint Subcommittee Studying
- † Housing Development Authority, Virginia
- † Pharmacy, Virginia Board of Informal Conference Committee
- † Teen Pregnancy in the Commonwealth, Subcommittee Studying Problems of Waste Management Board, Virginia

December 17

- Corrections, Board of
- † Local Government, Commission on
- † Mental Health and Mental Retardation and Social Services Boards
- † Pharmacy, Virginia Board of
- † Visually Handicapped, Board of the Virginia Department for the

December 18

- Financial Planners, Subcommittee Studying the Regulation of
- Highways and Transportation Board, Virginia Department of
- Housing and Community Development
 - Amusement Device Technical Advisory Committee
- Savings and Loan Subcommittee Studing House Bill 400

December 19

- † Building Code Technical Review Board, State
- † Medicine, Virginia Board of
 - Informal Conference Committee
- Social Work, Board of

December 23

- † Handicapped Children, Interagency Coordinating Council on Delivery of Related Services to

December 29

- † Code Commission, Virginia

December 30

- Alcoholic Beverage Control Board, Virginia
- † Code Commission, Virginia

January 5

- Water Control Board, State

January 6

- Long Term-Care Council, Virginia
- Waste Management, Department of

January 7

- Water Control Board, State

January 8

- Water Control Board, State

January 9

- General Services, Department of
 - Art and Architectural Review Board
- General Services, Department of
 - Division of Consolidated Laboratory Services Advisory Board

January 14

- Corrections, Board of

January 20

- Aging, Governor's Advisory Board on

January 21

- Aging, Governor's Advisory Board on

PUBLIC HEARINGS

December 9

- Highways and Transportation, Department of

December 17

- Efficiency in Government, Governor's Commission on
- Health Services Cost Review Council, Virginia

December 19

- Fire Programs, Department of (Board of)

December 30

- Mines, Minerals and Energy, Department of

January 7

- Mines, Minerals and Energy, Department of
- Social Services, Department of

January 8

- Treasury Board

January 14

- State Air Pollution Control Board
- Social Services, Department of

January 16

- Education, State Board of
- Virginia Real Estate Board

January 26

- Barber Examiners, Virginia Board of

February 2

- Labor and Industry, Department of

February 3

- Labor and Industry, Department of

February 4

- Labor and Industry, Department of

February 5

Calendar of Events

Labor and Industry, Department of

February 9

† Health, Department of

February 10

† Health, Department of
Social Services, Department of

February 12

† Health, Department of
Social Services, Department of

February 17

† Health, Department of

February 18

† Health, Department of