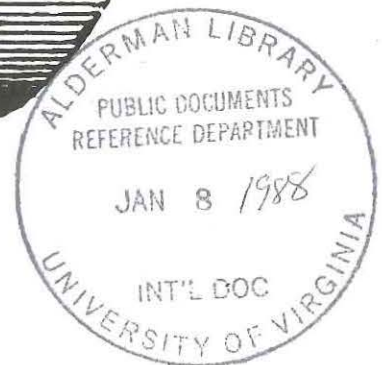
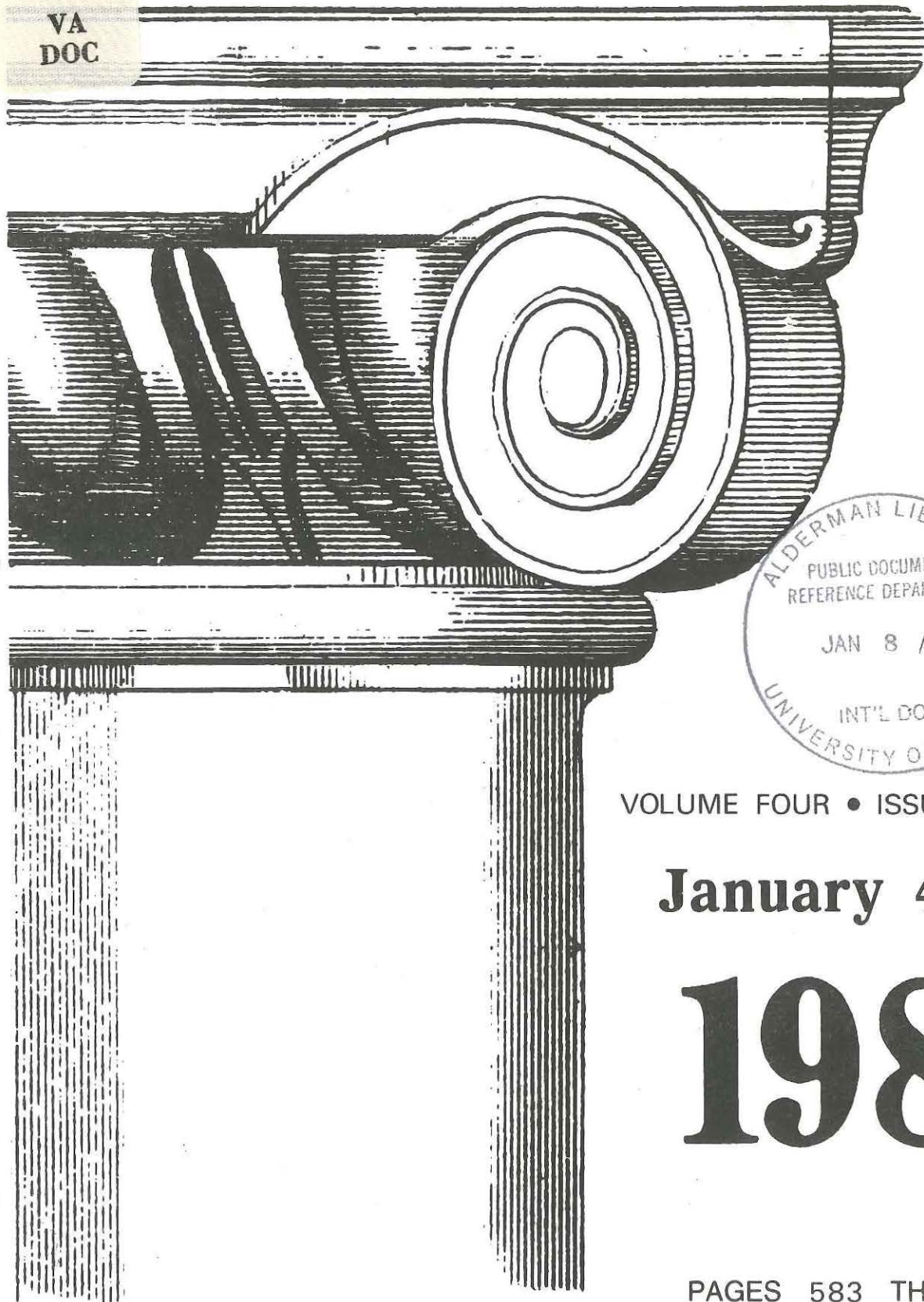


THE VIRGINIA REGISTER

OF REGULATIONS

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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.

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PROPOSED REGULATIONS

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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 MEDICAL ASSISTANCE SERVICES

Title of Regulation: VR 460-02-4.191. Extended Repayment of Overpayments: State Plan for Medical Assistance.

The Department of Medical Assistance Services is withdrawing the agency's proposed regulations concerning the Extended Repayment of Overpayments from their current public comment period.

These proposed regulations were published V.A.R. 4:3 178-181 November 9, 1987.

After reworking these regulations, this agency will refile them in the near future.

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 (BOARD OF)

Title of Regulation: VR 115-02-12. Health Requirements Governing the Admission of Livestock, Poultry, Companion Animals, and Other Animals or Birds into Virginia.

Statutory Authority: §§ 3.1-726 and 3.1-730 of the Code of Virginia.

Effective Date: February 3, 1988

Summary:

These regulations include a new section setting health requirements for South American camelids of the genus lama (including llamas, alpacas, guanacos, and vicunas) entering Virginia. These measures would require that such animals entering Virginia from another state or from a territory be tested within 30 days prior to entry for the diseases brucellosis and tuberculosis, which have a significant, adverse impact upon Virginia cattle, and also for bluetongue. Bluetongue is a serious disease, often fatal, of sheep and goats.

The only change to the proposed regulation as finally adopted by the board is the addition of the provision, requested by the Virginia llama breeders, allowing for methods of identifying camelids in addition to the tattoo specified in the proposed regulation. As finally adopted, the regulation allows for the State Veterinarian to specify additional methods of identifying animals.

VR 115-02-12. Health Requirements Governing the Admission of Livestock, Poultry, Companion Animals, and Other Animals or Birds into Virginia.

§ 1. Definitions.

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

"Dogs" means all domestic and wild members of the dog family (Canidae).

"Hatching eggs" means chicken eggs and turkey eggs which are, or which are intended to be, used for hatching purposes.

"Horses" means all horse-like animals, embracing all

members of the equine species including ponies, the asinine species, and burros. It also includes the hybrid offspring of the equine and asinine species by whatever name they may be known, such as mules, hinnies, and donkeys.

"Monkeys" means all monkeys and other primates, such as lemurs, marmosets, chimpanzees, and other apes.

"Poultry" means chickens and turkeys of all varieties and of all ages.

"Psittacine birds" means parrots, cockatoos, parakeets, and budgerigars.

§ 2. Official health certificates.

A. No livestock, other animals, poultry, or other birds, of any species, that are affected with or that have been exposed to any infectious or contagious disease shall be imported into Virginia except by special approval by the State Veterinarian.

B. All livestock, other animals, poultry, or other birds imported into Virginia, except for immediate slaughter, shall be accompanied by an official health certificate, which shall be attached to the waybill or shall be in the possession of the person in charge of such animals or birds, and a copy of such health certificate shall be forwarded promptly to the State Veterinarian of the Commonwealth of Virginia.

C. An official health certificate shall be a written record meeting the requirements of the Commonwealth of Virginia, executed on an approved form of state of origin. It shall contain the names and exact addresses of the consignor and consignee and the exact destination of the animals or birds covered. It shall indicate the health status of the animals or birds, and include the dates and results of all required tests.

1. After physical examination of the animals or birds and completion of all required tests, the official health certificate shall be issued within 30 days before the date of their entry, unless a different time limit is set elsewhere in this regulation. The certificate shall be issued by a licensed, graduate, accredited veterinarian approved by the livestock health official of the state of origin; a veterinarian in the employ of the state of origin; or a veterinarian in the employ of the Veterinary Services Division, Animal and Plant Health Inspection Services, United States Department of Agriculture; or such other veterinarian as may be approved by the State Veterinarian.

2. All copies of the official health certificate, including the original, shall be legible, and shall bear the endorsement of the livestock health official of the state of origin.

D. The requirements for the importation of livestock, other animals, poultry and other birds for exhibition purposes shall be the same as the requirements governing the admission of such animals and birds for breeding purposes, unless specific exceptions are made hereinafter.

§ 3. Entry by permit only.

A. When the State Veterinarian is informed of any unusual or serious outbreak of disease among livestock or poultry in any other state which, in his opinion, constitutes a threat to livestock or poultry in Virginia, he shall by proclamation prohibit the entrance of any livestock or poultry which originate either directly or indirectly from such state. He may also prohibit the entrance of any "products" as defined in the meat or poultry inspection regulations of the United States Department of Agriculture, or in the Virginia Meat and Poultry Products Inspection Act, the Virginia Milk and Cream Law, or any other applicable or related Virginia statutes and regulations, except by special written permit.

B. All requests for special permits ~~must~~ shall be directed to the State Veterinarian in writing or by wire, and ~~must~~ shall give such information as he may require.

C. Under such special permit, all livestock, poultry, or products thereof entering Virginia ~~must~~ shall be consigned to a definite legal resident of Virginia.

§ 4. Common carriers, trucks.

A. Owners and operators of common carriers, trucks, or other conveyances are forbidden to move any livestock or poultry into Virginia except in compliance with the provisions set forth in this regulation.

B. All railway cars, trucks, and other conveyances used for transportation of livestock or poultry ~~must~~ shall be kept in a sanitary condition. The State Veterinarian may require the cleaning and disinfecting of any such conveyance at any time to prevent the spread of infectious or contagious diseases.

§ 5. Cattle.

A. Tuberculosis.

1. Cattle for dairy or breeding purposes may enter the Commonwealth of Virginia if they are accompanied by a certificate and signed by the State Veterinarian of the state of origin stating that the cattle originate directly from certified tuberculosis-free areas or from accredited or negative-tested herds.

2. Cattle for dairy or breeding purposes originating

from areas or herds other than as specified in *paragraph 1 of subsection A* † of this section must have been found negative to an individual official test for tuberculosis within 60 days prior to entry.

3. Cattle originating directly or indirectly from herds quarantined or subject to quarantine under State-Federal Uniform Methods and Rules (Code of Federal Regulations, Title 9, Chapter I, Parts 1 to 199) for the eradication of tuberculosis are not eligible for entry, except for immediate slaughter under special permit issued by the State Veterinarian.

B. Brucellosis.

1. Permit.

a. Cattle for dairy or breeding purposes that originate from Class B (herd infection rate less than 1.5%) or Class C (herd infection rate more than 1.5%) states may enter the Commonwealth of Virginia, provided that they are accompanied by a prior permit issued by the State Veterinarian.

b. Permits may be obtained by the Virginia purchaser or consignee by contacting the State Veterinarian's Office.

c. Permits expire 15 days after date of issuance.

d. The following information ~~must~~ shall be furnished before permits are issued: area or state status, herd status, individual status, vaccination status, name and address of consignor and consignee, and any other information the State Veterinarian may require.

2. Brucellosis testing.

When individual testing is required on female cattle, those of the dairy breeds under 20 months of age and those of the beef breeds under 24 months of age are exempt from such testing, provided that they have been officially calfhood vaccinated in the state of origin against brucellosis and that fact has been certified by the State Veterinarian of the state of origin. Nonvaccinates (male or female) are exempt from testing if under eight months of age.

3. Classification of states.

Cattle for dairy or breeding purposes which originate directly from officially classified states may enter Virginia, provided that they are accompanied by an official health certificate and also meet the following requirements:

a. Class: Free states.

(1) No herd status

(2) No individual test

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(3) No permit.

b. Class: A states.

(1) Negative herd status, or

(2) Individual tested within 30 days

(3) No permit.

c. Class: B states.

(1) Originate from negative herd or certified herd, and

(2) Individual tested within 30 days, and

(3) Permit, and

(4) Quarantine and retest 45 to 120 days post-movement.

d. Class: C states.

(1) Originate from certified herd, and

(2) Individual tested within 30 days, and

(3) Permit, and

(4) Quarantine and retest 45 to 120 days post-movement.

4. Brucellosis calfhood vaccination requirements for female bovine animals entering Virginia.

All female bovine animals four months of age or older which enter Virginia for any purpose other than immediate slaughter shall have been officially calfhood vaccinated for brucellosis by a licensed, accredited veterinarian.

a. Recording.

The vaccination status of each animal shall be recorded on the interstate health certificate of the state of origin or on a copy of the vaccination record, to be attached to the health certificate.

b. Exceptions.

These vaccination requirements shall not apply to:

(1) Female bovine animals originating from a brucellosis certified free herd, or from brucellosis class free states;

(2) Female bovine animals entering Virginia for purposes of shows, fairs or exhibitions;

(3) Spayed female bovine animals;

(4) Unvaccinated feeder female bovine animals brought to Virginia if negative to a brucellosis test performed not more than 30 days prior to importation into Virginia, not originating from a Class B or Class C state and not originating from a quarantined herd; or

(5) Female bovine animals originating from a Class A state and destined for sale through a Virginia livestock auction market. The animals must have originated from a county that has been free of bovine brucellosis for at least one year and that brucellosis free county ~~must~~ shall be at least 50 miles from the border of any county that has had brucellosis infection within the past 12 months. The aforementioned ~~must~~ shall be certified by the state veterinarian of the state in which the affected county is located.

C. Scabies.

No cattle affected with or exposed to scabies shall be imported into Virginia for any purpose.

D. Feeder cattle.

Cattle intended for feeding purposes shall be qualified for entry into the Commonwealth under exactly the same conditions as cattle for dairy or breeding purposes. Steers and spayed heifers shall be exempt from any previously stated test requirements.

§ 6. Sheep.

A. Scabies.

Sheep intended for feeding or breeding purposes may enter the Commonwealth of Virginia only if they originate directly from a state officially designated scabies-free by the United States Department of Agriculture.

B. Slaughter.

Sheep imported into Virginia for immediate slaughter shall be consigned directly to a recognized stockyard or to a slaughtering establishment that is approved and inspected by the United States Department of Agriculture or by the Virginia Department of Agriculture and Consumer Services.

§ 7. Swine.

A. Brucellosis.

Swine over four months of age intended for breeding purposes shall originate from an officially validated brucellosis-free herd, or from a herd in which all breeding swine over four months of age were negative to an official test for brucellosis conducted in a state or federal laboratory within 12 months prior to date of entry, or which individually have been negative to an official test

for brucellosis conducted in a state or federal laboratory within 30 days prior to entry. The official health certificate accompanying these swine shall indicate the official herd status or the negative test.

B. Pseudorabies.

1. No swine of any age intended for breeding or feeding purposes shall be imported into Virginia from herds in which there has been an incidence of pseudorabies within the past 12 months.
2. No swine for breeding or feeding purposes which has been exposed to pseudorabies within the past 12 months shall be imported into Virginia.
3. Swine of any age intended for breeding purposes shall be negative to a test approved by the State Veterinarian for pseudorabies conducted within 30 days prior to entry into Virginia. The official health certificate shall indicate such negative test. Breeding swine may originate from herds that have been classified as Pseudorabies Qualified Negative herds and identified as being from such origin. Pseudorabies Qualified Negative herds are those herds in which 25% of the herd have exhibited negative test results in successive quarters (80-105 days) until the entire herd is tested. The test shall not be duplicated on previously tested swine.

§ 8. Horses.

A. Horses may enter the Commonwealth of Virginia provided that they are accompanied by an official health certificate giving an accurate description of each animal, with a copy forwarded to and received by the State Veterinarian prior to the arrival of such animals at a destination in the Commonwealth of Virginia.

B. The State Veterinarian may by proclamation prohibit or restrict the entry of any horses into Virginia which, in his opinion, presents a disease threat to Virginia horses or other animals. The proclamation shall be only for the duration of the potential threat, and shall be officially withdrawn when it has served its purpose.

C. An interstate health certificate on all horses that are imported into Virginia shall indicate that they have been officially tested and found negative for equine infectious anemia within the past 12 months. When horses are imported into Virginia, a copy of the official interstate health certificate shall be promptly mailed to the State Veterinarian. Horses that originate from infected premises in other states are not eligible for entry into Virginia unless a written permit is obtained from the State Veterinarian. Horses may be shipped into Virginia for research purposes or for immediate slaughter to approved slaughter establishments after first obtaining a permit from the State Veterinarian. Such horses shall be satisfactorily identified and the origin and destination clearly stated on the permit.

D. No male horse (stallion) or mare over 731 days of age, which either originates in or has passed through a country where the disease contagious equine metritis is known to exist, may enter the Commonwealth of Virginia except by special permit issued by the State Veterinarian. Those male horses or mares which are issued a special entry permit immediately will be placed under quarantine until the State Veterinarian is satisfied that they pose no danger to the Commonwealth of Virginia's equine population.

§ 9. Poultry.

A. Pullorum-typhoid.

Hatching eggs and poultry shall not be imported into the Commonwealth of Virginia unless such eggs or poultry originate exclusively from flocks participating in the National Poultry Improvement Plan (NPIP) or the National Turkey Improvement Plan (NTIP) (Code of Federal Regulations, Title 9, Chapter I, Parts 1 to 199). These programs shall be under the supervision of the official state agency of NPIP or NTIP, the livestock health official, or other authorized government agency of the state of origin certifying them to be free of Pullorum-typhoid.

B. Mycoplasma Gallisepticum.

Hatching eggs and poultry shall not be imported into the Commonwealth of Virginia unless such eggs or poultry originate from flocks that are designated free of Mycoplasma Gallisepticum by the livestock health official of the state of origin. Each importer of hatching eggs or poultry into Virginia shall secure from the State Veterinarian an approval number, after having provided evidence that the flocks of origin are free of Mycoplasma Gallisepticum. This approval number shall appear on shipping labels or containers of each lot shipped into Virginia.

C. Approval numbers.

1. Each shipper of hatching eggs or poultry shall first secure an approval number from the State Veterinarian. This approval number ~~must~~ shall appear on each shipping label or on each container of hatching eggs or poultry shipped into Virginia.
2. Applications for approval numbers ~~must~~ shall be made on forms provided by the State Veterinarian. Each application shall require the following information on each flock from which the hatching eggs or poultry originate:
 - a. The name and address of each flockowner;
 - b. The species (i.e., chickens or turkeys) and the number of birds in each flock;
 - c. The date of the most recent Pullorum-typhoid

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test;

d. The total number, or the percentage, of positive reactions to the most recent Pullorum-typhoid test;

e. The Pullorum-typhoid status attained; and

f. Such additional information as the State Veterinarian may require.

3. Such applications, when completed, ~~must~~ *shall* be forwarded to the official state agency, the state livestock health official, or other competent and recognized authority of the state of origin for verification, approval and signature; and then forwarded to the State Veterinarian for final approval. Hatching eggs or poultry shall not be shipped into Virginia until final approval has been granted and the approval number is received.

D. Exceptions.

This regulation shall not apply to hatching eggs or poultry passing directly through the Commonwealth of Virginia in interstate commerce, nor to poultry imported into the Commonwealth of Virginia for immediate slaughter and consigned directly to a poultry processing establishment that is approved and inspected by the United States Department of Agriculture or by the Virginia Department of Agriculture and Consumer Services.

§ 10. Goats.

A. General.

Goats imported into the Commonwealth of Virginia for any purpose shall comply with the applicable provisions of §§ 2, 3, and 4 of these rules and regulations.

B. Tuberculosis.

1. Goats for dairy or breeding purposes may enter the Commonwealth of Virginia if they originate directly from a herd in which all animals were negative to a test for tuberculosis approved by the State Veterinarian within 12 months prior to entry; or

2. Goats for dairy or breeding purposes may enter the Commonwealth of Virginia if they are individually tested and found to be negative to a test for tuberculosis approved by the State Veterinarian within 30 days prior to entry.

C. Brucellosis.

1. Goats for dairy or breeding purposes may enter the Commonwealth of Virginia if they originate directly from a herd in which all animals were negative to a test for brucellosis approved by the State Veterinarian within 12 months prior to entry; or

2. Goats for dairy or breeding purposes may enter the Commonwealth of Virginia if they are individually tested and found to be negative to a test for brucellosis approved by the State Veterinarian within 30 days prior to entry.

D. Caseous lymphadenitis.

Goats for dairy or breeding purposes may enter the Commonwealth of Virginia if they are free of clinical symptoms of caseous lymphadenitis. "Clinical symptoms", with reference to caseous lymphadenitis, is used to define abscesses of the lymph nodes, whether they are draining or not.

§ 11. Dogs.

A. General.

Dogs to be transported into the Commonwealth shall be accompanied by an official health certificate issued by an accredited veterinarian of the state of origin, certifying that the issuing veterinarian has personally examined the animal or animals within 10 days prior to issuance of such certificate and date of shipment; and that this professional physical examination indicated that the animal or animals were in apparent good health at that time.

B. Rabies.

In addition to the requirements of ~~paragraph subsection~~ A of this section the official health certificate covering any dogs to be transported or moved into the Commonwealth of Virginia shall state that they did not originate in an area under quarantine for rabies; that such dogs have not been exposed to rabies; that they have been vaccinated against rabies not more than one year (inactivated virus) and not more than three years (attenuated virus) prior to shipment.

C. Exceptions.

1. The requirement for rabies vaccination specified in ~~paragraph subsection~~ B of this section shall not apply to puppies less than four months of age.

2. None of the provisions, requirements, or restrictions of this section shall apply to:

a. Any dog passing directly through the Commonwealth of Virginia in interstate commerce; or

b. Any dog consigned directly to a laboratory or institution authorized by law to conduct research, teaching, or clinical studies within the Commonwealth of Virginia; or

c. Any dog brought into the Commonwealth of Virginia by a person who intends to reside in Virginia.

§ 12. Monkeys.

A. General.

Monkeys to be transported into the Commonwealth of Virginia shall be accompanied by an official health certificate issued by an accredited veterinarian of the state of origin, certifying that the issuing veterinarian personally has examined the monkey(s) within 10 days prior to the issuance of such certificate; and that the professional physical examination indicated that the monkey(s) were in apparent good health at the time. In addition to this general statement, a separate statement shall be included attesting to the fact that the veterinarian has carefully examined the oral mucosa of the monkey(s) and has found no evidence of disease lesions or inflammatory processes.

B. Tuberculosis.

1. Monkeys transported into the Commonwealth of Virginia shall successfully have passed a tuberculin test performed by an accredited veterinarian within 30 days prior to date of shipment. Certification of this fact, including the kind and amount of tuberculin used, the date and hour of injection, and the date and hour that no response of any kind or degree was observed, shall appear upon the face of the health certificate.

2. Monkeys that have been associated with, or that originate in, a monkey colony where there have been other monkeys showing response to the tuberculin test shall not be eligible for entry into Virginia unless and until all monkeys in the group or colony shall have passed two consecutive negative tuberculin tests not less than 30 days apart.

C. Exceptions.

The provisions, requirements, or restrictions of this section shall not apply to any monkey(s) passing directly through the Commonwealth of Virginia in interstate commerce, nor to any monkey(s) consigned to a laboratory or institution authorized by law to conduct research, teaching, or clinical studies within the Commonwealth of Virginia.

§ 13. Psittacine birds.

A. Isolation.

Psittacine birds transported into Virginia shall be confined immediately by their owner, custodian, or agent, to an enclosure in absolute isolation from other birds, animals, and persons, except for the absolute minimum contact necessary for their care. This confinement shall continue for a minimum of 15 days. During this time, the birds shall experience continuous and uninterrupted feeding with either a mash-type feed, or a feed containing dehulled millet seed, containing 0.5 milligrams of

chlortetracycline per gram of feed or seed. An accredited veterinarian, specifically authorized for direct supervision of such quarantine, shall notify the State Veterinarian in writing when the birds have completed their isolation period.

B. Approval numbers.

1. Each shipper of psittacine birds into the Commonwealth of Virginia shall first secure an approval number from the State Veterinarian of Virginia. This official approval number, along with the words "Virginia Department of Agriculture and Consumer Services Approved", or equivalent, shall appear prominently on each shipping label or on each package or container used for transporting these birds into Virginia.

2. Applications for approval numbers ~~must~~ shall be made on forms provided by the State Veterinarian. The State Veterinarian shall designate the duration of such approval. Applications shall require the following information:

a. The legal name and address of each applicant. If an applicant has more than one address or premises intended as a source of psittacine birds to be shipped into Virginia, a separate application ~~must~~ shall be filed and a separate approval number secured for each such address or premises;

b. The usual or average number of birds maintained at any given time at each address or premise;

c. A statement, signed by a local or state professional livestock health official or public health authority, attesting to the fact that all psittacine birds leaving the address or premises specified on each application have been subjected to the same or fully equivalent restrictions as to isolation and treatment as are specified in subsection A of § 13; and

d. Any additional information the State Veterinarian may require.

3. Applications for approval numbers ~~must~~ shall be forwarded to the State Veterinarian for approval. Approval numbers ~~must~~ shall be received by the shipper before shipment is made into the Commonwealth of Virginia.

C. Exceptions.

1. The requirements for isolation and treatment with chlortetracycline as shown in subsection A of § 13 shall not apply to psittacine birds which have been issued an official approval number. An approval number and legend as specified in *paragraph 1 of* subsection B ~~†~~ of § 13 ~~must~~ shall appear on each shipping label or container used for shipments into

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Virginia. Shipments made without approval, or prior to the issuance of approval, will be subjected to the same restrictions of confinement and treatment as birds from nonapproved sources.

2. The provisions of this section shall not apply to any psittacine birds passing directly through the Commonwealth of Virginia in interstate commerce; nor to psittacine birds brought into the Commonwealth of Virginia by a person who intends to make his residence in Virginia; nor to any psittacine birds consigned directly to a laboratory or institution authorized by law to conduct research, teaching, or clinical studies within the Commonwealth of Virginia.

§ 14. Llamas.

All South American camelids of the genus *Lama* (including, but not limited to llamas, alpacas, guanacos, and vicunas) four months of age and older imported into Virginia from another state or territory shall:

1. Be individually identified by an ear tattoo, [and with] the tattoo number [shall be] recorded on the health certificate of the state or territory of origin [or by any other method approved by the State Veterinarian, with the identification recorded on the health certificate of the state or territory of origin] ; and

2. Be negative to approved tests for:

- a. Brucellosis;
- b. Tuberculosis; and
- c. Bluetongue.

Such tests shall be performed not more than 30 days prior to importation.

* * * * *

The Department of Agriculture and Consumer Services proposes to REPEAL the following:

Title of Regulation: VR 115-04-03. § 29 of the Rules and Regulations for the Enforcement of the Virginia Pesticide Law.

Statutory Authority: §§ 3.1-217 and 3.1-217.1 of the Code of Virginia.

Effective Date: February 4, 1988

Summary:

On June 20, 1986, the Environmental Defense Fund and the Virginia Seafood Council submitted a formal petition to the Virginia Board of Agriculture and Consumer Services (Board) requesting the board to

adopt rules and regulations to prohibit the sale or use of marine antifouling paints containing tributyltin (TBT). Petitioners were concerned that continued use of TBT, under present registrations, could seriously threaten Virginia's shellfish population, especially oysters and clams.

Commissioner S. Mason Carbaugh presented the petition to the board and the board, after discussing several alternatives, instructed the Commissioner to proceed with an evidential hearing on the subject. The Commissioner appointed a Hearing Officer and assistance from the Virginia Institute of Marine Sciences, Gloucester, Virginia and the Attorney's General's Office.

The hearing was conducted November 5 and 6, 1986. On February 25, 1987 the Hearing Officer presented his report, including his recommendations to the board.

Following discussion on the report, the board unanimously approved a motion to adopt emergency regulations regulating the use of TBT. Regulations were drafted, submitted to Governor Baliles, and signed by the Governor on February 27, 1987.

During the 1987 session of the General Assembly, House Bill 1603 pertaining to possession, sale or use of marine antifouling paints containing TBT was introduced. The bill was passed, signed by Governor Baliles, and became effective July 1, 1987. The law and the regulation were similar in nature; however, there were conflicts.

Section 3.1-217.1 of the Virginia Pesticide Law grants the Board of Agriculture and Consumer Services (Board) the authority to issue regulations for the enforcement of the Act. Section 3.1-217.1 states in part "in order to further protect the citizens of Virginia and to provide adequate economic and environmental protection the board is authorized . . . to prescribe appropriate rules, regulations and standards to restrict or prohibit the sale or use and disposal of any pesticide which: (b) Because of toxicity or inordinate hazard to man, animal and/or plant may be contrary to the public interest."

The Emergency Regulations can be repealed because Article 5 of Title 3.1, Chapter 14 of the Code of Virginia adopted by the 1987 Session of the Virginia General Assembly establishes the authority to deal with the possession, sale, or use of marine antifouling paints containing Tributyltin (TBT).

The proposal to repeal the regulations was discussed by members of the board during the September 28-29, 1987 board meeting. There were no questions or comments from the public in attendance. In consideration of the responsibilities imposed by the Act, the Board of Agriculture and Consumer Services

carefully considered the necessity of protecting the environment. Satisfied that House Bill 1603 served the interest of the Commonwealth and the board's charge to conserve the environment, the board's position was that repeal of the emergency regulations was in order.

The board, under authority granted in § 3.1-217.1 of the Virginia Pesticide Law repealed § 29 (Tributyltin in Marine Antifouling Paints) of the Rules and Regulations for the Enforcement of the Virginia Pesticide Law (VR 115-04-03).

This regulation was repealed without the public participation procedures prescribed in the Administrative Process Act. 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 of this repealed regulation.

DEPARTMENT OF LABOR AND INDUSTRY

Safety and Health Codes Board

REGISTRAR'S NOTICE: The following Department of Labor and Industry regulations are excluded from Article 2 of the Administrative Process Act in accordance with § 9-6.14:4.1 C 4(c) of the Code of Virginia, which excludes from Article 2 regulations which are necessary to meet the requirements of federal law or regulations, provided such regulations do not differ materially from those required by federal law or regulation. The Department of Labor and Industry will receive, consider and respond to petitions by any interested person at any time with respect to reconsideration or revision of these regulations.

Title of Regulation: VR 425-02-01. Hazard Communication Standard for General Industry (1910.1200).

VR 425-02-03. Hazard Communication Standard for Marine Terminals (1917.28).

VR 425-02-31. Hazard Communication Standard for the Construction Industry (1926.59).

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

Effective Date: February 15, 1988

Summary:

On August 24, 1987, Federal OSHA published (52 Fed. Reg. 31852) an amendment to the Hazard Communication Standard (29 CFR 1910.1200). The amendment expanded the scope of the standard to include all employers.

The amendment expands the scope of the standard from Standard Industrial Classification (SIC) Codes 20-39 to all employers. Special provisions were added concerning the handling of solid metals and consumer products when used in a manner comparable to

normal conditions of consumer use. Finally, the amendment requires that a contractor employer who brings hazardous materials onto a site (e.g., construction job with 10 different subcontractors) and exposes personnel of another contractor employer, to provide hazard information to the other contractor.

"Under these provisions (paragraph (e)(2)), the employers must exchange material safety data sheets, as well as information about precautionary measures necessary to protect employees and an indication of the type of labeling system in use, where exposures may occur to another employer's employees." (52 Fed. Reg. 31865).

On May 29, 1987, the Third Circuit Court issued a decision in United Steelworkers of America, AFL-CIO-CLC v. Pendergrass (No. 83-3554), ordering Federal OSHA "to issue, within 60 days of its order, 'a hazard communication standard applicable to all workers covered by the OSHA Act, including those which have not been covered in the hazard communication standard as presently written, or a statement of reasons why, on the basis of the present administrative record, a hazard communication standard is not feasible'" (52 Fed. Reg. 31854, quoting United Steelworkers, p. 19). Federal OSHA adopted these amendments in response to the court order.

"Generally, the HCS costs to nonmanufacturers would be a function of the number of hazardous chemicals in the workplace, and the number of employees exposed to hazardous chemicals. If employees are not potentially exposed to hazardous chemicals in a particular work operation, the proposed standard does not apply. Also, to the extent that employers are voluntarily providing information, or providing information in order to comply with other regulations or laws, this should significantly reduce the burden of compliance with this rule. Approximately 32 states and several localities already have hazard communication/right-to-know laws covering nonmanufacturing industries indicating that many others seeking to protect the safety and health of workers have concluded that industry can comply with these types of requirements. In fact, as evidenced in the original rulemaking record, many companies involved in interstate commerce would benefit from promulgation of a uniform federal standard as it would preempt different and potentially conflicting state and local laws and lessen overall compliance burdens." (52 Fed. Reg. 31857)

"The benefits of the standard result from its expected reduction of occupational injuries and illnesses that are chemically related. Specifically, OSHA projects that the standard will avert 20% of these injuries and illnesses. (Five percent of all cancer cases are assumed to be occupationally related; the 20% reduction is applied to this 5.0% of all cases among occupationally exposed workers in the nonmanufacturing sector.) However, the full reduction

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of chronic illnesses and cancers will not occur immediately, rather, the reduction for these cases is phased in over time. For chronic illnesses, the standard is expected to reduce 1.0% of the cases in the first year, 2.0% in the second year, and so on, until it reaches the full reduction of 20%. For cancer cases and cancer deaths, the standard is expected not to have an effect for the first 10 years, then it is expected to reduce 2.0% of the cases in the 11th year, 4.0% in the 12th year, and so on until it reaches the full reduction of 20%." (52 Fed. Reg. 31868)

Federal OSHA estimates that the number of occupational illnesses that will be averted over the next 40 years by state "right-to-know" laws in place and the extension of the federal standard are: 143,300 cancer deaths, 1,260 noncancer deaths, 286,500 cancer cases, 230,100 chronic disabling illnesses, 865,800 lost work day cases and 1,354,500 nonlost work day cases. (52 Fed. Reg. 31872)

"Benefits were monetized using two independent approaches. The first took into account medical costs and lost earnings incurred by each victim. This 'human capital' approach resulted in first-year benefits of \$56.3 million, and a 40 year present value of \$6.66 billion. A second estimate of benefits was made using the 'willingness-to-pay' approach. This approach resulted in first-year benefits of \$568.7 million, and a 40 year present value of \$54.6 billion." (52 Fed. Reg. 31868) "Extending the HCS to the nonmanufacturing sector will also yield benefits by eliminating the need for employers to comply with multiple state and local right-to-know laws with differing requirements. The estimated benefits for the first year amount to \$39.6 million (1985 dollars). For the 20th and 40th years, the benefits are \$69.5 and \$125.5 million respectively. The present value of the 40-year stream of benefits is \$78 million (using a 10% discount rate)." (52 Fed. Reg. 31868)

Note on Incorporation by Reference


Pursuant to § 9-6.18 of the Code of Virginia, the Hazard Communication Standard for General Industry (1910.1200), the Hazard Communication Standard for Marine Terminals (1917.28) and the Hazard Communication Standard for the Construction Industry (1926.59) are declared documents generally available to the public and appropriate for incorporation by reference. For this reason, the entire document will not be printed in the Virginia Register of Regulations. Listed below are the standards contained in Parts 1910, 1917 and 1926 which are being amended. Copies of these documents are available for inspection at the Department of Labor and Industry, 205 North Fourth Street, Richmond, Virginia, and in the Office of the Registrar of Regulations, Room 215, General Assembly Building, Capitol Square, Richmond, Virginia.

- VR 425-02-01. Hazard Communication Standard for General Industry (1910.1200).
- VR 425-02-03. Hazard Communication Standard for Marine Terminals (1917.28).
- VR 425-02-31. Hazard Communication Standard for the Construction Industry (1926.59).

The Virginia Occupational Safety and Health Codes Board adopted the Federal OSHA amendment to the Hazard Communication Standard as codified in 29 CFR 1910.1200, 1917.28 and 1926.59 and published in the Federal Register, Vol. 52, No. 163, pp. 31877-31886, Monday, August 24, 1987. When the regulations as set forth in the amendments to the Hazard Communication Standard are applied to the Commissioner of the Department of Labor and Industry, Virginia employers, or both, the following federal terms shall be considered to read as below:

FEDERAL TERMS	VOSH EQUIVALENT
OSHA	VOSH
29 CFR	VOSH Standard
Assistant Secretary	Commissioner of Labor and Industry

The amendments as adopted are not set out.


COMMONWEALTH of VIRGINIA

VIRGINIA CODE COMMISSION
General Assembly Building
510 Capitol Street
Richmond, Virginia

December 14, 1987

Mr. L. C. Bowman, Jr., Chairman
Virginia Safety and Health Codes Board
Department of Labor and Industry
205 North Fourth Street
Richmond, Virginia 23241

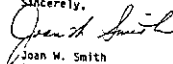
Attention: Margaret Gravett, Administrative Staff Specialist

Re: VR 425-02-01. Hazard Communication for General Industry
VR 425-02-03. Marine Terminals
VR 425-02-31. Construction Industry

Dear Mr. Bowman:

This will acknowledge receipt of the above-referenced regulations from the Department of Labor and Industry.

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,

Joan W. Smith
Registrar of Regulations

JWS:s11

* * * * *

Title of Regulation: VR 425-02-13. Field Sanitation Standard (1928.110) - Virginia Occupational Safety and Health Standards.

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

Effective Date: February 15, 1988

Summary:

On March 23, 1987, the Virginia Occupational Safety and Health Codes Board adopted a unique Virginia Field Sanitation Standard at the request of Federal OSHA. The Virginia Standard (VR 425-02-13) was adopted pursuant to the full public comment requirements of the Virginia Administrative Process Act. (Note: The unique Virginia Standard as adopted on March 23, 1987, contained the requirement that all employers regardless of size must furnish drinking water to all employees.)

On April 29, 1987, the U.S. Secretary of Labor published a federal standard as a result of a court order from the U.S. Court of Appeals for the District of Columbia Circuit. The federal standard has several major substantive requirements that were different than the Virginia standard.

Since 29 CFR 1953.23(a)(2) requires Virginia to adopt within six months changes to federal standards in verbatim or to promulgate equivalent changes which are at least as effective as the federal change, the board met on June 29, 1987, and changed the effective date of the Virginia standard to November 15, 1987, to comply with the six month requirement of 29 CFR 1953.23(a)(2). Also at this time, a comparison of the Virginia and federal standards was sent to Federal OSHA for review under the "at least as effective as" criteria. Federal OSHA's response was received on September 11, 1987 (attached), and it concluded that the Virginia standard was not as effective as the federal standard.

Federal OSHA's comments were reviewed by the board on November 18, 1987, and the board decided to adopt the federal standard to replace the unique Virginia standard but to retain the requirement that all employers regardless of size furnish drinking water to all employees.


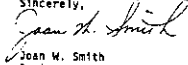
The federal standard requires employers with 11 or more employees engaged in hand labor operations in the field to provide their employees with potable drinking water, handwashing facilities and toilet facilities. Employers are required to permit reasonable use of the facilities and provide training on personal hygiene practices to prevent illness and spread of disease. The standard is designed to protect workers against heat-related illnesses, communicable and infectious diseases, urinary tract infections and pesticide illnesses.

Note on Incorporation by Reference

Pursuant to § 9-6.18 of the Code of Virginia, the Field Sanitation Standard (1928.110) is declared a document generally available to the public and appropriate for incorporation by reference. For this reason, the standard will not be printed in the Virginia Register of Regulations. Copies of this standard are available for inspection at the Department of Labor and Industry, 205 North Fourth Street, Richmond, Virginia, and in the Office of the Registrar of Regulations, Room 215, General Assembly Building, Capitol Square, Richmond, Virginia.

VR 425-02-13. Field Sanitation Standard (1928.110) - Virginia Occupational Safety and Health Standards.

The Virginia Occupational Safety and Health Codes Board adopted the Federal OSHA Field Sanitation Standard as codified in 29 CFR 1928.110 and published in the Federal Register, Vol. 52, No. 84, pp. 16095-16096, Friday, May 1, 1987. The amendments as adopted are not set out.

 COMMONWEALTH of VIRGINIA		<small>POST OFFICE BOX 540 RICHMOND, VIRGINIA 23204 (803) 786-3301</small>
<small>JOAN W. SMITH REGISTRAR OF REGULATIONS</small>	VIRGINIA CODE COMMISSION General Assembly Building 810 Capitol Street Richmond, Virginia	December 22, 1987
Mr. L. C. Bowman, Jr., Chairman Virginia Safety and Health Codes Board Department of Labor and Industry 205 North Fourth Street Richmond, Virginia 23241		
Attention: Margaret Gravett, Administrative Staff Specialist Re: VR 425-02-13. Field Sanitation.		
Dear Mr. Bowman:		
This will acknowledge receipt of the above-referenced regulation from the Department of Labor and Industry.		
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,  Joan W. Smith Registrar of Regulations		
JWS:s11		

* * * * *

Title of Regulation: VR 425-02-32. Servicing Single Piece and Multi-Piece Rim Wheels at Marine Terminals (1910.16 and 1910.177) - Virginia Occupational Safety and Health Standards.

VR 425-02-03. Marine Terminals Standard (1917) - Virginia Occupational Safety and Health Standards.

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

Effective Date: February 15, 1988

Summary:

On September 25, 1987, Federal OSHA published (52 Fed. Reg. 36023) amendments to standards concerning Servicing of Single Piece and Multi-Piece Rim Wheels at Marine Terminals, 29 CFR 1910.16, 29 CFR 1910.177 and 29 CFR 1917. The amendment applies the general industry standard for single piece and multi-piece rim wheels to work in marine terminals.

"This rule amends Part 1917 by deleting the current multi-piece rim wheel servicing requirements in §

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1917.44(o). In its place, OSHA is placing a reference to the General Industry Standard for the servicing of multi-piece and single piece rim wheels (§ 1910.177). As a result to that reference, § 1910.177 is made applicable at marine terminals, and marine terminal employers will be required to comply with the provisions of that section in the same manner as any other Part 1917 standard." (52 Fed. Reg. 36024) The Virginia Marine Terminals Standard, Part 1917, only applies to public sector employers and employees; the private sector is covered by federal OSHA's standard.

"On February 3, 1984, OSHA issued a final General Industry Standard on the servicing of single piece and multi-piece rim wheels (49 FR 4338). That action amended § 1910.177 by making minor revisions to the provisions for multi-piece rim wheels, and by adding provisions for the servicing of single piece rim wheels to the existing provisions for multi-piece rim wheels.

The Marine Terminals Standard (29 CFR Part 1917) as published in 1983 (48 FR 30886), also included coverage for the servicing of multi-piece rim wheels (§ 1917.44(o)). However, since the 1984 revision of the General Industry Standard occurred subsequent to issuance of the final rule for marine terminals, single piece rim wheels coverage was not included within the framework of Part 1917. This final rule bridges that existing gap in coverage." (52 Fed. Reg. 36024)

OSHA's analysis of the accident data available for single piece rim wheel in general industry indicated that compliance with the provisions of the single piece rim wheel servicing standard would have prevented nearly all of the reported accidents. In addition, OSHA has found that there was a 75% national reduction in fatalities and injuries associated with servicing multi-piece rim wheels after the promulgation of the OSHA Multi-Piece Rim Wheel Servicing Standard. Further, that there was a 57% reduction in fatalities and injuries in California after the promulgation of their multi-piece and single piece rim wheel servicing standard in 1970. As a result, OSHA has concluded that promulgating this general industry standard for marine terminals would also prevent nearly all single piece rim wheel servicing accidents in marine terminals because the cause and the preventability of the accidents are the same in both sectors. OSHA, therefore, concludes that this standard will likely reduce the number of worker deaths and disabilities, will provide net benefits to the number of worker deaths and disabilities, will provide net benefits to society, and will not have a significant adverse effect on marine terminals. (52 Fed. Reg. 36025)

No additional cost to Virginia employers or the Department of Labor and Industry is anticipated.

Note on Incorporation by Reference

Pursuant to § 9-6.18 of the Code of Virginia, the Servicing of Single Piece and Multi-Piece Rim Wheels at Marine Terminals Standards (1910.16, 1910.177 and 1917) are declared documents generally available to the public and appropriate for incorporation by reference. For this reason, the standards will not be printed in the Virginia Register of Regulations. Listed below are the standards contained in Parts 1910 and 1917 which are being amended. Copies of these documents are available for inspection at the Department of Labor and Industry, 205 North Fourth Street, Richmond, Virginia, and in the Office of the Registrar of Regulations, Room 215, General Assembly Building, Capitol Square, Richmond, Virginia.

VR 425-02-32. Servicing Single Piece and Multi-Piece Rim Wheels at Marine Terminals (1910.16 and 1910.177) - Virginia Occupational Safety and Health Standards.

VR 425-02-03. Marine Terminal Standard (1917) - Virginia Occupational Safety and Health Standards.

The Virginia Occupational Safety and Health Codes Board adopted the Federal OSHA amendment concerning the Servicing of Single Piece and Multi-Piece Rim Wheels at Marine Terminals as codified in 29 CFR 1910.16, 1910.177 and 1917 and published in the Federal Register, Vol. 52, No. 186, page 36026, Friday, September 25, 1987. The amendments are set out below:

PART 1910 - OCCUPATIONAL SAFETY AND HEALTH STANDARDS

A new paragraph (b)(2)(ix) is added to § 1910.16, to read as follows:

§ 1910.16 Longshoring and marine terminals.

* * * * *

(b) * * *

(2) * * *

(ix) Servicing multi-piece and single piece rim wheels. Subpart N, § 1910.177.

* * * * *

Paragraph (a)(2) of § 1910.177 is revised to read as follows:

§ 1910.177 Servicing multi-piece and single piece rim wheels.

(a) * * *

(2) This section does not apply to employers and places of employment regulated under the Construction Safety Standards, 29 CFR Part 1926; the Agriculture Standards, 29 CFR Part 1928; the Shipyard Standards, 29 CFR Part 1915; or the Longshoring Standards, 29 CFR Part 1918.

* * * * *

(Note: The amendment to Part 1917 applies to public sector employers only.)

29 CFR Part 1917 is amended as follows:

PART 1917 - MARINE TERMINALS

A new paragraph (a)(2)(ix) is added to § 1917.1 to read as follows:

§ 1917.1 Scope and applicability.

(a) * * *

(2) * * *

(ix) Servicing multi-piece and single piece rim wheels. Subpart N, § 1910.177.

Paragraph (o) of § 1917.44 is revised to read as follows:

§ 1917.44 General rules applicable to vehicles.

(o) Servicing multi-piece and single piece rim wheels. Servicing of multi-piece and single piece rim wheels is covered by § 1910.177 of this chapter.

Title of Regulation: VR 425-02-33. Telecommunications Training Records Standard (1910.268(c)) - Virginia Occupational Safety and Health Standards.

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

Effective Date: February 15, 1988

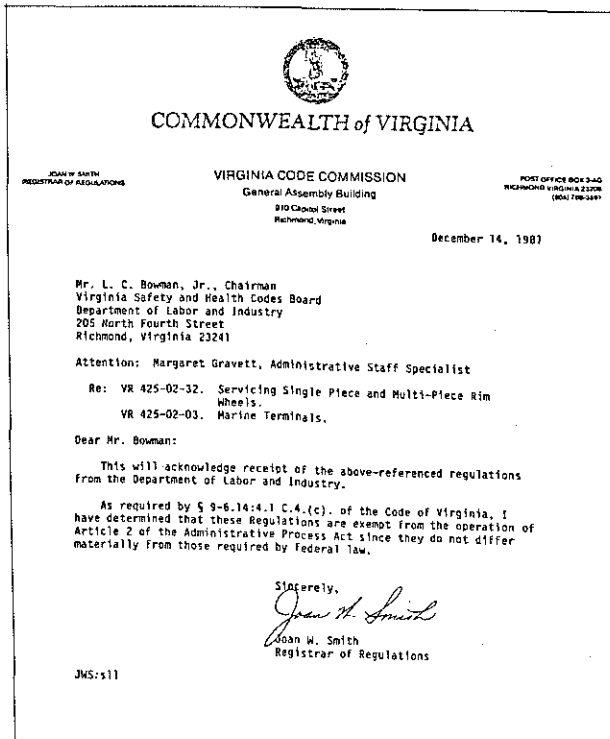
Summary:

On September 28, 1987, Federal OSHA published (52 Fed. Reg. 36384) an amendment to the Telecommunications Standard (29 CFR 1910.268(c)) revising the recordkeeping requirements for training records and eliminating the requirement that the employer prepare a written description of the training program. "OSHA believes that this action will minimize the paperwork burden on employers, as intended by the Paperwork Reduction Act of 1980, without reducing the protection of employee safety and health." (52 Fed. Reg. 36383)

"The final rule eliminates the requirement that the employer prepare a written description of the training program. It also revises the requirement that the employer maintain a record of employees trained, substituting a requirement that the employer prepare a certification record to demonstrate compliance with the training requirements. This certification record will be prepared at the time the training is completed and will include the identity of the employee trained, the signature of the employer or the person who conducted the training and the date the training was completed." (52 Fed. Reg. 36383)

The existing provisions of paragraph § 1910.268(c) require the employer to train employees in the precautions and safe practices required by the standard before the employer assigns employees to perform work covered by the standard. To demonstrate compliance with the training requirements, employers are required to prepare a written description of their training program, including a list of subject courses and the types of personnel to be trained. OSHA determined that requiring a "written description" of the training program is redundant and unnecessary because the written description is not an elaboration of how the training will be accomplished, but, rather, a brief description of what subject areas would be covered. Therefore, the agency has concluded that the "written description" requirement does not provide any information which the agency could use to verify compliance with the pertinent training requirements of the standard.

"OSHA estimates that the revision will reduce its imposed paperwork burden by about 21,000 hours and that employers in the telecommunications industry



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would save approximately \$164,000 annually. In addition, employers will gain clear guidance as to what information must be included when the employer verifies compliance."

"OSHA has determined that the revision will not reduce the protection of employee safety and health, since the requirement in § 1910.268(c) to train employees will not be changed. OSHA believes that a certification record will provide evidence of compliance with the pertinent training requirement which is equivalent to that provided by the specific records formerly required." (Fed. Reg. 36385)

No additional cost to the Department of Labor and Industry is anticipated. No additional burden on employees is anticipated since the recordkeeping provisions are being simplified and made clearer. (The employee conducting the training is required to certify that the training in areas required by the standard was conducted.)

VR 425-02-33. Telecommunications Training Records Standard (1910.268(c)) - Virginia Occupational Safety and Health Standards.

The Virginia Occupational Safety and Health Codes Board adopted the Federal OSHA amendment to the Telecommunications Standard as codified in 29 CFR 1910.268(c), and published in the Federal Register, Vol. 52, No. 187, page 36387, Monday, September 28, 1987. When the regulations as set forth in the amendment to the Telecommunications Training Records Standard are applied to the Commissioner of the Department of Labor and Industry, Virginia employers, or both, the following federal terms shall be considered to read as below:

FEDERAL TERMS	VOSH EQUIVALENT
OSHA Assistant Secretary	VOSH Commissioner of Labor and Industry

The amendment as adopted is set out below:

PART 1910 - OCCUPATIONAL SAFETY AND HEALTH STANDARDS

In § 1910.268, paragraph (c) is revised to read as follows:


§ 1910.268 Telecommunications.

* * * * *

(c) *Training.* Employers shall provide training in the various precautions and safe practices described in this section and shall insure that employees do not engage in the activities to which this section applies until such employees have received proper training in the various precautions and safe practices required by this section. However, where the employer can demonstrate that an

employee is already trained in the precautions and safe practices required by this section prior to his employment, training need not be provided to that employee in accordance with this section. Where training is required, it shall consist of on-the-job training or classroom-type training or a combination of both. The employer shall certify that employees have been trained by preparing a certification record which includes the identity of the person trained, the signature of the employer or the person who conducted the training, and the date the training was completed. The certification record shall be prepared at the completion of training and shall be maintained on file for the duration of the employee's employment. The certification record shall be made available upon request to the Assistant Secretary for Occupational Safety and Health. Such training shall, where appropriate, include the following subjects:

- (1) Recognition and avoidance of dangers relating to encounters with harmful substances and animal, insect, or plant life;
- (2) Procedures to be followed in emergency situations; and
- (3) First aid training, including instruction in artificial respiration.


COMMONWEALTH of VIRGINIA

JOAN W. SMITH
REGISTRAR OF REGULATIONS

VIRGINIA CODE COMMISSION
General Assembly Building
910 Capitol Street
Richmond, Virginia

POST OFFICE BOX 3
RICHMOND, VIRGINIA 23211
(804) 646-3333

December 14, 1987

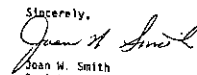
Mr. L. C. Bowman, Jr., Chairman
Virginia Safety and Health Codes Board
Department of Labor and Industry
205 North Fourth Street
Richmond, Virginia 23241

Attention: Margaret Gravett, Administrative Staff Specialist
Re: VR 425-02-33. Telecommunications Training Records Standard

Dear Mr. Bowman:

This will acknowledge receipt of the above-referenced regulation from the Department of Labor and Industry.

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,

Joan W. Smith
Registrar of Regulations

JMS:lll

* * * * *

Title of Regulation: VR 425-02-34. Benzene Standard (1910.1028) - Virginia Occupational Safety and Health Standards.

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

Effective Date: February 15, 1988

Summary:

On September 11, 1987, Federal OSHA published (52 Fed. Reg. 34460) a final Benzene Standard (29 CFR 1910.1028). The standard reduces the permissible worker exposure level from 10 parts per million parts of air (ppm) to 1 ppm and includes provision on monitoring, medical surveillance, training, personal protection equipment and a written compliance program.

The standard reduces the permissible worker exposure level in all industries where benzene is used from 10 parts per million parts of air (10 ppm) to 1 ppm averaged over an eight-hour workday. The standard also incorporates an "action level" of 0.5 ppm, below which the employer in general need not comply with medical surveillance, monitoring and other provisions of the standard. Initial monitoring of worker exposures is required by the effective date of the standard and annual monitoring is required if exposures are between the action level and the permissible exposure level (PEL). The various requirements of the standard include selection of proper respirators, proper fit-testing, and other elements of a good respirator program, as well as protective clothing and equipment to prevent eye exposure and to limit skin exposure to benzene. Annual medical examinations are also required.

"The standard will result in a substantial reduction in the workers' risk of developing leukemia and other diseases of the blood and blood-forming organs. According to OSHA's best estimates, a working lifetime of exposure to benzene at 10 ppm would cause an excess leukemia risk of 95 leukemia deaths per 1,000 exposed workers. Other reasonable estimates of risk range from eight to 160 deaths per 1,000 exposed workers. These are clearly significant risks, greatly exceeding the excess risks of occupationally related accident deaths in high and average risk industries which are 30 and 3 per 1,000 workers, respectively.

The new standard will create a minimum reduction in excess risk of 90%, a very substantial reduction based on comparing exposures at 10 ppm to 1 ppm. On the basis of the current distribution of exposures, OSHA estimates that the new standard will prevent a minimum of 326 deaths from leukemia and disease of the blood and blood forming organs over a working

lifetime of 45 years.

"In reality, the reduction in risk will be much greater. The standard incorporates an action level of 0.5 ppm below which many industrial hygiene and medical surveillance provisions are not required. Many employers having workplaces in which such reductions are feasible will reduce employee exposures to below 0.5 ppm in order to have a high degree of confidence that they are protecting their employees to avoid the costs of the industrial hygiene and medical surveillance provisions and to have an adequate margin for exposure variability when there is an inspection." (52 Fed. Reg. 34460-61)

"OSHA estimates that approximately 240,000 workers are exposed to benzene in seven major industry sectors that are under the agency's jurisdiction. These sectors include the benzene producers (i.e., petrochemicals, petroleum refining, and coke and coal chemical manufacturing), the rubber tire manufacturing industry, and firms engaged in the bulk storage and transportation of benzene and petroleum products containing benzene.

No additional cost to the Department of Labor and Industry is anticipated in adopting the standard.

Note on Incorporation by Reference

Pursuant to § 9-6.18 of the Code of Virginia, the Benzene Standard (1910.1028) is declared a document generally available to the public and appropriate for incorporation by reference. For this reason, this document is not being printed in the Virginia Register of Regulations. Copies of this standard are available for inspection at the Department of Labor and Industry, 205 North Fourth Street, Richmond, Virginia, and in the Office of the Registrar of Regulations, Room 215, General Assembly Building, Capitol Square, Richmond, Virginia.


VR 425-02-34. Benzene Standard (1910.1028) - Virginia Occupational Safety and Health Standards.

The Virginia Occupational Safety and Health Codes Board adopted the Federal OSHA Benzene Standard as codified in 29 CFR 1910.1028 and published in the Federal Register, Vol. 52, No. 176, pp. 34569-34578, Friday, September 11, 1987. When the regulations as set forth in the Benzene Standard are applied to the Commissioner of the Department of Labor and Industry, Virginia employers, or both, the following federal terms shall be considered to read as below:

<u>FEDERAL TERMS</u>	<u>VOSH EQUIVALENT</u>
OSHA	VOSH
29 CFR	VOSH Standard
Assistant Secretary	Commissioner of Labor and Industry

Final Regulations

The standard as adopted is not set out.



COMMONWEALTH of VIRGINIA

JOAN W. SMITH
REGISTRAR OF REGULATIONS

VIRGINIA CODE COMMISSION
General Assembly Building
910 Capitol Street
Richmond, Virginia

POST OFFICE BOX 5-
RICHMOND, VIRGINIA 23211
(800) 758-62

December 14, 1988

Mr. L. C. Bowman, Jr., Chairman
Virginia Safety and Health Codes Board
Department of Labor and Industry
205 North Fourth Street
Richmond, Virginia 23241

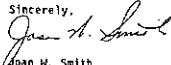
Attention: Margaret Gravett, Administrative Staff Specialist

Re: VR 425-02-34, Benzene Standard

Dear Mr. Bowman:

This will acknowledge receipt of the above-referenced regulation from the Department of Labor and Industry.

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,

Joan W. Smith
Registrar of Regulations

JWS:s11

standard used by the cash assistance programs, SSI or Aid to Dependent Children (ADC) (42 CFR 435.841). The Virginia ADC program resource standard for a family of any size is \$1,000. On January 1, 1988, the SSI resource standard (and the medically-needy resource standard) for an individual will increase to \$1,900 for a single person and to \$2,850 for a couple or two-person family. Because the SSI standard is highest, Virginia must adopt this as the resource standard to determine eligibility for the medically needy unless it chooses to apply a more restrictive resource standard under its authority according to § 1902(f) of the Social Security Act. The board has not chosen this option; therefore, it must use the SSI standard.

In 1985 the Virginia Medicaid Program considered the alternative of retaining the current resource standards, which would have been more restrictive than SSI as of January 1, 1986. However, this alternative was rejected at that time. Resource standards were changed in 1985 for the first time since 1975. In 1984, the Congress, desiring to mitigate the impact of a decade of high inflation, approved yearly resource increases in \$100 increments to permit an individual to own \$2,000 in resources in 1989.

In addition, retention of the lower resource standard would require invoking the Commonwealth's authority under § 1902(f) of the Social Security Act. At the present time, the Department of Social Services does not have to reverify all liquid resources owned by recipients of SSI. If the Social Security Administration has verified the resources and found them to be less than the resource standard, the resources do not have to be verified again because the Medicaid and SSI standard are identical. If Virginia adopted lower resource standards, local agencies would have to reverify full eligibility of every SSI recipient. Instead of a simplified short application form, a longer more detailed application and verification process would be required for the 75,000 SSI recipients who also now receive Medicaid. The additional administrative cost of processing these applications is estimated by the Department of Social Services to be \$300,000.

Because these standards are federally mandated, preliminary approval and public hearings and comments are not required under the Virginia Administrative Process Act. The funds to provide for this increase were included in the biennium budget for Medicaid.

DEPARTMENT OF MEDICAL ASSISTANCE SERVICES

REGISTRAR'S NOTICE: This regulation is excluded from Article 2 of the Administrative Process Act in accordance with § 9-6.14:4.1 C 4(c) of the Code of Virginia, which excludes from Article 2 regulations which are necessary to meet the requirements of federal law or regulations, provided such regulations do not differ materially from those required by federal law or regulation. The Department of Medical Assistance Services will receive, consider and respond to petitions by any interested person at any time with respect to reconsideration or revision.

Title of Regulation: VR 460-03-2.6151. Medically Needy Resource Levels: State Plan for Medical Assistance

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

Effective Date: February 3, 1988

Summary:

The Deficit Reduction Act of 1984 (P. L. 98-369) mandated an increase in the Supplemental Security Income (SSI) program resource limits for an individual and a couple who apply for assistance. The Social Security Act, § 1902(a)(10)(c), requires Medicaid to use a single standard in determining the resource eligibility for the medically needy class of applicants. This standard must equal the highest resource

Impact:

The proposed increased standard liberalizes Medicaid eligibility requirements and will increase the number of eligible persons. Needy persons can retain more assets and still be eligible for Medicaid assistance. All applicants for the recipients of Medicaid will be affected by the increase in standards.

Because this will increase the number of eligible individuals, Medicaid expenditures will increase. Based on past samplings of applications denied because of excess resources, we estimate an additional 264 individuals will be eligible in 1988. The expenditures for these individuals for 1988 are estimated at \$753,109 and \$1,626,715 in 1989. These moneys are included in the department's 1986-1988 biennium budget.

The Department of Social Services (DSS) currently uses resource standards in determining Medicaid eligibility; therefore, only a change in the limit for determining eligibility will be necessary. No new administrative procedures are required by this proposed change.

VR 460-03-2.6151. Medically Needy Resource Levels: State Plan for Medical Assistance.

SUPPLEMENT 5 TO ATTACHMENT 2.6-A

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State of VIRGINIA

METHODOLOGIES FOR TREATMENT OF INCOME AND RESOURCES THAT DIFFER FROM THOSE OF THE SSI PROGRAM

100. Income and Resource Requirements Applicable to all Groups.

The value of real and personal property resources owned by the applicant/recipient may not exceed [~~\$1,800~~ \$1,900] for a single person, [~~\$2,700~~ \$2,850] for a couple or two-person family unit. For each additional person in the family unit, an additional \$100 in resources is allowed.

Real or personal property of a spouse is considered available to a spouse if they are living together. Real or personal property of a parent living in the home is considered available to his/her child(ren), except property owned by an SSI recipient is not considered available to his/her children in determining their eligibility for Medicaid.

No lien may be imposed or any encumbrance placed upon any property, real or personal, owned by a recipient of medical assistance except pursuant to a court judgment on account of benefits incorrectly paid.

For income-producing property and other nonresidential property, appropriate equity and profit is to be determined by the prorata share owned by an individual in relation to his proportionate share of the equity and profit.

Property in the form of an interest in an undivided estate is to be regarded as an asset unless it is considered unsaleable for reasons other than being an undivided

estate. An heir can initiate a court action to partition. However, if such an action would not result in the applicant/recipient securing title to property having value substantially in excess of the cost of the court action, the property would not be regarded as an asset.

The current market value of real property is determined by ascertaining the tax assessed value of the property and applying to it the local assessment rate. The equity value is the current market value less the amount due on any recorded liens against the property. "Recorded" means written evidence that can be substantiated, such as deeds of trust, liens, promissory notes, etc.

The following limitations apply to income and resources in addition to the income and resource requirements of the Supplemental Security Income (SSI) program for the aged, blind and disabled, and of the Aid to Dependent Children (ADC) cash assistance program for all other individuals:

RESOURCE LEVELS FOR THE MEDICALLY NEEDED


..X.. Applicable to all groups.

..... Applicable to all groups except those specified below under the provisions of § 1902(f) of the Act.

Family Size	Resource Level
1	[\$1,800 \$1,900]
2	[\$2,700 \$2,850]
3	[\$2,800 \$2,950]
4	[\$2,900 \$3,050]
5	[\$3,000 \$3,150]
6	[\$3,100 \$3,250]
7	[\$3,200 \$3,350]
8	[\$3,300 \$3,450]
9	[\$3,400 \$3,550]
10	[\$3,500 \$3,650]

For each additional person add \$100

Final Regulations


COMMONWEALTH of VIRGINIA

VIRGINIA CODE COMMISSION
General Assembly Building
910 Capitol Street
Richmond, Virginia

POST OFFICE BOX 34
RICHMOND, VIRGINIA 22201
(804) 788-3311

December 8, 1987

JOAN W. SMITH
REGISTRAR OF REGULATIONS

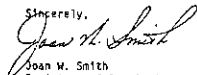
Mr. Ray T. Sorrell, Director
Department of Medical Assistance Services
Suite 1300
600 East Broad Street
Richmond, Virginia 23219

Re: State Plan Amendment Concerning Medically Needy Resource Levels

Dear Mr. Sorrell:

This will acknowledge receipt of the above-referenced regulations from the Department of Medical Assistance Services.

As required by § 9-5.14-4.1 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,

Joan W. Smith
Registrar of Regulations

JWS:sll

DEPARTMENT OF SOCIAL SERVICES (BOARD OF)

Title of Regulation: VR 615-01-20. Lump Sum Payments in the Aid to Dependent Children (ADC) Program.

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

Effective Date: April 1, 1988

Summary:

Section 63.1-25 of the Code of Virginia delegates authority to the State Board of Social Services to promulgate rules and regulations necessary for operation of public assistance programs in Virginia. The final regulation amends ADC program policy on lump sum payments to clarify the types of payments to be considered lump sums and, in regard to casualty property loss payments, to allow 12 months to expend such payments for replacing or repairing the resource. The final regulation has been amended to allow continued eligibility when casualty property loss payments have not been expended at the end of the 12-month period through no fault of the recipient. Also, the final regulation has been amended so as to consider life insurance settlements a resource rather

than a lump sum when the policy is owned by a member of the assistance unit.

VR 615-01-20. Lump Sum Payments in the Aid to Dependent Children (ADC) Program.

PART I. DEFINITIONS.

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

"Assistance unit" means those persons who have been determined categorically and financially eligible to receive assistance.

"Prospective cycle" means the initial two months of eligibility.

"Standard of need" means the dollar amount, based on the family size, which has been established to cover predetermined monthly maintenance.

"Windfall" means a sum that is not earned, does not occur on a regular basis, and does not represent accumulated monthly income received in a single sum.

PART II. LUMP SUM PAYMENTS.

§ 2.1. The receipt or expected receipt (during the prospective cycle) of a nonrecurring lump sum payment by a member of the assistance unit such as the accumulation of benefits for a prior period, including social security and workman's compensation benefits; earned income tax credit refund refunds; an insurance settlement, payments in the nature of a windfall, e.g., inheritances or lottery winnings; personal injury awards; casualty property loss payments for replacement or repair of resources; life insurance settlements [; regardless of whether the policy is owned by the client or another individual when the policy is owned by someone other than a member of the assistance unit] , loans for current living expenses, refunds, or overcollected child support identified as payments paid in excess of public assistance, or income from any other unearned nonrecurring source must shall be prorated and reflected as income when the lump sum plus all other net countable income exceeds the standard of need (~~100%~~) at 100% in the month of receipt.

2.2. In situations involving casualty property loss payments for replacement or repair of resources, such payments will not be considered as income or resources if the client initiates action to replace or repair the resource within 30 days after receipt of the lump sum payment and expends the payment for such replacement or repair within the 12 months after receipt; the use of the payment shall be documented. If the client does not initiate action to replace or repair the resource within 30 days or does not expend the payment for such

replacement or repair, within 12 months, a period of ineligibility will be calculated beginning with the first full month following the 30-day period or the month following the end of the 12-month period, respectively. [In those situations in which, through no fault of the recipient, the casualty property loss payment has not been expended at the end of the 12-month period, if good cause exists for not complying with the 12-month disposal period, the recipient's eligibility with respect to the lump sum will be preserved. At each full redetermination thereafter, the agency shall establish whether good cause continues to exist. At the time that good cause no longer exists for not having expended the lump sum to replace or repair the resource, the agency will establish a period of ineligibility.]

§ 2.3. A period of ineligibility will be calculated by dividing the countable lump sum payment plus other countable income by the standard of need for the assistance unit which will establish the number of months the unit will be ineligible for assistance; any remainder will be considered as income to the assistance unit in the first month following the period of ineligibility.

STATE CORPORATION COMMISSION

STATE CORPORATION COMMISSION

ADMINISTRATIVE LETTER 1987-16

TO: ALL COMPANIES LICENSED TO TRANSACT
INSURANCE IN THE COMMONWEALTH OF VIRGINIA

RE: REVISED FORM FOR THE APPOINTMENT OF
INSURANCE AGENTS

Appointment Form PIN 415A has been revised to eliminate questions one through five that were on the previous form. A copy of the revised Appointment Form is attached and may be used immediately. Insurers may utilize their supply of the old form by leaving questions one through five unanswered, or the new form may be reproduced on white paper.

State Corporation Commission

STATE CORPORATION COMMISSION
 BUREAU OF INSURANCE
 P.O. BOX 1157
 RICHMOND, VIRGINIA 23209
 (804) 786-2631

PIN415A
 OCTOBER, 1987

INDIVIDUAL APPOINTMENT FORM

Social Security Number	Type * (See Codes On Back)	NAIC Number
Name (First, Middle, -Last)		
Home Address (Street)		City
State	ZIP	Birthdate (Month, Day, Year)
Agency name		Tradenname
Company Name		
Address (Street)		City
State	ZIP	

Additional NAIC Numbers.

TO BE COMPLETED BY AN INDIVIDUAL AUTHORIZED TO APPOINT AGENTS ON BEHALF OF THE COMPANY

The date of execution of the first application for insurance submitted by this agent is: _____.

 Signature of Authorized Individual

 Name (Typed)

 Date

 Title

SECTION 38.2-1826 OF THE CODE OF VIRGINIA REQUIRES EACH AGENT TO REPORT TO THE COMMISSION AND TO EVERY INSURER THAT HE REPRESENTS ANY CHANGE IN HIS RESIDENCE ADDRESS OR NAME WITHIN THIRTY DAYS.

State Corporation Commission

* * * * *

AT RICHMOND, DECEMBER 1, 1987

APPLICATION OF

NATIONAL ASSOCIATION OF CASE NO. SEC870031
SECURITIES DEALERS, INC.

For promulgation of a rule
pursuant to Va. Code § 13.1-523
(Securities Act)

ORDER SCHEDULING HEARING AND DIRECTING NOTICE

ON A FORMER DAY, the National Association of Securities Dealers, Inc. ("NASD"), by its General Counsel, filed an application, as well as a memorandum in support thereof, that seeks the promulgation by the Commission of a rule pursuant to its rulemaking authority granted by Va. Code § 13.1-523. The purpose of the rule proposed by the NASD is to create an exemption from the securities registration requirements of the Securities Act (Va. Code §§ 13.1-501 - 13.1-527.3). The text of the proposed rules is as follows:

In accordance with Section 13.1-514(a)(13), any security designated or approved for designation upon notice of issuance on the NASDAQ/National Market System; any other security of the same issuer which is of senior or substantially equal rank; any security called for by subscription rights or warrants designated for trading in the NASDAQ/National Market System; or any warrant or right to subscribe to any of the foregoing securities is exempt from the registration requirements of this chapter.

Va. Code § 13.1-514(a)(13) provides:

(a) The following securities are exempted from the securities registration requirements of this chapter:

....

(13) Any security listed on an exchange registered with the United States Securities and Exchange Commission or quoted on an automated quotation system operated by a national securities association registered with the United States Securities and Exchange Commission and approved by regulations of the State Corporation Commission.

In accordance with the provisions of Rule 4:12 of the Commission's Rules of Practice and Procedure, which require reasonable notice and an opportunity for interested persons to present evidence before the promulgation of any general order, rule or regulation, it is

ORDERED:

(1) That the application and memorandum in support thereof filed by the NASD be made a part of the record of this proceeding;

(2) That a hearing on the application be, and it hereby is, scheduled for February 16, 1988, at 10:00 a.m., to be continued from day to day if necessary, in the Commission's Courtroom, Thirteenth Floor, Jefferson Building, 1220 Bank Street (corner of Bank and Governor Streets), Richmond, Virginia, at which time and place interested persons may appear to present evidence and be heard in regard to the application;

(3) That the Commission's Division of Securities and Retail Franchising send a copy of this Order to each broker-dealer registered under the Securities Act, the New York Stock Exchange, the American Stock Exchange, the Office of the Attorney General of Virginia, the North American Securities Administrators Association, Inc., the United States Securities and Exchange Commission, the publishers of Blue Sky Law Reports and Securities Regulation and Law Report, to all others deemed interested persons by the Director of the Division, and to all persons who request of the Commission notice of this proceeding; and, further, that at or before the hearing scheduled herein, the Director of the Division shall file in this proceeding a certificate stating the Division's compliance with the provisions of this paragraph and containing a list of persons (other than each broker-dealer registered under the Securities Act) who were sent a copy of this Order;

(4) That the NASD forthwith make available for public inspection, during its normal business hours, copies of the application, and memorandum in support thereof, at its principal and district offices; and, further, that the application and memorandum shall be available for public inspection during the Commission's normal business hours at the Commission's Document Control Center, Floor B1, Jefferson Building; and,

(5) That anyone wishing to comment or to present evidence and be heard in regard to the application shall file such comments or request in writing (making reference to Case No. SEC870031) on or before January 18, 1988, by delivering to the Commission's Document Control Center, P. O. Box 2118, Richmond, Virginia 23216, an original and five copies of the document.

AN ATTESTED COPY hereof shall be sent to Frank J. Wilson, Esquire, General Counsel, National Association of Securities Dealers, Inc., 1735 K Street, N.W. Washington, D.C. 20006.

GOVERNOR

EXECUTIVE ORDER NUMBER FIFTY-FIVE (87)

DECLARATION OF STATE OF EMERGENCY DUE TO LANDSLIDES IN CLIFTON FORGE, VIRGINIA

On April 15 and 16, 1987, heavy rains caused landslides along Smith Creek in Clifton Forge, Virginia, resulting in serious property damage. This was the third such occurrence recorded in this area in the past decade. This area has been determined to be landslide-prone and structures, including residences, are at risk from further slides. A study is warranted to determine the scope of the problem and possible remedial actions to stabilize the area and remove the risk of further slides. The City of Clifton Forge is unable to finance such an undertaking.

The health and general welfare of the citizens of the affected areas require that state action be taken to help alleviate the conditions brought about by this situation, which constitutes an emergency as contemplated under the provisions of Section 44-146.16 of the Code of Virginia.

By virtue of the authority vested in me by Section 44-146.17 of the Code of Virginia as Governor and as Director of Emergency Services, and subject to my continuing and ultimate authority and responsibility to act in such matters, I do hereby proclaim a state of emergency to exist in the affected areas of the Commonwealth and direct that appropriate assistance be rendered by agencies of state and local government to alleviate these conditions.

This Executive Order will terminate on June 30, 1988, unless amended or rescinded by further executive order.

Given under my hand and under the Seal of the Commonwealth of Virginia this 30th day of November, 1987.

/s/ Gerald L. Baliles
Governor

EXECUTIVE ORDER NUMBER FIFTY-SIX (87)

PROMULGATION OF THE COMMONWEALTH OF VIRGINIA EMERGENCY OPERATIONS PLAN, CLOSING OF THE CHESAPEAKE BAY BRIDGE-TUNNEL

By virtue of the authority vested in me by Section 44-146.17 of the Code of Virginia as Governor and as Director of Emergency Services, and subject to my continuing and ultimate authority and responsibility to act in such matters, I hereby promulgate and issue the Commonwealth of Virginia Emergency Operations Plan, Closing of the Chesapeake Bay Bridge-Tunnel, dated December, 1987.

The Plan is consistent with the Commonwealth of Virginia Emergency Services and Disaster Law of 1973

(Chapter 3.2, Title 44 of the Code), as amended.

The Commonwealth of Virginia Emergency Operations Plan, Closing of the Chesapeake Bay Bridge-Tunnel is hereby applicable to all state agencies and concerned political subdivisions assigned emergency responsibilities by the Plan. Heads of state agencies and governing bodies of all concerned political subdivisions are hereby directed to prepare detailed operating procedures for executing their emergency responsibilities and to implement the Plan on order.

The State Coordinator of Emergency Services, in accordance with Section 44-146.18 of the Code, shall be responsible for maintaining and updating this Plan and coordinating its administration with the appropriate federal, state, and local agencies.

This Executive Order shall become effective on the date of its signing and shall remain in full force and effect until amended or rescinded by further executive order.

This Executive Order rescinds Executive Order Number 45 (84), Commonwealth of Virginia Emergency Operations Plan, Closing of the Chesapeake Bay Bridge-Tunnel, issued by Governor Charles S. Robb on June 6, 1984.

Given under my hand and under the Seal of the Commonwealth of Virginia this 11th day of December, 1987.

/s/ Gerald L. Baliles
Governor

GOVERNOR'S COMMENTS ON PROPOSED REGULATIONS

(Required by § 9-6.12:9.1 of the Code of Virginia)

DEPARTMENT OF EDUCATION

Title of Regulation: VR 270-02-0009. Regulations Governing Literary Loan Applications in Virginia.

Governor's Comment:

No objection to proposed regulations as presented.

/s/ Gerald L. Baliles
December 8, 1987

DEPARTMENT OF SOCIAL SERVICES Division of Licensing Programs

Title of Regulation: VR 615-32-02. Regulation for Criminal Record Checks.

Governor's Comment:

Governor

The regulations appear carefully drawn to bring the Department of Social Services' regulations into compliance with new statutory provisions and to protect children in the regulated facilities. Because of the positive impact and policy considerations addressed by these regulations, I have no objections to these proposals as presented.

/s/ Gerald L. Baliles
December 1, 1987

the Department to incorporate the technical clarifications suggested by the Department of Planning and Budget.

/s/ Gerald L. Baliles
November 30, 1987

DEPARTMENT OF TAXATION

Title of Regulation: VR 630-10-17. Retail Sales and Use Tax: Brackets for Collection of the Tax.

Governor's Comment:

No objection to proposed regulations as presented. I urge the Department to incorporate the technical clarifications suggested by the Department of Planning and Budget.

/s/ Gerald L. Baliles
November 30, 1987

* * * * *

Title of Regulation: VR 630-10-31. Retail Sales and Use Tax: Dealer's Returns and Payment of the Tax.

Governor's Comment:

No objection to proposed regulations as presented. I urge the Department to incorporate the technical clarifications suggested by the Department of Planning and Budget.

/s/ Gerald L. Baliles
November 30, 1987

* * * * *

Title of Regulation: VR 630-10-106. Retail Sales and Use Tax: Transitional Provisions.

Governor's Comment:

No objection to proposed regulations as presented. I urge the Department to incorporate the technical clarifications suggested by the Department of Planning and Budget.

/s/ Gerald L. Baliles
November 30, 1987

* * * * *

Title of Regulation: VR 630-10-110. Retail Sales and Use Tax: Vending Machine Sales.

Governor's Comment:

No objection to proposed regulations as presented. I urge

DELEGATIONS OF DUTIES AND RESPONSIBILITIES

The 1987 General Assembly passed Legislation allowing an agency's chief executive officer to delegate to any officer or employee of his agency the duties and responsibilities conferred upon him by law and, in the case of an agency with a supervisory board, such board may delegate its duties and responsibilities. Section 1-17.2 of the Code of Virginia requires that when duties and responsibilities conferred or imposed upon a chief executive officer or supervisory board are delegated, such reports are to be published in the Virginia Register of Regulations as soon after filing as practicable.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Address:

Department of Agriculture and Consumer Services
P.O. Box 1163
Richmond, Virginia 23209

Telephone: (804) 786-3532**Title of Chief Executive Officer:**
Commissioner**Duty or Responsibility Delegated:**
Appointment and control of other employees. [§ 3.1-12 of the Code of Virginia]**Position Receiving Delegation:**
Personnel Director**Act:**

Virginia Petroleum Products Franchise Act. [§§ 59.1-21.8 through 59.1-21.18:1 of the Code of Virginia]

Duty or Responsibility Delegated:

The Commissioner of Agriculture and Consumer Services shall adopt rules and regulations to (a) require each producer or refiner to file a list of retail outlets operated by such producer or refiner and to keep such listing current and (b) require each franchise dealer to file a listing of any retail outlets operated by such franchise dealer and to keep such list current. [§ 59.1-21.16:2C of the Code of Virginia]

Position Receiving Delegation:

Director of Product and Industrial Regulations

Official Title:

Agriculture and Consumer Services Division Director

Official Title:

Senior Human Resource Manager

* * * * *

Title of Chief Executive Officer:
Commissioner**Act:**

Cattle Branding and Registration. [Chapter 27.2 of Title 3.1 of the Code of Virginia]

Duty or Responsibility Delegated:

Registration and transfer of cattle brands. [§ 3.1-796.30 of the Code of Virginia]
Making affidavits on validity of brand registration. [§ 3.1-796.31 of the Code of Virginia]
Periodic (5-year) renewal of cattle brands. [§ 3.1-796.32 of the Code of Virginia]
Provisions of forms for registration, re-registration, and transfer of cattle brands. [§ 3.1-796.33 of the Code of Virginia]
Maintenance of a register of cattle brands. [§ 3.1-796.34 of the Code of Virginia]

Position Receiving Delegation:
State Veterinarian

* * * * *

Title of Chief Executive Officer:
Commissioner

GENERAL NOTICES/ERRATA

Symbol Key †
† Indicates entries since last publication of the Virginia Register

BOARD OF BARBER EXAMINERS

Notice of Intended Regulatory Action

Notice is hereby given in accordance with this agency's public participation guidelines that the Virginia Board of Barber Examiners intends to consider amending regulations entitled: **Virginia Board of Barber Examiners**. The purpose of the proposed regulation is to solicit public comment on all existing regulations as to its effectiveness, efficiency, necessity, clarity and cost of compliance in accordance with its Public Participation Guidelines and Chapter 4.1 of Title 54 of the Code of Virginia.

Statutory Authority: § 54-1.28(5) of the Code of Virginia.

Written comments may be submitted until February 1, 1988.

Contact: Roberta L. Banning, Assistant Director, Department of Commerce, 3600 W. Broad St., Richmond, Va. 23230-4917, telephone (804) 257-8509 (toll-free 1-800-552-3016)

DEPARTMENT OF COMMERCE

Notice of Intended Regulatory Action

Notice is hereby given in accordance with this agency's public participation guidelines that the Department of Commerce intends to consider amending regulations entitled: **Agency Rules of Practice for Hearing Officers**. The purpose of the proposed regulation is to establish time limits for the receipt of exceptions which are filed in cases where a hearing officer makes recommendations or decisions.

Statutory Authority: § 9-6.14:12(D) of the Code of Virginia.

Written comments may be submitted until January 21, 1988.

Contact: Catherine Walker Green, Policy Analyst, Department of Commerce, 3600 W. Broad St., Richmond, Va. 23230, telephone (804) 367-8564, toll-free 1-800-552-3016, or SCATS 367-8564

DEPARTMENT OF CORRECTIONS

Notice of Intended Regulatory Action

Notice is hereby given in accordance with this agency's public participation guidelines that the Department of Corrections intends to consider amending regulations entitled: **Minimum Standards for Virginia Delinquency Prevention and Youth Development Act Grant Programs**. The purpose of the proposed regulation is to provide standards for operating locally administered programs developed and implemented under Virginia Delinquency Prevention and Youth Development Act grants with respect to program administration, services, personnel fiscal management, staff training and development, and monitoring and evaluation.

Statutory Authority: §§ 53.1-5 and 53.1-253 of the Code of Virginia.

Written comments may be submitted until January 15, 1988.

Contact: Thomas J. Northen, III, Delinquency Prevention Specialist, Department of Corrections, P. O. Box 26963, Richmond, Va. 23261, telephone (804) 257-1633 or SCATS 327-1633

DEPARTMENTS OF CORRECTIONS; EDUCATION; MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES; AND SOCIAL SERVICES

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, Mental Retardation and Substance Abuse Services; and Social Services intends to consider amending regulations entitled: **Core Standards for Interdepartmental Licensure and Certification of Residential Facilities for Children**. The purpose of the proposed regulation is to 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. Only those sections of the regulations which address discipline or punishment, or both, will be considered for amendment.

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

Written comments may be submitted until January 15, 1988.

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 or SCATS 441-9025

DEPARTMENT OF LABOR AND INDUSTRY

Notice of Intended Regulatory Action

Notice is hereby given in accordance with this agency's public participation guidelines that the Department of Labor and Industry intends to consider amending regulations entitled: **Regulations Governing the Administration of Apprenticeship Programs in the Commonwealth of Virginia, XI. Program Sponsor Evaluation Procedure.** The purpose of the proposed regulation is to provide the criteria necessary to implement the Program Sponsor Evaluation Procedure.

Statutory Authority: § 40.1-118 of the Code of Virginia.

Written comments may be submitted until January 11, 1988.

Contact: Robert S. Baumgardner, Director of Apprenticeship, Department of Labor and Industry, P. O. Box 12064, Richmond, Va. 23241, telephone (804) 786-2381 or SCATS 786-2381

DEPARTMENT OF MEDICAL ASSISTANCE 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 Medical Assistance Services intends to consider amending regulations entitled: **Nursing Home Appeals and Depreciation Recapture When Terminating From Medicaid Program.** The purpose of the proposed regulation is to revise current regulations concerning nursing home provider appeals and the recapture of prior depreciation expense based on the entire gain upon a nursing home sale.

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

Written comments may be submitted until January 8, 1988.

Contact: N. Stanley Fields, Director, Provider Reimbursement, Department of Medical Assistance Services, 600 E. Broad St., Suite 1300, Richmond, Va. 23219, telephone (804) 786-7931 or SCATS 786-7931

DEPARTMENT OF MINES, MINERALS AND ENERGY Division of Mined Land Reclamation

Notice of Intended Regulatory Action

Notice is hereby given in accordance with this agency's public participation guidelines that the Department of Mines, Minerals and Energy, Division of Mined Land Reclamation intends to consider amending regulations entitled: **Virginia Coal Surface Mining Reclamation Regulations.** The purpose of the proposed action is to combine all sections of regulations pertaining to the re-mining of previously mined lands into a single subchapter pertaining solely to that subject.

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

Written comments may be submitted until January 22, 1988.

Contact: Bob Herron, Operator Assistance Manager, Division of Mined Land Reclamation, P. O. Drawer U, Big Stone Gap, Va. 24219, telephone (703) 523-2925 or SCATS 676-2000

VIRGINIA BOARD OF PROFESSIONAL COUNSELORS

Notice of Intended Regulatory Action

Notice is hereby given in accordance with this agency's public participation guidelines that the Virginia Board of Professional Counselors intends to consider promulgating regulations entitled: **VR 560-01-02. Regulations Governing the Practice of Professional Counseling.** These regulations provide the education and experience standards for examination, the examination requirements for licensure, and standards of practice to ensure competency and integrity in the delivery of professional counseling services for the safety and welfare of the citizens of the Commonwealth.

Statutory Authority: § 54-929 of the Code of Virginia.

Written comments may be submitted until January 5, 1988.

Contact: Stephanie A. Sivert, Executive Director, Department of Health Regulatory Boards, Board of Professional Counselors, 1601 Rolling Hills Dr., Richmond, Va. 23229, telephone (804) 662-9912 or SCATS 662-9912

BOARD FOR PROFESSIONAL SOIL SCIENTISTS

Notice of Intended Regulatory Action

Notice is hereby given in accordance with this agency's public participation guidelines that the Board for Professional Soil Scientists intends to consider promulgating regulations entitled: **Certified Professional Soil Scientists and Public Participation Guidelines.** The purpose of the proposed regulation is to implement a certification program for professional soil scientists as authorized by Chapter 31 (§ 54-969 et seq.) of Title 54 of the Code of Virginia.

General Notices/Errata

Statutory Authority: § 54-969 of the Code of Virginia.

Written comments may be submitted until January 30, 1988.

Contact: E. G. Andres, Assistant Director, Department of Commerce, 3600 W. Broad St., Richmond, Va. 23230, telephone (804) 367-8557, toll-free 1-800-552-3016, or SCATS 367-8557

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: **The Virginia Fuel Assistance Program**. The department is planning to develop policies and procedures for implementation of the 1988-89 Fuel Assistance Program, reducing the reimbursement for administrative cost in local departments of social services, any needed changes based on problems identified in the 1987-88 program. Regulatory requirements are contained in Title VI of the Human Services Reauthorization Act of 1984 (P.L. 98-558).

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

Written comments may be submitted until February 3, 1988, to I. Guy Lusk, Director, Division of Benefit Programs, 8007 Discovery Drive, Richmond, Virginia 23229-8699.

Contact: Charlene H. Chapman, Supervisor, Energy and Emergency Assistance Unit, Division of Benefit Programs, Department of Social Services, 8007 Discovery Dr., Richmond, Va. 23229-8699, telephone (804) 662-9050 or SCATS 662-9050

† 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 promulgating regulations entitled: **Compliance with Service Program Policy Requirements**. The purpose of the proposed regulation is to establish policy for local departments of social services to be used by the department to identify methods of monitoring service program's policy, methods of requesting corrective actions, and methods of sanctioning if policy is not followed.

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

Written comments may be submitted until January 29, 1988.

Contact: Elizabeth B. Whitley, Chief, Bureau of Management Services, Department of Social Services, 8007

Discovery Dr., Richmond, Va. 23229, telephone (804) 662-9140, toll-free 1-800-552-7091 or SCATS 662-9140

DEPARTMENT OF TRANSPORTATION (COMMONWEALTH TRANSPORTATION BOARD)

Notice of Intended Regulatory Action

Notice is hereby given in accordance with this agency's public participation guidelines that the Department of Transportation intends to consider promulgating regulations entitled: **Minimum Standards of Entrances to State Highways**. The purpose of the proposed regulation is to establish guidelines for controlling the use of highway right-of-way where it is necessary to provide access to commercial, private and industrial properties abutting state roads.

Statutory Authority: §§ 33.1-12, 33.1-197 and 33.1-198 of the Code of Virginia.

Written comments may be submitted until February 23, 1988.

Contact: John L. Butner, Assistant State Traffic Engineer, 1401 E. Broad St., Richmond, Va. 23219, telephone (804) 786-2965

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: **VR 680-21-00. Water Quality Standards**. The purpose of the proposed regulation is to establish an instream water quality standard for tributyltin.

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

Written comments may be submitted until 5 p.m., January 29, 1988.

Contact: Stu Wilson, Water Resources Ecologist, State Water Control Board, P. O. Box 11143, Richmond, Va. 23230, telephone (804) 257-0387 or SCATS 327-0387

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: **National Pollutant Discharge Elimination System Permit Program**. The purpose of the proposed regulation is to delineate the authority and general procedures to be followed in connection with National Pollutant Discharge Elimination System (NPDES) permits authorizing discharges of pollutants into state waters and with

No-Discharge Certificates presently administered under the board's Procedural Rule No. 2.

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

Written comments may be submitted until January 7, 1988, to Martin G. Ferguson at the address below.

Contact: David N. Smith, Water Control Engineer, Office of Water Resources Management, State Water Control Board, P. O. Box 11143, Richmond, Va. 23230, telephone (804) 367-6303

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: Jane Chaffin, Virginia Code Commission, P.O. Box 3-AG, Richmond, Va. 23208, telephone (804) 786-3591

FORMS:

NOTICE OF INTENDED REGULATORY ACTION - RR01
NOTICE OF COMMENT PERIOD - RR02
PROPOSED (Transmittal Sheet) - RR03
FINAL (Transmittal Sheet) - RR04
EMERGENCY (Transmittal Sheet) - RR05
NOTICE OF MEETING - RR06
AGENCY RESPONSE TO LEGISLATIVE OR GUBERNATORIAL OBJECTIONS - RR08

Copies of the 1987 Virginia Register Form, Style and Procedure Manual may also be obtained from Jane Chaffin at the above address.

ERRATA

DEPARTMENT OF COMMERCE

Title of Regulation: VR 190-05-1. Asbestos Licensing Regulations.

Publication: 4:5 VA.R. 371-384 December 7, 1987

Correction:

Page 382, § 5.7 9g was omitted.

g. Quality control and quality assurance procedures.

MARINE RESOURCES COMMISSION

Title of Regulation: VR 450-01-0046. Pertaining to Prohibiting the Sale of Billfish.

Publication: 4:5 VA.R. 441-442 December 7, 1987

Correction:

The words "*Prohibiting the*" were omitted from the title of the regulation. The title of the regulation should be corrected to read, "*Pertaining to Prohibiting the Sale of Billfish.*"

CALENDAR OF EVENTS

Symbol Key †

† Indicates entries since last publication of the Virginia Register

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.

VIRGINIA CODE COMMISSION

EXECUTIVE

STATE BOARD OF ACCOUNTANCY

January 18, 1988 - 10 a.m. – Open Meeting

January 19, 1988 - 8 a.m. – Open Meeting

Travelers Building, 3600 West Broad Street, Richmond, Virginia. ☒

A meeting to (i) review applications for certification and licensure; (ii) review correspondence; and (iii) review enforcement cases.

Contact: Roberta L. Banning, Assistant Director, Department of Commerce, 3600 W. Broad St., Richmond, Va. 23230, telephone (804) 367-8505 (toll-free 1-800-552-3016)

† **January 26, 1988 - 10 a.m.** – Open Meeting

Walter E. Hoffman U.S. Courthouse, 600 Granby Street, Norfolk, Virginia

The board will meet to conduct a formal administrative hearing: State Board of Accountancy v. James C. Atkins.

Contact: Sylvia W. Bryant, Hearings Coordinator, Department of Commerce, 3600 W. Broad St., Richmond, Va. 23230, telephone (804) 367-8524

GOVERNOR'S ADVISORY BOARD ON AGING

† **January 20, 1988 - noon** – Open Meeting

† **January 21, 1988 - noon** – Open Meeting

Ramada Renaissance Hotel, 555 E. Canal Street, Richmond, Virginia. ☒ (Interpreter for deaf provided if requested)

A meeting to discuss a number of issues of concern to older Virginians.

Contact: Robert E. Knox III, Information Manager, 101 N. 14th St., 18th Fl., Richmond, Va. 23219, telephone (804) 225-2271 or (804) 225-2271/TDD ☎

BOARD OF AGRICULTURE AND CONSUMER SERVICES

January 23, 1988 – 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 Board of Agriculture and Consumer Services intends to amend regulations entitled: **VR 115-05-10. Rules and Regulations Defining Standards for Grades/Sizes of Shell Eggs.** This regulation sets forth grade and quality standards for the enforcement of the Virginia Egg Law. The proposed amendments delete three outdated sections and update the remaining sections to make them consistent with USDA specifications.

Statutory Authority: §§ 3.1-763.16 and 3.1-769.4 of the Code of Virginia.

Written comments may be submitted until January 23, 1988, to Raymond D. Vaughan, Secretary of the Board of Agriculture and Consumer Services.

Contact: J. A. Morano, Jr., Retail Food Inspection, Supervisor, P. O. Box 1163, Richmond, Va. 23209, telephone (804) 786-3520

AUCTIONEERS BOARD

† **January 8, 1988 - 9 a.m.** – Open Meeting

Omni Charlottesville Hotel, 235 West Main Street, Charlottesville, Virginia. ☒

An open board meeting to (i) conduct review of complaints; (ii) discuss revenue and expenditures; (iii) review examination results; and (iv) discuss new business.

Contact: Geralde W. Morgan, Assistant Director, Department of Commerce, 3600 W. Broad St., Richmond, Va. 23230-4917, telephone (804) 367-8534, toll-free

1-800-552-3016, or SCATS 367-8534

February 9, 1988 - 9 a.m. - Public Hearing
Department of Commerce, 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 Board of Auctioneers intends to amend regulations entitled: **VR 150-01-3. Rules and Regulations of the Virginia Auctioneers Board.** The proposed amendments will bring this provision more in line with the Code of Virginia and clarify the role of auctioneers who are unregistered.

Statutory Authority: §§ 54-1.28, 54-824.9:1 and 54-823.9:3 of the Code of Virginia.

Written comments may be submitted until January 8, 1988.

Contact: Geralde W. Morgan, Assistant Director, Department of Commerce, 3600 W. Broad St., Richmond, Va. 23230-4917, telephone (804) 367-8508, toll-free 1-800-552-3016, or SCATS 367-8508

STATE BUILDING CODE TECHNICAL REVIEW BOARD

† **January 15, 1988 - 10 a.m. - Open Meeting**
Fourth Street State Office Building, 205 North 4th Street,
2nd Floor Conference Room, 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. 4th St., Richmond, Va. 23219, telephone (804) 786-4752

CHILD DAY CARE COUNCIL

† **January 14, 1988 - 8:30 a.m. - Open Meeting**
Holiday Inn - South, 6346 Midlothian Turnpike, Richmond,
Virginia. ☒ (Interpreter for deaf provided if requested)

The Child Day Care Council will meet to discuss issues, concerns, and programs that impact licensed child care centers. During the morning, council members will meet in subcommittees to discuss ways to revise standards and regulations of child care centers. The contingency snow date is January 22, 1988.

Contact: Arlene Kasper, Program Development Supervisor, Department of Social Services, Division of Licensure, 8007 Discovery Dr., Richmond, Va. 23229, telephone (804) 662-9025 or SCATS 662-9025

DEPARTMENT OF COMMERCE (BOARD OF)

February 10, 1988 - 10 a.m. - Public Hearing
Travelers Building, 3600 West Broad Street, 3rd Floor
Auditorium, Room 395, 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 adopt regulations entitled: **VR 190-05-1. Asbestos Licensing Regulations.** These regulations set forth requirements for licensure and training of asbestos workers, contractors/supervisors and inspectors intending to become involved in asbestos abatement activities in Virginia.

Statutory Authority: § 54-145.5 of the Code of Virginia.

Written comments may be submitted until February 5, 1988.

Contact: Peggy J. Wood, Assistant Director, 3600 W. Broad St., Richmond, Va. 23230, telephone (804) 367-8595 (toll-free 1-800-552-3016)

DEPARTMENT OF CONSERVATION AND HISTORIC RESOURCES

Virginia Cave Board

† **January 16, 1988 - 1 p.m. - Open Meeting**
Virginia Weston College, Fishburn Hall, Presidents Board
Room, Roanoke, Virginia

A business meeting open to the public.

Contact: Dr. Lynn Ferguson, 611 Third Ave., Farmville, Va. 23901, telephone (804) 392-9353 (work) or (804) 392-3560 (home)

Virginia Soil and Water Conservation Board

† **January 21, 1988 - 9 a.m. - Open Meeting**
Farm Credit Office, 6526 Mechanicsville Turnpike,
Mechanicsville, Virginia

A regular bimonthly business meeting.

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

Virginia War Memorial Board

† **January 12, 1988 - 3 p.m. - Open Meeting**
Virginia War Memorial, Auditorium, Richmond, Virginia

A business meeting to review issues affecting the Virginia War Memorial facility.

Contact: Ronald D. Sutton, 1201 Washington Bldg., Capitol Sq., Richmond, Va. 23219, telephone (804) 786-2132

Calendar of Events

STATE BOARD FOR CONTRACTORS

January 12, 1988 - 10 a.m. - Open Meeting
Roanoke City Circuit Court, 315 West Church Avenue,
Courtroom #1, Roanoke, Virginia

The board will meet to conduct a formal administrative hearing: State Board for Contractors v. Dane Construction, Inc.

Contact: Sylvia W. Bryant, Hearings Coordinator, Department of Commerce, 3600 W. Broad St., Richmond, Va. 23230, telephone (804) 367-8524

STATE BOARD OF CORRECTIONS

January 13, 1988 - 10 a.m. - Open Meeting
February 17, 1988 - 10 a.m. - Open Meeting
March 16, 1988 - 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: Vivian Toler, Secretary to the Board, 4615 W. Broad St., P.O. Box 26963, Richmond, Va. 23261, telephone (804) 367-6274

VIRGINIA BOARD OF COSMETOLOGY

January 6, 1988 - 9 a.m. - Open Meeting
Walter E. Hoffman U.S. Courthouse, 600 Granby Street,
Norfolk, Virginia

The board will meet to conduct a formal administrative hearing: Virginia Board of Cosmetology v. Cleveland N. Waterfield.

January 6, 1988 - 1 p.m. - Open Meeting
Walter E. Hoffman U.S. Courthouse, 600 Granby Street,
Norfolk, Virginia

The board will meet to conduct a formal administrative hearing: Virginia Board of Cosmetology v. Ellen Gorris.

January 6, 1988 - 2:30 p.m. - Open Meeting
Walter E. Hoffman U.S. Courthouse, 600 Granby Street,
Norfolk, Virginia

The board will meet to conduct a formal administrative hearing: Virginia Board of Cosmetology v. Arleen M. Neal.

January 6, 1988 - 4 p.m. - Open Meeting
Walter E. Hoffman U.S. Courthouse, 600 Granby Street,
Norfolk, Virginia

The board will meet to conduct a formal administrative hearing: Virginia Board of Cosmetology v. Teresa L. Loizides.

Contact: Sylvia W. Bryant, Hearings Coordinator, Department of Commerce, 3600 W. Broad St., Richmond, Va. 23230, telephone (804) 367-8524

January 11, 1988 - 9 a.m. - Open Meeting
Travelers Building, 3600 West Broad Street, Richmond,
Virginia. ☐

A meeting to (i) review applications; (ii) review correspondence; (iii) review enforcement cases; and (iv) discuss regulations.

Contact: Roberta L. Banning, Assistant Director, Department of Commerce, 3600 W. Broad St., Richmond, Va. 23230, telephone (804) 367-8505 (toll-free 1-800-552-3016)

CRIMINAL JUSTICE SERVICES BOARD

January 6, 1988 - 11 a.m. - Open Meeting
Radisson Hotel, Lynchburg, Virginia

The board will discuss issues affecting the criminal justice system at the meeting.

Committee on Training

January 5, 1988 - 2:30 p.m. - Open Meeting
Radisson Hotel, Lynchburg, Virginia

A regular meeting to discuss matters related to the training of criminal justice personnel.

Contact: Charles F. Turner, Staff Executive, Criminal Justice Services Board, 805 E. Broad St., 10th Fl., Richmond, Va. 23219, telephone (804) 786-8730 or SCATS 786-8730

STATE BOARD OF EDUCATION

January 14, 1988 - 9 a.m. - Open Meeting
January 15, 1988 - 9 a.m. - Open Meeting
February 25, 1988 - 9 a.m. - Open Meeting
February 26, 1988 - 9 a.m. - Open Meeting
James Monroe Building, 101 North 14th Street, Conference Rooms D and E, Richmond, Virginia. ☐

A regularly scheduled meeting to conduct business according to items listed on the agenda. The agenda is available upon request. The public is reminded that the Board of Vocational Education may convene, if requested.

Contact: Margaret N. Roberts, James Monroe Bldg., 101 N. 14th St., 25th Fl., Richmond, Va. 23219, telephone (804)

225-2540

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DEPARTMENT OF EDUCATION (STATE BOARD OF)

February 25, 1988 - 1:30 p.m. - Public Hearing
James Monroe Building, 101 North 14th Street, Richmond, Virginia. 61

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Department of Education intends to amend regulations entitled: **VR 270-01-0006. Regulations Governing Pupil Transportation Including Minimum Standards for School Buses in Virginia.** The purpose of these amendments is to prescribe the scope of operational procedures and requirements, distribution of funds, driver requirements, body and chassis standards including life-gate buses, and requirements for activity buses.

Statutory Authority §§ 22.1-16 and 22.1-176 of the Code of Virginia.

Written comments may be submitted until January 22, 1988.

Contact: R. A. Bynum, Associate Director, Pupil Transportation Service, Department of Education, P. O. Box 6Q, Richmond, Va. 23216, telephone (804) 225-2037

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February 25, 1988 - 7 p.m. - Public Hearing
Northside High School, 6758 Northside High School Road, Roanoke, Virginia

February 25, 1988 - 7 p.m. - Public Hearing
Hermitage High School, 8301 Hungary Spring Road, Richmond, Virginia

February 25, 1988 - 7 p.m. - Public Hearing
Marshall High School, 7731 Leesburg Pike, Falls Church, 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: **VR 270-01-0014. Management of the Student's Scholastic Record.** These regulations provide for the protection, confidentiality and management of student records.

Statutory Authority: § 22.1-16 of the Code of Virginia.

Written comments may be submitted until February 18, 1988.

Contact: Kathe Klare, Supervisor of Due Process Proceedings, Department of Education, P. O. Box 6Q, Richmond, Va. 23216, telephone (804) 225-2044

February 25, 1988 - 8 p.m. - Public Hearing
Northside High School, 6758 Northside High School Road, Roanoke, Virginia

February 25, 1988 - 8 p.m. - Public Hearing
Hermitage High School, 8301 Hungary Spring Road, Richmond, Virginia

February 25, 1988 - 8 p.m. - Public Hearing
Marshall High School, 7731 Leesburg Pike, Falls Church, 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: **VR 270-02-0007. Regulations Governing Special Education Programs for Handicapped Children and Youth in Virginia.** The purpose of this action is to ensure the provision of a free and appropriate public education in the least restrictive environment to all handicapped youth ages two to 21, inclusive, residing in the Commonwealth.

Statutory Authority: § 22.1-16 of the Code of Virginia.

Written comments may be submitted until February 18, 1988.

Contact: Kathe Klare, Supervisor of Due Process Proceedings, Department of Education, P. O. Box 6Q, Richmond, Va. 23216, telephone (804) 225-2044

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February 25, 1988 - 3 p.m. - Public Hearing
James Monroe Building, 101 North 14th Street, Richmond, Virginia. 62

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Department of Education intends to adopt regulations entitled: **VR 270-04-0015. Secondary School Transcripts.** The secondary school transcript will be standardized in order that all school divisions will report student information to colleges, universities, and prospective employers in the same format.

Statutory Authority: § 22.1-16 of the Code of Virginia.

Written comments may be submitted until February 25, 1988.

Contact: Cheryle C. Gardner, Supervisor of Art, Fine Arts Service, P. O. Box 6Q, Department of Education, Richmond, Va. 23216, telephone (804) 225-2053

Calendar of Events

STATE BOARD OF ELECTIONS

January 5, 1988 - 10 a.m. – Open Meeting
Ninth Street Office Building, Ninth and Grace Streets,
Room 101, Richmond, Virginia. ☐

A meeting to determine the candidates whose names will appear on the ballots for the March 8, 1988, Presidential Preference Primaries, provided each candidate returns the required declaration of candidacy by the January 20, 1988, deadline.

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

LOCAL EMERGENCY PLANNING COMMITTEE

January 6, 1988 - 10 a.m. – Open Meeting
Mount Rogers Planning District Commission's Conference Room, 1021 Terrace Drive, Marion, Virginia. ☐

A meeting to review the plan to date.

Contact: Mt. Rogers Planning District Commission, 1021 Terrace Dr., Marion, Va. 24354, telephone (703) 783-5103

LOCAL EMERGENCY PLANNING COMMITTEE OF FAIRFAX COUNTY

† **January 14, 1988 - 10 a.m.** – Open Meeting
Wood Municipal Center, Old Lee Highway, Fairfax, Virginia. ☐

A meeting of the Local Emergency Planning Committee as required by the Superfund Amendment Reauthorization Act (SARA).

Contact: Melanie Pearson, 4031 University Dr., Suite 400, Fairfax, Va. 22030, telephone (703) 246-2331

JAMES CITY COUNTY LOCAL EMERGENCY PLANNING COMMITTEE

† **January 6, 1988 - 3:30 p.m.** – Open Meeting
James City County Human Services Building, 5249 Olde Towne Road, Auditorium, Williamsburg, Virginia. ☐

The James City County Local Emergency Planning Committee is meeting in accordance to SARA, Title III: Emergency Planning and Community Right-to-Know Act in order to carry out the provisions required within.

An update on the progress of the hazard analysis of the county is to be given. Subcommittees are to give progress reports. Committee charter is to be reviewed.

Contact: Valerie Jordan, LEPC Chairman, James City

County Health Department, P. O. Box JC, Williamsburg, Va. 23187, telephone (804) 565-6870

EMERGENCY PLANNING COMMITTEE FOR THE CITY OF MARTINSVILLE AND HENRY COUNTY

† **January 14, 1988 - 9:30 a.m.** – Open Meeting
Henry County Administration Building, Henry County, Virginia. ☐

An open meeting to discuss general business.

Contact: Benny Summerlin, Public Safety Director, Henry County, P. O. Box 7, Collinsville, Va. 24078, telephone (703) 638-5311, ext. 256

ROANOKE VALLEY LOCAL EMERGENCY PLANNING COMMITTEE

† **January 20, 1988 - 9 a.m.** – Open Meeting
Salem Civic Center, 1001 Roanoke Boulevard, Room C, Salem, Virginia. ☐

An organizational meeting to elect chairman of committee and appoint subcommittees to meet regulations and mandates of SARA Title III.

Contact: Warren E. Trent, Coordinator of Emergency Services, 215 Church Ave., S. W., Roanoke, Va. 24011, telephone (703) 981-2425

VIRGINIA EMERGENCY RESPONSE COUNCIL

† **January 14, 1988 - 3 p.m.** – Open Meeting
Sheraton Park South, 9901 Midlothian Turnpike, Richmond, Virginia. ☐

A meeting to consider (i) status of local emergency planning committees in Virginia; and (ii) tier one/tier two hazardous chemical inventory reporting.

Contact: Wayne Halbleib, Environmental Programs Administrator, 1205 E. Main St., Richmond, Va. 23219, telephone (804) 786-3017, toll-free 1-800-552-2075 or SCATS 786-3017

GOVERNOR'S MIGRANT AND SEASONAL FARMWORKERS BOARD

NOTE: CHANGE OF MEETING DATE

January 5, 1988 - 9:30 a.m. – Open Meeting
State Capitol, Capitol Square, House Room 1, Richmond, Virginia. ☐

This regular meeting of the board was announced for Wednesday, January 6, 1988, but the meeting has been rescheduled for Tuesday, January 5, 1988.

Contact: Marilyn Mandel, Director, Planning, Research and Policy Analysis, Department of Labor and Industry, P. O. Box 12064, Richmond, Va. 23241, telephone (804) 786-2385

BOARD OF FORESTRY

† January 14, 1988 - 9 a.m. - Open Meeting
Marriott Hotel, Broad Street, Salon #6, Richmond, Virginia. ☒

A regularly scheduled meeting to discuss general business and pending legislation.

Contact: Barbara A. Worrell, Virginia Department of Forestry, P. O. Box 3758, Charlottesville, Va. 22903-0758, telephone (804) 977-6555

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Department of General Services intends to adopt new regulations and repeal existing regulations entitled: **VR 330-02-02. Regulations for the Approval of Independent Laboratories to Analyze Blood for Drugs in Driving Under the Influence Cases.** The regulations establish procedural and technical criteria for the approval of independent laboratories to analyze blood for drugs in driving under the influence cases.

Statutory Authority: §§ 2.1-424, 2.1-426 and 18.2-268 of the Code of Virginia.

Written comments may be submitted until January 6, 1988.

Contact: Dr. Paul B. Ferrara, Director, Bureau of Forensic Science, 1 N. 14th St., Richmond, Va. 23219, telephone (804) 786-2281

BOARD OF GAME AND INLAND FISHERIES

† January 21, 1988 - 10 a.m. - Open Meeting
Department of Game and Inland Fisheries, 4010 W. Broad St., Richmond, Virginia. ☒

The board will meet to (i) review the policy on trout stocking; (ii) discuss certain hunting seasons - public testimony on the subject; (iii) review of legislation in the General Assembly; (iv) hear committee reports; (v) consider general administrative matters; and (vi) award presentation to the top boating instructor in the Commonwealth for 1987.

Contact: Norma G. Adams, Agency Regulatory Coordinator, 4010 W. Broad St., Richmond, Va. 23230, telephone (804) 367-1000, toll-free hotline 1-800-237-5712 or SCATS 367-1000

January 6, 1988 - 10 a.m. - Public Hearing
James Monroe Building, 101 North 14th Street, Conference Room B, Richmond, Virginia. ☒

Notice is hereby given in accordance § 9-6.14:7.1 of the Code of Virginia that the Department of General Services intends to adopt new regulations and repeal existing regulations entitled: **VR 330-02-03. Regulations for the Approval of Independent Laboratories to Conduct Blood Alcohol Analysis in Driving Under Influence Cases.** The regulations describe the technical and administrative performance required to achieve and maintain approval for independent laboratories to conduct blood alcohol analysis.

Statutory Authority: §§ 2.1-424, 2.1-426 and 18.2-268 of the Code of Virginia.

Written comments may be submitted until January 6, 1988.

Contact: Dr. Paul B. Ferrara, Director, Bureau of Forensic Science, 1 N. 14th St., Richmond, Va. 23219, telephone (804) 786-2281

DEPARTMENT OF GENERAL SERVICES

Art and Architectural Review Board

January 8, 1988 - 10 a.m. - Open Meeting
Virginia Museum of Fine Arts, Main Conference Room, 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, AIA, AICP, Rancorn, Wildman & Krause, Architects and City Planning Consultants, P. O. Box 1817, Newport News, Va. 23601, telephone (804) 867-8030

GEORGE MASON UNIVERSITY

Board of Visitors

† January 19, 1988 - 3 p.m. - Open Meeting
George Mason University, Student Union II, Rivanna Lane, Fairfax, Virginia. ☒

A regularly scheduled meeting to receive reports from the standing committees of the board; to act on those recommendations presented by the standing committees. An agenda will be available seven days prior to the board meeting for those individuals or organizations who request it.

Division of Consolidated Laboratory Services

January 6, 1988 - 10 a.m. - Public Hearing
James Monroe Building, 101 North 14th Street, Conference Room B, Richmond, Virginia. ☒

Calendar of Events

Standing committees will meet beginning at 9 a.m. January 19 in Student Union II.

Contact: Ann Wingblade, Office of the President, George Mason University, 4400 University Dr., Fairfax, Va. 22030, telephone (703) 323-2041

VIRGINIA HAZARDOUS MATERIALS EMERGENCY RESPONSE ADVISORY COUNCIL

January 14, 1988 - 10 a.m. - Open Meeting
Sheraton Park South, 9901 Midlothian Turnpike, Richmond, Virginia

The business of the meeting will consist of a program status report; a report on Title III of SARA, and discussions on criteria related to technical response team cost sharing; recommendations for Level II criteria, and discussion on the Training Program.

Immediately following the Advisory Council meeting, there will be a meeting of the Virginia Emergency Response Council to discuss Title III.

Contact: Addison E. Slayton, Jr., State Coordinator, Department of Emergency Services, 310 Turner Road, Richmond, Va. 23225, telephone (804) 674-2497

VIRGINIA STATEWIDE HEALTH COORDINATING COUNCIL

January 20, 1988 - 9 a.m. - Open Meeting
Jefferson Sheraton Hotel, Franklin and Adams Streets, Richmond, Virginia. ☒

A regular business meeting.

Contact: Raymond O. Perry, M.P.H., Virginia Department of Health, 109 Governor St., Richmond, Va. 23219, telephone (804) 786-6970

COUNCIL ON HEALTH REGULATORY BOARDS

Administration and Budget Committee

January 8, 1988 - 9 a.m. - Open Meeting
Department of Health Regulatory Boards, 1601 Rolling Hills Drive, Koger Center, Surry Building, Richmond, Virginia. ☒

The committee will receive reports from members on their studies of the FY 88-90 budget requests prepared by cost center managers of the Department of Health Regulatory Boards.

Committee to Study Recommendation on Allied Health Regulation

January 7, 1988 - 7:30 p.m. - Open Meeting
Department of Health Regulatory Boards, 1601 Rolling Hills Drive, Koger Center, Surry Building, Richmond, Virginia. ☒

The committee will review the report of the committee on the Regulation of Allied Health Professions and devise a plan for the recommendation of appropriate actions to the Council on Health Regulatory Boards.

Compliance and Discipline Subcommittee

January 4, 1988 - 2 p.m. - Open Meeting
Department of Health Regulatory Boards, 1601 Rolling Hills Drive, Koger Center, Surry Building, Richmond, Virginia. ☒

The subcommittee will evaluate proposals reviewed pursuant to a request for proposals for management services to assist in the program evaluation of the Department of Health Regulatory Boards enforcement system.

Compliance and Discipline Committee

January 8, 1988 - 1 p.m. - Open Meeting
Department of Health Regulatory Boards, 1601 Rolling Hills Drive, Koger Center, Surry Building, Richmond, Virginia. ☒

The committee will receive a progress report on the evaluation of the Department of Health Regulatory Boards enforcement system. Presentations by invited potential vendors of consulting services related to the evaluation will be heard.

Legislation Committee

January 7, 1988 - 4 p.m. - Open Meeting
Department of Health Regulatory Boards, 1601 Rolling Hills Drive, Koger Center, Surry Building, Richmond, Virginia. ☒

The committee will conduct a final review of legislation proposed by the Department of Health Regulatory Boards for consideration during the 1988 Legislative Session of the Virginia General Assembly with special attention to legislation proposed to permit physical therapists to provide services without prior referral from physicians, dentists or other licensed health care practitioners.

Regulatory Research and Evaluation Committee

January 7, 1988 - 1 p.m. - Open Meeting
Department of Health Regulatory Boards, 1601 Rolling Hills Drive, Richmond, Virginia. ☒

The committee will receive progress reports on review of regulations proposed by the Boards of Medicine, Funeral Directors and Embalmers, and Social Work. A proposal to alter the level of regulation of respiratory therapists will be reviewed, and other matters will be considered as necessary.

Committee on Scope and Standards of Practice

January 7, 1988 - 10 a.m. - Open Meeting
Department of Health Regulatory Boards, 1601 Rolling Hills Drive, Koger Center, Surry Building, Richmond, Virginia. ☒

The committee will review developments related to the October 20, 1987 release of the review of the need to regulate hypnosis/hypotherapy and review a proposed workplan for a review of the scope of practice of professional counselors.

Contact: Richard D. Morrison, Executive Director, 1601 Rolling Hills Dr., Richmond, Va. 23229, telephone (804) 662-9918 or SCATS 662-9918

VIRGINIA HEALTH SERVICES COST REVIEW COUNCIL

January 27, 1988 - 9:30 a.m. - Open Meeting
Department of Rehabilitative Services, 4901 Fitzhugh Avenue, Richmond, Virginia. ☒

A monthly business meeting of the council for the purpose of addressing financial, policy or technical matters which may have arisen since the last meeting.

Contact: Ann Y. McGee, Director, 805 E. Broad St., 9th Fl., Richmond, Va. 23219, telephone (804) 786-6371

VIRGINIA STATE BOARD OF HEARING AID DEALERS AND FITTERS

January 4, 1988 - 8:30 a.m. - Open Meeting
Travelers Building, 3600 West Broad Street, Richmond, Virginia. ☒

A meeting to (i) review correspondence; (ii) review enforcement cases; (iii) discuss regulations; and (iv) administer exam.

Contact: Roberta L. Banning, Assistant Director, Department of Commerce, 3600 W. Broad St., Richmond, Va. 23230, telephone (804) 367-8505 (toll-free 1-800-552-3016)

STATE COUNCIL OF HIGHER EDUCATION FOR VIRGINIA

† **January 6, 1987 - 9:30 a.m. - Open Meeting**
James Monroe Building, 101 North 14th Street, 9th Floor

Conference Room, Richmond, Virginia

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

Contact: Marla Richardson, 101 N. 14th St., 9th Fl., Richmond, Va. 23219, telephone (804) 225-2638

VIRGINIA HOUSING DEVELOPMENT AUTHORITY

† **January 19, 1988 - 10 a.m. - Open Meeting**
13 South 13th Street, Richmond, Virginia. ☒

A regular monthly meeting 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 it may deem appropriate. The planned agenda of the meeting will be available at the office of the authority one week prior to the date of the meeting.

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

LIBRARY BOARD

January 5, 1988 - 9:30 a.m. - Open Meeting
Virginia State Library and Archives, 11th Street and Capitol Square, Old Supreme Courtroom, 3rd Floor, Richmond, Virginia. ☒

A regular meeting to discuss administrative matters.

Contact: Jean K. Reynolds, Virginia State Library and Archives, 11th St. and Capitol Sq., Richmond, Va. 23219, telephone (804) 786-2332

COMMISSION ON LOCAL GOVERNMENT

† **January 12, 1988 - 10 a.m. - Open Meeting**
Commission's Offices, Ninth Street Office Building, 9th and Grace Streets, Room 901, Richmond, Virginia. ☒

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

Contact: Barbara W. Bingham, Executive Secretary Senior, Ninth Street Office Bldg., Room 901, Richmond, Va. 23219, telephone (804) 786-6508 or SCATS 786-6508

STATE LOTTERY BOARD

† **January 15, 1988 - Open Meeting**
(site and time to be determined)

Calendar of Events

A meeting of the board.

Contact: Kenneth Thorson, Director, Virginia Lottery Department, P. O. Box 4689, Richmond, Va. 23220, telephone (804) 367-9130

MARINE RESOURCES COMMISSION

January 5, 1988 - 9:30 a.m. - Open Meeting
February 2, 1988 - 9:30 a.m. - Open Meeting
Newport News City Council Chambers, 2400 Washington Avenue, Newport News, Virginia. ☐

The Virginia Marine Resources Commission will meet on the first Tuesday of each month, at 9:30 a.m. in Newport News City Council Chambers, located at 2400 Washington Avenue, Newport News, Virginia. The commission will hear and decide cases on fishing licensing; oyster ground leasing; environmental permits in wetlands, bottomlands, coastal sand dunes and beaches. It will also hear and decide appeals made on local wetlands board decisions.

Fishery management and conservation measures will be discussed by the commission. The commission is empowered to exercise general regulatory power within 15 days, and is empowered to take specialized marine life harvesting and conservation measure within five days.

Contact: Sandra S. Schmidt, Secretary to the Commission, 2401 West Ave., P. O. Box 756, Newport News, Va. 23607-0756, telephone (804) 247-2206

DEPARTMENT OF MEDICAL ASSISTANCE SERVICES (BOARD OF)

January 8, 1988 - 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 Medical Assistance Services intends to amend regulations entitled: **VR 460-02-4.191. Extended Repayment of Overpayments.** The purpose of these amendments is to provide the director with the regulatory authority to approve an extended repayment schedule, with an interest charge, when a provider can document that immediate repayment would cause severe financial hardship.

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

Written comments may be submitted until January 8, 1988.

Contact: N. Stanley Fields, Director, Division of Provider Reimbursement, Department of Medical Assistant Services, 600 E. Broad St., Suite 1300, Richmond, Va. 23219, telephone (804) 786-7931

January 14, 1988 - 10 a.m. - Open Meeting
600 East Broad Street, Suite 1300, Richmond, Virginia. ☐

An open meeting to discuss and adopt amendments to the Medicaid State Plan; and discuss other business pertinent to the board.

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

GOVERNOR'S ADVISORY BOARD ON MEDICARE AND MEDICAID

January 5, 1988 - 2 p.m. - Open Meeting
Blue Cross/Blue Shield Building, 2015 Staples Mill Road, Virginia Room, 2nd Floor, Richmond, Virginia. ☐

An open meeting to discuss amendments to the Medicaid State Plan; and other business pertinent to the board.

Contact: Jacqueline M. Fritz, 600 E. Broad St., Richmond, Va. 23219, telephone (804) 786-7933

VIRGINIA STATE BOARD OF MEDICINE

Credentials Committee

January 22, 1988 - 8:15 a.m. - Open Meeting
January 23, 1988 - 8:15 a.m. - Open Meeting
Department of Health Regulatory Boards, 1601 Rolling Hills Drive, Surry Building, Board Room 1, 2nd Floor, Richmond, Virginia. ☐

A meeting to conduct general business, interview, and review medical credentials of applicants applying for licensure in Virginia in open and executive session and discuss any other items which may come before this committee.

Informal Conference Committee

January 15, 1988 - 1 p.m. - Open Meeting
Williamsburg/James City County Circuit Court, 321-45 Court Street West, Counsel Chambers, Williamsburg, Virginia. ☐

A meeting to 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 sessions pursuant to § 2.1-344 of the Code of Virginia.

Informal and Formal Conference Committees

† **January 20, 1988 - 12:30 p.m. - Open Meeting**
Hyatt Richmond Hotel, West Broad Street and I-64, Richmond, Virginia. ☐

† February 5, 1988 - 10:30 a.m. - Open Meeting
Sheraton Fredericksburg Resort and Conference Center,
I-95 and Route 3, Fredericksburg, Virginia. ☒

† February 16, 1988 - 11 a.m. - Open Meeting
Radisson Hotel Lynchburg, 601 Main Street, Lynchburg,
Virginia. ☒

A meeting to 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 sessions pursuant to § 2.1-344 of the Code of Virginia.

Contact: Eugenia K. Dorson, Board Administrator, 1601 Rolling Hills Dr., Surry Bldg., 2nd Floor, Richmond, Va. 23229-5005, telephone (804) 662-9925

MENTAL HEALTH ADVISORY COUNCIL

January 6, 1988 - 10 a.m. - Open Meeting
James Madison Building, 109 Governor Street, 13th Floor
Conference Room, Richmond, Virginia. ☒

The third meeting of the council for FY 1988 to discuss mental health issues.

Contact: Leslie S. Tremaine, Ed.D., Department of Mental Health, Mental Retardation and Substance Abuse Services, P. O. Box 1797, Richmond, Va. 23214, telephone (804) 786-2991

STATE MENTAL HEALTH, MENTAL RETARDATION, AND SUBSTANCE ABUSE SERVICES BOARD

† January 27, 1988 - 10 a.m. - Open Meeting
Department of Mental Health, Mental Retardation, and
Substance Abuse Services Central Office, James Madison
Building, 13th Floor Conference Room, Richmond, Virginia.
☒

A regular monthly meeting. The agenda will be published on January 20 and may be obtained by calling Jane Helfrich.

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

MILK COMMISSION

† January 13, 1988 - 11 a.m. - Open Meeting
Ninth Street Office Building, 9th and Grace Streets, Room
1015, Richmond, Virginia. ☒

A routine monthly meeting.

Contact: C. H. Coleman, Administrator, Ninth Street Office Bldg., Room 1015, Richmond, Va. 23219, telephone (804) 786-2013

DEPARTMENT OF MINES, MINERALS AND ENERGY

January 6, 1988 - 10 a.m. - Public Hearing
Department of Mines, Minerals and Energy, 2201 West
Broad Street, Conference Room, 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 adopt new regulations and repeal existing regulations entitled: **VR 480-01-1, Public Participation Guidelines**. The proposed regulations are procedures for the solicitation and participation of interested parties in the initiation, development and adoption of regulations required by the law of the Commonwealth.

Statutory Authority: §§ 9-6.14:7.1 and 45.1-3.1(4) of the Code of Virginia.

Written comments may be submitted until January 6, 1988.

Contact: Bill Edwards, Policy Analyst, 2201 W. Broad St., Richmond, Va. 23220, telephone (804) 367-0330

Division of Mined Land Reclamation

January 22, 1988 - 10 a.m. - Open Meeting
622 Powell Avenue, Upstairs Conference Room, Big Stone
Gap, Virginia

The purpose of this meeting is to consider the division's plans to combine all sections of regulations pertaining to the re-mining of previously mined lands into a new subchapter on that sole subject.

Contact: Bob Herron, Division of Mined Land Reclamation, P. O. Drawer U, Big Stone Gap, Va. 24219, telephone (703) 523-2925

VIRGINIA STATE BOARD OF NURSING

† January 12, 1988 - 9 a.m. - Open Meeting
Martha Washington Inn, 150 Main Street, Abingdon,
Virginia. ☒ (Interpreter for deaf provided if requested)

Formal hearing will be held to inquire into allegations that certain laws and regulations governing the practice of nursing in Virginia may have been violated regarding:

Deborah L. Stevens-Osborne, LPN

† January 14, 1988 - 9:30 a.m. - Open Meeting
Department of Health Regulatory Boards, 1601 Rolling
Hills Drive, Conference Room 2, Richmond, Virginia. ☒

Calendar of Events

(Interpreter for deaf provided if requested)

Formal hearing will be held to inquire into allegations that certain laws and regulations governing the practice of nursing in Virginia may have been violated regarding:

Debra Wilson, R.N.

January 25, 1988 - 9 a.m. – Open Meeting
January 26, 1988 - 9 a.m. – Open Meeting
January 27, 1988 - 9 a.m. – Open Meeting

Department of Health Regulatory Boards, 1601 Rolling Hills Drive, Richmond, Virginia. ☒ (Interpreter for deaf provided if requested)

Regular meetings of the Virginia Board of Nursing to consider matters related to nursing education programs, discipline of licensees, licensing by examination and endorsement and other matters under jurisdiction of the board.

Contact: Corinne F. Dorsey, R.N., Executive Director, 1601 Rolling Hills Dr., Richmond, Va. 23229, telephone (804) 662-9909, toll-free 1-800-533-1560

STATE BOARD OF EXAMINERS FOR NURSING HOME ADMINISTRATORS

† **January 6, 1988 - 1 p.m. – Open Meeting**
Travelers Building, 3600 West Broad Street, Conference Room 3, Richmond, Virginia. ☒

An open meeting to discuss and readopt the proposed regulations.

Contact: Geralde W. Morgan, Assistant Director, Department of Commerce, 3600 W. Broad St., Richmond, Va. 23230-4917, telephone (804) 367-8534, toll-free 1-800-552-3016 or SCATS 367-8534

PENINSULA PLANNING DISTRICT COMMISSION

† **January 5, 1988 - 9:30 a.m. – Open Meeting**
Peninsula Planning District Commission, 2017 Cunningham Drive, Suite 300, Hampton, Virginia. ☒

A meeting of the Joint Emergency Planning Committee of the Cities of Hampton, Newport News, Williamsburg, and Poquoson and the County of York to discuss business.

Contact: Henry M. Cochran, Executive Director, Peninsula Planning District Commission, 2017 Cunningham Dr., Suite 300, Hampton, Va. 23666, telephone (804) 838-4238

VIRGINIA BOARD OF PROFESSIONAL COUNSELORS

† **January 8, 1988 - 9 a.m. – Open Meeting**
Embassy Suites Hotel, 2925 Emerywood Parkway, Richmond, Virginia. ☒

A meeting to consider credentials review training of substance abuse counselor certification; supervision registration and applications for certification.

Contact: Joyce D. Williams, Administrative Assistant, 1601 Rolling Hills Dr., Richmond, Va. 23229, telephone (804) 662-9912 or SCATS 662-9912

VIRGINIA PUBLIC TELECOMMUNICATIONS BOARD

† **January 14, 1988 - 10 a.m. – Open Meeting**
Department of Information Technology, 110 South 7th Street, 4th Floor, Richmond, Virginia. ☒

A quarterly meeting regarding public television and radio issues.

Contact: Suzanne Piland, Department of Information Technology, 110 S. 7th St., 1st Fl., Richmond, Va. 23219, telephone (804) 344-5544

VIRGINIA REAL ESTATE BOARD

† **January 15, 1988 - 9 a.m. – Open Meeting**
Richmond Hyatt, Broad Street and I-64, Richmond, Virginia

A regular business meeting. The agenda will consist of investigative cases (files) to be considered, files to be reconsidered, matters relating to fair housing, property registration, and licensing issues (e.g., reinstatement, eligibility requests).

† **January 16, 1988 - 9 a.m. and 3:30 p.m. – Open Meeting**
Richmond Hyatt, Broad Street and I-64, Richmond, Virginia

Work session for regulatory review of licensing regulations, property registration to include condominiums, time-share, subdivided land sales, and fair housing regulations.

† **January 16, 1988 - 1:30 p.m. – Open Meeting**
Richmond Hyatt, Broad Street and I-64, Richmond, Virginia

A meeting with the Virginia Association of Realtors; Annual VAR/VREB Liaison Meeting.

Contact: Joan L. White, Assistant Director for Real Estate, Department of Commerce, 3600 W. Broad St., 5th Fl., Richmond, Va. 23230, telephone (804) 367-8552, toll-free 1-800-552-3016 or SCATS 367-8552

DEPARTMENT OF REHABILITATIVE SERVICES

† **January 20, 1988 - 2 p.m. and 6 p.m.** – Public Hearing
Neff Vocational Center, Abingdon, Virginia. ☒ (Interpreter for deaf provided if requested)
George Mason University Law School, Arlington, Virginia.
☒ (Interpreter for deaf provided if requested)
City Council Chambers, Norfolk, Virginia. ☒ (Interpreter for deaf provided if requested)
Department of Rehabilitative Services, Richmond, Virginia.
☒ (Interpreter for deaf provided if requested)
Woodrow Wilson Rehabilitative Center, Cashatt Chapel, Fishersville, Virginia. ☒ (Interpreter for deaf provided if requested)

Public hearings to hear comments on the Department of Rehabilitative Services' preliminary Long-Range Plan. Written comments may be submitted to the department through March 4, 1988. Those wishing to speak at the hearings or wishing to be sent a copy of the plan, contact Mary Arginteanu at a number below.

Contact: Mary Arginteanu, Planner, Department of Rehabilitative Services, 4901 Fitzhugh Ave., Richmond, Va. 23230, telephone (804) 367-0276, toll-free 1-800-552-5019, SCATS 367-0276 or (804) 367-0315/TDD ☎

BOARD FOR RIGHTS OF THE DISABLED

† **January 20, 1988 - 2 p.m.** – Open Meeting
James Monroe Building, 101 North 14th Street, 1st Floor, Conference Room C and D, Richmond, Virginia. ☒ (Interpreter for deaf provided if requested)

A quarterly meeting to review current ongoing and completed projects of the board and its six committees.

Education Committee

† **January 20, 1988 - 10 a.m.** – Open Meeting
James Monroe Building, 101 North 14th Street, 15th Floor Conference Room, Richmond, Virginia. ☒ (Interpreter for deaf provided if requested)

A quarterly meeting to review ongoing and completed projects.

Employment Committee

† **January 20, 1988 - 10 a.m.** – Open Meeting
James Monroe Building, 101 North 14th Street, 1st Floor, Conference Room B, Richmond, Virginia. ☒ (Interpreter for deaf provided if requested)

A quarterly meeting to review ongoing and completed projects.

Health Committee

† **January 20, 1988 - 10 a.m.** – Open Meeting
James Monroe Building, 101 North 14th Street, 17th Floor Forensics Conference Room, Richmond, Virginia. ☒ (Interpreter for deaf provided if requested)

A quarterly meeting to review ongoing and completed projects.

Housing Committee

† **January 20, 1988 - 10 a.m.** – Open Meeting
James Monroe Building, 101 North 14th Street, 17th Floor Fire Prevention Conference Room, Richmond, Virginia. ☒ (Interpreter for deaf provided if requested)

A quarterly meeting to review ongoing and completed projects.

Planning Committee

† **January 19, 1988 - 10:30 a.m.** – Open Meeting
Rehabilitation Center for the Blind, 401 Azalea Avenue, Assembly Room, Richmond, Virginia. ☒ (Interpreter for deaf provided if requested)

A quarterly meeting to review ongoing and completed projects.

Steering Committee

† **January 20, 1988 - noon** – Open Meeting
James Monroe Building, 101 North 14th Street, 1st Floor, Conference Room B, Richmond, Virginia. ☒ (Interpreter for deaf provided if requested)

A quarterly meeting to review the ongoing and completed projects of the six board committees.

Transportation Committee

† **January 20, 1988 - 10 a.m.** – Open Meeting
James Monroe Building, 101 North 14th Street, 23rd Floor, Education Conference Room, Richmond, Virginia. ☒ (Interpreter for deaf provided if requested)

A quarterly meeting to review ongoing and completed projects.

Contact: Sarah A. Liddle, Board Administrator, James Monroe Bldg., 101 N. 14th St., 17th Fl., Richmond, Va. 23219, telephone (804) 225-2042, toll-free 1-800-552-3962/TDD ☎ or SCATS 225-2042

DEPARTMENT OF SOCIAL SERVICES

† **February 4, 1988 - 10 a.m.** – Public Hearing
Koger Building Conference Room, 8001 Franklin Farms Drive, Richmond, 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 Social Services intends to amend the **State Plan for Implementation of the Virginia Weatherization Assistance Program for Low-Income Persons**. This plan has been in operation since 1976. It weatherizes homes of qualifying low-income persons in the Commonwealth free of charge, with priority given to the elderly and handicapped. Applicant's income must be no more than 125% of OMB poverty level to qualify. Weatherization includes installation of insulation, weather-stripping, caulking, storm windows, and other measures designed to conserve energy and reduce energy costs.

The State Department of Social Services contracts with the Virginia Association of Community Action Agencies, Inc., who subcontracts with 30 public or nonprofit agencies to provide the weatherization services.

STATEMENT

PURSUANT TO 42 U.S.C. 6851 et. seq., 42 U.S.C. 1701 et seq., and 10 CFR part 440, the Virginia Department of Social Services hereby announces its intention to hold a public hearing to receive comments from interested persons on its state plan for a program of weatherization assistance for low-income persons. This plan has been prepared in accordance with rules and regulations established by the U.S. Department of Energy.

The plan sets forth the method of development and implementation of a weatherization program to assist eligible households in conserving energy and reducing energy costs.

The Department of Energy (DOE) has allocated \$2,535,639 to the Commonwealth of Virginia for this program for FY 1988. Up to \$168,364 of this allocation may be used for training and technical assistance activities in the program. The DOE funding will be supplemented with \$5,500,000 of state oil overcharge funds.

Copies of the state plan are available from: Department of Social Services, Division of Benefit Programs, 8007 Discovery Drive, Richmond, Virginia 23229-8699, telephone (804) 662-9050, or toll-free 1-800-552-7091.

Statutory Authority: 42 U.S.C. 6851 et. seq., 42 U.S.C. 1701 et. seq., and 10 CFR 440

Written comments may be submitted until February 4, 1988.

Contact: Alice Fascitelli, Program Specialist, Department of Social Services, 8007 Discovery Dr., Richmond, Va. 23229-8699, telephone (804) 662-9050, toll-free 1-800-552-7091

VIRGINIA BOARD OF SOCIAL WORK

Ad Hoc Committee

January 6, 1988 - 9 a.m. - Open Meeting
Department of Health Regulatory Boards, 1601 Rolling Hills Drive, Richmond, Virginia. ☒

A meeting to review the proposed regulations of the Board of Social Work prior to the public hearings.

Contact: Beverly Putnam, Administrative Assistant, 1601 Rolling Hills Dr., Richmond, Va. 23229, telephone (804) 662-9914, toll-free 1-800-533-1560 or SCATS 662-9914

BOARD FOR PROFESSIONAL SOIL SCIENTISTS

January 4, 1988 - 9:30 a.m. - Open Meeting
Travelers Building, 3600 West Broad Street, Room 512, Richmond, Virginia. ☒

A meeting to develop and refine a work plan to implement certification program including development of appropriate examinations.

Contact: E. G. Andres, Assistant Director, Department of Commerce, 3600 W. Broad St., Richmond, Va. 23230, telephone (804) 367-8557, toll-free 1-800-552-3016 or SCATS 367-8557

VIRGINIA BOARD OF VETERINARY MEDICINE

February 17, 1988 - 9 a.m. - Open Meeting
February 18, 1988 - 9 a.m. - Open Meeting
Sheraton Premier at Tyson's Corner, 8061 Leesburg Pike, Vienna, Virginia

A meeting to (i) consider general business; (ii) review examination; (iii) discuss regulations; and (iv) conduct disciplinary hearings.

At 1 p.m. on February 18, State Board Licensure Examination.

Contact: Moria Lux, Executive Director, Virginia Board of Veterinary Medicine, 1601 Rolling Hills Dr., Richmond, Va. 23229, telephone (804) 662-9942

BOARD FOR THE VISUALLY HANDICAPPED

January 21, 1988 - 10 a.m. - Open Meeting
Administrative Headquarters, 397 Azalea Avenue, Richmond, Virginia. ☒ (Interpreter for deaf provided if requested)

A bi-monthly meeting to review policy and procedures of the Virginia Department for the Visually Handicapped. The board reviews and approves

department's budget, executive agreement, and operating plan.

Contact: Diane Allen, Executive Secretary Senior, 397 Azalea 1-800-622-2155 or (804) 371-3140/TDD ☎

DEPARTMENT FOR THE VISUALLY HANDICAPPED (BOARD FOR)

January 8, 1988 - 1 p.m. - Public Hearing
Virginia Rehabilitation Center for the Blind, 401 Azalea Avenue, Richmond, Virginia

January 15, 1988 - 1 p.m. - Public Hearing
Arlington Public Library, 1015 North Quincy Street, Arlington, Virginia

January 22, 1988 - 1 p.m. - Public Hearing
Norfolk Health Department, 401 Colley Avenue, Norfolk, Virginia

January 29, 1988 - 1 p.m. - Public Hearing
Medical Foundation of Roanoke, 3000 Keagy Road, SW, Roanoke, Virginia

Notice is hereby given in accordance § 9-6.14:7.1 of the Code of Virginia that the Department for the Visually Handicapped intends to adopt regulations entitled: **VR 670-03-1. Regulation Governing Provision of Services in Vocational Rehabilitation.** The purpose of the regulation is to provide a basis for development of policies regarding the requirements of federal regulations and to ensure compliance with the Rehabilitation Act of 1973 as amended.

Statutory Authority: § 63.1-78 of the Code of Virginia.

Written comments may be submitted until February 5, 1988.

Contact: Nell Carney, Executive Assistant, Department for the Visually Handicapped, 397 Azalea Ave., Richmond, Va. 23227, telephone (804) 371-3140, toll-free 1-800-622-2155, SCATS 371-3140 or (804) 371-3140/TDD ☎

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January 8, 1988 - 1 p.m. - Public Hearing
Virginia Rehabilitation Center for the Blind, 401 Azalea Avenue, Richmond, Virginia

January 15, 1988 - 1 p.m. - Public Hearing
Arlington Public Library, 1015 North Quincy Street, Arlington, Virginia

January 22, 1988 - 1 p.m. - Public Hearing
Norfolk Health Department, 401 Colley Avenue, Norfolk, Virginia

January 29, 1988 - 1 p.m. - Public Hearing

Medical Foundation of Roanoke, 3000 Keagy Road, SW, Roanoke, Virginia

Notice is hereby given in accordance § 9-6.14:7.1 of the Code of Virginia that the Department for the Visually Handicapped intends to adopt regulations entitled: **VR 670-03-2. Regulations Governing Provision of Service for Infants, Children and Youth.** The purpose of the regulation is to provide guidelines through definition, population served, and policies for the provision of agency services in this area.

Statutory Authority: § 22.1-217 of the Code of Virginia.

Written comments may be submitted until February 5, 1988.

Contact: Nell Carney, Executive Assistant, Department for the Visually Handicapped, 397 Azalea Ave., Richmond, Va. 23227, telephone (804) 371-3140, toll-free 1-800-622-2155, SCATS 371-3140 or (804) 371-3140/TDD ☎

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January 8, 1988 - 1 p.m. - Public Hearing
Virginia Rehabilitation Center for the Blind, 401 Azalea Avenue, Richmond, Virginia

January 15, 1988 - 1 p.m. - Public Hearing
Arlington Public Library, 1015 North Quincy Street, Arlington, Virginia

January 22, 1988 - 1 p.m. - Public Hearing
Norfolk Health Department, 401 Colley Avenue, Norfolk, Virginia

January 29, 1988 - 1 p.m. - Public Hearing
Medical Foundation of Roanoke, 3000 Keagy Road, SW, Roanoke, Virginia

Notice is hereby given in accordance § 9-6.14:7.1 of the Code of Virginia that the Department for the Visually Handicapped intends to adopt regulations entitled: **VR 670-03-3. Regulations Governing Provision of Services in Rehabilitation Teaching.** The purpose of the proposed regulation is to provide a basis for developing a policy in rehabilitation teaching through establishing eligibility, scope and duration of services to clients.

Statutory Authority: § 63.1-78 of the Code of Virginia.

Written comments may be submitted until February 5, 1988.

Contact: Nell Carney, Executive Assistant, Department for the Visually Handicapped, 397 Azalea Ave., Richmond, Va. 23227, telephone (804) 371-3140, toll-free 1-800-622-2155, SCATS 371-3140 or (804) 371-3140/TDD ☎

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Calendar of Events

January 8, 1988 - 1 p.m. – Public Hearing
Virginia Rehabilitation Center for the Blind, 401 Azalea Avenue, Richmond, Virginia

January 15, 1988 - 1 p.m. – Public Hearing
Arlington Public Library, 1015 North Quincy Street, Arlington, Virginia

January 22, 1988 - 1 p.m. – Public Hearing
Norfolk Health Department, 401 Colley Avenue, Norfolk, Virginia

January 29, 1988 - 1 p.m. – Public Hearing
Medical Foundation of Roanoke, 3000 Keagy Road, SW, Roanoke, Virginia

Notice is hereby given in accordance § 9-6.14:7.1 of the Code of Virginia that the Department for the Visually Handicapped intends to adopt regulations entitled: **VR 670-03-4. Provision of Independent Living Rehabilitation Services.** The purpose of the proposed regulation is to state the basis for service through the definition of eligibility, scope of services, financial participation and appeal process for clients of independent living rehabilitation.

Statutory Authority: § 63.1-78 of the Code of Virginia.

Written comments may be submitted until February 5, 1988.

Contact: Nell Carney, Executive Assistant, Department for the Visually Handicapped, 397 Azalea Ave., Richmond, Va. 23227, telephone (804) 371-3140, toll-free 1-800-622-2155, SCATS 371-3140 or (804) 371-3140/TDD ☎

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January 8, 1988 - 1 p.m. – Public Hearing
Virginia Rehabilitation Center for the Blind, 401 Azalea Avenue, Richmond, Virginia

January 15, 1988 - 1 p.m. – Public Hearing
Arlington Public Library, 1015 North Quincy Street, Arlington, Virginia

January 22, 1988 - 1 p.m. – Public Hearing
Norfolk Health Department, 401 Colley Avenue, Norfolk, Virginia

January 29, 1988 - 1 p.m. – Public Hearing
Medical Foundation of Roanoke, 3000 Keagy Road, SW, Roanoke, Virginia

Notice is hereby given in accordance § 9-6.14:7.1 of the Code of Virginia that the Department for the Visually Handicapped intends to adopt regulations entitled: **VR 670-03-5. Supervision of Administrative Regulations Governing Intake and Social Services.** The purpose of the proposed regulation is to describe the basis by which the agency is empowered to

administer matters relating to social services for the blind and visually impaired.

Statutory Authority: § 63.1-78 of the Code of Virginia.

Written comments may be submitted until February 5, 1988.

Contact: Nell Carney, Executive Assistant, Department for the Visually Handicapped, 397 Azalea Ave., Richmond, Va. 23227, telephone (804) 371-3140, toll-free 1-800-622-2155, SCATS 371-3140 or (804) 371-3140/TDD ☎

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January 8, 1988 - 1 p.m. – Public Hearing
Virginia Rehabilitation Center for the Blind, 401 Azalea Avenue, Richmond, Virginia

January 15, 1988 - 1 p.m. – Public Hearing
Arlington Public Library, 1015 North Quincy Street, Arlington, Virginia

January 22, 1988 - 1 p.m. – Public Hearing
Norfolk Health Department, 401 Colley Avenue, Norfolk, Virginia

January 29, 1988 - 1 p.m. – Public Hearing
Medical Foundation of Roanoke, 3000 Keagy Road, SW, Roanoke, Virginia

Notice is hereby given in accordance § 9-6.14:7.1 of the Code of Virginia that the Department for the Visually Handicapped intends to adopt regulations entitled: **VR 670-03-6. Regulation Governing Deaf-Blind Services.** The purpose of the proposed regulation is to set forth the basis for developing policy or scope of services and tracking of deaf-blind persons within the Commonwealth.

Statutory Authority: § 63.1-78 of the Code of Virginia.

Written comments may be submitted until February 5, 1988.

Contact: Nell Carney, Executive Assistant, Department for the Visually Handicapped, 397 Azalea Ave., Richmond, Va. 23227, telephone (804) 371-3140, toll-free 1-800-622-2155, SCATS 371-3140 or (804) 371-3140/TDD ☎

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January 8, 1988 - 1 p.m. – Public Hearing
Virginia Rehabilitation Center for the Blind, 401 Azalea Avenue, Richmond, Virginia

January 15, 1988 - 1 p.m. – Public Hearing
Arlington Public Library, 1015 North Quincy Street, Arlington, Virginia

January 22, 1988 - 1 p.m. – Public Hearing

Norfolk Health Department, 401 Colley Avenue, Norfolk, Virginia

January 29, 1988 - 1 p.m. - Public Hearing
Medical Foundation of Roanoke, 3000 Keagy Road, SW, Roanoke, Virginia

Notice is hereby given in accordance § 9-6.14:7.1 of the Code of Virginia that the Department for the Visually Handicapped intends to adopt regulations entitled: **VR 670-03-7. Regulation Governing Low Vision.** The purpose of the proposed regulation is to provide the basis for provision of low vision services through description of eligibility, scope of service and financial participation of low vision service participants.

Statutory Authority: § 63.1-78 of the Code of Virginia.

Written comments may be submitted until February 5, 1988.

Contact: Nell Carney, Executive Assistant, Department for the Visually Handicapped, 397 Azalea Ave., Richmond, Va. 23227, telephone (804) 371-3140, toll-free 1-800-622-2155, SCATS 371-3140 or (804) 371-3140/TDD ☎

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January 8, 1988 - 1 p.m. - Public Hearing
Virginia Rehabilitation Center for the Blind, 401 Azalea Avenue, Richmond, Virginia

January 15, 1988 - 1 p.m. - Public Hearing
Arlington Public Library, 1015 North Quincy Street, Arlington, Virginia

January 22, 1988 - 1 p.m. - Public Hearing
Norfolk Health Department, 401 Colley Avenue, Norfolk, Virginia

January 29, 1988 - 1 p.m. - Public Hearing
Medical Foundation of Roanoke, 3000 Keagy Road, SW, Roanoke, Virginia

Notice is hereby given in accordance § 9-6.14:7.1 of the Code of Virginia that the Department for the Visually Handicapped intends to adopt regulations entitled: **VR 670-03-9. Regulations Governing Eligibility of Person Desiring Statewide Library Service for the Blind and Physically Handicapped.** The purpose of the proposed regulation is to set forth the basis for provision of library services in cooperation with the Virginia State Library and Archives by describing eligibility and scope of services to participants.

Statutory Authority: § 63.1-78 of the Code of Virginia.

Written comments may be submitted until February 5, 1988.

Contact: Nell Carney, Executive Assistant, Department for the Visually Handicapped, 397 Azalea Ave., Richmond, Va. 23227, telephone (804) 371-3140, toll-free 1-800-622-2155, SCATS 371-3140 or (804) 371-3140/TDD ☎

Advisory Committee on Services

January 9, 1988 - 10:30 a.m. - Open Meeting
Administrative Headquarters, 397 Azalea Avenue, Richmond, Virginia. ☎ (Interpreter for deaf provided if requested)

A quarterly meeting to advise the Department for the Visually Handicapped on matters related to services for blind and visually handicapped citizens of the Commonwealth.

Contact: Diane E. Allen, Executive Secretary Senior, 397 Azalea Ave., Richmond, Va. 23227, telephone (804) 371-3145 toll-free 1-800-622-2155 or (804) 371-3140/TDD ☎

STATE WATER CONTROL BOARD

January 11, 1988 - 2 p.m. - Public Hearing
Newport News City Hall, Council Chambers, 2400 Washington Avenue, Newport News, Virginia

January 13, 1988 - 7 p.m. - Public Hearing
Roanoke County Administration Center Community Room, 3738 Brambleton Avenue, S.W., Roanoke, Virginia

January 14, 1988 - 2:30 p.m. - Public Hearing
County Administration Building, Spotsylvania County Board of Supervisors Room, Route 208 at Spotsylvania Courthouse, Spotsylvania, Virginia

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Water Control Board intends to adopt regulations entitled: **VR 680-14-02. Policy for Nutrient Enriched Waters - Water Quality Standards.** The proposed regulation will provide for the control of discharges of phosphorus from point sources affecting designated "nutrient enriched waters."

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

Written comments may be submitted until 5 p.m., January 23, 1988, to Doneva Dalton, Hearing Reporter, State Water Control Board, P. O. Box 11143, Richmond, Virginia 23230.

Contact: Jean Gregory, Office of Environmental Research and Standards, State Water Control Board, P. O. Box 11143, Richmond, Va. 23230, telephone (804) 367-6985

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January 11, 1988 - 7 p.m. - Public Hearing
Newport News City Hall, 2400 Washington Avenue, Council

Calendar of Events

Chambers, Newport News, Virginia

January 13, 1988 - 2:30 p.m. – Public Hearing
Roanoke County Administration Center Community Room,
3738 Brambleton Avenue, S.W., Roanoke, Virginia

January 14, 1988 - 7 p.m. – Public Hearing
County Administration Building, Spotsylvania County Board
of Supervisors Room, Route 208 at Spotsylvania
Courthouse, Spotsylvania, Virginia

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Water Control Board intends to adopt regulations entitled: **VR 680-14-03. Toxics Management Regulation.** The proposed regulation would control and manage toxic pollutants discharged to surface waters of the Commonwealth.

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

Written comments may be submitted until 5 p.m., January 29, 1988, to Doneva Dalton, Hearing Reporter, State Water Control Board, P. O. Box 11143, Richmond, Virginia 23230.

Contact: Alan Anthony or Richard Ayers, Office of Environmental Research and Standards, State Water Control Board, P. O. Box 11143, Richmond, Va. 23230, telephone (804) 367-0791

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January 11, 1988 - 2 p.m. – Public Hearing
Newport News City Hall, 2400 Washington Avenue, Council Chambers, Newport News, Virginia

January 13, 1988 - 7 p.m. – Public Hearing
Roanoke County Administration Center Community Room,
3738 Brambleton Avenue, S.W., Roanoke, Virginia

January 14, 1988 - 2:30 p.m. – Public Hearing
County Administration Building, Spotsylvania County Board of Supervisors Room, Route 208 at Spotsylvania Courthouse, Spotsylvania, Virginia

Notice is hereby given with § 9-6.14:7.1 of the Code of Virginia that the State Water Control Board intends to amend regulations entitled: **VR 680-21-07. Special Standards and Designations - Water Quality Standards.** The proposed amendment of the Water Quality Standards establishes a designation of "nutrient enriched waters."

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

Written comments may be submitted until 5 p.m., January 23, 1988, to Doneva Dalton, Hearing Reporter, State Water Control Board, P. O. Box 11143, Richmond, Virginia 23230.

Contact: Jean Gregory, Office of Environmental Research

and Standards, State Water Control Board, P. O. Box 11143, Richmond, Va. 23230, telephone (804) 367-6985

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January 11, 1988 - 11:30 a.m. – Public Hearing
Newport News City Hall, 2400 Washington Avenue, Council Chambers, Newport News, Virginia

January 13, 1988 - 2 p.m. – Public Hearing
Roanoke County Administration Center Community Room,
3738 Brambleton Avenue, S.W., Roanoke, Virginia

January 14, 1988 - 2 p.m. – Public Hearing
County Administration Building, Spotsylvania County Board of Supervisors Room, Route 208 at Spotsylvania Courthouse, Spotsylvania, Virginia

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Water Control Board intends to amend regulations entitled: **VR 680-21-08. River Basin Section Tables - Water Quality Standards.** The purpose of the proposed amendments is to designate public water supplies for the Quantico Marine Base, the Wintergreen Mountain Village, Fort Monroe, Tazewell and Austinville.

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

Written comments may be submitted until 5 p.m., January 29, 1988, to Doneva Dalton, Hearing Reporter, State Water Control Board, P. O. Box 11143, Richmond, Virginia 23230.

Contact: Stu Wilson, Office of Environmental Research and Standards, State Water Control Board, P. O. Box 11143, Richmond, Va. 23230, telephone (804) 367-0387

January 19, 1988 - 11 a.m. – Public Hearing
Clinch Valley College, Chapel of Old Faith, College Avenue, Wise, Virginia

An additional public hearing on the board's proposed Toxics Management Regulation. The proposed Toxics Management Regulation was initially published in the Virginia Register of Regulations on November 9, 1987.

Contact: Alan Anthony or Richard Ayers, Office of Environmental Research and Standards, State Water Control Board, P. O. Box 11143, Richmond, Va. 23230, telephone (804) 367-0791

January 25, 1988 - 2 p.m. – Open Meeting
Williamsburg/James City County Courthouse Council Chambers, 321-45 Court Street - West, Williamsburg, Virginia

Public meeting on amendment to Water Quality Standards to establish an instream water quality standard for tributyltin.

Contact: Stu Wilson, Office of Environmental Research and

Standards, State Water Control Board, P. O. Box 11143, Richmond, Va. 23230, telephone (804) 367-0387

STATE BOARD FOR THE CERTIFICATION OF WATER AND WASTEWATER WORKS OPERATORS

† **January 13, 1988 - 10 a.m.** – Open Meeting
Travelers Building, 3600 West Broad Street, Conference Room 3, Richmond, Virginia. ☒

An open board meeting to (i) conduct regulatory review; (ii) review complaints; (iii) discuss revenue and expenditures; (iv) review examination results; and (v) discuss new business.

Contact: Geralde W. Morgan, Assistant Director, Department of Commerce, 3600 W. Broad St., Richmond, Va. 23230-4917, telephone (804) 367-8534, toll-free 1-800-552-3016 or SCATS 367-8534

COUNCIL ON THE STATUS OF WOMEN

January 19, 1988 - 8 p.m. – Open Meeting
February 16, 1988 - 8 p.m. – Open Meeting
Jefferson Sheraton Hotel, Franklin and Adams Streets, Richmond, Virginia

March 15, 1988 - 8 p.m. – Open Meeting
Embassy Suites Hotel, 2925 Emerywood Parkway, Richmond, Virginia

Meetings of the Standing Committees of the Virginia Council on the Status of Women.

January 20, 1988 - 9:30 a.m. – Open Meeting
February 17, 1988 - 9:30 a.m. – Open Meeting
State Capitol, Capitol Square, House Room 1, Richmond, Virginia. ☒

† **March 16, 1988 - 9 a.m.** – Open Meeting
Embassy Suites Hotel, 2925 Emerywood Parkway, Richmond, Virginia

A regular meeting of the council to conduct general business and to receive reports from the council standing committees.

Contact: Bonnie H. Robinson, Executive Director, 8007 Discovery Dr., Richmond, Va. 23229-8699, telephone (804) 662-9200 or SCATS 662-9200

LEGISLATIVE

COAL AND ENERGY COMMISSION

January 7, 1987 - 9:30 a.m. – Public Hearing
Southwest Community College, Auditorium, Richlands,

Virginia

Discussion of impacts of the Utility Virginia Coal Incentive Act and Solar Tax Credits, economic development in Virginia's coal counties and strategies for the future, and an opportunity for the public to make comments or bring concerns to the attention of the commission.

Contact: John T. Heard, Staff Attorney, Division of Legislative Services, P. O. Box 3-AG, Richmond, Va. 23208, telephone (804) 786-3591

JOINT SUBCOMMITTEE STUDYING THE NEED FOR EARLY CHILDHOOD EDUCATION

† **January 4, 1988 - 10 a.m.** – Open Meeting
General Assembly Building, Capitol Square, House Room C, Richmond, Virginia. ☒

This will be the last meeting of this joint subcommittee and they will discuss their report and vote on the recommendations. HJR 299

Contact: Persons wishing to speak contact: Jeffrey A. Finch, House of Delegates, P. O. Box 406, Richmond, Va. 23203, telephone (804) 786-2227; for additional information contact: Norma Szakal, Staff Attorney or Brenda Edwards, Research Associate, Division of Legislative Services, P. O. Box 3-AG, Richmond, Va. 23208, telephone (804) 786-3591

JOINT SUBCOMMITTEE STUDYING SALES AND USE TAX EXEMPTIONS

† **January 12, 1988 - 1 p.m.** – Open Meeting
General Assembly Building, Capitol Square, Senate Room B, Richmond, Virginia. ☒

A regular working meeting. SJR 119

Contact: Robert F. Douth, Deputy Clerk, Senate of Virginia, P. O. Box 396, Richmond, Va. 23203, telephone (804) 786-4638 or Regina M. McNally, Staff Attorney, Division of Legislative Services, P. O. Box 3-AG, Richmond, Va. 23208, telephone (804) 786-3591

CHRONOLOGICAL LIST

OPEN MEETINGS

January 4, 1988

† Early Childhood Education, Joint Subcommittee Studying the Need for Health Regulatory Boards, Council on - Compliance and Discipline Subcommittee Hearing Aid Dealers and Fitters, Virginia State Board of Soil Scientists, Board for Professional

Calendar of Events

January 5

Criminal Justice Services Board
- Committee on Training
Elections, State Board of
Farmworkers Board, Governor's Migrant and Seasonal
Library Board
Marine Resources Commission
Medicare and Medicaid, Governor's Advisory Board on
† Peninsula Planning District Commission

January 6

Cosmetology, Virginia Board of
Criminal Justice Services Board
Emergency Planning Committee, Local
† Emergency Planning Committee, James City County
Local
† Higher Education for Virginia, State Council of
Mental Health Advisory Council
† Nursing Home Administrators, State Board of
Examiners for
Social Work, Virginia Board of
- Ad Hoc Committee

January 7

Health Regulatory Boards, Council on
- Committee to Study Recommendation on Allied
Health Regulation
- Legislation Committee
- Regulatory Research and Evaluation Committee
- Committee on Scope and Standards of Practice

January 8

† Auctioneers Board
General Services, Department of
- Art and Architectural Review Board
Health Regulatory Boards, Council on
- Administration and Budget Committee
- Compliance and Discipline Committee
† Professional Counselors, Virginia Board of

January 9

Visually Handicapped, Department for the
- Advisory Committee on Services

January 11

Cosmetology, Virginia Board of

January 12

† Conservation and Historic Resources, Department of
- Virginia War Memorial Board
Contractors, State Board for
† Local Government, Commission on
† Nursing, Virginia State Board of
† Sales and Use Tax Exemptions, Joint Subcommittee
Studying

January 13

Corrections, State Board of
† Milk Commission
† Water and Wastewater Works Operators, State Board
for the Certification of

January 14

† Child Day Care Council
Education, State Board of
† Emergency Planning Committee of Fairfax County,
Local
† Emergency Response Council, Virginia
† Emergency Planning Committee for the City of
Martinsville and Henry County
† Forestry, Board of
Hazardous Materials Emergency Response Advisory
Council, Virginia
Medical Assistance Services, Department of
† Nursing, Virginia State Board of
† Public Telecommunications Board, Virginia

January 15

† Building Code Technical Review Board, State
Education, State Board of
† Lottery Board, State
Medicine, Virginia State Board of
- Informal Conference Committee
† Real Estate Board, Virginia

January 16

† Conservation and Historic Resources, Department of
- Virginia Cave Board
† Real Estate Board, Virginia

January 18

Accountancy, State Board of

January 19

Accountancy, State Board of
† George Mason University
- Board of Visitors
† Housing Development Authority, Virginia
† Rights of the Disabled, Board for
- Planning Committee
Women, Council on the Status of

January 20

† Aging, Governor's Advisory Board on
† Emergency Planning Committee, Roanoke Valley
Local
Health Coordinating Council, Virginia Statewide
† Medicine, Virginia State Board of
- Informal and Formal Conference Committees
† Rehabilitative Services, Department of
† Rights of the Disabled, Board for
- Education Committee
- Employment Committee
- Health Committee
- Housing Committee
- Steering Committee
- Transportation Committee
Women, Council on the Status of

January 21

† Aging, Governor's Advisory Board on
† Conservation and Historic Resources, Department of
- Virginia Soil and Water Conservation Board

† Game and Inland Fisheries, Board of
Visually Handicapped, Board for the

PUBLIC HEARINGS

January 22
Medicine, Virginia State Board of
- Credentials Committee
Mines, Minerals and Energy, Department of
- Division of Mined Land Reclamation

January 6, 1988
General Services, Department of
- Division of Consolidated Laboratory Services
Mines, Minerals and Energy, Department of

January 23
Medicine, Virginia State Board of
- Credentials Committee

January 7
Coal and Energy Commission

January 8
Visually Handicapped, Department for the

January 25
Nursing, Virginia State Board of
Water Control Board, State

January 11
Water Control Board, State

January 26
† Accountancy, State Board of
Nursing, Virginia State Board of

January 13
Water Control Board, State

January 27
Health Services Cost Review Council, Virginia
† Mental Health, Mental Retardation, and Substance
Abuse Services Board, State
Nursing, Virginia State Board of

January 14
Water Control Board, State

January 15
Visually Handicapped, Department for the

February 2
Marine Resources Commission

January 19
Water Control Board, State

February 5
† Medicine, Virginia State Board of
- Formal and Informal Conference Committees

January 22
Visually Handicapped, Department for the

February 16
† Medicine, Virginia State Board of
- Informal Conference Committee
Women, Council on the Status of

January 29
Visually Handicapped, Department for the

February 17
Corrections, State Board of
Veterinary Medicine, Virginia Board of
Women, Council on the Status of

February 4
† Social Services, Department of

February 18
Veterinary Medicine, Virginia Board of

February 9
Auctioneers Board

February 25
Education, State Board of

February 10
Commerce, Department of

February 26
Education, State Board of

February 25
Education, Department of

March 15
Women, Council on the Status of

March 16
Corrections, State Board of
Women, Council on the Status of

Calendar of Events
