
THE VIRGINIA REGISTER INFORMATION PAGE

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 new and amended sections of regulations, both as proposed and as finally adopted, 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 and executive orders issued by the Governor, the Virginia Tax Bulletin issued periodically by the Department of Taxation, and notices of public hearings and open meetings of state agencies.

ADOPTION, AMENDMENT, AND REPEAL OF REGULATIONS

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

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

The 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 Registrar and the promulgating agency. The objection will be published in the *Virginia Register*. Within 21 days after receipt by the agency of a legislative objection, the agency shall file a response with the Registrar, the objecting legislative committee, and the Governor.

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

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

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

A regulation becomes effective at the conclusion of the 30-day final adoption period, or at any other later date specified by the promulgating agency, unless (i) a legislative objection has been filed, in which event the regulation, unless withdrawn, becomes effective on the date specified, which shall be after the expiration of the 21-day

extension period; (ii) the Governor exercises his authority to require the agency to provide for additional public comment, in which event the regulation, unless withdrawn, becomes effective on the date specified, which shall be after the expiration of the period for which the Governor has provided for additional public comment; (iii) the Governor and the General Assembly exercise their authority to suspend the effective date of a regulation until the end of the next regular legislative session; or (iv) the agency suspends the regulatory process, in which event the regulation, unless withdrawn, becomes effective on the date specified, which shall be after the expiration of the 30-day public comment period.

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

EMERGENCY REGULATIONS

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

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

STATEMENT

The foregoing constitutes a generalized statement of the procedures to be followed. For specific statutory language, it is suggested that Article 2 (§ 9-6.14:7.1 et seq.) of Chapter 1.1:1 of the Code of Virginia be examined carefully.

CITATION TO THE VIRGINIA REGISTER

The *Virginia Register* is cited by volume, issue, page number, and date. **12:8 VA.R. 1096-1106 January 8, 1996**, refers to Volume 12, Issue 8, pages 1096 through 1106 of the *Virginia Register* issued on January 8, 1996.

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Staff of the Virginia Register: **Jane D. Chaffin**, Registrar of Regulations.

PUBLICATION SCHEDULE AND DEADLINES

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

April 2000 through March 2001

<u>Volume:Issue</u>	<u>Material Submitted By Noon*</u>	<u>Will Be Published On</u>
16:16	April 5, 2000	April 24, 2000
16:17	April 19, 2000	May 8, 2000
16:18	May 3, 2000	May 22, 2000
16:19	May 17, 2000	June 5, 2000
16:20	May 31, 2000	June 19, 2000
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16:26	August 23, 2000	September 11, 2000
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SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
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2 VAC 15-20-70	Amended	16:9 VA.R. 1150	1/1/00
2 VAC 15-20-80	Amended	15:26 VA.R. 3445	8/17/99
2 VAC 15-20-80	Repealed	16:9 VA.R. 1150	1/1/00
2 VAC 15-20-81	Added	16:9 VA.R. 1150	1/1/00
Title 4. Conservation and Natural Resources			
4 VAC 20-252-60	Amended	16:10 VA.R. 1222	1/1/00
4 VAC 20-252-85	Amended	16:10 VA.R. 1222	1/1/00
4 VAC 20-252-90	Amended	16:10 VA.R. 1222	1/1/00
4 VAC 20-252-100	Amended	16:10 VA.R. 1223	1/1/00
4 VAC 20-252-110	Amended	16:10 VA.R. 1223	1/1/00
4 VAC 20-252-120	Amended	16:14 VA.R. 1860	3/1/00
4 VAC 20-252-140	Amended	16:10 VA.R. 1223	1/1/00
4 VAC 20-270-40 emer	Amended	16:14 VA.R. 1885	3/1/00-3/30/00
4 VAC 20-270-50	Amended	16:7 VA.R. 804	1/1/00
4 VAC 20-333-10 through 4 VAC 20-333-40	Added	15:24 VA.R. 3035-3037	7/6/99
4 VAC 20-430-55	Added	16:14 VA.R. 1860	3/1/00
4 VAC 20-430-70	Amended	16:14 VA.R. 1860	3/1/00
4 VAC 20-500-55	Added	16:14 VA.R. 1861	3/1/00
4 VAC 20-561-10 through 4 VAC 20-561-30 emer	Added	16:12 VA.R. 1710	2/2/00-2/22/00
4 VAC 20-595-10 emer	Added	15:25 VA.R. 3366	8/15/99-8/31/99
4 VAC 20-595-20 emer	Added	15:25 VA.R. 3366	8/15/99-8/31/99
4 VAC 20-620-30	Amended	16:5 VA.R. 580	11/1/99
4 VAC 20-620-40	Amended	16:5 VA.R. 580	11/1/99
4 VAC 20-620-50	Amended	16:14 VA.R. 1861	3/1/00
4 VAC 20-620-70	Amended	16:14 VA.R. 1861	3/1/00
4 VAC 20-700-20	Amended	16:7 VA.R. 804	1/1/00
4 VAC 20-720-20	Amended	16:3 VA.R. 292	10/1/99
4 VAC 20-720-20	Amended	16:12 VA.R. 1671	2/4/00
4 VAC 20-720-35	Added	16:3 VA.R. 292	10/1/99
4 VAC 20-720-40	Amended	16:3 VA.R. 292	10/1/99
4 VAC 20-720-40	Amended	16:12 VA.R. 1671	2/4/00
4 VAC 20-720-50	Amended	16:3 VA.R. 293	10/1/99
4 VAC 20-720-50	Amended	16:12 VA.R. 1672	2/4/00
4 VAC 20-720-60	Amended	16:3 VA.R. 293	10/1/99
4 VAC 20-720-60	Amended	16:12 VA.R. 1672	2/4/00
4 VAC 20-720-70	Amended	16:3 VA.R. 294	10/1/99
4 VAC 20-720-70	Amended	16:12 VA.R. 1673	2/4/00
4 VAC 20-720-80	Amended	16:3 VA.R. 294	10/1/99
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4 VAC 20-890-10	Amended	16:7 VA.R. 804	1/1/00
4 VAC 20-890-25	Added	16:7 VA.R. 805	1/1/00
4 VAC 20-890-25	Amended	16:12 VA.R. 1674	2/2/00
4 VAC 20-890-35	Amended	16:7 VA.R. 805	1/1/00

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4 VAC 20-891-10 through 4 VAC 20-891-30 emer	Added	16:10 VA.R. 1268	1/1/00-1/31/00
4 VAC 20-910-45	Amended	16:14 VA.R. 1862	3/1/00
4 VAC 20-950-45	Amended	16:14 VA.R. 1862	3/1/00
4 VAC 25-40 (Forms)	Amended	16:10 VA.R. 1335	--
4 VAC 25-130 (Forms)	Amended	16:10 VA.R. 1335	--
4 VAC 25-130-700.5	Amended	16:15 VA.R. 1956	5/10/00
4 VAC 25-130-795.1	Amended	16:15 VA.R. 1968	5/10/00
4 VAC 25-130-795.6	Amended	16:15 VA.R. 1968	5/10/00
4 VAC 25-130-795.7	Amended	16:15 VA.R. 1968	5/10/00
4 VAC 25-130-795.8	Amended	16:15 VA.R. 1969	5/10/00
4 VAC 25-130-795.9	Amended	16:15 VA.R. 1969	5/10/00
4 VAC 25-130-795.10	Amended	16:15 VA.R. 1969	5/10/00
4 VAC 25-130-795.11	Amended	16:15 VA.R. 1970	5/10/00
4 VAC 25-130-795.12	Amended	16:15 VA.R. 1970	5/10/00
4 VAC 25-150 (Forms)	Amended	16:10 VA.R. 1335	--
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6 VAC 20-170-10 et seq.	Repealed	16:8 VA.R. 945	2/2/00
6 VAC 20-171-10 through 6 VAC 20-171-560	Added	16:8 VA.R. 945-974	2/2/00
6 VAC 20-171-420	Erratum	16:14 VA.R. 1911	--
6 VAC 35-50-10 et seq.	Repealed	16:10 VA.R. 1223	7/1/00
Title 7. Economic Development			
7 VAC 10-20-10	Amended	15:25 VA.R. 3348	9/29/99
7 VAC 10-20-30	Amended	15:25 VA.R. 3350	9/29/99
7 VAC 10-20-50	Amended	15:25 VA.R. 3350	9/29/99
Title 8. Education			
8 VAC 20-50-10 et seq.	Repealed	16:10 VA.R. 1223	7/1/00
Title 9. Environment			
9 VAC 5-50-400	Amended	16:14 VA.R. 1863	5/1/00
9 VAC 5-60-60	Amended	16:14 VA.R. 1864	5/1/00
9 VAC 5-60-90	Amended	16:14 VA.R. 1864	5/1/00
9 VAC 5-60-100	Amended	16:14 VA.R. 1864	5/1/00
9 VAC 5-80-1400 through 9 VAC 5-80-1590	Added	16:7 VA.R. 806-819	2/1/00
9 VAC 25-151 (Forms)	Amended	15:24 VA.R. 3251	--
9 VAC 25-210 (Forms)	Amended	16:12 VA.R. 1711-1714	--
9 VAC 25-220-60	Amended	16:15 VA.R. 1971	5/10/00
9 VAC 25-220-70	Amended	16:15 VA.R. 1971	5/10/00
Title 11. Gaming			
11 VAC 10-130-10	Amended	15:26 VA.R. 3449	8/25/99
11 VAC 10-130-20	Amended	15:26 VA.R. 3449	8/25/99
11 VAC 10-130-40	Amended	15:26 VA.R. 3451	8/25/99
11 VAC 10-130-51	Amended	15:26 VA.R. 3451	8/25/99
11 VAC 10-130-60	Amended	15:26 VA.R. 3452	8/25/99
11 VAC 10-130-76	Amended	15:26 VA.R. 3452	8/25/99
11 VAC 10-130-77	Amended	15:26 VA.R. 3452	8/25/99
Title 12. Health			
12 VAC 5-65-10 et seq. emer	Amended	16:10 VA.R. 1268-1275	1/3/00-1/2/01
12 VAC 5-220-10 emer	Amended	16:10 VA.R. 1276	1/3/00-1/2/01
12 VAC 5-220-90 emer	Amended	16:10 VA.R. 1280	1/3/00-1/2/01
12 VAC 5-220-105 emer	Amended	16:10 VA.R. 1280	1/3/00-1/2/01
12 VAC 5-220-150 emer	Repealed	16:10 VA.R. 1280	1/3/00-1/2/01
12 VAC 5-220-160 emer	Amended	16:10 VA.R. 1281	1/3/00-1/2/01
12 VAC 5-220-180 emer	Amended	16:10 VA.R. 1281	1/3/00-1/2/01
12 VAC 5-220-200 emer	Amended	16:10 VA.R. 1282	1/3/00-1/2/01
12 VAC 5-220-230 emer	Amended	16:10 VA.R. 1284	1/3/00-1/2/01
12 VAC 5-220-270 emer	Amended	16:10 VA.R. 1286	1/3/00-1/2/01
12 VAC 5-220-280 emer	Amended	16:10 VA.R. 1286	1/3/00-1/2/01

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12 VAC 5-220-355 emer	Amended	16:10 VA.R. 1287	1/3/00-1/2/01
12 VAC 5-220-385 emer	Amended	16:10 VA.R. 1287	1/3/00-1/2/01
12 VAC 5-220-420 emer	Amended	16:10 VA.R. 1288	1/3/00-1/2/01
12 VAC 5-220-470 emer	Amended	16:10 VA.R. 1289	1/3/00-1/2/01
12 VAC 5-230-10 emer	Amended	16:10 VA.R. 1289	1/3/00-1/2/01
12 VAC 5-230-20 emer	Amended	16:10 VA.R. 1290	1/3/00-1/2/01
12 VAC 5-240-10 emer	Amended	16:10 VA.R. 1290	1/3/00-1/2/01
12 VAC 5-240-20 emer	Amended	16:10 VA.R. 1291	1/3/00-1/2/01
12 VAC 5-240-30 emer	Amended	16:10 VA.R. 1291	1/3/00-1/2/01
12 VAC 5-250-30 emer	Amended	16:10 VA.R. 1293	1/3/00-1/2/01
12 VAC 5-260-30 emer	Amended	16:10 VA.R. 1293	1/3/00-1/2/01
12 VAC 5-260-40 emer	Amended	16:10 VA.R. 1293	1/3/00-1/2/01
12 VAC 5-260-80 emer	Amended	16:10 VA.R. 1294	1/3/00-1/2/01
12 VAC 5-260-100 emer	Amended	16:10 VA.R. 1294	1/3/00-1/2/01
12 VAC 5-270-30 emer	Amended	16:10 VA.R. 1295	1/3/00-1/2/01
12 VAC 5-270-40 emer	Amended	16:10 VA.R. 1295	1/3/00-1/2/01
12 VAC 5-280-10 emer	Amended	16:10 VA.R. 1296	1/3/00-1/2/01
12 VAC 5-280-30 emer	Amended	16:10 VA.R. 1296	1/3/00-1/2/01
12 VAC 5-290-10 emer	Amended	16:10 VA.R. 1296	1/3/00-1/2/01
12 VAC 5-290-30 emer	Amended	16:10 VA.R. 1297	1/3/00-1/2/01
12 VAC 5-300-30 emer	Amended	16:10 VA.R. 1297	1/3/00-1/2/01
12 VAC 5-310-30 emer	Amended	16:10 VA.R. 1298	1/3/00-1/2/01
12 VAC 5-320-50 emer	Amended	16:10 VA.R. 1298	1/3/00-1/2/01
12 VAC 5-320-150 emer	Amended	16:10 VA.R. 1298	1/3/00-1/2/01
12 VAC 5-320-430 emer	Amended	16:10 VA.R. 1298	1/3/00-1/2/01
12 VAC 5-340-30 emer	Amended	16:10 VA.R. 1298	1/3/00-1/2/01
12 VAC 5-360-30 emer	Amended	16:10 VA.R. 1298	1/3/00-1/2/01
12 VAC 5-360-40 emer	Amended	16:10 VA.R. 1299	1/3/00-1/2/01
12 VAC 5-371-40 emer	Amended	16:7 VA.R. 896	12/31/99-12/30/00
12 VAC 5-408-10 through 12 VAC 5-408-370	Added	16:7 VA.R. 819-837	1/20/00
12 VAC 5-408-70	Erratum	16:9 VA.R. 1174	--
12 VAC 5-408-230	Erratum	16:9 VA.R. 1174	--
12 VAC 5-408-360	Erratum	16:9 VA.R. 1174	--
12 VAC 5-408-370	Erratum	16:9 VA.R. 1174	--
12 VAC 5-410-70 emer	Amended	16:7 VA.R. 897	12/31/99-12/30/00
12 VAC 5-610-10*	Repealed	15:24 VA.R. 3188	*
12 VAC 5-610-20*	Amended	15:24 VA.R. 3188	*
12 VAC 5-610-30*	Amended	15:24 VA.R. 3188	*
12 VAC 5-610-40*	Amended	15:24 VA.R. 3188	*
12 VAC 5-610-50*	Amended	15:24 VA.R. 3188	*
12 VAC 5-610-70*	Amended	15:24 VA.R. 3189	*
12 VAC 5-610-75*	Added	15:24 VA.R. 3190	*
12 VAC 5-610-80*	Amended	15:24 VA.R. 3190	*
12 VAC 5-610-90*	Repealed	15:24 VA.R. 3190	*
12 VAC 5-610-100*	Amended	15:24 VA.R. 3190	*
12 VAC 5-610-110*	Repealed	15:24 VA.R. 3190	*
12 VAC 5-610-120*	Amended	15:24 VA.R. 3190	*
12 VAC 5-610-130*	Amended	15:24 VA.R. 3192	*
12 VAC 5-610-140*	Repealed	15:24 VA.R. 3192	*
12 VAC 5-610-150*	Repealed	15:24 VA.R. 3192	*
12 VAC 5-610-170*	Amended	15:24 VA.R. 3192	*
12 VAC 5-610-180*	Repealed	15:24 VA.R. 3193	*
12 VAC 5-610-190*	Amended	15:24 VA.R. 3193	*

* The regulatory process was suspended on this section in 16:2 VA.R. 202, and the final effective date is pending until further action by the board.

Cumulative Table of VAC Sections Adopted, Amended, or Repealed

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
12 VAC 5-610-200*	Amended	15:24 VA.R. 3194	*
12 VAC 5-610-230*	Amended	15:24 VA.R. 3195	*
12 VAC 5-610-250*	Amended	15:24 VA.R. 3195	*
12 VAC 5-610-255*	Added	15:24 VA.R. 3198	*
12 VAC 5-610-260*	Amended	15:24 VA.R. 3198	*
12 VAC 5-610-270*	Amended	15:24 VA.R. 3198	*
12 VAC 5-610-280*	Amended	15:24 VA.R. 3198	*
12 VAC 5-610-290*	Amended	15:24 VA.R. 3199	*
12 VAC 5-610-300*	Amended	15:24 VA.R. 3199	*
12 VAC 5-610-330*	Amended	15:24 VA.R. 3199	*
12 VAC 5-610-340*	Amended	15:24 VA.R. 3199	*
12 VAC 5-610-360*	Amended	15:24 VA.R. 3200	*
12 VAC 5-610-370*	Repealed	15:24 VA.R. 3200	*
12 VAC 5-610-380*	Amended	15:24 VA.R. 3201	*
12 VAC 5-610-430*	Amended	15:24 VA.R. 3202	*
12 VAC 5-610-440*	Amended	15:24 VA.R. 3202	*
12 VAC 5-610-441 through 12 VAC 5-610-449*	Added	15:24 VA.R. 3202-3210	*
12 VAC 5-610-449.1*	Added	15:24 VA.R. 3211	*
12 VAC 5-610-450*	Amended	15:24 VA.R. 3212	*
12 VAC 5-610-470*	Amended	15:24 VA.R. 3212	*
12 VAC 5-610-480*	Amended	15:24 VA.R. 3214	*
12 VAC 5-610-490*	Amended	15:24 VA.R. 3214	*
12 VAC 5-610-500*	Amended	15:24 VA.R. 3215	*
12 VAC 5-610-510 through 12 VAC 5-610-550*	Repealed	15:24 VA.R. 3215-3216	*
12 VAC 5-610-560*	Amended	15:24 VA.R. 3216	*
12 VAC 5-610-570*	Repealed	15:24 VA.R. 3216	*
12 VAC 5-610-580*	Amended	15:24 VA.R. 3217	*
12 VAC 5-610-591 through 12 VAC 5-610-594*	Added	15:24 VA.R. 3217-3218	*
12 VAC 5-610-596 through 12 VAC 5-610-599*	Added	15:24 VA.R. 3218-3222	*
12 VAC 5-610-599.1 through 12 VAC 5-610-599.4*	Added	15:24 VA.R. 3222-3223	*
12 VAC 5-610-620*	Amended	15:24 VA.R. 3223	*
12 VAC 5-610-650*	Amended	15:24 VA.R. 3223	*
12 VAC 5-610-670*	Amended	15:24 VA.R. 3223	*
12 VAC 5-610-690*	Amended	15:24 VA.R. 3223	*
12 VAC 5-610-700*	Amended	15:24 VA.R. 3224	*
12 VAC 5-610-800*	Amended	15:24 VA.R. 3226	*
12 VAC 5-610-810*	Amended	15:24 VA.R. 3226	*
12 VAC 5-610-815*	Added	15:24 VA.R. 3226	*
12 VAC 5-610-817*	Added	15:24 VA.R. 3227	*
12 VAC 5-610-820*	Amended	15:24 VA.R. 3227	*
12 VAC 5-610-830*	Repealed	15:24 VA.R. 3227	*
12 VAC 5-610-840*	Repealed	15:24 VA.R. 3227	*
12 VAC 5-610-880*	Amended	15:24 VA.R. 3227	*
12 VAC 5-610-890*	Amended	15:24 VA.R. 3229	*
12 VAC 5-610-930*	Amended	15:24 VA.R. 3229	*
12 VAC 5-610-940*	Amended	15:24 VA.R. 3232	*
12 VAC 5-610-950*	Amended	15:24 VA.R. 3233	*
12 VAC 5-610-960*	Amended	15:24 VA.R. 3235	*
12 VAC 5-610-965*	Added	15:24 VA.R. 3236	*
12 VAC 5-610-980*	Amended	15:24 VA.R. 3237	*
12 VAC 5-610-1080*	Amended	15:24 VA.R. 3238	*
12 VAC 5-610-1140*	Amended	15:24 VA.R. 3240	*
12 VAC 5-610-1150*	Repealed	15:24 VA.R. 3240	*

* The regulatory process was suspended on this section in 16:2 VA.R. 202, and the final effective date is pending until further action by the board.

Cumulative Table of VAC Sections Adopted, Amended, or Repealed

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
12 VAC 5-615-10 through 12 VAC 5-615-420 emer	Added	16:10 VA.R. 1301-1313	1/3/00-1/2/01
12 VAC 30-10-150 emer	Amended	16:10 VA.R. 1315	1/1/00-12/31/00
12 VAC 30-10-441	Added	15:26 VA.R. 3454	10/13/99
12 VAC 30-10-490	Amended	15:26 VA.R. 3454	10/13/99
12 VAC 30-10-680	Amended	15:26 VA.R. 3454	10/13/99
12 VAC 30-40-345	Added	16:15 VA.R. 1973	5/10/00
12 VAC 30-50-30 emer	Amended	16:10 VA.R. 1315	1/1/00-12/31/00
12 VAC 30-50-70 emer	Amended	16:10 VA.R. 1316	1/1/00-12/31/00
12 VAC 30-50-100	Amended	15:24 VA.R. 3243	9/15/99
12 VAC 30-50-105	Amended	15:24 VA.R. 3245	9/15/99
12 VAC 30-50-130 emer	Amended	16:10 VA.R. 1316	1/1/00-12/31/00
12 VAC 30-50-140	Amended	15:24 VA.R. 3247	9/15/99
12 VAC 30-50-160	Amended	16:2 VA.R. 202	11/10/99
12 VAC 30-50-210	Amended	16:2 VA.R. 205	11/10/99
12 VAC 30-50-220	Amended	15:25 VA.R. 3362	10/1/99
12 VAC 30-50-229.1 emer	Amended	16:10 VA.R. 1322	1/12/00-1/11/01
12 VAC 30-50-250 emer	Amended	16:10 VA.R. 1317	1/1/00-12/31/00
12 VAC 30-50-270	Amended	16:6 VA.R. 706	1/5/00
12 VAC 30-50-480 emer	Amended	16:10 VA.R. 1326	1/1/00-12/31/00
12 VAC 30-60-130	Amended	16:6 VA.R. 707	1/5/00
12 VAC 30-60-170 emer	Amended	16:10 VA.R. 1328	1/1/00-12/31/00
12 VAC 30-80-21 emer	Added	16:10 VA.R. 1317	1/1/00-12/31/00
12 VAC 30-80-30	Amended	16:2 VA.R. 207	11/10/99
12 VAC 30-80-30	Amended	16:6 VA.R. 710	1/5/00
12 VAC 30-80-40	Amended	16:2 VA.R. 208	11/10/99
12 VAC 30-80-111 emer	Added	16:10 VA.R. 1329	1/1/00-12/31/00
12 VAC 30-129-100 through 12 VAC 30-129-150 emer	Added	16:10 VA.R. 1329-1334	1/1/00-12/31/00
12 VAC 30-130-270 through 12 VAC 30-130-530	Repealed	16:6 VA.R. 711-715	1/5/00
12 VAC 30-130-850 through 12 VAC 30-130-890 emer	Added	16:10 VA.R. 1317-1320	1/1/00-12/31/00
12 VAC 30-140-10 through 12 VAC 30-140-570	Added	15:26 VA.R. 3456-3465	10/13/99
12 VAC 30-140-370	Amended	16:4 VA.R. 404	12/8/99
12 VAC 30-140-380	Amended	16:4 VA.R. 404	12/8/99
12 VAC 35-30-10 et seq.	Repealed	16:10 VA.R. 1233	7/1/00
Title 13. Housing			
13 VAC 5-175-10 through 13 VAC 5-175-40	Added	16:4 VA.R. 405-406	10/20/99
13 VAC 10-180-40	Amended	16:11 VA.R. 1448	1/24/00
13 VAC 10-180-50	Amended	16:11 VA.R. 1448	1/24/00
13 VAC 10-180-60	Amended	16:11 VA.R. 1450	1/24/00
13 VAC 10-180-60	Amended	16:15 VA.R. 1973	3/22/00
13 VAC 10-180-70	Amended	16:11 VA.R. 1458	1/24/00
Title 14. Insurance			
14 VAC 5-215-10 through 14 VAC 5-215-130	Added	16:11 VA.R. 1461-1470	2/15/00
14 VAC 5-215-20	Erratum	16:14 VA.R. 1912	--
14 VAC 5-215-30	Erratum	16:14 VA.R. 1912	--
14 VAC 5-270-30	Amended	16:5 VA.R. 582	1/1/00
14 VAC 5-270-40	Amended	16:5 VA.R. 582	1/1/00
14 VAC 5-270-60	Amended	16:5 VA.R. 582	1/1/00
14 VAC 5-270-70	Amended	16:5 VA.R. 583	1/1/00
14 VAC 5-270-80	Amended	16:5 VA.R. 583	1/1/00
14 VAC 5-270-160	Repealed	16:5 VA.R. 584	1/1/00
14 VAC 5-319-10 through 14 VAC 5-319-80	Added	16:5 VA.R. 585-599	1/1/00
14 VAC 5-350 (Forms)	Amended	16:8 VA.R. 976	--
14 VAC 5-350 (Forms)	Amended	16:11 VA.R. 1475-1480	--
14 VAC 5-395-20	Amended	16:4 VA.R. 407	10/20/99
14 VAC 5-395-25	Added	16:4 VA.R. 407	10/20/99
14 VAC 5-395-60	Amended	16:4 VA.R. 407	10/20/99

Cumulative Table of VAC Sections Adopted, Amended, or Repealed

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
Title 16. Labor and Employment			
16 VAC 25-120-1917.1	Amended	16:7 VA.R. 843	1/20/00
16 VAC 25-130-1918.1	Amended	16:7 VA.R. 843	1/20/00
16 VAC 30-11-10 through 16 VAC 30-11-30	Added	16:10 VA.R. 1224	3/1/00
Title 18. Professional and Occupational Licensing			
18 VAC 5-20-10 emer	Amended	16:3 VA.R. 319	10/4/99-10/3/00
18 VAC 5-20-11 emer	Added	16:3 VA.R. 321	10/4/99-10/3/00
18 VAC 5-20-20 emer	Amended	16:3 VA.R. 322	10/4/99-10/3/00
18 VAC 5-20-30 emer	Repealed	16:3 VA.R. 324	10/4/99-10/3/00
18 VAC 5-20-40 emer	Repealed	16:3 VA.R. 324	10/4/99-10/3/00
18 VAC 5-20-41 emer	Added	16:3 VA.R. 324	10/4/99-10/3/00
18 VAC 5-20-50 emer	Repealed	16:3 VA.R. 325	10/4/99-10/3/00
18 VAC 5-20-60 emer	Repealed	16:3 VA.R. 325	10/4/99-10/3/00
18 VAC 5-20-70 emer	Repealed	16:3 VA.R. 326	10/4/99-10/3/00
18 VAC 5-20-80 emer	Repealed	16:3 VA.R. 326	10/4/99-10/3/00
18 VAC 5-20-81 emer	Added	16:3 VA.R. 326	10/4/99-10/3/00
18 VAC 5-20-90 emer	Repealed	16:3 VA.R. 326	10/4/99-10/3/00
18 VAC 5-20-91 emer	Added	16:3 VA.R. 327	10/4/99-10/3/00
18 VAC 5-20-100 emer	Amended	16:3 VA.R. 328	10/4/99-10/3/00
18 VAC 5-20-110 emer	Amended	16:3 VA.R. 329	10/4/99-10/3/00
18 VAC 5-20-111 emer	Added	16:3 VA.R. 330	10/4/99-10/3/00
18 VAC 5-20-112 emer	Added	16:3 VA.R. 330	10/4/99-10/3/00
18 VAC 5-20-120 through 18 VAC 5-20-440 emer	Repealed	16:3 VA.R. 330-333	10/4/99-10/3/00
18 VAC 5-20-441 emer	Added	16:3 VA.R. 333	10/4/99-10/3/00
18 VAC 5-20-442 emer	Added	16:3 VA.R. 334	10/4/99-10/3/00
18 VAC 5-20-443 emer	Added	16:3 VA.R. 334	10/4/99-10/3/00
18 VAC 5-20-444 emer	Added	16:3 VA.R. 336	10/4/99-10/3/00
18 VAC 5-20-445 emer	Added	16:3 VA.R. 336	10/4/99-10/3/00
18 VAC 5-20-450 emer	Repealed	16:3 VA.R. 336	10/4/99-10/3/00
18 VAC 5-20-451 emer	Added	16:3 VA.R. 336	10/4/99-10/3/00
18 VAC 5-20-460 through 500 emer	Repealed	16:3 VA.R. 337-339	10/4/99-10/3/00
18 VAC 10-20-10	Amended	16:3 VA.R. 298	12/1/99
18 VAC 10-20-20	Amended	16:3 VA.R. 299	12/1/99
18 VAC 10-20-35	Added	16:3 VA.R. 299	12/1/99
18 VAC 10-20-90	Amended	15:24 VA.R. 3248	10/1/99
18 VAC 10-20-110	Amended	16:3 VA.R. 299	12/1/99
18 VAC 10-20-120	Amended	16:3 VA.R. 300	12/1/99
18 VAC 10-20-140	Amended	16:3 VA.R. 300	12/1/99
18 VAC 10-20-150	Amended	16:3 VA.R. 301	12/1/99
18 VAC 10-20-160	Amended	16:3 VA.R. 303	12/1/99
18 VAC 10-20-170	Amended	15:24 VA.R. 3248	10/1/99
18 VAC 10-20-170	Amended	16:3 VA.R. 303	12/1/99
18 VAC 10-20-190	Amended	16:3 VA.R. 303	12/1/99
18 VAC 10-20-200	Amended	16:3 VA.R. 304	12/1/99
18 VAC 10-20-210	Amended	16:3 VA.R. 304	12/1/99
18 VAC 10-20-215	Added	16:3 VA.R. 305	12/1/99
18 VAC 10-20-230	Amended	16:3 VA.R. 305	12/1/99
18 VAC 10-20-250	Amended	16:3 VA.R. 305	12/1/99
18 VAC 10-20-260	Amended	16:3 VA.R. 306	12/1/99
18 VAC 10-20-270	Amended	16:3 VA.R. 306	12/1/99
18 VAC 10-20-280	Amended	15:24 VA.R. 3249	10/1/99
18 VAC 10-20-280	Amended	16:3 VA.R. 306	12/1/99
18 VAC 10-20-300	Amended	16:3 VA.R. 306	12/1/99
18 VAC 10-20-310	Amended	16:3 VA.R. 307	12/1/99
18 VAC 10-20-320	Amended	16:3 VA.R. 307	12/1/99
18 VAC 10-20-330	Amended	16:3 VA.R. 307	12/1/99

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SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
18 VAC 10-20-350	Amended	16:3 VA.R. 307	12/1/99
18 VAC 10-20-360	Amended	16:3 VA.R. 308	12/1/99
18 VAC 10-20-400	Amended	15:24 VA.R. 3249	10/1/99
18 VAC 10-20-440	Amended	16:3 VA.R. 308	12/1/99
18 VAC 10-20-450	Amended	16:3 VA.R. 308	12/1/99
18 VAC 10-20-470	Amended	15:24 VA.R. 3249	10/1/99
18 VAC 10-20-490	Amended	16:3 VA.R. 309	12/1/99
18 VAC 10-20-500	Repealed	16:3 VA.R. 309	12/1/99
18 VAC 10-20-520	Amended	15:24 VA.R. 3249	10/1/99
18 VAC 10-20-530	Amended	16:3 VA.R. 309	12/1/99
18 VAC 10-20-560	Amended	16:3 VA.R. 310	12/1/99
18 VAC 10-20-570	Amended	16:3 VA.R. 310	12/1/99
18 VAC 10-20-580	Amended	15:24 VA.R. 3249	10/1/99
18 VAC 10-20-590	Amended	16:3 VA.R. 310	12/1/99
18 VAC 10-20-630	Amended	15:24 VA.R. 3249	10/1/99
18 VAC 10-20-640	Amended	16:3 VA.R. 311	12/1/99
18 VAC 10-20-680	Amended	16:3 VA.R. 311	12/1/99
18 VAC 10-20-730	Amended	16:3 VA.R. 311	12/1/99
18 VAC 10-20-740	Amended	16:3 VA.R. 311	12/1/99
18 VAC 10-20-760	Amended	16:3 VA.R. 312	12/1/99
18 VAC 10-20-780	Amended	16:3 VA.R. 313	12/1/99
18 VAC 10-20-790	Amended	16:3 VA.R. 313	12/1/99
18 VAC 10-20-795	Added	16:3 VA.R. 314	12/1/99
18 VAC 15-20-50	Amended	16:11 VA.R. 1471	5/1/00
18 VAC 15-20-960	Amended	16:11 VA.R. 1471	5/1/00
18 VAC 15-30-160	Amended	16:11 VA.R. 1472	5/1/00
18 VAC 15-30-830	Amended	16:11 VA.R. 1472	5/1/00
18 VAC 25-21-70	Amended	15:26 VA.R. 3468	11/1/99
18 VAC 47-10-10 through 18 VAC 47-10-90	Added	16:12 VA.R. 1675-1676	3/29/00
18 VAC 47-20-10 through 18 VAC 47-20-240	Added	16:13 VA.R. 1776-1782	4/12/00
18 VAC 55-22-310	Amended	15:26 VA.R. 3476	11/1/99
18 VAC 55-22 (Forms)	Amended	16:5 VA.R. 600	--
18 VAC 60-20-20	Amended	16:7 VA.R. 846	1/19/00
18 VAC 60-20-30	Amended	16:7 VA.R. 846	1/19/00
18 VAC 65-20-70	Amended	16:7 VA.R. 851	1/19/00
18 VAC 65-20-120	Amended	16:7 VA.R. 851	1/19/00
18 VAC 65-20-130	Amended	16:7 VA.R. 851	1/19/00
18 VAC 65-20-435	Added	16:7 VA.R. 851	1/19/00
18 VAC 85-20-22	Amended	16:4 VA.R. 407	12/8/99
18 VAC 85-20-22	Amended	16:13 VA.R. 1766	4/12/00
18 VAC 85-20-230	Amended	16:4 VA.R. 408	12/8/99
18 VAC 85-20-235	Added	16:4 VA.R. 408	12/8/99
18 VAC 85-20-236	Added	16:4 VA.R. 408	12/8/99
18 VAC 85-20-240	Amended	16:4 VA.R. 409	12/8/99
18 VAC 85-20-240	Erratum	16:8 VA.R. 997	--
18 VAC 85-20-240	Amended	16:13 VA.R. 1767	4/12/00
18 VAC 85-20-280	Added	16:7 VA.R. 854	1/19/00
18 VAC 85-20-290	Added	16:7 VA.R. 854	1/19/00
18 VAC 85-20-300	Added	16:7 VA.R. 855	1/19/00
18 VAC 85-31-10	Amended	16:13 VA.R. 1772	4/13/00
18 VAC 85-31-25	Added	16:13 VA.R. 1773	4/13/00
18 VAC 85-31-40	Amended	16:13 VA.R. 1773	4/13/00
18 VAC 85-31-50	Amended	16:13 VA.R. 1773	4/13/00
18 VAC 85-31-60	Amended	16:13 VA.R. 1774	4/13/00
18 VAC 85-31-65	Added	16:13 VA.R. 1774	4/13/00
18 VAC 85-31-80	Amended	16:13 VA.R. 1774	4/13/00

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SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
18 VAC 85-31-90	Amended	16:13 VA.R. 1774	4/13/00
18 VAC 85-31-100	Amended	16:13 VA.R. 1774	4/13/00
18 VAC 85-31-120	Amended	16:13 VA.R. 1775	4/13/00
18 VAC 85-31-130	Amended	16:13 VA.R. 1775	4/13/00
18 VAC 85-31-135	Added	16:13 VA.R. 1775	4/13/00
18 VAC 85-31-140	Amended	16:13 VA.R. 1775	4/13/00
18 VAC 85-31-160	Amended	16:13 VA.R. 1768	4/12/00
18 VAC 85-40-10	Amended	16:7 VA.R. 860	1/19/00
18 VAC 85-40-25	Added	16:7 VA.R. 860	1/19/00
18 VAC 85-40-40	Amended	16:7 VA.R. 860	1/19/00
18 VAC 85-40-45	Added	16:7 VA.R. 860	1/19/00
18 VAC 85-40-50	Amended	16:7 VA.R. 860	1/19/00
18 VAC 85-40-60	Amended	16:7 VA.R. 861	1/19/00
18 VAC 85-40-65	Added	16:7 VA.R. 861	1/19/00
18 VAC 85-40-80	Amended	16:7 VA.R. 861	1/19/00
18 VAC 85-40-80	Amended	16:13 VA.R. 1769	4/12/00
18 VAC 85-50-170	Amended	16:13 VA.R. 1770	4/12/00
18 VAC 85-80-10	Amended	16:7 VA.R. 868	1/19/00
18 VAC 85-80-20	Amended	16:7 VA.R. 868	1/19/00
18 VAC 85-80-25	Added	16:7 VA.R. 868	1/19/00
18 VAC 85-80-35	Added	16:7 VA.R. 868	1/19/00
18 VAC 85-80-40	Amended	16:7 VA.R. 868	1/19/00
18 VAC 85-80-50	Amended	16:7 VA.R. 869	1/19/00
18 VAC 85-80-60	Amended	16:7 VA.R. 869	1/19/00
18 VAC 85-80-70	Amended	16:7 VA.R. 869	1/19/00
18 VAC 85-80-80	Amended	16:7 VA.R. 869	1/19/00
18 VAC 85-80-120	Amended	16:13 VA.R. 1770	4/12/00
18 VAC 85-101-10	Amended	16:4 VA.R. 410	12/8/99
18 VAC 85-101-40	Amended	16:4 VA.R. 410	12/8/99
18 VAC 85-101-50	Amended	16:4 VA.R. 410	12/8/99
18 VAC 85-101-60	Amended	16:4 VA.R. 411	12/8/99
18 VAC 85-101-70	Amended	16:4 VA.R. 411	12/8/99
18 VAC 85-101-130	Amended	16:4 VA.R. 411	12/8/99
18 VAC 85-101-160	Amended	16:4 VA.R. 412	12/8/99
18 VAC 85-101-160	Amended	16:13 VA.R. 1771	4/12/00
18 VAC 85-110-35	Amended	16:13 VA.R. 1771	4/12/00
18 VAC 90-20-30	Amended	16:13 VA.R. 1782	4/12/00
18 VAC 90-20-190	Amended	16:13 VA.R. 1782	4/12/00
18 VAC 90-20-230	Amended	16:13 VA.R. 1783	4/12/00
18 VAC 90-20-300	Amended	16:3 VA.R. 315	11/24/99
18 VAC 90-20-350	Amended	16:13 VA.R. 1783	4/12/00
18 VAC 90-20-420	Added	16:3 VA.R. 315	11/24/99
18 VAC 90-20-430	Added	16:3 VA.R. 315	11/24/99
18 VAC 90-20-440	Added	16:3 VA.R. 316	11/24/99
18 VAC 90-20-450	Added	16:3 VA.R. 316	11/24/99
18 VAC 90-20-460	Added	16:3 VA.R. 317	11/24/99
18 VAC 100-20-10	Amended	15:26 VA.R. 3479	11/1/99
18 VAC 100-20-40	Amended	15:26 VA.R. 3479	11/1/99
18 VAC 100-20-50	Amended	15:26 VA.R. 3479	11/1/99
18 VAC 100-20-60	Amended	15:26 VA.R. 3479	11/1/99
18 VAC 100-20-70	Amended	15:26 VA.R. 3479	11/1/99
18 VAC 110-20-10	Amended	15:26 VA.R. 3482	10/13/99
18 VAC 110-20-135	Added	15:26 VA.R. 3484	10/13/99
18 VAC 110-20-140	Amended	15:26 VA.R. 3484	10/13/99
18 VAC 110-20-690	Added	15:26 VA.R. 3485	10/13/99
18 VAC 110-20-700	Added	15:26 VA.R. 3485	10/13/99

Cumulative Table of VAC Sections Adopted, Amended, or Repealed

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
18 VAC 110-20-710	Added	15:26 VA.R. 3485	10/13/99
18 VAC 110-20-720	Added	15:26 VA.R. 3486	10/13/99
18 VAC 110-40-10 through 18 VAC 110-40-70 emer	Added	16:11 VA.R. 1473-1474	1/20/00-1/19/01
18 VAC 115-20-10	Amended	16:13 VA.R. 1786	4/12/00
18 VAC 115-20-20	Amended	16:13 VA.R. 1785	4/12/00
18 VAC 115-20-30	Repealed	16:13 VA.R. 1787	4/12/00
18 VAC 115-20-35	Added	16:13 VA.R. 1787	4/12/00
18 VAC 115-20-40	Amended	16:13 VA.R. 1787	4/12/00
18 VAC 115-20-45	Added	16:13 VA.R. 1787	4/12/00
18 VAC 115-20-49	Added	16:13 VA.R. 1788	4/12/00
18 VAC 115-20-50	Amended	16:13 VA.R. 1788	4/12/00
18 VAC 115-20-51	Added	16:13 VA.R. 1788	4/12/00
18 VAC 115-20-52	Added	16:13 VA.R. 1788	4/12/00
18 VAC 115-20-60	Repealed	16:13 VA.R. 1790	4/12/00
18 VAC 115-20-70	Amended	16:13 VA.R. 1790	4/12/00
18 VAC 115-20-80	Repealed	16:13 VA.R. 1791	4/12/00
18 VAC 115-20-100	Amended	16:13 VA.R. 1785	4/12/00
18 VAC 115-20-110	Amended	16:13 VA.R. 1785	4/12/00
18 VAC 115-20-130	Amended	16:13 VA.R. 1791	4/12/00
18 VAC 115-20-140	Amended	16:13 VA.R. 1792	4/12/00
18 VAC 115-20-150	Amended	16:13 VA.R. 1785	4/12/00
18 VAC 115-30-10	Amended	16:7 VA.R. 876	1/19/00
18 VAC 115-30-20	Repealed	16:7 VA.R. 877	1/19/00
18 VAC 115-30-30	Amended	16:7 VA.R. 877	1/19/00
18 VAC 115-30-30	Amended	16:13 VA.R. 1793	4/12/00
18 VAC 115-30-40	Amended	16:7 VA.R. 877	1/19/00
18 VAC 115-30-40	Amended	16:13 VA.R. 1793	4/12/00
18 VAC 115-30-45	Added	16:7 VA.R. 877	1/19/00
18 VAC 115-30-60	Amended	16:7 VA.R. 878	1/19/00
18 VAC 115-30-70	Amended	16:7 VA.R. 879	1/19/00
18 VAC 115-30-80	Repealed	16:7 VA.R. 879	1/19/00
18 VAC 115-30-90	Amended	16:7 VA.R. 879	1/19/00
18 VAC 115-30-100	Repealed	16:7 VA.R. 879	1/19/00
18 VAC 115-30-110	Amended	16:7 VA.R. 879	1/19/00
18 VAC 115-30-110	Amended	16:13 VA.R. 1793	4/12/00
18 VAC 115-30-120	Amended	16:7 VA.R. 879	1/19/00
18 VAC 115-30-120	Amended	16:13 VA.R. 1793	4/12/00
18 VAC 115-30-130	Repealed	16:7 VA.R. 879	1/19/00
18 VAC 115-30-140	Amended	16:7 VA.R. 879	1/19/00
18 VAC 115-30-150	Amended	16:7 VA.R. 880	1/19/00
18 VAC 115-30-160	Amended	16:7 VA.R. 880	1/19/00
18 VAC 115-30-160	Amended	16:13 VA.R. 1794	4/12/00
18 VAC 115-40-20	Amended	16:13 VA.R. 1794	4/12/00
18 VAC 115-40-35	Amended	16:13 VA.R. 1794	4/12/00
18 VAC 115-40-61	Added	16:13 VA.R. 1794	4/12/00
18 VAC 115-50-10	Amended	16:7 VA.R. 886	1/19/00
18 VAC 115-50-20	Amended	16:13 VA.R. 1795	4/12/00
18 VAC 115-50-30	Amended	16:7 VA.R. 886	1/19/00
18 VAC 115-50-30	Amended	16:13 VA.R. 1795	4/12/00
18 VAC 115-50-40	Amended	16:7 VA.R. 887	1/19/00
18 VAC 115-50-40	Amended	16:13 VA.R. 1796	4/12/00
18 VAC 115-50-50	Amended	16:7 VA.R. 887	1/19/00
18 VAC 115-50-55	Added	16:7 VA.R. 887	1/19/00
18 VAC 115-50-60	Amended	16:7 VA.R. 888	1/19/00
18 VAC 115-50-70	Amended	16:7 VA.R. 889	1/19/00
18 VAC 115-50-80	Repealed	16:7 VA.R. 889	1/19/00

Cumulative Table of VAC Sections Adopted, Amended, or Repealed

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
18 VAC 115-50-90	Amended	16:7 VA.R. 889	1/19/00
18 VAC 115-50-90	Amended	16:13 VA.R. 1796	4/12/00
18 VAC 115-50-100	Amended	16:13 VA.R. 1796	4/12/00
18 VAC 115-50-130	Added	16:13 VA.R. 1796	4/12/00
18 VAC 115-60-10 through 18 VAC 115-60-150	Added	16:7 VA.R. 890-895	1/19/00
18 VAC 120-10-10 through 18 VAC 120-10-90	Repealed	16:14 VA.R. 1867-1868	5/1/00
18 VAC 120-10-170	Amended	16:14 VA.R. 1868	5/1/00
18 VAC 120-30-100	Amended	15:26 VA.R. 3487	11/1/99
18 VAC 125-20-10	Amended	16:2 VA.R. 210	11/10/99
18 VAC 125-20-30	Amended	16:2 VA.R. 210	11/10/99
18 VAC 125-20-30	Amended	16:13 VA.R. 1797	4/12/00
18 VAC 125-20-40	Amended	16:2 VA.R. 210	11/10/99
18 VAC 125-20-41	Added	16:2 VA.R. 211	11/10/99
18 VAC 125-20-42	Added	16:2 VA.R. 211	11/10/99
18 VAC 125-20-50	Repealed	16:2 VA.R. 212	11/10/99
18 VAC 125-20-51	Repealed	16:2 VA.R. 212	11/10/99
18 VAC 125-20-52	Repealed	16:2 VA.R. 212	11/10/99
18 VAC 125-20-53	Repealed	16:2 VA.R. 213	11/10/99
18 VAC 125-20-54	Added	16:2 VA.R. 214	11/10/99
18 VAC 125-20-55	Added	16:2 VA.R. 214	11/10/99
18 VAC 125-20-56	Added	16:2 VA.R. 215	11/10/99
18 VAC 125-20-60	Repealed	16:2 VA.R. 216	11/10/99
18 VAC 125-20-65	Added	16:2 VA.R. 216	11/10/99
18 VAC 125-20-70	Repealed	16:2 VA.R. 216	11/10/99
18 VAC 125-20-80	Amended	16:2 VA.R. 217	11/10/99
18 VAC 125-20-90	Repealed	16:2 VA.R. 217	11/10/99
18 VAC 125-20-100	Repealed	16:2 VA.R. 217	11/10/99
18 VAC 125-20-120	Amended	16:2 VA.R. 218	11/10/99
18 VAC 125-20-130	Amended	16:2 VA.R. 218	11/10/99
18 VAC 125-20-130	Amended	16:13 VA.R. 1797	4/12/00
18 VAC 125-20-140	Repealed	16:2 VA.R. 218	11/10/99
18 VAC 125-20-150	Amended	16:2 VA.R. 218	11/10/99
18 VAC 125-20-150	Erratum	16:4 VA.R. 444	--
18 VAC 125-20-160	Amended	16:2 VA.R. 219	11/10/99
18 VAC 125-20-170	Amended	16:2 VA.R. 219	11/10/99
18 VAC 125-20-170	Amended	16:13 VA.R. 1797	4/12/00
18 VAC 155-20-10 through 18 VAC 155-20-50	Amended	16:14 VA.R. 1869-1871	5/1/00
18 VAC 155-20-60 through 18 VAC 155-20-90	Repealed	16:14 VA.R. 1871-1872	5/1/00
18 VAC 155-20-100 through 18 VAC 155-20-160	Amended	16:14 VA.R. 1872-1874	5/1/00
18 VAC 155-20-170	Repealed	16:14 VA.R. 1874	5/1/00
18 VAC 155-20-175	Added	16:14 VA.R. 1874	5/1/00
18 VAC 155-20-180 through 18 VAC 155-20-230	Amended	16:14 VA.R. 1875-1877	5/1/00
18 VAC 155-20-240 through 18 VAC 155-20-270	Repealed	16:14 VA.R. 1879-1880	5/1/00
18 VAC 155-20-280	Amended	16:14 VA.R. 1880	5/1/00
18 VAC 155-20-290	Repealed	16:14 VA.R. 1880	5/1/00
18 VAC 160-20-40	Amended	15:24 VA.R. 3490	11/1/99
Title 19. Public Safety			
19 VAC 30-20-80	Amended	16:9 VA.R. 1150	3/15/00
19 VAC 30-20-150	Amended	16:9 VA.R. 1150	3/15/00
19 VAC 30-70 Appendix A	Amended	15:25 VA.R. 3364	7/29/99
19 VAC 30-165-10 emer	Added	16:3 VA.R. 339	9/24/99-9/23/00
19 VAC 30-165-20 emer	Added	16:3 VA.R. 340	9/24/99-9/23/00
19 VAC 30-165-30 emer	Added	16:3 VA.R. 340	9/24/99-9/23/00
19 VAC 30-165-40 emer	Added	16:3 VA.R. 340	9/24/99-9/23/00
19 VAC 30-165-50 emer	Added	16:3 VA.R. 340	9/24/99-9/23/00
19 VAC 30-165-60 emer	Added	16:3 VA.R. 340	9/24/99-9/23/00

Cumulative Table of VAC Sections Adopted, Amended, or Repealed

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
Title 20. Public Utilities and Telecommunications			
20 VAC 5-400-200	Added	16:10 VA.R. 1226	1/12/00
Title 22. Social Services			
22 VAC 30-40-10 through 22 VAC 30-40-150	Added	16:10 VA.R. 1227-1233	3/1/00
22 VAC 40-50-10 et seq.	Repealed	15:24 VA.R. 3250	9/15/99
22 VAC 40-60-10 through 22 VAC 40-60-60	Amended	16:12 VA.R. 1676-1679	7/1/00
22 VAC 40-60-70	Repealed	16:12 VA.R. 1679	7/1/00
22 VAC 40-60-80	Amended	16:12 VA.R. 1679	7/1/00
22 VAC 40-60-90	Amended	16:12 VA.R. 1679	7/1/00
22 VAC 40-60-100	Repealed	16:12 VA.R. 1680	7/1/00
22 VAC 40-60-110 through 22 VAC 40-60-150	Amended	16:12 VA.R. 1680	7/1/00
22 VAC 40-60-180	Amended	16:12 VA.R. 1680	7/1/00
22 VAC 40-60-190	Amended	16:12 VA.R. 1680	7/1/00
22 VAC 40-60-200	Amended	16:12 VA.R. 1681	7/1/00
22 VAC 40-60-210	Repealed	16:12 VA.R. 1681	7/1/00
22 VAC 40-60-220	Repealed	16:12 VA.R. 1681	7/1/00
22 VAC 40-60-230	Repealed	16:12 VA.R. 1681	7/1/00
22 VAC 40-60-235	Added	16:12 VA.R. 1681	7/1/00
22 VAC 40-60-240	Repealed	16:12 VA.R. 1682	7/1/00
22 VAC 40-60-250	Repealed	16:12 VA.R. 1682	7/1/00
22 VAC 40-60-260	Amended	16:12 VA.R. 1683	7/1/00
22 VAC 40-60-270	Amended	16:12 VA.R. 1683	7/1/00
22 VAC 40-60-280	Amended	16:12 VA.R. 1683	7/1/00
22 VAC 40-60-290	Repealed	16:12 VA.R. 1683	7/1/00
22 VAC 40-60-300	Amended	16:12 VA.R. 1683	7/1/00
22 VAC 40-60-310	Repealed	16:12 VA.R. 1683	7/1/00
22 VAC 40-60-320	Amended	16:12 VA.R. 1684	7/1/00
22 VAC 40-60-330	Amended	16:12 VA.R. 1684	7/1/00
22 VAC 40-60-340	Amended	16:12 VA.R. 1684	7/1/00
22 VAC 40-60-350	Repealed	16:12 VA.R. 1685	7/1/00
22 VAC 40-60-360	Repealed	16:12 VA.R. 1685	7/1/00
22 VAC 40-60-370 through 22 VAC 40-60-420	Amended	16:12 VA.R. 1685	7/1/00
22 VAC 40-60-425	Added	16:12 VA.R. 1686	7/1/00
22 VAC 40-60-430 through 22 VAC 40-60-470	Amended	16:12 VA.R. 1686-1687	7/1/00
22 VAC 40-60-480	Repealed	16:12 VA.R. 1687	7/1/00
22 VAC 40-60-490	Amended	16:12 VA.R. 1687	7/1/00
22 VAC 40-60-510	Amended	16:12 VA.R. 1688	7/1/00
22 VAC 40-60-520	Amended	16:12 VA.R. 1688	7/1/00
22 VAC 40-60-530	Repealed	16:12 VA.R. 1688	7/1/00
22 VAC 40-60-540	Repealed	16:12 VA.R. 1688	7/1/00
22 VAC 40-60-550	Amended	16:12 VA.R. 1688	7/1/00
22 VAC 40-60-554	Added	16:12 VA.R. 1689	7/1/00
22 VAC 40-60-556	Added	16:12 VA.R. 1689	7/1/00
22 VAC 40-60-560	Amended	16:12 VA.R. 1689	7/1/00
22 VAC 40-60-564	Added	16:12 VA.R. 1689	7/1/00
22 VAC 40-60-570 through 22 VAC 40-60-610	Amended	16:12 VA.R. 1689-1691	7/1/00
22 VAC 40-60-620 through 22 VAC 40-60-650	Repealed	16:12 VA.R. 1691-1692	7/1/00
22 VAC 40-60-670	Repealed	16:12 VA.R. 1692	7/1/00
22 VAC 40-60-680	Amended	16:12 VA.R. 1692	7/1/00
22 VAC 40-60-690	Amended	16:12 VA.R. 1692	7/1/00
22 VAC 40-60-691	Added	16:12 VA.R. 1692	7/1/00
22 VAC 40-60-692	Added	16:12 VA.R. 1692	7/1/00
22 VAC 40-60-694	Added	16:12 VA.R. 1693	7/1/00
22 VAC 40-60-695	Added	16:12 VA.R. 1693	7/1/00
22 VAC 40-60-697	Added	16:12 VA.R. 1693	7/1/00
22 VAC 40-60-698	Added	16:12 VA.R. 1693	7/1/00

Cumulative Table of VAC Sections Adopted, Amended, or Repealed

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
22 VAC 40-60-699	Added	16:12 VA.R. 1695	7/1/00
22 VAC 40-60-700	Amended	16:12 VA.R. 1696	7/1/00
22 VAC 40-60-705	Added	16:12 VA.R. 1696	7/1/00
22 VAC 40-60-710 through 22 VAC 40-60-760	Repealed	16:12 VA.R. 1697	7/1/00
22 VAC 40-60-770	Amended	16:12 VA.R. 1697	7/1/00
22 VAC 40-60-780	Amended	16:12 VA.R. 1697	7/1/00
22 VAC 40-60-790	Repealed	16:12 VA.R. 1697	7/1/00
22 VAC 40-60-800	Amended	16:12 VA.R. 1697	7/1/00
22 VAC 40-60-810 through 22 VAC 40-60-840	Repealed	16:12 VA.R. 1697-1698	7/1/00
22 VAC 40-60-850	Amended	16:12 VA.R. 1698	7/1/00
22 VAC 40-60-860	Amended	16:12 VA.R. 1698	7/1/00
22 VAC 40-60-870	Repealed	16:12 VA.R. 1698	7/1/00
22 VAC 40-60-880	Amended	16:12 VA.R. 1698	7/1/00
22 VAC 40-60-885	Added	16:12 VA.R. 1699	7/1/00
22 VAC 40-60-890 through 22 VAC 40-60-950	Repealed	16:12 VA.R. 1699	7/1/00
22 VAC 40-60-960	Amended	16:12 VA.R. 1699	7/1/00
22 VAC 40-60-970	Repealed	16:12 VA.R. 1700	7/1/00
22 VAC 40-60-980	Amended	16:12 VA.R. 1700	7/1/00
22 VAC 40-60-990	Repealed	16:12 VA.R. 1700	7/1/00
22 VAC 40-60-1000	Repealed	16:12 VA.R. 1700	7/1/00
22 VAC 40-60-1010	Amended	16:12 VA.R. 1700	7/1/00
22 VAC 40-60-1020	Amended	16:12 VA.R. 1700	7/1/00
22 VAC 40-60-1030 through 22 VAC 40-60-1060	Repealed	16:12 VA.R. 1701-1702	7/1/00
22 VAC 40-150-10 et seq.	Repealed	16:10 VA.R. 1233	7/1/00
22 VAC 40-705-10	Amended	16:12 VA.R. 1705	3/29/00
22 VAC 40-705-40	Amended	16:12 VA.R. 1707	3/29/00
22 VAC 40-710-10 et seq.	Repealed	16:4 VA.R. 412	12/8/99
22 VAC 40-820-10 et seq.	Repealed	16:5 VA.R. 599	12/22/99
22 VAC 40-880-350	Amended	16:4 VA.R. 413	12/8/99
22 VAC 42-10-10 through 22 VAC 42-10-1000	Added	16:10 VA.R. 1234-1267	7/1/00
Title 24. Transportation and Motor Vehicles			
24 VAC 30-130-10	Amended	16:2 VA.R. 229	9/13/99

NOTICES OF INTENDED REGULATORY ACTION

Symbol Key

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

TITLE 6. CRIMINAL JUSTICE AND CORRECTIONS

BOARD OF JUVENILE JUSTICE

Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Board of Juvenile Justice intends to consider amending regulations entitled: **6 VAC 35-20-10 et seq. Regulations Governing the Certification Process.**

The proposed revisions address the following issues:

1. The revised regulation will continue to specify the process by which the board will certify facilities and programs; however, the revised regulation will give the department greater flexibility to determine appropriate internal procedures and to assign personnel who will be responsible for scheduling certification audits, appointing audit teams, reviewing appeals, considering requests for variances and plans of action, and other administrative processes. In addition, the revisions will authorize the department to monitor certain programs on the basis of random sampling in cases that might not warrant the more intense scrutiny of individual certification.
2. The revised regulation outlines the certification actions the board may take when a program meets or fails to meet stated criteria.
3. The revised regulation introduces the concept of "systemic deficiency," which is used in the interdepartmental program to regulate residential facilities for children. When the number and pattern of discrete standards violations suggest a more serious problem than might be apparent if the individual violations are considered separately, the concept of systemic deficiency will permit regulators to require a more comprehensive plan of corrective action.
4. The revised regulation reduces the number of life, health and safety standards but defines these standards more strictly and spells out the range of actions that may be taken when life, health or safety standards are violated. In addition, the revised regulation will include a list of the life, health and safety standards.
5. The revised regulation requires the department to assist programs in meeting the requirements of standards by issuing compliance manuals that will specify how a program can demonstrate compliance with board standards and policies.
6. The revised regulation provides for the monitoring for compliance with board policies that are identified in the guidance documents to be prepared by the department.
7. Under the revised regulation, before a newly constructed, expanded or renovated residential program is approved to house juveniles, department staff must visit the facility and verify that it meets life, health and safety standards and physical plant standards, including the Regulations for State Reimbursement of Local Juvenile Residential Facility Costs (6 VAC 35-30-10 et seq.) and the department's Guidelines for Minimum Standards in Design and Construction of Juvenile Facilities, and that the current certification issued by the board is appropriate to the facility's program and construction.
8. The phase-in period for programs to comply with new standards (6 VAC 35-20-140) is repealed. When the board enacts new regulations, it can set longer or shorter transitional periods, depending on the circumstances.

The agency intends to hold a public hearing on the proposed regulation after publication.

Statutory Authority: §§ 16.1-233, 16.1-234, 16.1-311, 16.1-312, and 66-10 of the Code of Virginia.

Public comments may be submitted until April 26, 2000.

Contact: Donald Carignan, Regulatory Coordinator, Department of Juvenile Justice, 700 Centre, 700 E. Franklin St., 4th Floor, Richmond, VA 23219, telephone (804) 371-0743 or FAX (804) 371-0773.

VA.R. Doc. No. R00-150; Filed March 1, 2000, 12:39 p.m.

TITLE 8. EDUCATION

STATE BOARD OF EDUCATION

Notice of Intended Regulatory Action

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 consider promulgating regulations entitled: **8 VAC 20-630-10 et seq. Standards for Remedial Education Programs.** The purpose of the proposed action is to establish standards and reporting requirements for the identified remedial education programs. The regulations will enable the Board of Education to annually collect data and evaluate the effectiveness of such programs. The agency intends to hold a public hearing on the proposed regulations after publication.

Statutory Authority: §§ 22.1-199.2 and 22.1-253.13:1 of the Code of Virginia.

Public comments may be submitted until April 26, 2000.

Contact: Dr. Margaret N. Roberts, Executive Assistant for Board Relations, Department of Education, P.O. Box 2120,

Notices of Intended Regulatory Action

Richmond, VA 23218-2120, telephone (804) 225-2540 or FAX (804) 225-2524.

VA.R. Doc. No. R00-151; Filed March 7, 2000, 1:09 p.m.

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TITLE 9. ENVIRONMENT

STATE AIR POLLUTION CONTROL BOARD

Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Air Pollution Control Board intends to consider amending regulations entitled: **9 VAC 5-40-10 et seq. Existing Stationary Sources (Rev. A99)**. The purpose of the proposed action is to make the state version of the non-CTG NO_x RACT rule consistent with the federally-approved version and to adopt NO_x controls as may be necessary to address air quality violations.

One of the primary goals of the federal Clean Air Act (Act) is the attainment and maintenance of the National Ambient Air Quality Standards (NAAQS). These standards, designed to protect public health and welfare, apply to six pollutants, of which ozone is the primary focus of this proposed action. Ozone is formed when volatile organic compounds (VOCs) and nitrogen oxides (NO_x) in the air react together in the presence of sunlight. VOCs are chemicals contained in gasoline, polishes, paints, varnishes, cleaning fluids, inks, and other household and industrial products. NO_x emissions are a by-product from the combustion of fuels and industrial processes.

To reduce ozone concentrations in the ambient air, the emissions of NO_x and VOCs (ozone precursors) from both mobile and stationary sources must be reduced. VOC and NO_x emissions from stationary sources can be reduced by employing stationary source controls. Reduction of ozone precursors from stationary sources via stationary source controls can substantially reduce ozone concentrations, and in conjunction with reductions achieved from control measures on other source types, can reduce ozone concentrations to levels at or below the current health standard for ozone.

The National Ambient Air Quality Standard for ozone was established by the U.S. Environmental Protection Agency (EPA) to protect the health of the general public with an adequate margin of safety. When concentrations of ozone in the ambient air exceed the federal standard, the area is considered to be out of compliance and is classified as "nonattainment." Failure to develop adequate programs to meet the ozone air quality standard (i) will result in continued violations of the standard to the detriment of public health and welfare, (ii) may result in assumption of the program by EPA at which time the Commonwealth would lose authority over matters affecting its citizens, and (iii) may result in the implementation of sanctions by EPA, such as prohibition of new major industrial facilities and loss of federal funds for sewage treatment plant development and highway

construction. Furthermore, if a particular area fails to attain the federal standard by the legislatively mandated attainment date, EPA is required to reassign it to the next higher classification level (denoting a worse air quality problem), thus subjecting the area to more stringent air pollution control requirements. The Clean Air Act includes specific provisions requiring these sanctions to be issued by EPA if so warranted.

The 1990 Amendments to the Clean Air Act (new Act) represent the most comprehensive piece of clean air legislation ever enacted to address air quality planning requirements for areas that had not attained the federal air quality standard for ozone (that is, nonattainment areas). The new Act established a process for evaluating the air quality in each region and identifying and classifying each nonattainment area according to the severity of its air pollution problem. Nonattainment areas are classified as marginal, moderate, serious, severe and extreme. Marginal areas are subject to the least stringent requirements and each subsequent classification (or class) is subject to successively more stringent control measures. Areas in a higher classification of nonattainment must meet the mandates of the lower classifications plus the more stringent requirements of its own class.

In 1990, the classifications for Virginia's nonattainment areas were marginal for the Hampton Roads Nonattainment Area, moderate for the Richmond Nonattainment Area, and serious for the Northern Virginia Nonattainment Area. Since that time, air quality has improved. Although Northern Virginia remains as a nonattainment area, Richmond and Hampton Roads have achieved the one-hour ozone standard and are now considered maintenance areas; that is, specific strategies that were implemented must continue, however, no additional new requirements are necessary provided the areas do not measure ozone concentrations in levels high enough to reclassify them into nonattainment.

Once the nonattainment areas were defined, each state was then obligated to submit a plan demonstrating how it will attain the air quality standard in each nonattainment area. The Act mandates that all such plans require the implementation of all reasonably available control measures (RACM). For the Northern Virginia Nonattainment Area situation, the Act has defined several RACMs. One of the RACMs is to require emission controls for the precursors of ozone (VOCs and NO_x) on presently uncontrolled major stationary sources. Thus, in order to have a fully approvable plan, control methods for this category of sources must be analyzed and, if found to be reasonable, implemented.

In order to implement the mandate of the Act, the State Air Pollution Control Board adopted a regulation (Rule 4-4) which provides that the Department must, on case-by-case basis, determine whether there is reasonably available control technology (RACT) to reduce VOC emissions and NO_x emissions from major sources [>50 tons per year (TPY) potential] located in the Northern Virginia Nonattainment Area for which EPA has not issued a control techniques guideline (CTG). CTGs are documents issued to define RACT for a particular source category. EPA has defined RACT as the lowest emission limit that a particular source is capable of

meeting by the application of control technology that is reasonably available considering technological and economic feasibility.

This regulation is a process-oriented, generic regulation which does not include specific and ascertainable emission limits for all major sources and does not provide standards for EPA to approve or disapprove to satisfy the definition of RACT. Therefore, RACT requirements are only satisfied after the specific limits for a specific source have been submitted to EPA as a SIP revision. RACT may be a technology that has been applied to similar, but not necessarily identical, source categories. It is not intended that extensive research and development be conducted before a given control technology can be applied to the source. This does not, however, preclude a short term evaluation program to permit the application of a given technology to a particular source. The latter effort is an appropriate technology forcing aspect of RACT. If RACT exists, then a legally enforceable means must be adopted to require the necessary emission reductions.

As previously stated, the Clean Air Act requires states to submit rules to implement RACT on major sources of NO_x in ozone nonattainment areas designated as moderate or above and throughout the Ozone Transport Region. This includes Northern Virginia which is part of the Metropolitan Washington, D.C., serious ozone nonattainment area. Virginia made two submittals with regard to this issue, one on November 9, 1992, and another on April 22, 1996. The November 9, 1992, SIP revision consisted of adopted regulations to impose NO_x RACT on major sources in the nonattainment area (Rule 4-4 and Appendix T). The November 1992 submittal was supplemented with the submittal of April 22, 1996. EPA notified Virginia via letter dated March 17, 1998, that portions of the 1992 submittal and all of the April 1996 submittal were unacceptable to EPA and should be withdrawn, i.e., removed from the regulation that would be federally approved and included in the SIP. On April 11, 1998, Virginia withdrew, by letter, the following provisions of those submittals as they relate to the control of nitrogen oxides:

1. All of the provisions of the April 22, 1996, submittal.
2. Certain provisions of the November 9, 1992, submittal in regulatory Appendix T relating to exemptions in Sections III C 1 and C 3 and the emission allocation system in Section IV.

The April 11, 1998, letter also included a revised version of Appendix T to correct a technical error which had appeared during publication in the Virginia Register. In addition to the typographical correction, Appendix T was recodified and renumbered as 9 VAC 5-40-311.

As mentioned above, the Richmond area has been redesignated attainment. As part of the request to redesignate the area attainment, the Commonwealth included a maintenance plan designed to ensure that compliance with the air quality standards is maintained. The maintenance plan includes contingency measures, as necessary, to promptly correct any air quality violation that occurs after redesignation of the area. These include, among others,

implementation of control requirements on sources of NO_x. Recent air quality data for the Richmond area, however, suggest that the levels of ozone have been high enough to be considered in violation of the ozone air quality standard. Therefore, the Commonwealth is obligated to take corrective action to eliminate the violations. Air quality analyses performed by the U.S. Environmental Protection Agency and the Department of Environmental Quality indicate that NO_x controls are necessary to address this issue. In addition, the attainment plans for the Northern Virginia area include an obligation to implement NO_x controls.

Potential issues that may need to be addressed are as follows:

1. To ensure that the current regulation is consistent with the version in the November 9, 1992, NO_x reasonably available control technology (RACT) State Implementation Plan (SIP) submittal, as modified on December 11, 1992, and April 11, 1998. This submittal requires that Virginia submit to EPA source-specific RACT determinations for all currently known major sources subject to source-specific NO_x RACT requirements.
2. Recent air quality data indicate that the Richmond area is in violation of the ozone air quality standard. The regulation needs to address any control actions needed to bring the Richmond area into compliance with the ozone standard. Air quality analyses performed by the U.S. Environmental Protection Agency and the Department of Environmental Quality indicate that NO_x controls are necessary to address this issue.

Alternatives to the proposed regulation amendments are being considered by the department. The department has tentatively determined that the first alternative is appropriate, as it is the least burdensome and least intrusive alternative that fully meets the purpose of the regulatory action. The alternatives being considered by the department, along with the reasoning by which the department has rejected any of the alternatives being considered, are discussed below.

1. Amend the regulations to satisfy the provisions of the law and associated regulations and policies. This option is being selected because it meets the stated purpose of the regulatory action: to make the state version of the regulation consistent with the federally approved version and to adopt NO_x controls as may be necessary to address air quality violations.
2. Make alternative regulatory changes to those required by the provisions of the law and associated regulations and policies. This option is not being selected because it would result in a state regulation that was not consistent with the federally approved version. This would lead to confusion for the general public and the regulated community.
3. Take no action to amend the regulations and continue to implement a regulation that is not consistent with the federally approved SIP version. This option is not being selected due to the same reasons cited in number two above.

Notices of Intended Regulatory Action

The department is soliciting comments on (i) the intended regulatory action, to include ideas to assist the department in the development of the proposal, and (ii) the costs and benefits of the alternatives stated in this notice or other alternatives. A public meeting will be held by the department to receive comments on and to discuss the intended action. Information on the date, time, and place of the meeting is published in the Calendar of Events section of the Virginia Register. Unlike a public hearing, which is intended only to receive testimony, this meeting is being held to discuss and exchange ideas and information relative to regulation development.

After publication in the Virginia Register of Regulations, the department will hold at least one public hearing to provide opportunity for public comment on any regulation amendments drafted pursuant to this notice.

The department will form an ad hoc advisory group to assist in the development of the regulation. If you want to be on the group, notify the agency contact in writing by 4:30 p.m. on May 2, 2000, and provide your name, address, phone number and the organization you represent, if any. Notification of the composition of the ad hoc advisory group will be sent to all applicants. If you want to be on the group, you are encouraged to attend the public meeting mentioned above. The primary function of the group is to develop recommended regulation amendments for department consideration through the collaborative approach of regulatory negotiation and consensus.

Statutory Authority: § 10.1-1308 of the Code of Virginia.

Public comments may be submitted until May 2, 2000, to the Director, Office of Air Regulatory Development, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240.

Contact: Mary E. Major, Environmental Program Manager, Office of Air Regulatory Development, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4423, FAX (804) 698-4510, toll-free 1-800-592-5482, or (804) 698-4021/TTY☎

VA.R. Doc. No. R00-152; Filed March 8, 2000, 11:55 a.m.

TITLE 12. HEALTH

STATE BOARD OF HEALTH

† Withdrawal of Notices of Intended Regulatory Action

Notice is hereby given that the State Board of Health has WITHDRAWN the Notices of Intended Regulatory Action for the following regulations:

12 VAC 5-150-10 et seq. [VR 355-19-06] Rules and Regulations Governing the Sanitary Control of Oysters, Clams and other Shellfish (Repeal) - published 10:4 VA.R. 11/15/93 (R94-102)

12 VAC 5-160-10 et seq. [VR 355-19-05] Rules and Regulations for the Sanitary Control of the Picking, Packing and Marketing of Crab Meat for Human Consumption, published 9:21 VA.R. 7/12/93 (C93-1696)

12 VAC 5-160-10 et seq. [VR 355-19-05] Rules and Regulations for the Sanitary Control of the Picking, Packing and Marketing of Crab Meat for Human Consumption (Repeal), published 10:4 VA.R. 11/15/93 (R94-101)

12 VAC 5-250-10 et seq. [VR 355-30-102] Virginia State Medical Facilities Plan: Perinatal Services, published 10:15 VA.R. 4/18/94 (R94-741)

12 VAC 5-270-10 et seq. [VR 355-30-104] Virginia State Medical Facilities Plan: General Surgical Services, published 10:15 VA.R. 4/18/94 (R94-740)

12 VAC 5-280-10 et seq. Virginia State Medical Facilities Plan: Organ Transplantation Services, published 15:2 VA.R. 10/12/98 (R99-22)

12 VAC 5-310-10 et seq. [VR 355-30-107] Virginia State Medical Facilities Plan: Medical Rehabilitation Services, published 10:15 VA.R. 4/18/94 (R94-744)

12 VAC 5-340-10 et seq. [VR 355-30-111] Virginia State Medical Facilities Plan; Radiation Therapy Services, published 10:15 VA.R. 4/18/94 (R94-742)

12 VAC 5-380-10 et seq. [VR 355-33-02] Regulations for the Licensure of Home Health Agencies, published 7:22 VA.R. 7/29/91 (C91-1083)

12 VAC 5-390-10 et seq. [VR 355-33-03] Regulations for the Licensure of Hospices, published 10:13 VA.R. 3/21/94 (R94-652)

12 VAC 5-410-10 et seq. [VR 355-33-500] Rules and Regulations for the Licensure of Hospitals in Virginia, published 10:13 VA.R. (R94-655)

12 VAC 5-410-10 et seq. [VR 355-33-500] Regulations for the Licensure of Hospitals in Virginia, published 9:13 VA.R. 3/22/93 (C93-1043)

12 VAC 5-430-10 et seq. [VR 355-35-02] Sanitary Regulations for Hotels, published 8:5 VA.R. 12/2/91 (C92-341)

12 VAC 5-440-10 et seq. [VR 355-35-03] Sanitary Regulations for Summer Camps, published 8:5 VA.R. 12/2/91 (R92-337)

12 VAC 5-440-10 et seq. [VR 355-35-03] Sanitary Regulations for Summer Camps, published 10:5 VA.R. 11/29/93 (R94-253)

12 VAC 5-450-10 et seq. [VR 355-35-04] Sanitary Regulations for Campgrounds, published 8:5 VA.R. 12/2/91 (C92-340)

12 VAC 5-460-10 et seq. [VR 355-35-05] Regulations Governing Swimming Pools at Hotels, Motels, Campgrounds, Summer Camps and Related Facilities, published 8:5 VA.R. 12/2/91 (C92-338)

Notices of Intended Regulatory Action

12 VAC 5-480-10 et seq. [VR 355-20-01] Virginia Radiation Protection Regulations, published 10:17 VA.R. 5/16/94 (R94-755)

12 VAC 5-520-10 et seq. Regulations Governing the State Dental Scholarship Program, published 14:26 VA.R. 9/14/98 (R98-323)

12 VAC 5-530-10 et seq. Regulations Governing the Virginia Medical Scholarship Program, published 15:3 VA.R. 10/26/98 (R99-33)

12 VAC 5-540-10 et seq. [VR 355-40-500] Rules and Regulations for the Identification of Medically Underserved Areas of Virginia, published 10:4 VA.R. 11/15/93 (R94-178)

12 VAC 5-540-10 et seq. Rules and Regulations for the Identification of Medically Underserved Areas of Virginia, published 15:2 VA.R. 10/12/98 (R99-23)

12 VAC 5-550-10 et seq. Regulations Governing Vital Records, published 15:1 VA.R. 9/28/98 (R99-15)

12 VAC 5-550-10 et seq. [VR 355-29-100] Regulations Governing Vital Records, published 11:3 VA.R. 10/31/94 (R95-45)

VR 355-18-000 Waterworks Regulations, published 9:16 VA.R. 5/3/93 (C93-1296)

12 VAC 5-590-10 et seq. [VR 355-18-000] Waterworks Regulations (General Revisions), published 9:23 VA.R. 8/9/93 (C93-1864)

12 VAC 5-610-10 et seq. [VR 355-34-02] Regulations Governing Sewage Handling and Disposal, published 6:21 VA.R. 7/16/90 (C90-1017)

12 VAC 5-620-10 et seq. [VR 355-34-03] Regulations Governing Application Fees for Construction Permits for Onsite Sewage Disposal Systems and Private Wells, published 10:19 VA.R. 6/13/94 (R94-1022)

12 VAC 5-620-10 et seq. Fees for Permits Involving Land Application or Marketing or Distribution of Biosolids, published 10:17 VA.R. 5/16/94 (R94-899)

VR 355-19-500. Shellfish and Crustacea Sanitation Regulations, published 10:4 VA.R. 11/15/93 (R94-100)

VR 355-19-500. Shellfish and Crustacea Sanitation Regulations, published 9:21 VA.R. 7/12/93 (C93-1695)

VR 355-25-01. Rules and Regulations for the Reporting of Chemical Substances Manufactured or Used in Manufacturing (Repeal), published 9:6 VA.R. 12/14/92 (C93-405)

VR 355-33-600. Rules and Regulations for the Licensure of Outpatient Maternity Hospitals, published 10:13 VA.R. 3/21/94 (R94-657)

Rules and Regulations Governing the Maternal and Neonatal High-Risk Hospitalization Program (Repeal), published 9:6 VA.R. 12/14/92 (C93-403)

Contact: Doug Harris, Department of Health, Main Street Station, 1500 E. Main St., Room 214, Richmond, VA 23219, telephone (804) 786-3554.



TITLE 22. SOCIAL SERVICES

STATE BOARD OF SOCIAL SERVICES

Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Board of Social Services intends to consider amending regulations entitled: **22 VAC 40-330-10 et seq. Collection of Overpayments in the Aid to Families with Dependent Children (AFDC) and Refugee Other Assistance Programs.**

On August 22, 1996, the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA) was enacted, introducing welfare reform at the federal level. In Title I of the Act, Congress replaced the Aid to Families with Dependent Children (AFDC) Program with the Temporary Assistance for Needy Families (TANF) block grant. This block grant considerably reduced federal regulation of cash assistance and employment services programs, allowing states to design their programs within limited parameters.

Because the framework of the AFDC program was repealed by Congress, Virginia adopted pre-TANF federal definitions of eligibility criteria in order to maintain the program as it currently operated in Virginia. To that end, the 1997 Virginia General Assembly adopted legislation that codified the old rules, and an advisory committee comprised of legislators, social services directors and workers, local government officials, and citizens was formed to consider new TANF options. The committee made recommendations to simplify and streamline the TANF and VIEW programs.

The proposed regulations, 22 VAC 40-295-10 et seq., will implement the recommendations of the TANF Advisory Committee and will also serve as a comprehensive program regulation. This regulation will be amended by deleting all references to the Aid to Families with Dependent Children Program. Then, this regulation will only apply to Refugee Other Assistance. Any language necessary for TANF will be included in the proposed comprehensive regulation.

The agency does not intend to hold a public hearing on the proposed repeal of these regulations after publication.

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

NOTE: EXTENSION OF COMMENT DEADLINE
Public comments may be submitted until April 26, 2000.

Contact: Mark L. Golden, Human Services Program Consultant, Department of Social Services, 730 E. Broad St., Richmond, VA 23219, telephone (804) 692-1730.

VA.R. Doc. No. R00-138; Filed February 8, 2000, 3:21 p.m.

Notices of Intended Regulatory Action

Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Board of Social Services intends to consider amending regulations entitled: **22 VAC 40-340-10 et seq. Protective Payments in the Aid to Families with Dependent Children (AFDC) and Refugee Other Assistance Programs.**

On August 22, 1996, the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA) was enacted, introducing welfare reform at the federal level. In Title I of the Act, Congress replaced the Aid to Families with Dependent Children (AFDC) Program with the Temporary Assistance for Needy Families (TANF) block grant. This block grant considerably reduced federal regulation of cash assistance and employment services programs, allowing states to design their programs within limited parameters.

Because the framework of the AFDC program was repealed by Congress, Virginia adopted pre-TANF federal definitions of eligibility criteria in order to maintain the program as it currently operated in Virginia. To that end, the 1997 Virginia General Assembly adopted legislation that codified the old rules, and an advisory committee comprised of legislators, social services directors and workers, local government officials, and citizens was formed to consider new TANF options. The committee made recommendations to simplify and streamline the TANF and VIEW programs.

The proposed regulations, 22 VAC 40-295-10 et seq., will implement the recommendations of the TANF Advisory Committee and will also serve as a comprehensive program regulation. This regulation will be amended by deleting all references to the Aid to Families with Dependent Children Program. Then, this regulation will only apply to Refugee Other Assistance. Any language necessary for TANF will be included in the proposed comprehensive regulation.

The agency does not intend to hold a public hearing on the proposed repeal of these regulations after publication.

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

NOTE: EXTENSION OF COMMENT DEADLINE
Public comments may be submitted until April 26, 2000.

Contact: Mark L. Golden, Human Services Program Consultant, Department of Social Services, 730 E. Broad St., Richmond, VA 23219, telephone (804) 692-1730.

VA.R. Doc. No. R00-137; Filed February 8, 2000, 3:21 p.m.



PUBLIC COMMENT PERIODS - PROPOSED REGULATIONS



PUBLIC COMMENT PERIODS REGARDING STATE AGENCY REGULATIONS

This section gives notice of public comment periods and public hearings to be held on proposed regulations. The notice will be published once at the same time the proposed regulation is published in the Proposed Regulations section of the *Virginia Register*. The notice will continue to be carried in the Calendar of Events section of the *Virginia Register* until the public comment period and public hearing date have passed.

Notice is given in compliance with § 9-6.14:7.1 of the Code of Virginia that the following public hearings and public comment periods regarding proposed state agency regulations are set to afford the public an opportunity to express their views.

TITLE 9. ENVIRONMENT

STATE WATER CONTROL BOARD

May 30, 2000 - 2 p.m. -- Public Hearing
Eastern Shore Community College, Lecture Hall, Melfa, Virginia.

June 1, 2000 - 7 p.m. -- Public Hearing
Turner Ashby High School, 800 North Main Street, Auditorium, Bridgewater, Virginia.

June 2, 2000 - 10 a.m. -- Public Hearing
General Assembly Building, 9th and Broad Streets, House Room D, Richmond, Virginia.

June 23, 2000 - Public comments may be received until this date.

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: **9 VAC 25-630-10 et seq. Virginia Pollution Abatement General Permit Regulation for Poultry Waste Management.** The purpose of the proposed amendments are to establish requirements for the proper storage, management and tracking of poultry waste.

Affected Locality: The regulation will be applicable statewide and will not affect any one locality disproportionately.

Question and Answer Period: A question and answer period will be held one-half hour prior to each of the public hearings at the same locations. Interested citizens will have an opportunity to ask questions pertaining to the proposal at that time. The board reserves the right to limit oral presentations at the public hearings to three minutes per speaker.

Accessibility to Persons with Disabilities: The public hearings will be held at facilities believed to be accessible to persons with disabilities. Any person with questions should contact Mr. Richard W. Ayers, Office of Water Permit Programs, Department of Environmental Quality, P.O. Box 10009, Richmond, Virginia 23240-0009, telephone (804) 698-4075. Persons needing interpreter services for the deaf should notify Mr. Ayers no later than April 28, 2000.

Request for Comments: The board is seeking written comments from interested persons on both the proposed regulatory action and the draft permit. Comments are also solicited regarding alternative approaches that meet the

statutory mandate given by the General Assembly. Written comments on the proposed issuance of the permit and on the proposed regulation must be received no later than 4 p.m. on Friday, June 23, 2000, and should be submitted to Mr. Ayers. Comments shall include the name, address, and telephone number of the writer and contain a complete, concise statement of the factual basis for comments. Only those comments received within this period will be considered by the board.

Statutory Authority: § 62.1-44.17:1.1 of the Code of Virginia.

Contact: Richard W. Ayers, Office of Water Permit Programs, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240-0009, telephone (804) 698-4075 or FAX (804) 698-4032.



PROPOSED REGULATIONS

For information concerning Proposed Regulations, see Information Page.

Symbol Key

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

TITLE 8. EDUCATION

GEORGE MASON UNIVERSITY

REGISTRAR'S NOTICE: George Mason University is exempt from the Administrative Process Act in accordance with § 9-6.14:4.1 A 6 of the Code of Virginia, which exempts educational institutions operated by the Commonwealth.

Title of Regulation: **8 VAC 35-30-10 et seq. Space Utilization and Scheduling Policies and Procedures (amending 8 VAC 35-30-240).**

Statutory Authority: § 23-91.29 of the Code of Virginia.

Summary:

The proposed amendments outline the guidelines and fee structure for the rental of university facilities at its Prince William campus. This regulation applies to all university faculty, staff, students, and contractors and to organizations outside of the university who are given authorized use of university space and facilities.

Agency Contact: Comments or questions concerning this regulation may be addressed to Jeffrey A. Brandwine, Associate Vice President for Legal Affairs, George Mason University, 4400 University Drive, MSN 2A3, Fairfax, VA 22030-4444, telephone (703) 993-2619, FAX (703) 993-2340 or e-mail jbrand@wpgate.gmu.edu.

8 VAC 35-30-240. Fees.

A. The fees associated with the use of George Mason University facilities and services are presented in this part. The fees listed are in effect for George Mason University fiscal year ~~1998-1999~~ *2000-2001*, unless noted otherwise.

Increases or decreases in fees listed for the facilities and services must be approved by the Office of the Senior Vice President. All increases and decreases in fees are to be submitted to the Director of University Services for processing the approval. No fee change shall be implemented without the approval of the Office of the Senior Vice President.

B. Academic space is generally available only on weekends during the academic year through the facilities scheduling coordinator for student unions. Academic space during the summer is available on a first-come, first-served basis through the Summer Administration Office. Fees are rarely charged since almost all users are university related. At the Arlington Campus, space is generally available during the daytime. In the event fees are charged, they are as follows:

Lecture Halls	\$200 per day
Classrooms (Main Campus)	
under 50 seats	\$50 per day
50-100 seats	\$75 per day

over 100 seats \$100 per day

	Nonprofit Group	For Profit Group
Arlington Campus		
3rd floor conference room	\$150 per day	\$250 per day
classroom, 25-50 seats	\$100 per day	\$150 per day
classroom, 50-100 seats	\$125 per day	\$175 per day
classroom, 100+ seats	\$150 per day	\$200 per day
Study lounge	\$100 per day	\$150 per day
Metro Gallery	*\$100 per day	*\$150 per day

*optional

Additional services for academic space will be charged in a manner similar to student unions.

C. Programs and events should make appropriate use of the special facilities of the George W. Johnson Center according to the following criteria: collaborative and diverse, imaginative mix of curricular and cocurricular learning, and creative use of the unique resources. Student union space is scheduled on a priority basis with university groups receiving the highest priorities and nonuniversity groups receiving lower priorities. Reservations are made through the Events Management Office. The facility and equipment fees for nonuniversity groups are noted below:

	University Group	Nonuniversity Group	
		For Profit	Nonprofit
Student Union I			
Phase II Cafeteria	Free	\$400	\$300
North Terrace	Free	\$150	\$100
Patriots Lounge	Free	\$300	\$200
Meeting Rooms A, B and C			
Table Rental	Free	\$100/room	\$75/room
Table Rental	Free	\$100	\$100
Student Union II			
Marketplace	Free	\$400	\$300
Room 1-7	Free	\$50/6 hours	
VIP I	Free	\$110	\$80
VIP II	Free	\$110	\$80
VIP III	Free	\$90	\$75
Ballroom	Free	\$1,000	\$800
Ballroom A - Back	Free	\$250	\$200
Ballroom B - Mid	Free	\$250	\$200
Ballroom C - Front	Free	\$500	\$400
Table Rental	Free	\$150	\$150
TV/VCR	Free	\$30	\$30
16mm projector	Free	\$20	\$20
Lecternette	Free	\$75	\$50
Slide projector	Free	\$20	\$20
Easels	Free	\$2.00	\$1.00
Piano	Free	\$100	\$100
Pipe and drape	Free	\$5/6 ft panel	\$2.50/6-ft panel
George W. Johnson Center			
Bistro	Free	\$300	\$250
Meeting rooms A-H	Free	\$125/room	\$100/room
Multipurpose room lobby			
Table Rental	Free	\$200	\$150
Multipurpose room	Free	\$1,500	\$1,100
1/2 Multipurpose room	Free	\$750	\$550
Cinema	Free	\$800	\$600

Proposed Regulations

Pre-function hallway	Free	\$200	\$150
Dance studio	Free	\$400	\$300
Exhibition space	Free	\$150	\$100
Glass lounges	Free	\$90/room	\$75/room
Open exhibit space	Free	\$90	\$75
Green room	Free	\$125	\$100
G32	Free	\$125	\$100
G33	Free	\$125	\$100
Atrium	Free	\$2,000	\$1,800
North Plaza	Free	\$1,000	\$800
South Plaza	Free	\$500	\$300

Other fees (for university and nonuniversity groups):

- Early openings: \$15 per hour requested
- Late closings: \$95 for first 30 minutes and \$25 for every 30 minutes thereafter
- Special operations staff assistance: Minimum of \$25 per hour

For events requiring staff past normally scheduled hours or for extra staff, the fees are as noted below:

	University Group	Nonuniversity Group
Housekeeping	\$15 per hr/person	\$20 per hr/person
Event Coordinator		
Free event	first hr. - free additional- \$7.50/hr	\$7.50/hr \$7.50/hr
Charge event	\$7.50/hr/person	\$7.50/hr/person

NOTE: Free events are those which are open to any student at George Mason University and which do not charge admission. Charge events are those which charge some type of admission or are open to only a particular group of students.

AV Technician	\$7.50/hr/per person	\$10/hr
Lights	\$15/6 hrs	\$50/6 hrs
Video Taping	\$15/hr (includes tech)	\$50/hr (includes tech)

D. Residential spaces and lounges are not normally available during the academic year. During the summer, however, facility use is available through the Summer Housing Office. Fees are as follows:

Meeting Space

Eisenhower

large meeting room	\$65/day \$65/evening	8 a.m.-5 p.m. 5 p.m.-12 a.m.
small meeting room	\$50/day \$50/evening	8 a.m.-5 p.m. 5 p.m.-12 a.m.

Hanover

basement lounge	\$50/day \$50/evening	8 a.m.-5 p.m. 5 p.m.-12 a.m.
first floor lounge	\$65/day \$65/evening	8 a.m.-5 p.m. 5 p.m.-12 a.m.
kitchen	\$30/breakfast \$30/lunch \$30/dinner	7 a.m.-9 a.m. 11 a.m.-1 p.m. 6 p.m.-8 p.m.

Residential Space: rates for traditional and suite facilities are per person. Rates for townhouse facilities are per unit, regardless of occupancy.

Type of facility	1998 2000 GMU Single	1998 2000 GMU Double	1998 2000 Non- GMU Single	1998 2000 Non- GMU Double
President's Park, No Linen (Traditional)	\$13	\$10	\$16	\$13
President's Park, Linen (Traditional)	\$29	\$19	\$32	\$22
Commonwealth and Dominion, Linen (Suite-style)	\$36	\$26	\$39	\$29
Townhouse, Linen	\$56	\$38	\$59	\$41

E. Meeting space in Mason Hall is not generally available to nonuniversity groups without prior presidential approval.

F. The Concert Hall and Harris Theater are available for use by George Mason University organizations and nonuniversity groups on an as-available basis. All Concert Hall rental requests by individuals or organizations are reviewed by the Institute of the Arts and the university administration. If a rental request is approved, a contract is issued by the Center for the Arts. Receipt of the signed contract and rental deposit finalizes the rental agreement. Harris Theater use requests are handled directly by the Center for the Arts.

Prior to the finalization of any use agreement, appropriate staff members of the Center for the Arts may require one or more on-site meetings to ensure optimum event planning. All necessary staffing and services are provided by the Center for the Arts. This includes technical crew, front-of-house staff, security, custodial services, and box office services.

The box office utilizes a computerized system to print and sell tickets for Concert Hall and Harris Theater events. The box office is open for ticket sales during business hours and in the performance space on the day of the event. Credit cards are accepted.

HARRIS THEATER

Seating Capacity:
Orchestra: 397
Balcony: 124

TOTAL SEATS: 521

Handicapped accessibility for orchestra seating

Stage Specifications:
Proscenium width 39.5 feet
Stage depth:
To curtain 17 feet
To back wall 35 feet

CONCERT HALL

Proposed Regulations

Seating Capacity:				\$200	\$200	\$200
Orchestra: 717						
Orchestra Pit: 106						
Grand Tier (Balcony):	1,112					
TOTAL SEATS: 1,935						
Handicapped Handicap Seating:						
Orchestra: 26						
Grand Tier: 6						
Stage Specifications:						
Proscenium width	52 feet					
Stage depth from curtain line	42 feet					
Stage depth of orchestra shell:						
Full Stage	39 feet (60 feet wide)					
Chamber Ensemble	22 feet (52 feet wide)					
Computerized theatrical lighting and rigging systems						
CONCERT HALL USER FEES:						
	GMU	Nonprofit	Commercial			
Rental Fee						
First performance	NC	\$3,500	\$5,000			
Additional performances	NC	\$3,000	\$4,500			
Box Office Services						
First performance	NC	\$350	\$350			
Subsequent performance(s)	NC	\$250	\$250			
Credit card service charge	NC 5.0% of CC sales	5.0% of CC sales	5.0% of CC sales			
Listing in events calendar	NC	\$150	\$150			
Ticket printing - main floor	\$75/event	NC	NC			
Ticket printing - full house	\$100/event	NC	NC			
Ticket sellers	\$6.50/hour	NC	NC			
Ticket seller supervisors	\$9/hour	NC	NC			
Production						
Technicians	\$20/hour	\$20/hour	\$20/hour			
Tuned grand piano	\$75/day	\$150/day	\$150/day			
Dance floor	NC	\$100/day	\$100/day			
Follow spot (each)	NC	\$100/day	\$100/day			
Recording Session						
One-day rate (per day)	NC	\$1,000	\$1,000			
Three-day rate (per day)	NC	\$800	\$800			
Cleaning						
3rd floor reception cleaning	\$135	\$135	\$135			
Cleaning - full house	\$422	NC	NC			
Cleaning - main floor	\$322	NC	NC			
Ancillary Services						
HVAC engineer	\$37/hour	\$37/hour	\$37/hour			
Police	\$25-50/hour	\$25-50/hour	\$25-50/hour			
Parking marshals						

Front of House			
Ushers	\$6.50/hour	NC	NC
Supervisors	\$9/hour	NC	NC
House manager	NC	NC	NC
3rd floor reception set up	\$25	\$25	NC

INCLUDED IN THE RENTAL FEE

Facilities and Equipment:

Basic black fabric stage masking, orchestra shell, conductor's podium, platform risers, chairs, music stands, stand lights, general white stage lighting, conductor and soloist(s) lighting, and use of dressing rooms (2 small, 3 large).

Personnel included in non-GMU rentals only. GMU rentals pay direct costs for the following personnel:

One stage manager, one front-of-house manager, ushers (quantity determined per event), restroom porters and custodial services, building engineer, and on-site security officers.

HARRIS THEATER USER FEES:

	GMU	Nonprofit	Commercial
Rental Fees			
First performance	NC	\$1,000	\$1,500
Additional events (ea.)	NC	\$800	\$1,200
Nonperformance day	NC	\$300	\$300
Box Office Services			
First performance	NC	\$150	\$150
Subsequent performance(s)	NC	\$100	\$100
Credit card service charge	NC 5.0% of CC sales	5.0% of CC sales	5.0% of CC sales
Listing in events calendar	NC	\$150	\$100
Ticket printing-main floor	\$50/event	NC	NC
Ticket sellers	\$6.50/hour	NC	NC
Ticket seller supervisors	\$9/hour	NC	NC
Production			
Technicians	\$15/day	\$20/day	\$20/day
Tuned grand piano	\$75/day	\$150/day	\$150/day
Dance floor	NC	\$100/day	\$100/day
Follow spot (each)	NC	\$100/day	\$100/day

Front of House			
Ushers	\$6.50/ hour	NC	NC
Supervisors	\$9/hour	NC	NC

INCLUDED IN THE RENTAL FEE

Equipment:

Basic black fabric stage masking, conductor's podium, chairs, music stands & stand lights, platform risers, general white stage lighting, special conductor and soloist(s) lighting, and use of dressing rooms.

Personnel included in non-GMU rentals only. GMU rentals pay direct costs for the following personnel:

One stage manager, one front-of-house manager, ushers, custodial service, and building engineer.

G. The Sports and Recreation Complex (Field House) is rarely rented out due to the intensive use by students, faculty, and staff. The only regular, nonuniversity events in the Field House are high school track meets. The cost for nonuniversity groups is \$500/day plus direct reimbursable expenses. These would be negotiated with staff at the Field House. If the facility is available, there would be no charge for university groups.

H. The Physical Education Building is used much the same way as the Field House. If it were available, the cost to nonuniversity groups would be \$400/day plus reimbursable expenses for either the upper or lower gym. There would be no charge to university groups.

I. The Patriot Center is a 10,000-seat arena. The fees are as follows:

University Event: Direct expenses, approximately \$4,000-\$5,000 per event. Expenses will vary with the type and number of services requested, number of attendees, and duration of the event.

Nonuniversity Event: Daily rental of \$8,000 plus expenses. Many ticketed events will be charged a rent as a percentage of gross receipts.

J. Hemlock Overlook Center for Outdoor Education is an outdoor education center located near Clifton, Virginia, about 12 miles from campus, and is managed by the university for the Northern Virginia Regional Park Authority. There are no discounts on fees for university groups. The fees are noted below:

Room and board, summer/spring	\$25 per day
Room and board, fall/winter	\$30 per day
Room, summer/spring	\$12 per day
Room, fall/winter	\$17 per day
Lodge, summer/spring	\$10 per hour
Lodge, fall/winter	\$15 per hour
Conference Rooms, summer/spring	\$5 per hour
Conference Rooms, fall/winter	\$10 per hour

K. The costs associated with using the university police in connection with special event programming are:

Police Officer	\$22.50/hr (minimum 2 hours)
Dispatcher	\$16/hr (minimum 2 hours)
Security Watchman	\$15/hr (minimum 2 hours)

L. All individuals who do not have valid university parking decals or authorized parking permits/passes must pay for parking at locations owned and operated by George Mason University. University schools, colleges, institutes, centers, departments, faculty, staff, and recognized student groups can reserve parking lots at a daily rate for each participant's vehicle without a valid university decal or authorized parking permit/pass. University-sponsored events must include parking arrangements approved by the parking services office one week in advance.

Authorized nonuniversity sponsored events must include parking arrangements approved by the parking services office two weeks prior to the scheduled event.

Parking Fees:

For all faculty, staff, and student vehicles that do not have a valid university parking decal or an authorized parking permit or pass

\$3.00 per day

To reserve parking lot T

\$1.00/hr/vehicle using the lot plus \$10/hr/per technician to monitor the lot

To reserve specific areas in other general parking lots (Lots A, B, C, & K) for multiple-day events

\$2.50/day/per vehicle for the first day
\$1.50/day/per vehicle thereafter

Nonreserved use of other general parking lots A, B, C, & K for multiple-day events

\$3.00/day/per vehicle for the first day
\$2.00/day/per vehicle thereafter

Parking deck fees for special events

\$3.00 per car for 4 hours or less
\$5.00 per car for 5 hours or more

M. The Center for Professional Development is located at the University Park Townhouses, 4260 Chain Bridge Road. The center has two classrooms. The larger of the two rooms will accommodate 25 people and is equipped with tables, chairs, and a blackboard. The smaller room will accommodate 15-plus people and has student stations and a blackboard.

There is no on-site food service available, although there are vending machines containing soft drinks and snacks.

The rooms are available for program use Monday through Friday from 8:30 a.m. to 10 p.m. Space can be available for Saturday and Sunday.

The fees are denoted below.

University and nonprofit users:

Per room	\$40/half day
Per room	\$80/full day
Per room	\$40/evening

Nonuniversity and for-profit users:

Per room	\$60/half day
Per room	\$120/full day
Per room	\$60/evening

Additional services and equipment charges:

Assistant	\$15/hour
Set-up/strike fee	\$35/day
Overhead projector	\$35/day
Flipcharts/easel	\$15/day
*Photocopying	\$.10/page

*Arrangements must be made for this service in advance.

Proposed Regulations

N. Arlington Campus: Most credit courses are held in the evening. Therefore, space for noncredit educational programming can be scheduled by outside groups such as government agencies or private sector corporations during the day by the Professional Center. Government agencies can secure training space and educational services through agency contracts, blanket purchase agreements, purchase orders, etc. Private corporations can secure space through a letter of agreement and a 50% deposit.

Arlington Campus is located one and one-half blocks from the George Mason University/Virginia Square Metro Station. Food service is available on campus.

The building hours and fees are:

Building Hours:

Monday-Friday	8 a.m. to 11 p.m.
Summer	8 a.m. to 10 p.m.
Saturday	9 a.m. to 6 p.m.
Sunday	9 a.m. to 11 p.m.

University support charges will be assessed. Building operating charges for electrical, HVAC, parking, and security will be charged where applicable.

Seminar Room Fees:

Classrooms - accommodate 15-50 people	
Nonprofit	\$100 per day/evening
Profit	\$150 per day/evening

Computer Lab - accommodates 24 people
\$500 per day/evening

Conference Room - accommodates 150+ people	
Nonprofit	\$150 per day/evening
Profit	\$250 per day/evening

Management Fees:

Assistant Fee	\$15 per hour
Set-up and Strike (when applicable)	\$60-\$100
Building and Grounds early open/late close	\$20 per hour
Campus Police (early open/late close)	\$25 per hour (2 hours minimum)

Equipment User/Additional Fees:

VCR/Monitor	\$50 for first day, \$25 per day thereafter
Slide Projector	\$30 for first day, \$20 per day thereafter
16mm Film Projector	\$30 for first day, \$20 per day thereafter
P/A System	\$75 for first day, \$50 per day thereafter
Coffee Urns	\$15 for first day, \$5 per day thereafter
Photocopying available - copy center on site:	\$.10 a copy
Computer Datashow	\$50 per day
Inkjet Computer Paper	\$40 per box
Flipchart Paper	Provided by the instructor
Fax Service, per page	
University departments	Incoming \$.50 Outgoing \$1.00
Nonuniversity	Incoming \$1.00 Outgoing \$2.50

Flipchart stands, overhead projectors, screens, chalkboards, and chalk are provided in each classroom.

O. GMU at Quincy Street Station: Most credit courses are held in the evening. Therefore, space for noncredit educational programming can be scheduled by outside groups such as government agencies or private sector corporations by the Professional Center. Government agencies can secure training space and educational services through agency contracts, blanket purchase agreements, purchase orders, etc. Private corporations can secure space through a letter of agreement and a 50% deposit.

Quincy Street station is located one and one-half blocks from the Ballston Metro Station. Food service is available.

The building hours and fees are:

Building Hours:

Monday-Friday	8 a.m. to 9 p.m.
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Special arrangements can be made for Saturday and Sunday use of the facility by reservation. Also, the facility can open early and close late, by reservation. University support charges will be assessed. Building operating charges for electrical, HVAC, parking and security will be charged, where applicable.

Seminar Room Fees:

Classrooms - accommodate 15-45 people	
Nonprofit	\$125 per day/evening
Profit	\$165 per day/evening

Classrooms - accommodate 70 people	
Nonprofit	\$150 per day/evening
Profit	\$165 per day/evening

Management Fees:

Assistant Fee	\$15 per hour
Set Up and Strike (when applicable)	\$60-\$100

Equipment User/Additional Fees:

VCR/Monitor	\$50 for first day, \$25 per day thereafter
Slide Projector	\$30 for first day, \$20 per day thereafter
Coffee Urns	\$15 for first day, \$5 per day thereafter
Photocopying available:	\$.10 a copy
Flipchart Paper	Provided by the instructor
Fax Service, per page	
University departments	Incoming \$.50 Outgoing \$1.00
Nonuniversity	Incoming \$1.00 Outgoing \$2.50

Flipchart stands, overhead projectors, screens, chalkboards, and chalk are provided in each classroom.

~~P. Prince William Institute: Initially, most credit courses will be held in the evenings. Noncredit programming can be scheduled by university and nonuniversity groups during the day time.~~

The building hours and fees are:

Building Hours:

Monday-Friday _____ 8:30 a.m. to 5 p.m.

~~Special arrangements can be made for evening and weekend use of facilities by reservation. Building operating fees for HVAC and electrical services will be charged, when applicable.~~

Seminar Room Fees:

Classrooms accommodate 15-45 people
 Nonprofit _____ \$50 per day and/or evening
 Profit _____ \$75 per day and/or evening

Management Fees:

Assistant Fee _____ \$12 per hour
 Set-up Fee and Strike (where _____ \$40-\$80 applicable)

Equipment-User/Additional Fees:

VCR/Monitor (2 available) _____ \$25 per day per room
 Slide Projector (2 available) _____ \$20 per day per room
 Coffee Urn (1 available) _____ \$15 for first day, \$5 per day thereafter
 -100 cup capacity _____
 Photocopying available: _____ \$.10 a copy
 Flipchart Paper _____ Provided by the user
 Fax Machine
 University departments _____ Incoming \$.50
 _____ Outgoing \$1.00
 Nonuniversity _____ Incoming \$1.00
 _____ Outgoing \$2.50

Flipchart stands, overhead projectors, screens, whiteboards, and markers are provided in each classroom.

P. Prince William Campus (PWC) holds classes during the morning, afternoon and evening hours. See subsection B of this section for associated fees relating to use of academic space. Nonacademic space can be scheduled by outside groups through the Prince William Campus Events Coordinator during times when rooms are not being utilized for academic purposes. Food service is available on campus during limited hours. Catering of events can be arranged through Sodexo-Marriott or through use of other GMU-approved caterers. Vending machines containing soft drinks and snacks are also available.

Classrooms. Most classrooms are equipped with ceiling mounted TV/VCRs and overhead projectors. Several classrooms have electronic podiums to control classroom AV systems. One classroom features a Live Board with supporting technology to communicate with other Live Boards located at Fairfax and Arlington campuses.

Auditoriums. The GTE Auditorium is a 300-seat (297 fixed seats plus handicap spaces) facility which includes both front and rear-screen projector systems, a VTEL teleconferencing system which will support other standard multimedia devices, such as videodiscs, sound system (with a wireless microphone for the speaker as well as four stationary audience microphones), document camera, electronically controlled podium, Smart Board electronic whiteboard, and a wireless audience response system. There are four smaller seminar (breakout) rooms supporting the larger auditorium space which feature flexible room configuration possibilities (moveable

tables and chairs). Maximum room capacity for each of the four auditorium breakout rooms is 49.

Prince William II's (PWII) auditorium is a 97-seat facility which includes stationary, data-wired tables. The facility also includes a ceiling mounted projector, VTEL teleconferencing system, sound system (featuring 24 audience push/talk microphones), ceiling mounted monitors, microphones, document camera, Smart Board electronic whiteboard and electronic podium to control the room's AV systems.

Auditorium spaces are available for use by George Mason University organizations and nonuniversity groups on an as-available basis with university groups receiving the highest priority and nonuniversity groups receiving lower priority. All PWC Auditorium rental requests by individuals or organizations are reviewed by PWC Events Management. If a rental request is approved, a contract is issued by PWC Events Management. Prior to finalization of any use agreement, appropriate GMU staff may require one or more on-site meetings with the renting party to ensure optimum event planning, especially when using in-house high technology systems. All necessary staffing and services are provided by PWC and University Computing and Information Systems. This includes technical crew, security and custodial services. Receipt of the signed contract and rental deposit finalizes the rental agreement. The building hours and fees are noted below.

Building hours:

Prince William I (PWI)
 7 a.m. to 11 p.m. (Sunday through Saturday)
 GTE Auditorium
 7 a.m. to 11 p.m. (Sunday through Saturday)
 PWII & Auditorium
 7 a.m. to 11 p.m. (Monday through Friday)

Depending upon the type of event held, certain university support charges (such as Information Technology support, events coordinator assistance, audio/visual, etc.) may be assessed. Special arrangements can be made for evening and weekend use of PWC facilities by reservation; however, building operating fees for HVAC, electrical, parking, police, housekeeping and other support will be charged, where applicable.

	For Profit Group	Nonprofit Group
Room Fees:		
GTE Auditorium (300 seats)	\$850/day	\$575/day
GTE Prefunction hallway	\$50/day	\$25/day
PWII Auditorium (100 seats)	\$275/day	\$175/day
Seminar/Classroom Fees:		
10-60	\$100/day	\$75/day
60-120	\$125/day	\$100/day
Computer Labs (19 & 40 seats)		
	\$250/day	\$175/day
Cafeteria	\$200/day	\$150/day
Equipment/Additional Fees:		
Install/removal of software in labs	\$15 per hour	\$15 per hour
VCR/Monitor	\$25 per day per room	\$25 per day/ room

Proposed Regulations

Slide projector	\$20 per day per room	\$20 per day/ room
Lectern (portable sound system)	\$75	\$50
Wireless microphones	TBD	TBD
Document camera	TBD	TBD
Live Board	TBD	TBD
VTEL	TBD	TBD
Wireless Audience Response System	TBD	TBD
Coffee urn	\$15 per day	\$15 per day/room
Easels	\$2 each	\$1 each
Flipchart stands	\$2 each	\$1 each
Fax Service:		
Incoming	\$1.00	\$.50
Outgoing	\$2.50	\$1.00
Print services (available on-site)		
	\$.10 per copy	\$.10 per copy
	University Group	Nonuniversity Group
Ancillary Services		
HVAC engineering	\$37 per hour	\$37 per hour
Parking marshals	\$200	\$200
Police	\$25-\$50 per hour	\$25-\$50 per hour
Other fees (for events requiring staff or other support past normally scheduled hours OR for extra staff):		
Early openings	\$15 per hour requested	\$15 per hour requested
Late closings	\$95 for first 30 min - \$25 for each 30 minutes thereafter	
Set-up & strike fee (where applicable)	\$60-\$100	\$60-\$100
Special operations staff assistance	\$25 per hour	\$25 per hour
Housekeeping	\$15 per hr/person	\$20 per hr/person
Event coordinator	\$20 per hour	\$20 per hour
AV technician	\$17-35 per hr/person	\$17-35 per hr/person
Lights	\$15/6 hours	\$50/6 hours
Video taping (plus AV tech fee)	\$15 per hour	\$15 per hour

Q. The third-floor space at the George Mason University at The Center for Innovative Technology is dedicated to the George Mason University Small Business Incubator Program. The fourth-floor spaces are used for credit and noncredit educational programming. The largest classroom on the fourth floor is assigned all day Fridays and Saturdays for a credit educational program.

The building hours and fees are:

Building Hours:

Monday-Friday 8 a.m. to 6 p.m.

Special arrangements can be made for evening and weekend use of facilities by reservations. Building operating fees for HVAC, electrical, and security will be charged where applicable.

Seminar Room Fees:

Classrooms - accommodate 15-45 people	
Nonprofit	\$100 per day/evening
Profit	\$125 per day/evening

Management Fees:

Assistant Fee	\$15 per hour
Set-up Fee and Strike (where applicable)	\$60-\$100

Equipment User/Additional Fees:

VCR/Monitor	\$50 for first day, \$25 per day thereafter
Slide Projector	\$30 for first day, \$20 per day thereafter
Coffee Urns	\$15 for first day, \$5 per day thereafter
Overhead Projector	\$25 for first day, \$15 per day thereafter
Photocopying available:	\$.10 a copy
Flipchart Paper	Provided by instructor

Flipchart stands, overhead projectors, screens chalkboards, and chalk are provided in each classroom.

VA.R. Doc. No. R00-157; Filed March 29, 2000, 2:49 p.m.

TITLE 9. ENVIRONMENT

STATE WATER CONTROL BOARD

REGISTRAR'S NOTICE: Section 9-6.14.4.1 C 12 of the Code of Virginia excludes from Article 2 of the Administrative Process Act general permits issued by the State Water Control Board pursuant to the State Water Control Law (§ 62.1-44.2 et seq.), Chapter 24 (§ 62.1-242 et seq.), and Chapter 25 (§ 62.1-254 et seq.) of Title 62.1 of the Code of Virginia if the board proceeds under the following conditions: (i) provides a Notice of Intended Regulatory Action in conformance with the provisions of § 9-6.14:7.1 B; (ii) forms a technical advisory committee composed of relevant stakeholders, including potentially affected citizens groups, to assist in the development of the general permit; (iii) provides notice and receives oral and written comment as provided in § 9-6.14:7.1 F; and (iv) conducts at least one public hearing on the proposed general permit. The State Water Control Board will receive, consider and respond to petitions by any interested person at any time with respect to reconsideration or revision.

Title of Regulation: 9 VAC 25-630-10 et seq. Virginia Pollution Abatement General Permit Regulation for Poultry Waste Management.

Statutory Authority: § 62.1-44.17:1.1 of the Code of Virginia.

Public Hearing Date: May 30, 2000 - 2 p.m. (Melfa)
June 1, 2000 - 7 p.m. (Bridgewater)
June 2, 2000 - 10 a.m. (Richmond)

Public comments may be submitted until June 23, 2000. (See Calendar of Events section for additional information)

Summary:

The 1999 General Assembly enacted § 62.1-44.17:1.1 in the State Water Control Law requiring a poultry waste management program for confined poultry feeding operations. This legislation defined a confined poultry feeding operation as an operation with 200 or more animal units. This animal unit number equates to 20,000 chickens and 11,000 turkeys, regardless of age or sex. The general permit establishes standards and criteria for the storage, management and tracking of poultry waste

and sets minimum monitoring requirements. The general permit requires all regulated pollutant management activities to maintain no point source discharge of pollution to state waters except in the case of a storm event greater than the 25-year, 24-hour storm. The permittee will be required to develop a nutrient management plan approved by the Department of Conservation and Recreation.

The proposed issuance is tentative. On the basis of preliminary review and application of lawful standards and regulations, the State Water Control Board proposes to issue the general permit subject to certain conditions and has prepared a draft permit. This permit will maintain the Water Quality Standards adopted by the board. The regulation also sets forth the minimum information requirements for all requests for coverage under the general permit.

Agency Contact: For additional information, including a copy of the proposed regulation/draft permit and permit fact sheet or to review copies of material or applicable laws and regulations, contact Richard W. Ayers, Department of Environmental Quality, P.O. Box 10009, Richmond, Virginia 23240, telephone (804) 698-4075 or FAX (804) 698-4032.

CHAPTER 630.

VIRGINIA POLLUTION ABATEMENT GENERAL PERMIT
REGULATION FOR POULTRY WASTE MANAGEMENT.

9 VAC 25-630-10. Definitions.

The words and terms used in this chapter shall have the meanings defined in the State Water Control Law (§ 62.1-44.2 et seq. of the Code of Virginia) and the VPA Permit Regulation (9 VAC 25-32-10 et seq.) unless the context clearly indicates otherwise, except that for the purposes of this chapter:

"Confined poultry feeding operation" means any confined animal feeding operation with 200 or more animal units of poultry. The equivalent number of chickens is 20,000 and the equivalent number of turkeys is 11,000. These numbers are established regardless of animal age or sex.

"Nutrient management plan" or "NMP" means a plan developed or approved by the Department of Conservation and Recreation that requires proper storage, treatment and management of poultry waste, including dry litter, and limits accumulation of excess nutrients in soils and leaching or discharge of nutrients into state waters.

"Permittee" means the poultry grower whose confined poultry feeding operation is covered under the general permit.

"Poultry grower" means any person who owns or operates a confined poultry feeding operation.

"Poultry waste" means dry poultry litter and composted dead poultry.

9 VAC 25-630-20. Purpose; delegation of authority; effective date of permit.

A. This general permit regulation governs the management of poultry wastes at confined poultry feeding operations having 200 or more animal units. It establishes requirements

for proper nutrient management, waste storage, and waste tracking and accounting of poultry waste.

B. The director of the Department of Environmental Quality, or his designee, may perform any act of the board provided under this chapter, except as limited by § 62.1-44.14 of the Code of Virginia.

C. This general permit will become effective on . This general permit will expire 10 years from the effective date.

9 VAC 25-630-30. Authorization to manage pollutants.

A. Any poultry grower governed by this general permit is hereby authorized to manage pollutants at confined poultry feeding operations provided that the poultry grower files the registration statement of 9 VAC 25-630-40, complies with the requirements of 9 VAC 25-630-50, and provided that:

1. The poultry grower has not been required to obtain an individual permit according to 9 VAC 25-32-260 B;

2. The activities of the confined poultry feeding operation shall not contravene the Water Quality Standards, as amended and adopted by the board, or any provision of the State Water Control Law. There shall be no point source discharge of wastewater except in the case of a storm event greater than the 25-year, 24-hour storm. Domestic sewage or industrial waste shall not be managed under this general permit;

3. Confined poultry feeding operations that use disposal pits for routine disposal of daily mortalities shall not be covered under this general permit. The use of a disposal pit by a permittee for routine disposal of daily poultry mortalities shall be considered a violation of this permit. This prohibition shall not apply to the emergency disposal of entire flocks of dead poultry governed by regulations adopted pursuant to § 3.1-726 of the Code of Virginia;

4. The Department of Conservation and Recreation must approve a nutrient management plan for the confined poultry feeding operation prior to the submittal of the registration statement. The poultry grower shall attach to the registration statement a copy of the approved nutrient management plan and a copy of the letter from the Department of Conservation and Recreation certifying approval of the nutrient management plan. The poultry grower shall implement the approved nutrient management plan;

5. Adjoining property notification.

a. When a poultry grower files a general permit registration statement for a confined poultry feeding operation that proposes construction of poultry growing houses after [the effective date of this general permit], the poultry grower shall also give notice to all owners or residents of property that adjoins the property on which the proposed confined poultry feeding operation will be located. Such notice shall include: (i) the types and maximum number of poultry which will be maintained at the facility and (ii) the address and phone number of the appropriate department regional

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office to which comments relevant to the permit may be submitted.

b. Any person may submit written comments on the proposed operation to the department within 30 days of the date of the filing of the registration statement. If, on the basis of such written comments or his review, the director determines that the proposed operation will not be capable of complying with the provisions of the general permit, the director shall require the owner to obtain an individual permit for the operation. Any such determination by the director shall be made in writing and received by the poultry grower not more than 45 days after the filing of the registration statement or, if in the director's sole discretion additional time is necessary to evaluate comments received from the public, not more than 60 days after the filing of the registration statement; and

6. Each poultry grower covered by this general permit shall complete the training program offered or approved by the Department of Conservation and Recreation within one year after the registration statement has been submitted for general permit coverage. Thereafter, all poultry growers shall complete the training program at least once every three years.

B. Receipt of this general permit does not relieve any poultry grower of the responsibility to comply with any other applicable federal, state or local statute, ordinance or regulation.

9 VAC 25-630-40. Registration statement.

A. In order to be covered under the general permit, the poultry grower shall file a complete VPA General Permit Registration Statement. The registration statement shall contain the following information:

1. The poultry grower's name, mailing address and telephone number;
2. The location of the confined poultry feeding operation;
3. The name and telephone number of a contact person or operator other than the poultry grower, if necessary;
4. The best time of day and day of the week to contact the poultry grower or contact person;
5. If the facility has an existing VPA permit, the permit number;
6. The types of poultry and the maximum numbers of each type to be grown at the facility at any one time;
7. Identification of the method of dead bird disposal;
8. A copy of the nutrient management plan approved by the Department of Conservation and Recreation and a copy of the letter certifying approval of the plan; and
9. The following certification: "I certify that notice of the registration statement for any confined poultry feeding operation that proposes construction of poultry growing houses after [the effective date of this general permit] has been given to all owners or residents of property that adjoins the property on which the confined poultry

feeding operation will be located. This notice included the types and numbers of poultry which will be grown at the facility and the address and phone number of the appropriate Department of Environmental Quality regional office to which comments relevant to the permit may be submitted. I certify under penalty of law that all the requirements of the board for the general permit are being met and that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false information including the possibility of fine and imprisonment for knowing violations."

B. The registration statement shall be signed in accordance with 9 VAC 25-32-50.

9 VAC 25-630-50. Contents of the general permit.

Any poultry grower whose registration statement is accepted by the board will receive the following general permit and shall comply with the requirements therein and be subject to the VPA Permit Regulation, 9 VAC 25-32-10 et seq.

General Permit No. VPG2

Effective Date:

Expiration Date:

GENERAL PERMIT FOR POULTRY WASTE MANAGEMENT AT CONFINED POULTRY FEEDING OPERATIONS

AUTHORIZATION TO MANAGE POLLUTANTS UNDER THE VIRGINIA POLLUTION ABATEMENT PROGRAM AND THE VIRGINIA STATE WATER CONTROL LAW

In compliance with the provisions of the State Water Control Law and State Water Control Board regulations adopted pursuant thereto, owners of confined poultry feeding operations having 200 or more animal units are authorized to manage pollutants within the boundaries of the Commonwealth of Virginia, except where board regulations or policies prohibit such activities.

The authorized pollutant management activities shall be in accordance with the registration statement and supporting documents submitted to the Department of Environmental Quality; and Part I – Pollutant Management and Monitoring Requirements and Part II – Conditions Applicable to All VPA Permits, as set forth herein.

PART I POLLUTANT MANAGEMENT AND MONITORING REQUIREMENTS

A. Pollutant management authorization and monitoring requirements.

1. During the period beginning with the permittee's coverage under this general permit and lasting until the

permit's expiration date, the permittee is authorized to manage pollutants at the location(s) identified in the registration statement and the nutrient management plan.

2. If poultry waste is land applied, it shall be applied at the rates specified in the nutrient management plan.

3. Soil at the land application sites shall be monitored as specified below. Additional soils monitoring may be required in the nutrient management plan.

SOILS MONITORING

PARAMETERS	LIMITATIONS	UNITS	MONITORING REQUIREMENTS	
			Frequency	Sample Type
pH	NL	SU	1/3 years	Composite
Phosphorus	NL	ppm	1/3 years	Composite
Potash	NL	ppm	1/3 years	Composite
Calcium	NL	ppm	1/3 years	Composite
Magnesium	NL	ppm	1/3 years	Composite
Nitrate*	NL	ppm	1/3 years	Composite

NL = No limit, this is a monitoring requirement only.

* The Nitrate test is only required on those sites planted in corn or small grains.

4. Poultry waste shall be monitored as specified below. Additional waste monitoring may be required in the nutrient management plan.

WASTE MONITORING

PARAMETERS	LIMITATIONS	UNITS	MONITORING REQUIREMENTS	
			Frequency	Sample Type
Total Kjeldahl Nitrogen	NL	ppm	1/year	Composite
Ammonia Nitrogen	NL	ppm	1/year	Composite
Total Phosphorus	NL	ppm	1/year	Composite
Total Potassium	NL	ppm	1/year	Composite
Moisture Content	NL	%	1/year	Composite

NL = No limit, this is a monitoring requirement only.

5. Analysis of soil and waste shall be according to methods specified in Reference Soil Test Methods for the Southern Region of the United States, Southern Cooperative Series Bulletin 289 (1983); or Reference Soil and Media Diagnostic Procedures for the Southern Region of the United States, Southern Cooperative Series Bulletin 374 (1992); or Laboratory Procedures, Virginia Tech Soil Testing and Plant Analysis Laboratory, Virginia Cooperative Extension, Publication 452-881 (1996).

6. All monitoring data required by Part I A shall be maintained on site in accordance with Part II B. Reporting of results to the department is not required; however, the monitoring results shall be made available to department personnel upon request.

B. Other requirements or special conditions.

1. The confined poultry feeding operation shall be designed and operated to (i) prevent point source discharges of pollutants to state waters except in the case of a storm event greater than the 25-year, 24-hour storm and (ii) provide adequate waste storage capacity to accommodate periods when the ground is frozen or saturated, periods when land application of nutrients should not occur due to limited or nonexistent crop nutrient uptake, and periods when physical limitations prohibit the land application of waste.

2. Poultry waste shall be stored according to the nutrient management plan and in a manner that prevents contact with surface water and ground water. Poultry waste storage facilities constructed after [the effective date of this general permit] shall not be located on a 100-year floodplain. Adequate storage shall be provided for any poultry waste that is stored at any location outside of the growing house for more than 14 days. Adequate storage shall, at a minimum, include the following:

a. Poultry waste shall be covered to protect it from precipitation and wind;

b. Poultry waste storage facilities shall prevent storm water from running onto or under the stored poultry waste; and

c. A minimum of three feet separation distance to the seasonal high water table or use of an impermeable barrier to prevent capillary movement of soil water into stored poultry waste. "Seasonal high water table" means that portion of the soil profile where a color change has occurred in the soil as a result of saturated soil conditions or where soil concretions have formed. Typical colors are gray mottlings, solid gray or black. The depth in the soil at which these conditions first occur is termed the seasonal high water table. Impermeable barriers must have a permeability equal to or greater than a synthetic liner of at least 20 mils thickness or compacted clay with a permeability rating of 0.0014 inches per hour.

3. When a poultry grower sells or gives away to another person more than 10 tons of poultry waste in any 365-day period, the poultry grower shall provide that person a copy of the most recent nutrient analysis for the poultry waste. The poultry grower shall also provide the person buying or taking the poultry waste a fact sheet approved by the department that includes appropriate practices for proper storage and management of the waste. The person receiving the waste shall certify in writing that he agrees to utilize and manage the waste according to the recommendations in the fact sheet. If the person receiving the waste is not the end user, then he shall also certify in writing that he will provide a copy of the nutrient analysis and fact sheet to each end user to whom he sells or gives away poultry waste.

4. When a poultry grower sells or gives away to another person more than 10 tons of poultry waste in any 365-day period, the poultry grower shall keep a record of the name and address of the person who received the poultry waste, the amount of poultry waste received by

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the person, the date of the transaction and the signed waste utilization certification. These records shall be maintained on site for three years after the transaction and shall be made available to department personnel upon request.

5. Confined poultry feeding operations that use disposal pits for routine disposal of daily mortalities shall not be covered under this general permit. The use of a disposal pit for routine disposal of daily poultry mortalities by a permittee shall be considered a violation of this permit. This prohibition does not apply to the emergency disposal of entire flocks of dead poultry governed by regulations adopted pursuant to § 3.1-726 of the Code of Virginia.

6. The Nutrient Management Plan (NMP) approved by the Department of Conservation and Recreation shall be maintained on site. The NMP shall be implemented and is enforceable through this permit. The NMP shall contain at a minimum the following information:

- a. Site map indicating the location of the waste storage facilities and the fields where waste will be applied by the poultry grower;
- b. Site evaluation and assessment of soil types and potential productivities;
- c. Nutrient management sampling including soil and waste monitoring;
- d. Storage and land area requirements for the grower's poultry waste management activities;
- e. Calculation of waste application rates; and
- f. Waste application schedules.

7. When the poultry waste storage facility is no longer needed, the permittee shall close it in a manner that: (i) minimizes the need for further maintenance and (ii) controls, minimizes or eliminates, to the extent necessary to protect human health and the environment, the postclosure escape of uncontrolled leachate, surface runoff, or waste decomposition products to the ground water, surface water or the atmosphere. At closure, the permittee shall remove all poultry waste residue from the waste storage facility. Removed waste materials shall be utilized according to the nutrient management plan.

8. Nitrogen application rates contained in the NMP shall not exceed crop nutrient needs as determined by the Department of Conservation and Recreation. The application of poultry waste shall be managed to minimize runoff, leachate, and volatilization losses, and reduce adverse water quality impacts from nitrogen.

9. For all NMPs developed after October 1, 2001, phosphorus application rates shall not exceed the greater of crop nutrient needs or crop nutrient removal as determined by the Department of Conservation and Recreation. For all NMPs developed after December 31, 2005, phosphorus application rates shall be in accordance with the Department of Conservation and Recreation's regulatory criteria and standards in effect at

the time the NMP is written. The application of poultry waste shall be managed to minimize runoff and leaching and reduce adverse water quality impacts from phosphorous.

10. Land application of poultry waste shall not be undertaken when soil is saturated, frozen, or covered with snow or when no actively growing crop is either in place or will be planted within 30 days using sound agronomic practices.

11. Buffer zones at waste application sites shall, at a minimum, be maintained as follows:

- a. Distance from occupied dwellings not on the permittee's property: 200 feet (unless the occupant of the dwelling signs a waiver of the buffer zone);
- b. Distance from water supply wells or springs: 100 feet;
- c. Distance from surface water courses: 50 feet (for surface application) or 25 feet (if by subsurface injection);
- d. Distance from rock outcropping (except limestone): 25 feet;
- e. Distance from limestone outcroppings: 50 feet; and
- f. Waste shall not be applied in such a manner that it would discharge to sinkholes that may exist in the area.

12. Records shall be maintained to demonstrate where and at what rate waste has been applied, that the application schedule has been followed, and what crops have been planted. These records shall be maintained on site for a period of three years after recorded application is made and shall be made available to department personnel upon request.

13. Each poultry grower covered by this general permit shall complete the training program offered or approved by the Department of Conservation and Recreation within one year after the registration statement has been submitted for general permit coverage. Thereafter, all poultry growers shall complete the training program at least once every three years.

PART II

CONDITIONS APPLICABLE TO ALL VPA PERMITS

A. Monitoring.

1. Samples and measurements taken as required by this permit shall be representative of the monitored activity.
2. Monitoring shall be conducted according to procedures listed under 40 CFR Part 136 unless other procedures have been specified in this permit.
3. The permittee shall periodically calibrate and perform maintenance procedures on all monitoring and analytical instrumentation at intervals that will ensure accuracy of measurements.

B. Records.

1. Records of monitoring information shall include:

- a. The date, exact place, and time of sampling or measurements;
- b. The name of the individual(s) who performed the sampling or measurements;
- c. The date(s) and time(s) analyses were performed;
- d. The name of the individual(s) who performed the analyses;
- e. The analytical techniques or methods used, with supporting information such as observations, readings, calculations and bench data; and
- f. The results of such analyses.

2. The permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit for a period of at least three years from the date of the sample, measurement, report or application. This period of retention may be extended by request of the board at any time.

C. Reporting monitoring results.

1. The permittee shall submit the results of the monitoring required by this permit not later than the 10th day of the month after the monitoring takes place, unless another reporting schedule is specified elsewhere in this permit. Monitoring results shall be submitted to the department's regional office.

2. Monitoring results shall be reported on forms provided or specified by the department.

3. If the permittee monitors the pollutant management activity, at a sampling location specified in this permit, for any pollutant more frequently than required by the permit using approved analytical methods, the permittee shall report the results of this monitoring on the monitoring report.

4. If the permittee monitors the pollutant management activity, at a sampling location specified in this permit, for any pollutant that is not required to be monitored by the permit, and uses approved analytical methods, the permittee shall report the results with the monitoring report.

5. Calculations for all limitations which require averaging of measurements shall utilize an arithmetic mean unless otherwise specified in this permit.

D. Duty to provide information. The permittee shall furnish to the department, within a reasonable time, any information which the board may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. The permittee shall also furnish to the department, upon request, copies of records required to be kept by the permittee. Plans, specifications, maps, conceptual reports and other relevant

information shall be submitted as requested by the board prior to commencing construction.

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

F. Unauthorized discharges. Except in compliance with this permit, or another permit issued by the board, it shall be unlawful for any person to:

1. Discharge into state waters sewage, industrial wastes, other wastes, or any noxious or deleterious substances; or

2. Otherwise alter the physical, chemical or biological properties of such state waters and make them detrimental to the public health, or to animal or aquatic life, or to the use of such waters for domestic or industrial consumption, or for recreation, or for other uses.

G. Reports of unauthorized discharges. Any permittee who discharges or causes or allows (i) a discharge of sewage, industrial waste, other wastes or any noxious or deleterious substance into or upon state waters in violation of Part II F or (ii) a discharge that may reasonably be expected to enter state waters in violation of Part II F shall notify the department of the discharge immediately upon discovery of the discharge, but in no case later than 24 hours after said discovery. A written report of the unauthorized discharge shall be submitted to the department within five days of discovery of the discharge. The written report shall contain:

1. A description of the nature and location of the discharge;

2. The cause of the discharge;

3. The date on which the discharge occurred;

4. The length of time that the discharge continued;

5. The volume of the discharge;

6. If the discharge is continuing, how long it is expected to continue;

7. If the discharge is continuing, what the expected total volume of the discharge will be; and

8. Any steps planned or taken to reduce, eliminate and prevent a recurrence of the present discharge or any future discharges not authorized by this permit.

Discharges reportable to the department under the immediate reporting requirements of other regulations are exempted from this requirement.

H. Reports of unusual or extraordinary discharges. If any unusual or extraordinary discharge including a bypass or upset should occur from a treatment works and the discharge enters or could be expected to enter state waters, the permittee shall promptly notify, in no case later than 24 hours, the department by telephone after the discovery of the discharge. This notification shall provide all available details of the incident, including any adverse affects on aquatic life

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and the known number of fish killed. The permittee shall reduce the report to writing and shall submit it to the department within five days of discovery of the discharge in accordance with Part II I 2. Unusual and extraordinary discharges include but are not limited to any discharge resulting from:

1. Unusual spillage of materials resulting directly or indirectly from processing operations;
2. Breakdown of processing or accessory equipment;
3. Failure or taking out of service some or all of the treatment works; and
4. Flooding or other acts of nature.

I. Reports of noncompliance. The permittee shall report any noncompliance which may adversely affect state waters or may endanger public health.

1. An oral report shall be provided within 24 hours from the time the permittee becomes aware of the circumstances. The following shall be included as information which shall be reported within 24 hours under this paragraph:

- a. Any unanticipated bypass; and
- b. Any upset which causes a discharge to surface waters.

2. A written report shall be submitted within five days and shall contain:

- a. A description of the noncompliance and its cause;
- b. The period of noncompliance, including exact dates and times, and, if the noncompliance has not been corrected, the anticipated time it is expected to continue; and
- c. Steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.

The board may waive the written report on a case-by-case basis for reports of noncompliance under Part II I if the oral report has been received within 24 hours and no adverse impact on state waters has been reported.

3. The permittee shall report all instances of noncompliance not reported under Part II I 1 or 2 in writing at the time the next monitoring reports are submitted. The reports shall contain the information listed in Part II I 2.

NOTE: The immediate (within 24 hours) reports required in Parts II F, G and H may be made to the department's regional office. For reports outside normal working hours, leave a message and this shall fulfill the immediate reporting requirement. For emergencies, the Virginia Department of Emergency Services maintains a 24-hour telephone service at 1-800-468-8892.

J. Notice of planned changes.

1. The permittee shall give notice to the department as soon as possible of any planned physical alterations or

additions to the design or operation of the pollutant management activity.

2. The permittee shall give at least 10 days advance notice to the department of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements.

K. Signatory requirements.

1. Applications. All permit applications shall be signed as follows:

a. For a corporation: by a responsible corporate officer. For the purpose of this section, a responsible corporate officer means: (i) a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy- or decision-making functions for the corporation or (ii) the manager of one or more manufacturing, production, or operating facilities employing more than 250 persons or having gross annual sales or expenditures exceeding \$25 million (in second-quarter 1980 dollars), if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures;

b. For a partnership or sole proprietorship: by a general partner or the proprietor, respectively; or

c. For a municipality, state, federal, or other public agency: by either a principal executive officer or ranking elected official. For purposes of this section, a principal executive officer of a public agency includes: (i) the chief executive officer of the agency, or (ii) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency.

2. Reports, etc. All reports required by permits, and other information requested by the board shall be signed by a person described in Part II K 1, or by a duly authorized representative of that person. A person is a duly authorized representative only if:

a. The authorization is made in writing by a person described in Part II K 1;

b. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity such as the position of plant manager, operator of a well or a well field, superintendent, or a position of equivalent responsibility. A duly authorized representative may thus be either a named individual or any individual occupying a named position; and

c. The written authorization is submitted to the department.

3. Changes to authorization. If an authorization under Part II K 2 is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of Part II K 2 shall be submitted to the

department prior to or together with any reports, or information to be signed by an authorized representative.

4. Certification. Any person signing a document under Part II K 1 or 2 shall make the following certification: "I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

L. Duty to comply. The permittee shall comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the State Water Control Law. Permit noncompliance is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or denial of a permit renewal application. Compliance with a permit during its term constitutes compliance, for purposes of enforcement, with the State Water Control Law.

M. Duty to reapply. If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee shall apply for and obtain a new permit. All permittees with a currently effective permit shall submit a new application at least 180 days before the expiration date of the existing permit unless permission for a later date has been granted by the board. The board shall not grant permission for applications to be submitted later than the expiration date of the existing permit.

N. Effect of a permit. This permit does not convey any property rights in either real or personal property or any exclusive privileges, nor does it authorize any injury to private property or invasion of personal rights, or any infringement of federal, state or local law or regulations.

O. State law. Nothing in this permit shall be construed to preclude the institution of any legal action under, or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any other state law or regulation or under authority preserved by § 510 of the federal Clean Water Act. Except as provided in permit conditions on bypassing (Part II U), and upset (Part II V), nothing in this permit shall be construed to relieve the permittee from civil and criminal penalties for noncompliance.

P. Oil and hazardous substance liability. Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject under §§ 62.1-44.34:14 through 62.1-44.34:23 of the State Water Control Law.

Q. Proper operation and maintenance. The permittee shall be responsible for the proper operation and maintenance of all treatment works, systems and controls which are installed or used to achieve compliance with the conditions of this permit. Proper operation and maintenance includes effective

plant performance, adequate funding, adequate staffing, and adequate laboratory and process controls, including appropriate quality assurance procedures.

R. Disposal of solids or sludges. Solids, sludges or other pollutants removed in the course of treatment or management of pollutants shall be disposed of in a manner so as to prevent any pollutant from such materials from entering state waters.

S. Duty to mitigate. The permittee shall take all reasonable steps to minimize or prevent any pollutant management activity in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment.

T. Need to halt or reduce activity not a defense. It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

U. Bypass.

1. Prohibition. "Bypass" means intentional diversion of waste streams from any portion of a treatment works. A bypass of the treatment works is prohibited except as provided herein.

2. Anticipated bypass. If the permittee knows in advance of the need for a bypass, he shall notify the department promptly at least 10 days prior to the bypass. After considering its adverse effects, the board may approve an anticipated bypass if:

a. The bypass will be unavoidable to prevent loss of human life, personal injury, or severe property damage. "Severe property damage" means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. "Severe property damage" does not mean economic loss caused by delays in production; and

b. There are no feasible alternatives to bypass such as the use of auxiliary treatment facilities, retention of untreated waste, or maintenance during normal periods of equipment downtime. However, if bypass occurs during normal periods of equipment downtime or preventive maintenance and in the exercise of reasonable engineering judgment the permittee could have installed adequate backup equipment to prevent such bypass, this exclusion shall not apply as a defense.

3. Unplanned bypass. If an unplanned bypass occurs, the permittee shall notify the department as soon as possible, but in no case later than 24 hours, and shall take steps to halt the bypass as early as possible. This notification will be a condition for defense to an enforcement action that an unplanned bypass met the conditions in paragraphs U 2 a and b and in light of the information reasonably available to the permittee at the time of the bypass.

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V. *Upset.* A permittee may claim an upset as an affirmative defense to an action brought for noncompliance. In any enforcement proceedings a permittee shall have the burden of proof to establish the occurrence of any upset. In order to establish an affirmative defense of upset, the permittee shall present properly signed, contemporaneous operating logs or other relevant evidence that shows:

1. That an upset occurred and that the cause can be identified;
2. That the permitted facility was at the time being operated efficiently and in compliance with proper operation and maintenance procedures;
3. That the 24-hour reporting requirements to the department were met; and
4. That the permittee took all reasonable steps to minimize or correct any adverse impact on state waters resulting from noncompliance with the permit.

W. *Inspection and entry.* Upon presentation of credentials, any duly authorized agent of the board may, at reasonable times and under reasonable circumstances:

1. Enter upon any permittee's property, public or private and have access to records required by this permit;
2. Have access to, inspect and copy any records that must be kept as part of permit conditions;
3. Inspect any facility's equipment (including monitoring and control equipment) practices or operations regulated or required under the permit; and
4. Sample or monitor any substances or parameters at any locations for the purpose of assuring permit compliance or as otherwise authorized by the State Water Control Law.

For purposes of this section, the time for inspection shall be deemed reasonable during regular business hours, and whenever the facility is involved in managing pollutants. Nothing contained herein shall make an inspection unreasonable during an emergency.

X. *Permit actions.* Permits may be modified, revoked and reissued, or terminated for cause upon the request of the permittee or interested persons, or upon the board's initiative. If a permittee files a request for a permit modification, revocation, or termination, or files a notification of planned changes, or anticipated noncompliance, the permit terms and conditions shall remain effective until the request is acted upon by the board. This provision shall not be used to extend the expiration date of the effective VPA permit.

Y. *Transfer of permits.*

1. Permits are not transferable to any person except after notice to the department. The board may require modification or revocation and reissuance of the permit to change the name of the permittee and to incorporate such other requirements as may be necessary. Except as provided in Part II Y 2, a permit may be transferred by the permittee to a new owner or operator only if the

permit has been modified to reflect the transfer or has been revoked and reissued to the new owner or operator.

2. As an alternative to transfers under Part II Y 1, this permit shall be automatically transferred to a new permittee if:

- a. The current permittee notifies the department at least 30 days in advance of the proposed transfer of the title to the facility or property;
- b. The notice includes a written agreement between the existing and new permittees containing a specific date for transfer of permit responsibility, coverage, and liability between them; and
- c. The board does not, within the 30-day time period, notify the existing permittee and the proposed new permittee of its intent to modify or revoke and reissue the permit.

Z. *Severability.* The provisions of this permit are severable and, if any provision of this permit or the application of any provision of this permit to any circumstance is held invalid, the application of such provision to other circumstances and the remainder of this permit shall not be affected thereby.

DOCUMENTS INCORPORATED BY REFERENCE

Reference *Soil Test Methods for the Southern Region of the United States, 1983, The University of Georgia, College of Agriculture Experiment Stations.*

Reference *Soil and Media Diagnostic Procedures for the Southern Region of the United States, 1992, Virginia Polytechnic Institute and State University, Virginia Agricultural Experiment Station.*

Laboratory Procedures, Virginia Tech Soil Testing and Plant Analysis Laboratory, 1996, Virginia Cooperative Extension.

VA.R. Doc. No. R99-113; Filed April 5, 2000, 11:49 a.m.



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 change from the proposed text of the regulation.

TITLE 4. CONSERVATION AND RECREATION

MARINE RESOURCES COMMISSION

REGISTRAR'S NOTICE: The following regulations filed by the Marine Resources Commission are exempt from the Administrative Process Act in accordance with § 9-6.14:4.1 F of the Code of Virginia; however, the commission is required to publish the full text of final regulations.

Title of Regulation: **4 VAC 20-270-10 et seq. Pertaining to Crab Restrictions on Commercial Crabbing (amending 4 VAC 20-270-40).**

Statutory Authority: § 28.2-201 of the Code of Virginia.

Effective Date: March 30, 2000.

Summary:

The amendment limits the locations where a fish pot may be set, placed or fished during the period from March 27 through March 31.

Agency Contact: Copies of the regulation may be obtained from Deborah R. Cawthon, Marine Resources Commission, P.O. Box 756, Newport News, VA 23607, telephone (757) 247-2248.

4 VAC 20-270-40. Season limits.

A. It shall be unlawful for any person to *knowingly* place, set, fish or ~~knowingly~~ leave any hard crab pot or peeler crab pot in any tidal waters of Virginia from December 1 through March 31.

B. *It shall be unlawful for any person to knowingly place, set, or fish or leave any fish pot in any tidal waters during the period from March 27 through March 31, except as provided in subdivisions 1 and 2 of this subsection.*

1. *It shall be lawful for any person to place, set, or fish any fish pot in those waters located above the downriver boundary lines which establish the various spawning reaches as described in 4 VAC 20-252-20.*

2. *This subsection shall not apply to lawful eel pots as described in 4 VAC 20-500-50.*

VA.R. Doc. No. R00-160; Filed March 30, 2000, 3:34 p.m.

* * * * *

Title of Regulation: **4 VAC 20-700-10 et seq. Pertaining to Crab Pots (amending 4 VAC 20-700-20).**

Statutory Authority: § 28.2-201 of the Code of Virginia.

Effective Date: April 1, 2000.

Summary:

The amendment establishes new requirements for the placement and use of cull rings (escape rings) in crab pots set in portions of the Chesapeake Bay until July 1, 2000.

Agency Contact: Copies of the regulation may be obtained from Deborah R. Cawthon, Marine Resources Commission, P.O. Box 756, Newport News, VA 23607, telephone (757) 247-2248.

4 VAC 20-700-20. Cull ring requirements.

A. It shall be unlawful for any person to place, set or fish any crab pot in Virginia's tidal waters which does not contain at least two unobstructed cull rings of size and location within the pot as hereinafter described, except as provided in ~~subsection~~ *subsections B and C* of this section. One cull ring shall be at least 2-5/16 inches inside diameter, and the other cull ring shall be at least 2-3/16 inches inside diameter. These cull rings shall be located one each in opposite exterior side panels of the upper chamber of the pot.

B. The required 2-5/16 inches inside diameter cull ring may be obstructed in crab pots set on the seaside of Accomack and Northampton Counties.

C. *The required 2-5/16 inches inside diameter cull ring may be obstructed in crab pots set within the crab dredge areas, as set forth in 4 VAC 20-90-10 et seq., or within Pocomoke or Tangier Sounds, until July 1, 2000.*

~~G- D.~~ *Peeler pots with a mesh size less than 1-1/2 inches shall be exempt from the cull ring requirement.*

VA.R. Doc. No. R00-159; Filed March 30, 2000, 3:34 p.m.

TITLE 12. HEALTH

STATE BOARD OF HEALTH

Title of Regulation: **12 VAC 5-80-10 et seq. Regulations for Administration of the Virginia Hearing Impairment Identification and Monitoring System (amending 12 VAC 5-80-10, 12 VAC 5-80-20, 12 VAC 5-80-30, 12 VAC 5-80-40, 12 VAC 5-80-80, and 12 VAC 5-80-90; adding 12 VAC 5-80-95; and repealing 12 VAC 5-80-50, 12 VAC 5-80-100, 12 VAC 5-80-110, and 12 VAC 5-80-120).**

Statutory Authority: §§ 32.1-12 and 32.1-64.1 of the Code of Virginia.

Effective Date: July 1, 2000.

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Summary:

These amendments comply with the statutory changes to § 32.1-64.1 of the Code of Virginia. The purpose of the regulations is to provide consistent guidance for the implementation and administration of a system designed to ensure that all infants born in Virginia with hearing loss are identified and receive appropriate intervention at the earliest possible age after birth. The regulation amends the responsibilities of hospitals with neonatal intensive care services and hospitals with newborn nurseries regarding newborn hearing screening, parent education and follow-up; modifies the newborn hearing screening protocols; amends the Virginia Department of Health responsibilities; and adds reporting requirements for persons who provide audiological services to children following discharge from the hospital after birth.

Changes made since the proposed regulation include (i) adding a definition, (ii) replacing specific false-positive and false-negative rates for screening methodology with benchmark rates, (iii) clarification changes, and (iv) allowing electronic submission of reports to the Virginia Department of Health.

Summary of Public Comments: A summary of comments made by the public and the agency's response may be obtained from the promulgating agency or viewed at the office of the Registrar of Regulations.

Agency Contact: Copies of the regulation may be obtained from Pat T. Dewey, M.Ed., Department of Health, 1500 East Main Street, Room 105, Richmond, VA 23218-2448, telephone (804) 786-1964.

CHAPTER 80. REGULATIONS FOR ADMINISTRATION OF THE VIRGINIA HEARING IMPAIRMENT IDENTIFICATION AND MONITORING SYSTEM.

PART I. DEFINITIONS.

12 VAC 5-80-10. Definitions.

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

"At risk" means considered to be in a risk status for with a significant probability of having or developing hearing impairment loss as a result of the presence of one or more factors identified or manifested at birth.

"Child" means any person from birth to age 18 years of age.

"Commissioner" means the State Health Commissioner, Virginia Department of Health his duly designated officer, or agent.

"Diagnostic audiological evaluation" means those physiologic and behavioral procedures required to evaluate and diagnose hearing status.

"Discharge" means release from the hospital after birth to the care of the parent.

~~"Follow-up" means the process of communicating with the family and the primary care provider of all infants reported at risk and those who failed the hearing screening, regarding their status, until either a hearing impairment is diagnosed or normal hearing is documented.~~

~~"Hearing screening" means an objective physiological measure to be completed in order to determine the likelihood of hearing loss.~~

~~"Infant" means a child under the age of one year.~~

~~["Missed" means that an infant did not have a required hearing screening prior to discharge.]~~

~~"Neonatal special care and intensive care services" means those services provided in a unit which is physically separated from the normal newborn nursery, equipped with monitoring and life support systems, staffed with personnel specifically qualified in providing specialized neonatal care, and is able to provide 12-24 nursing hours per infant per day, 24-hour in-house respiratory therapy, and full-time physician management by a board eligible or board certified neonatologist by a hospital's newborn services that are designated as both specialty level and subspecialty level as defined in subdivision D 2 of 12 VAC 5-410-440.~~

~~"Phase One" means the first two years of implementation during which only those hospitals with neonatal special care and intensive care will participate.~~

~~"Phase Two" means that portion of the implementation, beginning two years after Phase One, during which those hospitals with newborn nurseries will participate. Phase One participating hospitals will continue under Phase One guidelines in Phase Two. Phase Two will remain in effect as the Hearing Impairment Identification and Monitoring System until changed.~~

~~"Registry" means a list of names and associated pertinent data regarding those children to be followed in the Virginia Hearing Impairment Identification and Monitoring System.~~

~~"Parent" means (i) a biological or adoptive parent who has legal custody of a child, including either parent if custody is shared under a joint decree or agreement; (ii) a biological or adoptive parent with whom a child regularly resides; (iii) a person judicially appointed as a legal guardian of a child; or (iv) a person who exercises the rights and responsibilities of legal custody by delegation from a biological or adoptive parent, upon provisional adoption or otherwise by operation of law.~~

~~"Primary medical care provider" means the person to whom the infant will go for routine medical care following hospital discharge.~~

~~"Risk factors for hearing impairment factor" means those factors a factor known to place an infant at increased risk for being born with or developing a hearing impairment loss, including, but not limited to, any one of the following:~~

- ~~1. Family history of hereditary, childhood sensorineural hearing loss or impairment of childhood-onset in a blood relative;~~

2. ~~Congenital—perinatal~~ *In utero* infection (e.g., cytomegalovirus, rubella, herpes, toxoplasmosis, syphilis);

3. ~~Anatomic malformations involving the head, face, or neck (e.g., dysmorphic appearance~~ *Craniofacial anomalies* including ~~syndromal and nonsyndromal abnormalities, overt or submucous cleft palate, obvious morphologic~~ *those with morphological* abnormalities of the pinna, ~~preauricular skin tags and ear canal;~~

4. Birthweight of less than 1500 grams;

5. Hyperbilirubinemia at a ~~serum level exceeding indications for requiring~~ exchange transfusion;

6. Bacterial meningitis, especially *Hemophilus influenzae*;

7. ~~Severe asphyxia which may include infants with Apgar scores of 0 to three who fail to institute spontaneous respiration by 10 minutes and those with hypotonia persisting to two hours of age; and four at one minute or 0 to six at five minutes;~~

8. ~~Ototoxic drug administration to an infant for greater than three days: medications, including but not limited to the aminoglycosides, used in multiple courses or in combination with loop diuretics;~~

9. ~~Mechanical ventilation lasting five days or longer;~~

10. ~~Stigmata or other findings associated with a syndrome known to include a sensorineural hearing loss, a conductive hearing loss, or both;~~

11. ~~Neurofibromatosis Type II; and~~

12. ~~Persistent pulmonary hypertension of the newborn (PPHN).~~

The presence of one or more of these factors places an infant at risk.

**PART II.
GENERAL INFORMATION.**

12 VAC 5-80-20. Authority for regulations.

Sections 32.1-64.1 and 32.1-64.2 of the Code of Virginia direct the commissioner to establish and maintain a system for the purpose of identifying and monitoring infants ~~who are at risk for~~ *with* hearing impairment loss and directs the Board of Health to promulgate the rules and regulations necessary for implementation of the system.

12 VAC 5-80-30. Purpose of chapter.

This chapter is designed to provide consistent guidelines for implementation of this system in order to assure that infants with hearing impairment loss are identified at the earliest possible age and that they receive appropriate, early intervention.

12 VAC 5-80-40. Administration and application of chapter.

A. This chapter is promulgated to implement the system and amended as necessary by the State Board of Health. The State Health Commissioner or his designee is charged with its

administration; and the Virginia Department of Health shall provide the staff necessary for its implementation.

12 VAC 5-80-50. Application of chapter.

B. This chapter has general application throughout the Commonwealth.

**PART III.
PHASE ONE.**

12 VAC 5-80-80. Participating hospitals' Responsibilities of hospitals.

~~Those [A. Beginning on July 1, 1999, Hospitals with newborn nurseries and]~~ hospitals with neonatal special care and intensive care services shall be responsible for:

1. ~~Completing a Virginia Department of Health reporting form on each infant transferred or discharged from special care or intensive care services, identifying the presence or absence of risk factors for hearing impairment by both medical record and family history;~~

2. ~~Giving an information packet containing a written description of the identification and monitoring system as well as written information about hearing and speech/language development to the parent/guardian of each infant transferred or discharged from special care or intensive care services;~~

3. ~~Prior to transfer or discharge, screening the hearing of those infants identified to be at risk by one of the following:~~

a. ~~Early latency auditory evoked response for which the following protocols shall be observed:~~

(1) ~~Test both ears;~~

(2) ~~Use an air conduction audiometric transducer earphone or insert receiver;~~

(3) ~~Both air conduction and bone conduction;~~

(4) ~~Use a click stimulus;~~

(5) ~~Use a stimulus intensity between 30 and 60db nHL (re: perceptual click threshold for normal hearing adults, obtained with specific equipment used for the test);~~

(6) ~~Maintain a hard copy to attach to reporting form; and~~

(7) ~~If the screening is not completed because of early transfer, equipment failure, time restraints, or patient condition the total test shall be regarded as a failure and reported as such on the form.~~

b. ~~An automated motion sensitive unit for which the following protocols shall be observed:~~

(1) ~~All manufacturer recommended guidelines shall be followed;~~

(2) ~~If the screening is not completed because of early transfer, equipment failure, time restraints, or patient condition the total test shall be regarded as a failure and reported as such on the form;~~

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~~4. Sending the reporting form, with attachments if indicated, to the Virginia Department of Health within one week of transfer or discharge from the unit;~~

~~5. Reporting to the Virginia Department of Health, on a monthly basis, statistics regarding the number of admissions and live transfers or discharges, the total number of infants at risk as well as the total number of at risk infants who passed and the total number who failed the hearing screening; and~~

~~1. Prior to discharge after birth, but no later than three months of age, screen the hearing, in both ears, of all infants using objective physiologic measures. The methodology used for hearing screening shall have a false-positive rate [~~of less than or equal to 3.0% and a false-negative rate of 0 and false-negative rate no greater than those recommended by the American Academy of Pediatrics in "Newborn and Infant Hearing Loss: Detection and Intervention" (Pediatrics Vol. 103, No. 2, February 1999). If the error rates exceed these recommendations, the hospital shall examine and modify its hearing screening methodology to reduce its error rates below these maximum rates];~~~~

~~2. If an infant is missed, inform the parent prior to discharge of the need for hearing screening and provide a mechanism by which screening can occur at no additional cost to the family;~~

~~3. Prior to discharge, give written information to the parent of each infant that includes purposes and benefits of newborn hearing screening, indicators of hearing loss, procedures used for hearing screening, results of the hearing screening, the recommendations for further testing, and where the testing can be obtained;~~

~~4. Give written information to the infant's primary medical care provider that includes procedures used for hearing screening, the limitations of screening procedures, the results of the hearing screening, and the recommendations for further testing;~~

~~5. Within one week of discharge, complete the Virginia Department of Health report as required by the board pursuant to § 32.1-64.1 F of the Code of Virginia and in a manner devised by the department, which may be electronic, on each infant who does not pass the hearing screening and send it to the Virginia Department of Health;~~

~~6. On a monthly basis, send to the Virginia Department of Health a report of the total number of discharges, the total number of infants who passed the newborn hearing screening, the total number who failed, and the total number not tested due to parents' exercise of their rights under § 32.1-64.1 H of the Code of Virginia; and~~

~~6. Reporting 7. Report to the Virginia Department of Health, on a yearly basis, the individual(s) responsible for the hearing screening, equipment used, date of last calibration/maintenance, stimuli used, pass/fail criteria test procedures used by the newborn hearing screening program, the name of the program director, the name of~~

~~the advising audiologist, equipment calibration records, screening protocols, and referral procedures.~~

~~[B. Beginning on July 1, 1999, and ending June 30, 2000, hospitals with newborn nurseries and no neonatal intensive care services shall:~~

~~1. Prior to discharge after birth, identify infants at risk for hearing loss;~~

~~2. Give written information to the parent of each infant, prior to discharge, that includes the purposes and benefits of newborn hearing screening, what to do if the parent suspects hearing loss, the infant's risk factor or factors for hearing loss if present, the recommendations for hearing screening, and where the screening can be obtained;~~

~~3. Complete the Virginia Department of Health report on each infant identified at risk for hearing loss in a manner devised by the department, which may be electronic;~~

~~4. Send the report to the Virginia Department of Health within one week of discharge;~~

~~5. On a monthly basis, send to the Virginia Department of Health a report of the total number of discharges and the total number of infants identified at risk for hearing loss; and~~

~~6. For infants identified at risk for hearing loss, give written information to the infant's primary medical care provider that includes the identified risk factor or factors for hearing loss, the recommendations for hearing screening, and where the screening can be obtained.~~

~~C. Beginning on July 1, 1999, hospitals with newborn nurseries and no neonatal intensive care services that elect to screen the hearing of all infants prior to discharge after birth shall:~~

~~1. Prior to discharge after birth screen the hearing, in both ears, of all infants using objective physiologic measures. The methodology used for hearing screening shall have a false-positive rate of less than or equal to 3.0% and a false-negative rate of 0;~~

~~2. If an infant is missed, inform the parent prior to discharge of the need for hearing screening and provide a mechanism by which screening can occur at no additional cost to the family;~~

~~3. Prior to discharge, give written information to the parent of each infant that includes purposes and benefits of newborn hearing screening, indicators of hearing loss, procedures used for hearing screening, results of the hearing screening, the recommendations for further testing, and where the testing can be obtained;~~

~~4. Give written information to the infant's primary medical care provider that includes procedures used for hearing screening, the limitations of screening procedures, the results of the hearing screening, and the recommendations for further testing;~~

~~5. Within one week of discharge, complete the Virginia Department of Health report, as required by § 32.1-64.1~~

~~F. of the Code of Virginia and in a manner devised by the department, which may be electronic, on each infant who does not pass the hearing screening and send it to the Virginia Department of Health;~~

~~6. On a monthly basis, send to the Virginia Department of Health a report of the total number of discharges, the total number of infants who passed the newborn hearing screening, the total number who failed, and the total number not tested due to parents' exercise of their rights under § 32.1-64.1 H; and~~

~~7. Report to the Virginia Department of Health, on a yearly basis, the test procedures used by the newborn hearing screening program, the name of the program director, the name of the advising audiologist, equipment calibration records, screening protocols, and referral procedures.~~

~~D. Beginning on July 1, 2000, hospitals with neonatal intensive care services and hospitals with newborn nurseries shall be responsible for activities required by subsection A of this section.]~~

12 VAC 5-80-90. Responsibilities of the Virginia Department of Health responsibilities.

The Virginia Department of Health shall be responsible for:

~~1. Collecting~~ Collect, maintain and evaluate hospital newborn hearing screening data from reporting forms received and entering those data on a computer registry in a database;

~~2. Providing follow-up on~~ Provide follow-up for all infants reported at risk and those who failed the hearing screening including but not limited to: Follow-up includes, but is not limited to:

~~a. Communicating with the primary medical care provider (if stated) by mail two or four months after receipt of the reporting form on those who passed and those who failed the screening, to explain the program and to advise of the child's status;~~

~~b. a. Communicating with the family parent by mail, four to six months after receipt of the reporting form on for those infants who failed the hearing screening (intensive care units- Phases One and Two) or, those who had one or more risk factors identified (newborn nurseries- Phase Two), and were not screened prior to discharge, those who were not screened, and those who are at risk for progressive hearing loss in order to advise of the need for a hearing evaluation audiological services as well as to provide information on locating an approved center that provides diagnostic audiological services or a licensed audiologist;~~

~~c. b. Receiving results of both the hearing audiological evaluations, reviewing the reports for recommendations and the intervention referrals, and adding the information to the computer registry database; and~~

~~d. Mailing a reminder to the family if no information is received on the child within two months of the initial mailing; and,~~

~~e. c. Communicating with the family parent by mail after the results of the hearing evaluation are reported, confirming the results, and, if for any child found to have a hearing loss is diagnosed, providing the family with in order to provide information about hearing loss and appropriate referral sources resources.~~

~~3. Maintaining both a registry of those children diagnosed with hearing impairment and a list of those concerning whom no response has been received on follow up;~~

~~4. Reporting appropriate information from the registry and the list to the Virginia Department for the Deaf and Hard of Hearing and the Virginia Department of Education;~~

~~5. Supplying~~ 3. Supply the reporting forms format and written information packets to the participating hospitals; and

~~6. Providing~~ 4. Provide training and technical assistance on this program to the participating hospitals; and

5. Conduct a review and evaluation of the Virginia Hearing Impairment Identification and Monitoring System, including but not limited to the false-positive rate, false-negative rate, referral rate, follow-up rate, referral mechanisms and effectiveness of tracking, and communicating critical performance data to hospitals on a yearly basis.

12 VAC 5-80-95. Responsibilities of persons providing audiological services after discharge.

Persons [who provide audiological services and] who determine that a child has failed to pass a hearing screening, was not successfully tested, or has a hearing loss shall:

1. Provide the screening or evaluation results to the parent and to the child's primary medical care provider;

2. Send a Virginia Department of Health report including test results, diagnosis, and recommendations to the Virginia Department of Health [, in a manner devised by the department, which may be electronic,] within two weeks of the visit;

3. Advise the parent about and offer referral to local early intervention or education programs; and

4. Give resource information to the parent of any child who is found to have a hearing loss, including but not limited to the degrees and effects of hearing loss, communication options, amplification options, the importance of medical follow up, and agencies and organizations that provide services to children with hearing loss and their families.

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PART IV. PHASE TWO.

~~12 VAC 5-80-100. Phase One participating hospitals' responsibilities. (Repealed.)~~

~~These hospitals with neonatal special care and intensive care services shall maintain all procedures and protocols required by 12 VAC 5-80-80.~~

~~12 VAC 5-80-110. Other participating hospitals' responsibilities. (Repealed.)~~

~~These hospitals with newborn nurseries shall be responsible for:~~

- ~~1. Completing a reporting form on each infant transferred or discharged from the newborn nursery, identifying the presence or absence of risk factors for hearing impairment by both medical record and family history;~~
- ~~2. Giving an information packet containing a written description of the identification and monitoring system as well as written information about hearing and speech/language development to the parent/guardian of each infant transferred or discharged from the newborn nursery;~~
- ~~3. Sending the reporting form to the Virginia Department of Health within a week of transfer or discharge from the unit; and~~
- ~~4. Reporting to the Virginia Department of Health, on a monthly basis, statistics regarding the number of admissions and live transfers or discharges, and the total number of infants at risk.~~

~~12 VAC 5-80-120. Virginia Department of Health responsibilities. (Repealed.)~~

~~The Virginia Department of Health shall be responsible for:~~

- ~~1. Collecting data from reporting forms and entering these data on a computer registry;~~
- ~~2. Providing follow up on all infants reported at risk and those who failed the hearing screening (Phase One) and on all infants reported at risk (Phase Two) including but not limited to:
 - ~~a. Communicating with the primary medical care provider (if stated) by mail two to four months after receipt of the reporting form on those who passed and those who failed the screening, to explain the program and to advise of the child's status;~~
 - ~~b. Communicating with the family by mail, four to six months after receipt of the reporting form on those who failed the hearing screening (intensive care units-Phases One and Two) or those who had one or more risk factors identified (newborn nurseries-Phase Two), in order to advise of the need for a hearing evaluation as well as to provide information on locating a licensed audiologist;~~
 - ~~c. Receiving results of the hearing evaluations, reviewing the reports for recommendations, and adding the information to the computer registry;~~~~

~~d. Mailing a reminder to the family if no information is received on the child within two months of the initial mailing; and~~

~~e. Communicating with the family by mail after the results of the hearing evaluation are reported, confirming the results, and, if a hearing loss is diagnosed, providing the family with information about hearing loss and appropriate referral sources.~~

~~3. Maintaining both a registry of those children diagnosed with hearing impairment and a list of those concerning whom no response has been received on follow up;~~

~~4. Reporting appropriate information from the registry and the list to the Virginia Department for the Deaf and Hard of Hearing and the Virginia Department of Education;~~

~~5. Supplying the reporting forms and information packets to the participating hospitals; and~~

~~6. Providing training and technical assistance on this program to the participating hospitals.~~

DOCUMENT INCORPORATED BY REFERENCE

Newborn and Infant Hearing Loss: Detection and Intervention, Pediatrics Vol. 103, No. 2, February 1999, American Academy of Pediatrics.

NOTICE: The forms used in administering 12 VAC 5-80-10 et seq., Regulations for Administration of the Virginia Hearing Impairment Identification and Monitoring System, are listed below. Any amended or added forms are reflected in the listing and are published following the listing.

FORM

~~Reporting Form, CSS 312 (eff. 6/90).~~

~~Report of Follow-Up (eff. 7/99).~~

VIRGINIA HEARING IMPAIRMENT IDENTIFICATION AND MONITORING SYSTEM
REPORT OF FOLLOW-UP

Child's Last Name: _____ First Name: _____ Middle Initial: _____ Sex: _____ Birthdate: _____
 Parent's Last Name: _____ First Name: _____ Mother's Maiden Name: _____
 Address: _____ City: _____ State/Zip: _____ Phone: _____

Significant Risk History

Date: _____ Type of Test: AABR ABR screen ABR DPOAE TEAOE automated?
 Screening Results: Pass Right Left Refer/Right Left Did Not Test Right Left

Outpatient Hearing Screening Results

Date: _____ Referred from: Hospital screening Hospital _____
 Other _____

Diagnostic Audiological Evaluation

Type(s) of Testing: ABR AC/BC DPOAE TEAOE VRA BOA COR Acoustic Immittance

Test Results Suggest:

Hearing Within Normal Limits	<input type="checkbox"/> R <input type="checkbox"/> L	Early Intervention Program	<input type="checkbox"/> Part C <input type="checkbox"/> Other
Sensorineural Hearing Loss	<input type="checkbox"/> R <input type="checkbox"/> L	Speech/Language Services	<input type="checkbox"/>
Conductive Hearing Loss	<input type="checkbox"/> R <input type="checkbox"/> L	Repeat Hearing Testing*	<input type="checkbox"/>
Mixed Hearing Loss	<input type="checkbox"/> R <input type="checkbox"/> L	Medical Referral*	<input type="checkbox"/>
Undetermined Type Hearing Loss	<input type="checkbox"/> R <input type="checkbox"/> L	Hearing Aid Fitting*	<input type="checkbox"/>
Mild Hearing Loss	<input type="checkbox"/> R <input type="checkbox"/> L	Genetic Referral*	<input type="checkbox"/>
Moderate Hearing Loss	<input type="checkbox"/> R <input type="checkbox"/> L	None	<input type="checkbox"/>
Severe Hearing Loss	<input type="checkbox"/> R <input type="checkbox"/> L	Other	<input type="checkbox"/>
Profound Hearing Loss	<input type="checkbox"/> R <input type="checkbox"/> L	*Where?	<input type="checkbox"/>
Sloping Hearing Loss	<input type="checkbox"/> R <input type="checkbox"/> L		
Inconclusive, due to _____			_____ ; f-up app't scheduled for _____

Child's Primary Health Care Provider: _____
 Address: _____
 City: _____ State: _____ Zip: _____

Return to: Virginia Department of Health, VAHIMS/DCAH/Room 105
 P. O. Box 2448
 Richmond, VA 23218-2448
 FAX: 804-786-0917

Tester Information and Instructions on back →

REPORT OF FOLLOW-UP: Instructions for Use

Purpose: The purpose of this report is to maintain current information in the VAHIMS database in the Virginia Department of Health (VDH). This program is authorized by Sections 32.1-64.1 and 32.1-64.2 of the Code of Virginia. This report will help track infants at-risk for hearing loss and infants who refer from hospital newborn hearing screening programs. Your use of this report form for all children you see will assist VDH efforts to determine the incidence of hearing loss in children in Virginia, the age of identification of hearing loss and access to and enrollment in early intervention services.

Identifying Information: Please complete the child and parent identifying information at the top of the form. In order to link this data with the data already in the system, the full names of child and parent, mother's maiden name and date of birth are essential. If the child had another name at birth, please add this information to the form; you can list it as AKA (also known as).

Hearing Screening Results: If you perform only a screening test on the child and do not do an assessment, or if you perform a screen or re-screen followed by an assessment on the same visit, please complete this section. Do not use this section to record results of a hearing screening done on the child prior to hospital discharge.

Diagnostic Audiological Evaluation: This section is to be completed when a diagnostic audiological evaluation is performed. If possible, from the test results obtained, the type and degree of hearing loss should be estimated under "test results suggest". For the degree of hearing loss, guidelines for the categories are given below. For hearing losses that cross two categories, use either the most severe degree or the degree with most frequencies represented. If the hearing loss appears to span several degrees, then use Sloping Hearing Loss. Please give the best estimate based on results you obtain. If results are inconclusive, leave this section blank.

Degree of Hearing Loss

0-20 dB	Hearing within Normal Limits
21-40 dB	Mild Hearing Loss
41-70 dB	Moderate Hearing Loss
71-90 dB	Severe Hearing Loss
91 dB and above	Profound Hearing Loss

Child's Primary Medical Care Provider: Please complete this section with name and address of the physician, group or clinic to whom the parent takes the child for primary medical care.

Testing Performed By: Thank you for this information. Feel free to use a stamp or label.

Confidentiality: All information included in this form is strictly confidential and will be released by the Virginia Department of Health only with the parent's written informed consent. The Code of Virginia states that this system "shall collect the name, address, sex, ... regarding infants determined to be at risk for hearing impairment or to have hearing loss." Specific reporting requirements are also in the regulations governing this system.

Please mail or fax this form to: Virginia Department of Health
 VAHIMS/DCAH/Room 105
 P. O. Box 2448
 Richmond, VA 23218-2448
 FAX: 804-786-0917

Please send suggestions or comments you have regarding this form and its contents to the Virginia Hearing Impairment Identification and Monitoring System program. Thank you.

Final Regulations

* * * * *

Title of Regulation: 12 VAC 5-165-10 et seq. Regulations for the Repacking of Crab Meat.

Statutory Authority: §§ 28.2-801, 28.2-803 and 28.2-806 of the Code of Virginia.

Effective Date: May 24, 2000.

Summary:

This regulation establishes criteria by which the Virginia crab industry can safely repack both domestic and imported crab meat. The regulation (i) provides for certification of inspection prior to operating a crab meat repacking establishment; (ii) provides that repackers have and maintain an approved Hazard Analysis Critical Control Point plan, which is a procedure that the repacker develops and follows to ensure that he produces a safe food product; (iii) addresses sources of crab meat for repacking; (iv) addresses sampling and pasteurization; (v) sets forth processing requirements; and (vi) establishes labeling and recordkeeping requirements.

Changes made since the proposed action include reducing the amount of information about the foreign crab meat shipper and his product, and adding a penalty section and a prohibition against the blending of foreign crab meat from one processor with crab meat from another processor.

Summary of Public Comments: A summary of comments made by the public and the agency's response may be obtained from the promulgating agency or viewed at the office of the Registrar of Regulations.

Agency Contact: Copies of the regulation may be obtained from Robert Croonenberghs, Department of Health, 1500 East Main Street, Suite 109, Richmond, VA 23219, telephone (804) 786-7937.

CHAPTER 165.
REGULATIONS FOR THE REPACKING OF CRAB MEAT.

PART I.
GENERAL PROVISIONS.

12 VAC 5-165-10. Definitions.

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

"Action level" means the limit established for a deleterious substance present in a product or the environment, above which level prescribed actions by the division may be required to protect public health.

"Agency" means the Virginia Department of Health.

"Certificate of Inspection" means a numbered certificate issued by the division to a shipper after an inspection confirms compliance with applicable regulations and standards.

"Certification number" means a unique number assigned to each shipper upon issuance of a Certificate of Inspection.

"Certified laboratory" means a laboratory certified by the U.S. Food and Drug Administration for analysis of food products.

"Critical Control Point (CCP)" means a point, step or procedure in a food process at which control can be applied, and a food safety hazard can, as a result, be prevented, eliminated or reduced to acceptable numbers.

"Critical limit" means the maximum or minimum value to which a physical, biological, or chemical parameter must be controlled at a critical control point to prevent, eliminate, or reduce to an acceptable level the occurrence of the identified food safety hazard.

["Decertification" means the revocation of a Certificate of Inspection.]

"Department" means the Virginia Department of Health.

"Division" means the Division of Shellfish Sanitation.

"Establishment" means any vehicle, vessel, property, or premises where crustacea, finfish or shellfish are transported, held, stored, processed, packed, repacked or pasteurized in preparation for marketing.

"HACCP plan" means a written document that delineates the formal procedures that a dealer follows to implement a Hazard Analysis Critical Control Point methodology to assure food safety.

"Hazard analysis" means a process used to determine whether there are food safety hazards that are reasonably likely to occur while repacking crab meat and to identify the preventive measures that the repacker can apply to control those hazards.

"Lot" means repacked crab meat that bears the same repack date and source code.

"Preventive measure" means actions taken to prevent or control a food safety hazard.

["Processing" means cooking, picking, packing, repacking or pasteurizing crab meat.

"Processor" means a person who operates an establishment that cooks, picks, packs, repacks or pasteurizes crab meat.]

"Repacker" means a person who operates an establishment that transfers crab meat from a container originally packed by another establishment to another container.

"Repacking operation" means a process of transferring crab meat from the original shipper's packing container to a different packing container, including all steps beginning with the removal of the original containers of meat from the repacker's refrigeration and ending with the repacked crab meat in properly identified containers placed into refrigeration.

"Shipper" means a person who operates an establishment for the cooking, picking, repacking or pasteurizing of crab meat.

“Source code” means a code designated by the repacker which represents the crab processing facility where crab meat was obtained.

12 VAC 5-165-20. Compliance with the Administrative Process Act.

The provisions of the Virginia Administrative Process Act (§ 9-6.14:1 et. seq. of the Code of Virginia) shall govern the promulgation and administration of these regulations and shall be applicable to the appeal of any case decision based upon this chapter.

12 VAC 5-165-30. Powers and procedures of regulations not exclusive.

The commissioner may enforce this chapter through any means lawfully available.

12 VAC 5-165-40. Certificate of Inspection required.

No person, firm or corporation shall operate an establishment for the repacking or relabeling of crab meat until the establishment first obtains the approval of the State Health Commissioner in the form of a Certificate of Inspection. Application for a Certificate of Inspection shall be submitted to the appropriate field office or central office.

12 VAC 5-165-50. Hazard Analysis Critical Control Point (HACCP) plan.

An establishment for the repacking or relabeling of crab meat shall have and maintain an approved Hazard Analysis Critical Control Point (HACCP) plan to include, at a minimum, the following:

1. A hazard analysis;
2. The identification of preventive measures;
3. The identification of critical control points;
4. The establishment of critical limits for each critical control point;
5. The monitoring records of each critical control point;
6. The establishment of corrective action when a critical limit deviation occurs;
7. The establishment and maintenance of a recordkeeping system; and
8. The establishment of verification procedures.

12 VAC 5-165-60. Scope of embargo.

In the event of a recall or embargo of repacked crab meat, the entire production bearing the lot number will normally be recalled or embargoed, unless a verifiable subplot coding system has been used.

12 VAC 5-165-70. Oversight for safety of product.

Any condition that may compromise the safety of the final product shall be identified by the repacker and the division shall be contacted for appropriate disposition of the product.

PART II.
SOURCES OF CRAB MEAT FOR REPACKING.

12 VAC 5-165-80. Source facility requirements.

Crab meat for repacking shall be picked and packed by a crab processing establishment which is currently licensed, permitted or certified and inspected by either a state public health authority or by a foreign government public health authority, and shall operate under a HACCP plan approved by the state or a foreign government public health authority, or the U.S. Food and Drug Administration.

~~[12 VAC 5-165-90. Verification of HACCP for imported crab meat.~~

~~When imported crab meat is used as a source for repacking, the repacker shall obtain a letter from the foreign crab meat producer and foreign government public health authority or recognized seafood safety authority stating that the crab meat has been produced under a HACCP plan equivalent to the United States Food and Drug Administration Seafood HACCP Rule, 21 CFR Part 123.~~

~~12 VAC 5-165-100.~~ **12 VAC 5-165-90.] Verification of shipping temperatures for imported crab meat.**

When imported crab meat is used as a source for repacking, the repacker shall provide a record of international transport temperature conditions for each shipment [, or other information sufficient to verify that the product was not temperature abused]. Temperature recording may be by maximum temperature recording, continuous temperature recording, or other device approved by the Division of Shellfish Sanitation. The processor shall include the transport temperature conditions as a part of the receiving CCP in its HACCP plan.

~~[12 VAC 5-165-110.~~ **12 VAC 5-165-100.] Sampling and analysis requirements for imported crab meat.**

A. When imported crab meat is used as a source for repacking, the repacker shall take a minimum of five samples from [~~every shipment~~ the first two shipments] prior to any processing [~~or pasteurization~~] to be analyzed by a certified laboratory [~~for the following~~]. If all samples from both initial shipments meet the specified action levels, then the sampling interval may be reduced to once every three months (quarterly) for each shipper. If any quarterly samples exceed the action levels, then sampling will be required on all successive shipments until all samples from two successive shipments meet the action levels as follows]:

- [1. Pasteurized crab meat.
 4. a.] Aerobic plate count; action level of > [~~100,000~~ 3,000]/g.
 - [~~2. b.] Fecal coliforms; action level of > [93 20] /100g.~~
 - [~~3. Escherichia coli; action level of >93/100g.~~
 4. Salmonella sp.; FDA guideline of zero per gram.
 5. Listeria monocytogenes; action level of zero per gram.

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~~6. Staphylococcus aureus enterotoxin; FDA guideline of no detectable toxin. Product shall be rejected if any sample is found to contain staphylococcus aureus enterotoxin.]~~

[2. All other crab meat.

a. Aerobic plate count; action level of >100,000/g.

b. Fecal coliforms; action level of >93/100g.]

B. When imported crab meat is used as a source for repacking, the repacker shall take a minimum of five samples from every shipment to be tested for decomposition by organoleptic sensing technique. These analyses shall be conducted only by a designated person trained in organoleptic sensing technique either by Virginia Polytechnic Institute and State University (Virginia Tech), the United States Food and Drug Administration (FDA), or by another source approved by the division. The repacker shall submit to the division a copy of the certificate of training or other documentation denoting successful completion of the training from the trainer for each individual conducting the analysis, and shall maintain a copy in his records.

C. If any sample is found to exceed an action level or guideline, or is found to show evidence of decomposition, the repacker shall stop processing the lot sampled and contact the division before proceeding with processing to determine the disposition of that lot.

D. All records of sample analyses shall be kept on file at the repacker and shall be available for review by the division. These records shall be maintained for a period of one year from the date of processing for products packaged for fresh distribution, and two years for products packaged for frozen or pasteurized distribution.

[~~12 VAC 5-165-120. 12 VAC 5-16-110.] **Verification of pasteurization for imported crab meat.**~~

If the crab meat for repacking was pasteurized in an establishment outside the United States, the repacker shall obtain a letter from the foreign crab meat producer stating that the crab meat has received a pasteurization process equivalent of $F_{185}^{16} = 31$ minutes and was processed utilizing HACCP controls.

[~~12 VAC 5-165-130. 12 VAC 5-165-120.] **Verification of container integrity for imported, pasteurized crab meat.**~~

The repacker shall evaluate the container integrity of all imported, pasteurized crab meat products. These evaluations shall also be conducted after any pasteurization by the repacker. This evaluation shall at a minimum include visual inspection of all containers for evidence of leaks.

PART III. OPERATIONAL REQUIREMENTS.

Article 1. Processing.

[~~12 VAC 5-165-140. 12 VAC 5-165-130.] **Separation of operations.**~~

All crab meat repacking operations shall be conducted separately in time or space from other packing operations.

[~~12 VAC 5-165-150. 12 VAC 5-165-140.] **Cleaning and sanitizing of tables.**~~

The repacking tables shall be cleaned and sanitized prior to and after each crab meat repacking operation.

[~~12 VAC 5-165-160. 12 VAC 5-165-150.] **Pasteurized crab meat storage temperature.**~~

Containers of pasteurized crab meat destined for repacking shall be stored and transported in a refrigerated room or vehicle at a temperature of 36°F or less.

[~~12 VAC 5-165-160.] **Blending of crab meat.**~~

Foreign crab meat from one processor shall not be blended or combined with crab meat from another processor.]

12 VAC 5-165-170. Temperature of crab meat during repacking.

No portion of the crab meat shall exceed 50°F during the repacking process.

12 VAC 5-165-180. Cooling of crab meat after repacking.

Immediately after repacking, containers of repacked crab meat shall be either placed into crushed or flaked ice or placed into refrigeration not to exceed 36°F, or both.

12 VAC 5-165-190. Disposal of used containers.

Empty containers from which crab meat has been repacked shall not be kept on premises for any type of reuse. After removing the crab meat, the empty containers shall be placed immediately into waste disposal receptacles.

12 VAC 5-165-200. Imported crab meat to be pasteurized.

Prior to or after repacking, the repacker shall pasteurize all imported crab meat which has not been pasteurized in the country of origin. Pasteurization shall meet the National Blue Crab Industry Pasteurization and Alternative Thermal Processing Standards, revised November 8, 1993, with records of pasteurization to be kept as required in Article 3 (12 VAC 5-165-240 et seq.) of this part. The heat penetration in the crab meat during the pasteurization process for all container sizes and types shall be confirmed in writing by Virginia Tech or other authority approved by the division as meeting the aforementioned minimum requirements.

Article 2.
Labeling.

12 VAC 5-165-210. Certification number to be on containers.

Crab meat shall be repacked only into containers bearing the repacker's Virginia certification number.

12 VAC 5-165-220. Lot numbers.

A. Containers of repacked crab meat shall be stamped or embossed with the lot number.

B. Lot numbers shall consist of a repack date and a code indicating the original source firm that picked the crab meat. All codes for lot numbers shall be logged in the processor records with an explanation of the code.

12 VAC 5-165-230. Country of origin for imported crab meat.

Imported crab meat shall be packed into containers which bear a declaration of the country of origin of the repacked crab meat on the principal display panel of the container. [~~If the repacked crab meat is a blend from more than one source, the container shall declare the country of origin for all sources, regardless of the percentage of crab meat that the source represents.~~]

Article 3.
Records and Recordkeeping.

12 VAC 5-165-240. Accessibility of records.

All required records shall be (i) kept in logical order, (ii) maintained by the repacker, and (iii) readily accessible by the Division of Shellfish Sanitation staff for inspection.

12 VAC 5-165-250. Crab meat sources and source coding.

The repacker shall maintain records clearly indicating the sources of crab meat used for repacking in relation to the source code identified on the containers of repacked crab meat.

12 VAC 5-165-260. Traceability of repacked crab meat.

The individual lots of crab meat shall be easily traceable from their source through the repacking process to the buyer and from the buyer back through the repacker to the particular lot source.

12 VAC 5-165-270. Minimum records to be kept.

The repacker shall, at a minimum, maintain the following information on each lot of repacked crab meat: the source plant, quantity received from source, type of meat, date of repacking, buyers, and quantities of repacked lots sold. Additional clarifying records may be required if individual lots of product cannot easily be traced.

12 VAC 5-165-280. Records to be kept separate.

Records for repacked imported crab meat shall be kept separate from other production records.

~~[12 VAC 5-165-290. Traceability of blended crab meat.~~

~~The repacker shall maintain traceability via recordkeeping and coding for imported crab meat which is mixed with domestic product. These records shall include the exact amounts and sources of all crab meat used in the production lot.]~~

[Article 4.
Penalties.

12 VAC 5-165-290. Decertification of certified facilities.

Any certified crab meat processor found to be packing or repacking foreign crab meat into a container without the country of origin on the principal display panel will be decertified for 30 days, effective immediately upon the finding by the Director of the Division of Shellfish Sanitation.

12 VAC 5-165-300. Operating without a Certificate of Inspection.

Persons processing crab meat for marketing without a valid Certificate of Inspection shall be guilty of a Class 1 misdemeanor.

12 VAC 5-165-310. Improper labeling of foreign crab meat.

Persons, even if operating in a facility with a valid Certificate of Inspection, shall be guilty of a Class 1 misdemeanor if found to be packing or repacking foreign crab meat into a container without the country of origin indicated on the principal display panel.]

DOCUMENT INCORPORATED BY REFERENCE

National Blue Crab Industry Pasteurization and Alternative Thermal Processing Standards, National Blue Crab Industry Association Grades and Cooking Standards Committee, revised November 8, 1993.

VA.R. Doc. No. R99-25; Filed March 28, 2000, 10 a.m.

REGISTRAR'S NOTICE: Final action on amendments to 12 VAC 5-610-10 et seq., Sewage Handling and Disposal Regulations, was published in 15:24 VA.R. 3187-3243 August 16, 1999. Due to the number of requests for additional public comment, in accordance with § 9-6.14:7.1 K of the Code of Virginia, the Department of Health suspended the effective date of the regulation in order to receive additional public comment. The department further suspended the regulatory process and offered an additional 30-day public comment period that was published in 16:7 VA.R. 843 December 20, 1999. All sections affected by this regulatory action are listed below, immediately following this notice; however, due to the length of the regulation, only those sections affected since publication of the final action in Volume 15, Issue 24 of the Virginia Register are published here. See 15:24 VA.R. 3187-3243 August 16, 1999, for the full text of the sections not printed below.

Title of Regulation: 12 VAC 5-610-10 et seq. Sewage Handling and Disposal Regulations (amending 12 VAC 5-610-20, 12 VAC 5-610-30, 12 VAC 5-610-40, 12 VAC 5-610-50, 12 VAC 5-610-70, 12 VAC 5-610-80, 12 VAC 5-610-100, 12 VAC 5-610-120, 12 VAC 5-610-130, 12 VAC 5-610-170, 12 VAC 5-610-190, 12 VAC 5-610-200, 12 VAC 5-610-230, 12 VAC 5-610-250, 12 VAC 5-610-260, 12 VAC 5-610-270, 12 VAC 5-610-280, 12 VAC 5-610-290, 12 VAC 5-610-300, 12 VAC 5-610-330, 12 VAC 5-610-340, 12 VAC 5-610-360, 12 VAC 5-610-380, [12 VAC 5-610-390, 12 VAC 5-610-420,] 12 VAC 5-610-430, 12 VAC 5-610-440, 12 VAC 5-610-450, 12 VAC 5-610-470, 12 VAC 5-610-480, 12 VAC 5-610-490, 12 VAC 5-610-500, 12 VAC 5-610-560, 12 VAC 5-610-580, 12 VAC 5-610-620, 12 VAC 5-610-650, 12 VAC 5-610-670, 12 VAC 5-610-690, 12 VAC 5-610-700, [12 VAC 5-610-740,] 12 VAC 5-610-800, 12 VAC 5-610-810, 12 VAC 5-610-820, 12 VAC 5-610-880, [12 VAC 5-610-890, 12 VAC 5-610-930, 12 VAC 5-610-940,] 12 VAC 5-610-950, 12 VAC 5-610-960, 12 VAC 5-610-980, 12 VAC 5-610-1080, and 12 VAC 5-610-1140; adding 12 VAC 5-610-75, 12 VAC 5-610-255,

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12 VAC 5-610-441 through 12 VAC 5-610-449, 12 VAC 5-610-449.1, 12 VAC 5-610-591 through 12 VAC 5-610-594, 12 VAC 5-610-596 through 12 VAC 5-610-599, 12 VAC 5-610-599.1 through [~~12 VAC 5-610-599.4~~ 12 VAC 5-610-599.3], 12 VAC 5-610-815, [12 VAC 5-610-817,] and 12 VAC 5-610-965; repealing 12 VAC 5-610-10, 12 VAC 5-610-90, 12 VAC 5-610-110, 12 VAC 5-610-140, 12 VAC 5-610-150, 12 VAC 5-610-180, 12 VAC 5-610-370, [~~12 VAC 5-610-520~~ 12 VAC 5-610-510] through [~~and~~] 12 VAC 5-610-550, 12 VAC 5-610-570, 12 VAC 5-610-830, 12 VAC 5-610-840 and 12 VAC 5-610-1150).

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

Effective Date: July 1, 2000.

Summary:

The final amendments address public concerns received after the final regulations were published in August 1999 and during the two extended public comment periods as published in the Virginia Register of Regulations. Areas addressed in these changes are the grandfather clause, mass sewage disposal systems, sites with greater than 50% rock, and the use of shallow-placed systems with pretreatment, and include editorial changes and clarifications.

Summary of Public Comments and Agency's Response: A summary of comments made by the public and the agency's response may be obtained from the promulgating agency or viewed at the office of the Registrar of Regulations.

Agency Contact: Copies of the regulation may be obtained from Donald J. Alexander, Director, Division of Onsite Sewage and Water Services, Department of Health, P.O. Box 2448, Room 117, Richmond, VA 23218, telephone (804) 786-1620. There will be a \$5.00 charge for copies.

12 VAC 5-610-70. Grandfather clause.

~~Subdivision plat approvals made in accordance with local subdivision ordinances by the local health department prior to the effective date of these regulations shall be valid and conclusive regarding the general suitability of soils for installation of septic tanks. When application is made for a permit to install a sewage disposal system on any lot within the subdivision, and the commissioner determines, based upon soils studies performed by him that the lot cannot satisfy the requirements of the regulations of the Board of Health, Commonwealth of Virginia Governing the Disposal of Sewage, effective July 1, 1971, he may serve notice of that determination in the same manner as civil process is served upon the person in whose name the subdivision is recorded and upon the owner of record of the lot. Any such person may demand a hearing on the commissioner's determination under the Administrative Process Act by filing a request within 30 days after service of notice on him, or he may exercise any other right or remedy he may have within the time prescribed by law, and in any such administrative hearing or proceeding, the commissioner shall have the burden of proof that the soils are not suitable. A sewage disposal system permit shall be required prior to installation of any sewage disposal system.~~

~~Sewage disposal system permits granted prior to the effective date of this chapter shall be valid if site and soil conditions would not preclude the successful operation of the system.~~

~~A. Subdivision approvals. Subdivision plat approvals granted in accordance with local subdivision ordinances will not be re-evaluated as a result of the 1982 regulations.~~

~~1. To carry out the intent of this section pertaining to previously approved subdivision plats the local health departments will evaluate lots for which applications are received but for which septic tank permits have not been issued by:~~

~~a. Utilizing the criteria included in the 1971 regulations to assess soils, siting and sizing of the system; however,~~

~~b. Since the 1971 regulations do not address soils with percolation rates over 60 min/inch, this chapter will apply when soils are encountered that have rates greater than 60 min/inch and less than or equal to 120 min/inch, for soil evaluation and system design.~~

~~c. Reserve areas will not be required unless there was a pre-existing local requirement.~~

~~2. Where an application for a permit is denied for a lot in a subdivision as mentioned above, the local health department shall send a letter of denial to both the owner of the lot and the subdivision by certified mail, return receipt requested.~~

~~B. Individual lot(s) approvals.~~

~~1. Previously issued permits shall be reissued if the site, soil conditions and the design requirements are in accordance with the 1971 regulations.~~

~~2. If the design requirements on the permit are not in compliance with the 1971 regulations but a system meeting the design requirements can be placed on the site, the permit can be reissued to contain the corrected design.~~

~~3. If the site and soil conditions do not meet the criteria contained in item 1 above, this chapter shall be used to determine if a permit can be issued.~~

~~4. Reserve areas will not be required unless there was a pre-existing local requirement.~~

~~[A. This section applies to permits issued prior to October 1, 1999, and lots in subdivisions approved by local health departments in accordance with local subdivision ordinances prior to October 1, 1999, and shall be referred to as the grandfather clause.~~

~~B. A.] Any owner of a grandfathered lot may submit an application for a construction permit according to the procedure in 12 VAC 5-610-250. The local health department may perform a site and soil evaluation in accordance with Part III (12 VAC 5-610-450 et seq.) of this chapter and a permit shall be issued for a system which complies to the greatest extent possible with this chapter [provided that the site and soil conditions would not preclude the successful~~

operation of the system]. Whenever the site and soil conditions on a grandfathered lot do not substantially comply with the requirements in Part [~~V~~ IV] ([~~12 VAC 5-610-660~~ 12 VAC 5-610-591] et seq.) of this chapter for a septic tank effluent system, secondary treatment will be required in the system design. In no case may the separation distance between the subsurface absorption system and a drinking water supply be less than the separation distance established in the regulations in effect at the time the grandfathered lot was approved (subdivision approval) or when the first permit was issued for the grandfathered lot.

[~~G~~ B.] Certification letters may not be issued in lieu of permits under the grandfather clause.

[~~D~~ C.] All permits issued under the grandfather clause which do not substantially comply with the provisions of this chapter shall be considered conditional permits in accordance with 12 VAC 5-610-250 J. A statement approved by the division shall be recorded and indexed in the grantor index of the land records of the circuit court having jurisdiction over the site of the sewage treatment and disposal system. The statement shall indicate that the permit is issued under the grandfather clause and that the site and soil conditions do not substantially comply with the current regulations and may contain such other information as the division deems appropriate to serve notice to future owners of the unique nature of grandfathered lots.

[D. Within 18 months of July 1, 2000, any owner of a lot for which a certification letter or subdivision approval was issued after November 1, 1982, may submit an application for a construction permit according to the procedures in 12 VAC 5-610-250. Such application shall be subject to the permitting requirements of the regulations under which the certification letter or subdivision approval was issued.]

12 VAC 5-610-75. Permits valid on the effective date of this chapter.

Sewage disposal system construction permits which are valid on [~~October 1, 1999~~ July 1, 2000], shall be automatically renewed on a one-time basis. Each permit thus renewed shall have an expiration date 18 months from the expiration date shown on the face of the permit. Such permits may be converted to certification letters only if they substantially comply with the current provisions of this chapter.

12 VAC 5-610-120. Definitions.

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

"Agent" means a legally authorized representative of the owner.

"Alluvial soil" means a soil developing from recently deposited alluvium and exhibiting essentially no horizon development or modification of the recently deposited materials.

"Alluvium" means mineral materials, either weathered or unweathered, that are transported by flowing water and deposited or redeposited in a flood-plain or marine terrace.

"Aquifer" means water-bearing portion of a geologic formation that transmits water.

~~"Bureau" means the Bureau of Wastewater Engineering, Division of Water Programs, State Health Department.~~

"Certification letter" means a letter issued by the commissioner, in lieu of a construction permit, which identifies a specific site and recognizes the appropriateness of the site for an onsite wastewater disposal system.

"Colluvial soil" means a soil developing from recently deposited colluvium and exhibiting essentially no horizon development or modification of the recently deposited materials.

"Colluvium" means an accumulation of soil material, or a mixture of stone fragments and soil material, deposited at the base of slopes or in depressional areas, primarily by gravity.

"Commissioner" means the State Health Commissioner or his subordinate who has been delegated powers in accordance with subdivision 2 of 12 VAC 5-610-40 B.

"Cr horizon" means weathered or soft bedrock and is used to indicate root restrictive layers or bedrock or saprolite.

"Dilution area" means the land immediately adjacent to and down gradient, in the direction of ground water flow, from a mass sewage disposal system, which is provided for the purpose of diluting nitrogen, or other nutrients occurring in wastewater, with ambient ground water, in order to assure compliance with nutrient standards contained in this chapter.

~~"District health department" means a consolidation of local health departments as authorized in Title 32.1 § 21.1-34 § 32.1-31 C of the Code of Virginia as amended. (See APPENDIX A).~~

"Division" means the Division of Onsite Sewage and Water Services, Office of Environmental Health Services, State Health Department or its administrative successor.

~~"Drainfield acre" means any imaginary square or rectangularly shaped area of land, consisting of 43,560 square feet, covering the area where a drainfield, or part of a drainfield, exists or is proposed. In the case of rectangularly shaped areas, the shortest side must be 75% (or more) of the length of the longest side.~~

"Existing construction" (with failing sewage disposal systems) means an existing structure where the sewage disposal system serving the structure has failed or is currently in violation of state law or regulations and requires correction.

~~"General approval" means approval granted to systems which are thoroughly proven and tested in terms of theory and application, such as a conventional drainfield, a low-pressure system or elevated sand mound, and which are described in Part IV (12 VAC 5-610-660 et seq.) accordance with Article 2 (12 VAC 5-610-441 et seq.) of Part II of this chapter.~~

"Grandfathered lot" means:

1. Any lot upon which no permit has been issued and which is in a subdivision approved by the department prior to [~~November 1, 1982~~ July 1, 2000], in accordance

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with a local subdivision ordinance. Individual lots may or may not have been evaluated; or

2. Any lot, parcel, or portion thereof with a previously issued permit or a specific written approval [(not including a certification letter)] from the department.

"Gray color" means a chroma-2 or less on the Munsell Color Chart.

"Impervious strata" means soil or soil materials with an estimated or measured percolation rate in excess of 120 minutes per inch.

"Local health department" means a branch of the State Health Department established in each city and county in accordance with ~~Title 32.1~~ § 32.1-30 of the Code of Virginia as amended (See APPENDIX A).

"Mass sewage disposal system" means a sewage disposal system or systems which will discharge effluent to a single absorption area or multiple absorption areas with or without combined flows, such that the loading rate applied to any acre, as determined by the department, exceeds 1,200 gallons per day for any drainfield acre.

"Mineral soil" means a soil consisting predominantly of, and having its properties determined predominantly by, mineral matter. A mineral soil usually contains less than 20% organic matter, but it may contain an organic surface layer up to 12 inches thick.

"New construction" means construction of a building for which a building permit is required.

"Office" means the Office of ~~Management for Community Health Services, State Health Department Environmental Health Services, State Health Department~~ Environmental Health Services, State Health Department.

"Owner" means the Commonwealth or any of its political subdivisions, including sanitary districts, sanitation district commissions and authorities, any individual, any group of individuals acting individually or as a group, or any public or private institution, corporation, company, partnership, firm or association which owns or proposes to own a sewerage system or treatment works.

~~"Paralithic" or "Cr" means partially weathered igneous, metamorphic, or sedimentary rock, with characteristics similar to rock, but which is not soft, loose, or friable like saprolite. When evaluated in place, it is compact and grinds when encountered by an auger but may be penetrated with an auger or backhoe.~~

"Person" means an individual, corporation, partnership, association or any other legal entity.

"Previously issued permit" means any permit issued prior to [~~October 1, 1999~~ July 1, 2000], and in accordance with the regulations in effect at the time the permit was issued. There is no distinction between an expired permit and one that has been continually renewed.

"Pump and haul" means any unusual circumstance wherein sewage is permitted to be transported by vehicle to a point of disposal. The term "pump and haul" includes all facilities and appurtenances necessary to collect and store the sewage for

handling by a contractor having a valid sewage handling permit.

~~"Rock" or "bedrock" means an aggregate of minerals which is usually consolidated, hard, dense or indurated and which may have one or more of the following characteristics: jointing, bedding planes, schistosity or strike and dip. Rock does not have soil structure and may in some instances be penetrable with a hand auger or rippable with a backhoe continuous, coherent, lithologic material that has relative hardness depending on the degree of weathering. Bedrock has characteristics such as strike, dip, jointing, and lithological compositions. Structure and water movement are rock controlled. Bedrock grinds with an auger, and mechanical penetration is more difficult or prevented as the material gets harder.~~

~~"Saprolite" means material weathered from igneous or metamorphic rock, without soil structure, and with remnant structure and fabric of the parent rock which is soft, loose, and friable in place and can be penetrated easily with an auger. Saprolite is defined as a C horizon and may have potential to treat and dispose of effluent.~~

"Secondary effluent" means effluent treated to reduce five-day biochemical oxygen demand to 30 mg/l or less, total suspended solids to 30 mg/l or less, and fats, oils, and grease to less than 5 mg/l.

"Septic tank effluent" means effluent characterized by a five-day biochemical oxygen demand between 120 and 200 mg/l; total suspended solids between 70 and 150 mg/l; fats, oils, and grease of 30 mg/l or less; and having no other toxic, hazardous, or constituents not routinely found in residential wastewater flows.

~~"Septage" means material accumulated in a pretreatment system (see 12 VAC 5-610-780 and 12 VAC 5-610-570) or privy the mat of grease and scum on the surface of septic tanks, the accumulated sludge at the bottom of tanks and the sewage present at the time of pumping.~~

"Sewage" means water-carried and nonwater-carried human excrement, kitchen, laundry, shower, bath or lavatory wastes separately or together with such underground, surface, storm or other water and liquid industrial wastes as may be present from residences, buildings, vehicles, industrial establishments or other places.

"Sewage disposal system" means a sewerage system or treatment works designed not to result in a point source discharge.

"Sewage handler" means any person who removes or contracts to remove and transports by vehicle the contents of any septic tank, sewage treatment plant, privy, holding tank, portable toilet or any sewage, septage or sewage sludges which have been processed to meet acceptable treatment standards as defined in this chapter or the Sewage Regulations (12 VAC 5-580-10 et seq.).

"Sewage handling" means the vehicular conveyance of sewage (See "Transportation" in § 32.1-163 of the Code of Virginia in APPENDIX A).

"Sewerage system" means pipe lines or conduits, pumping stations and force mains and all other construction, devices and appliances appurtenant thereto, used for the collection and conveyance of sewage to a treatment works or point of ultimate disposal.

"Shrink-swell soils" means soils *with* horizons that contain montmorillonite and other clays that excessively shrink upon drying and swell upon wetting.

"Sink hole" means a depression in the topography without a surface outlet for drainage from the low point. Sink holes are common in areas containing limestone and generally result from the collapse of solution cavities.

"Soil" means the weathered mineral and organic fraction of the earth's ~~mantle~~ regolith, which is less than or equal to 2.0 mm in size as ~~measured~~ observed in place. Soil ~~is comprised of~~ comprises sands, silts or clays or combinations of these ~~textures~~ textured components and may contain larger aggregate materials such as ~~rock or paralithic material~~ gravel, cobbles, stones or channers or precipitates from aqueous solution. Soil includes the A, O, B, C, and E horizons.

"Soil horizon" means a layer of soil or soil material approximately parallel to the land surface and different from adjacent genetically related layers in physical, chemical, and biological properties or characteristics such as color, structure, texture, consistency, kinds and numbers of organisms present, degree of acidity or alkalinity, etc.

"Subdivision" means multiple building lots derived from a parcel or parcels of land.

"Subsurface soil absorption" means a process which utilizes the soil to treat and dispose of effluent from a treatment works. (Also see "Subsurface Drainfields APPENDIX A drainfield" in § 32.1-163 of the Code of Virginia).

"Treatment works" means any device or system used in the storage, treatment, disposal or reclamation of sewage or combinations of sewage and industrial wastes, including but not limited to pumping, power and other equipment and appurtenances, septic tanks and any works, including land, that are or will be (i) an integral part of the treatment process or (ii) used for ultimate disposal of residues or effluent resulting from such treatment.

12 VAC 5-610-250. Procedures for obtaining a construction permit for a sewage disposal system.

Construction permits are issued by the commissioner but all requests for a sewage disposal construction permit shall be directed initially to the district or local health department.

A. Type I. A Type I sewage disposal system is an individual sewage disposal system incorporating a septic tank and subsurface soil absorption (septic tank-subsurface drainfield) serving a single residence. The submission of an application is all that is normally necessary to initiate procedure for obtaining a permit under this subsection. If after a site investigation, it is determined that pumping, enhanced flow distribution (see 12 VAC 5-610-930 A) or low pressure distribution (see 12 VAC 5-610-940) is necessary, the system shall be considered a Type II system.

B. Type II. A Type II sewage disposal system is a sewage disposal system incorporating a septic tank and [~~resurface~~ subsurface] soil absorption system which serves a commercial or other establishment, more than a single family dwelling unit, or where pumping, enhanced flow distribution (see 12 VAC 5-610-930 A) or low pressure distribution (see 12 VAC 5-610-940) is necessary. The procedure for obtaining a permit includes the following steps:

1. The submission of an application;
2. A preliminary conference as necessary; and
3. The submission of informal plans, specifications, design criteria, and other data, as may be required by the district or local health department. Depending on the size and complexity of the system, the submission of formal plans and specifications may be required.

C. Type III. A Type III sewage disposal system ~~is a~~ includes sewage disposal system systems other than a septic tank subsurface soil absorption system or a privy, and subsurface soil absorption systems, regardless of design, with design flows greater than 1,000 gpd. The procedure for obtaining a permit under this subsection includes the following steps:

1. The submission of an application;
2. A preliminary conference; and
3. The submission of formal plans, specifications and design criteria. Other supporting data may be required on a case-by-case basis. ~~In the case of septage disposal facilities the plans and specifications shall include sufficient land area for disposal of the design production volume accumulated during a year long operating period. For the purpose of compliance with § 32.1-164.2 of the Code of Virginia, as amended, relating to land disposal of stabilized septage, local government will be notified by the department following satisfactory completion of steps 1 and 2 listed above.~~

When high strength wastes are proposed for subsurface disposal, the treatment methodology shall comply with the requirements found in 12 VAC 5-580-10 et seq. of the Sewage Regulations.

D. Type IV-Privies. The submission of an application is all that is normally necessary to initiate the procedure for obtaining a permit under this section.

E. Application. ~~4.~~ All applications for any type sewage disposal system ~~except a special facility for handling and disposal of septage~~ shall be made on an application form provided by the district or local health department and approved by the department. ~~A copy of a model form can be found in APPENDIX B.~~

- ~~2. Applications for special facilities for handling and disposal of septage shall be in letter form to the department requesting permission to establish a septage disposal facility.~~

F. Preliminary conference. A preliminary conference with the district or local health department ~~will be~~ is held for Type II and Type III systems. When a Type III system for septage

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disposal is planned, the conference shall be with the department. At such conference the owner and/or his agent shall be prepared to set forth the sewage disposal problems and the proposed solution in such a manner to support his conclusions and recommendations.

G. Formal plans.

1. All formal plans for sewage disposal systems shall bear a suitable title showing the name of the owner and shall show the scale in feet, a graphical scale, the north point, date, and the name of the licensed professional engineer by or under whom prepared. The cover sheet and each plan sheet shall bear the same general title identifying the overall sewage disposal project and each shall be numbered. Appropriate subtitles should be included on the individual sheets.

The plans shall be clear and legible. They shall be drawn to a scale which will permit all necessary information to be plainly shown. The size of the plans should be no larger than 30 inches by 48 inches. Data used should be indicated. Location, when made, shall be shown on the plans. Logs of test borings shall be given either on plans or in the specifications.

Detailed plans shall consist of plan views, elevations, sections, and supplementary views which together with the specifications and general layouts provide the working information for the contract and construction of the work, including dimensions and relative elevations of structures, the location and outline form of equipment, the location and size of piping, water levels, ground elevations, and erosion control abatement facilities.

2. Geographical and other features. Topography, elevations (contour lines), existing or proposed streets and all bodies of water, ditches, buildings, springs, cisterns and wells within 100 feet horizontally of the proposed sewage disposal system site and/or well, *a water mounding analysis showing the impact of the proposed sewage system on ground water* and all property lines shall be clearly shown.

3. General layout. The general layout shall show the following:

- a. Test borings, ground water elevation (if observed), and soil profiles;
- b. Size and location of sewage disposal systems;
- c. Schematic flow diagram showing the flow through the various disposal system units;
- d. Piping; and
- e. Hydraulic profile showing the flow of sewage.

4. Detailed plans. Detailed plans shall show the following:

- a. Location, dimensions and elevations of existing or proposed system facilities;
- b. Pertinent data concerning the rated capacity of pumps, blowers, motors and other mechanical devices. All or part of such data may be included in the specifications by suitable reference on the plans;

c. Average and maximum hydraulic flow in profile; and

d. Adequate description of any features not otherwise covered by the specifications.

H. Formal specifications. Complete technical specifications for the construction of the sewage disposal system and all appurtenances shall accompany the plans. The specifications accompanying construction drawings shall include, but not be limited to, all construction information not shown on the drawings, which is necessary to inform the builder in detail of the design requirements as to the quality of material workmanship and fabrication of the project, type, size, strength, operating characteristics, and rating of equipment; allowable infiltration, machinery, valves, piping, and jointing of pipe, electrical apparatus, wiring and meters; operating tools and construction materials; special filter materials such as stone, sand, gravel or slag; miscellaneous appurtenances; chemicals when used; instructions for testing materials and equipment as necessary to meet design standards and operating test for the complete works and component units.

I. Special requirements for certain sewage disposal systems. A construction permit for a single sewage disposal system proposed to serve a dwelling unit with multiple living units, multiple dwelling units or multiple lots with dwelling units shall be issued only to a single owner. The owner shall provide legal documentation to ~~insure~~ assure operation and the maintenance of the system for the expected life of the living units or dwellings.

J. Construction permit with conditions.

1. Definition: "Conditional construction permit" means a permit authorizing the installation of a septic tank subsurface soil absorption system which does not fully conform to the criteria in Part ~~IV~~ V (12 VAC 5-610-660 et seq.) of this chapter pertaining to septic tank size, subsurface soil absorption system size and certain ground water table conditions as indicated by soil evaluation, but which, under the conditions to which the permit is subject, can be reasonably expected to function without danger to public health.

2. The purpose of this section is to allow for the issuance of conditional construction permits. Procedures for obtaining a conditional construction permit are the same as those contained in ~~paragraphs~~ subsections A, B, C and D of this section.

3. Conditional construction permits may be issued for any one or more of the following use conditions when satisfactory substantiation is provided by the applicant:

- a. Reduced water flow based on permanent water saving plumbing devices;
- b. Limitations on the number of persons occupying the dwelling or using the facility served by the proposed septic tank system;
- c. Intermittent or seasonal use of the dwelling or facility served by the septic tank system; and

d. Temporary use of the septic tank system for a specified time period not to exceed one year. Such permits may be renewable when the commissioner determines there is a good cause for renewal.

4. Criteria.

a. The septic tank and/or drainfield size may be reduced based on the use conditions contained in subdivision 3 a, b, c, or d ~~above~~ of this subsection.

b. In areas with seasonal fluctuating water table(s), where the seasonally high water table would cause failure if the system were to be used continuously, septic tank systems may be installed when the period of use of the septic tank system coincides with the period when the ground water table, as indicated by free water, is at its lowest level. Acceptable separation distances to free standing ground water ~~shall be as follows:~~ are the same as those found in Tables 4.3 and 4.4 of this chapter.

Minimum Separation Distances to Seasonal Water Table

Percolation Rate Minutes/Inch	Distance from Trench Bottom Inches
5	2
17	3
46	12
90	18
120	20

Table 2-1

Minimum Separation Distances to Water Table

Texture Group	Percolation Rate (minutes per inch)	Separation Distance (inches)	
		without pretreatment	with pre- treatment ¹
Group I	1 to 16	24	18
Group II	17 to 45	18	12
Group III	46 to 90	18	12
Group IV	90 to 120	18	12

¹~~Pretreatment in this context refers to sewage that has been treated to reduce both BOD and suspended solids to 30 mg/l or less.~~

c. Because of the increased risk of failure, a conditional permit shall not be issued, in an area with a seasonally fluctuating water table if the proposed absorption area is within 200 feet of a shellfish growing area, recreational waters or a public water supply impoundment.

5. The district or local health department shall affix to the conditional construction permit a clear and concise statement relating the conditions and circumstances which formed the basis for issuing the conditional permit as well as the owner's obligations under the permit.

6. The holder of any conditional construction permit shall have the permit recorded and indexed in the ~~grantee~~ grantor index under the holder's name in the land records of the clerk of the circuit court having jurisdiction over the site of the septic tank system. District or local

health departments shall be provided with certification that the conditional septic tank system permit has been recorded in the land records of the circuit court. The conditional permit shall become effective one day after the district or local health department receives notification of recordation. The district or local health department shall advise the local building official that conditional septic tank system permits are not valid without certification that the permits have been properly recorded as required and shall forthwith notify the local building official when the conditional permit becomes effective. Final approval of the construction of the septic tank subsurface soil absorption system shall not be given until or unless the system is constructed in accordance with the conditions of the permit. The operation permit will be issued in accordance with 12 VAC 5-610-340.

7. As per § 32.1-164.1 of the Code of Virginia, the holder of the permit and any subsequent holders of the permit shall be bound by the conditions stated in the permit unless the holder or subsequent holder obtains an additional permit for modification or alteration of the septic tank system to meet any new use conditions.

12 VAC 5-610-255. Certification letters.

A. An applicant for a sewage disposal system who does not intend to build within 18 months of application shall apply for a certification letter. The process shall be the same as for a system application made in accordance with 12 VAC 5-610-250. The fees charged for a certification letter shall be the same as prescribed in § 32.1-164 C of the Code of Virginia.

B. Certification letters indicate that a site is suitable for an onsite sewage treatment and disposal system and do not need to indicate the type of system for which the site is suitable.

C. Certification letters do not expire and shall convey with the land in the event the property is sold between the time the certification letter is issued and a construction permit is requested.

D. Certification letters may be converted to a construction permit by making application to the local health department in accordance with 12 VAC 5-610-250 and paying any required fees. Note, however, no additional fee shall be charged when a certification letter is converted to a construction permit within 18 months of the date the letter was issued.

E. Formal plans and specifications are not required in order to obtain a certification letter unless said plans and specifications are necessary to determine the appropriateness of a site for a sewage disposal system. Depending upon the type and complexity of the system to be permitted, formal plans and specifications may be required.

F. Certification letters shall be issued only for conventionally approved systems. Certification letters shall not be issued for experimental or provisionally approved systems because there is no assurance that said system will successfully complete the required testing and demonstration and, hence, may not be available when the property owner wishes to convert the letter to a construction permit. Further, no certification letter shall be issued [~~which contains~~

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~~conditions for a conditional permit pursuant to 12 VAC 5-610-250 J].~~

[12 VAC 5-610-390. Issuance of sewage handling permit.

The commissioner shall issue a sewage handling permit upon satisfactory completion of the procedures outlined in ~~12 VAC 5-610-390~~ 12 VAC 5-610-380 and compliance with the criteria contained in Article 2 (12 VAC 5-610-560 et seq.) of Part III, ~~Article 3,~~ and Part IV, Articles 8 (12 VAC 5-610-1020 et seq.) and 9 (12 VAC 5-610-1080 et seq.) of Part V of this chapter.]

[12 VAC 5-610-420. Procedure for obtaining a pump and haul permit.

A. An owner who seeks a pump and haul permit shall follow the following steps:

1. Application;
2. Conference;
3. Plans, specifications, and other data as may be required;
4. Securing a contract with a sewage handling contractor having a valid sewage handling permit;
5. Submission of a detailed construction schedule for completion of the permanent receiving facilities; and
6. Bonding.

~~A. B. Application. An application shall be made through the district or local health department on a form provided by the department. Application shall be made on the form described in APPENDIX D.~~

~~B. C. Conference. A conference is necessary with the district or local health department for the purpose of discussing the reasons for pump and haul and the methods and equipment to be utilized in the pump and haul operation.~~

~~C. D. Plans and specifications. Plans and specifications in sufficient detail shall be provided, when required, to show the sewage collection and holding facilities. See 12 VAC 5-610-250 C and E for further details relating to plans and specifications.~~

~~D. E. Contract with a sewage handling contractor. The owner shall secure and maintain a contract with a sewage handling contractor having a valid sewage handling permit. The contract shall be for a period of time sufficient to complete the construction necessary to alleviate the need for pump and haul.~~

The contract shall contain as at a minimum, the following conditions:

1. Duration of contract;
2. Pumping schedule;
3. Availability of equipment;
4. Emergency response capability;
5. Disposal site, including limitations, utilized by the contractor; and

6. The contractor shall maintain and submit records on a monthly basis to the owner and the department. The records shall indicate the date, time and volume of each load, the disposal site or sites utilized and overflows or spillage.

~~E. F. Submission of detailed construction schedules. A detailed construction schedule shall show as at a minimum, initial construction date and date of completion. Progress reports shall be submitted monthly.~~

~~E. G. Bonding. The commissioner may require any owner holding or applying for a permit issued pursuant to this section to post a bond with surety approved by the commissioner for the purpose of insuring continuation of the pump and haul operation for the specified time period contained in the pump and haul permit. Such bond shall be forfeited if the owner ceases to continue the pump and haul operation before the need for pump and haul has been alleviated. The forfeited bond shall be expended as necessary to restore and maintain the pump and haul operation for the permitted time period. Forfeiture of the bond shall not relieve the permit holder of any other legal obligations set forth in these regulations this chapter. No bond shall be required of a government entity holding a permit in accordance with 12 VAC 5-610-550.]~~

12 VAC 5-610-440. Issuance of the special pump and haul permit.

After concurrence of the local political subdivision and upon satisfactory completion of the requirements set forth in 12 VAC 5-610-420, 12 VAC 5-610-430, ~~Part III,~~ Article [~~2 (12 VAC 5-610-540 4 (12 VAC 5-610-598] et seq.) of Part [III, IV] and Part IV,~~ Article [~~8 (12 VAC 5-610-1020 7 (12 VAC 5-610-990)] et seq.) of Part V of this chapter, and if the commissioner determines that issuance of the pump and haul permit is in the best interest of public health, a permit shall be issued.~~

~~**12 VAC 5-610-449. Ground water modeling and verification.**~~

~~A. Nitrate evaluation. The prevention of ground water contamination shall be addressed by the applicant. Documentation shall include, but not be limited to, demonstrating that nitrogen concentrations in the ground water will be limited to 10 mg/l or less at the perimeter of the property.~~

~~1. Dilution areas. Dilution areas, if utilized, shall be adjacent to the mass sewage disposal system and shall be in line with the direction of local ground water flow when known. If the direction of local ground water flow is not known and cannot be readily determined, the regional ground water direction may be used.~~

~~2. Mass balance. Nitrogen calculations shall be based on a mass balance principle.~~

~~a. Unless demonstrated otherwise, the wastewater shall be assumed to have 70 mg/l of nitrogen concentration of which not more than 30% will be denitrified as a result of gaseous losses prior to entering a saturated zone.~~

~~b. No reduction in nitrate-nitrogen loading rate shall be given for reduced water flow. For the purposes of determining nitrate-nitrogen loads from residential wastewater, a flow of 75 gallons per person per day shall be utilized. Nothing contained in this subsection prevents the use of water saving fixtures. Furthermore, reduced absorption areas may be permitted pursuant to 12 VAC 5-610-680.~~

~~3. All drinking water wells shall be prohibited from being located anywhere within the plume of the mass sewage disposal system, where the nitrate concentration of the plume will exceed 10 mg/l.~~

~~4. When the nitrate level leaving the property exceeds 10 mg/l, the department shall require the system owner to cease discharging within six months unless a plan to take remedial action has been proposed, reviewed and approved by the department and installed, inspected and approved for use by the department.~~

~~B. Water mounding evaluation. The potential for effluent mounding below the absorption area shall be addressed by the applicant. The evaluation shall consider the impact of mass sewage disposal system facilities, proposed or existing, within 1,500 feet of the proposed mass sewage disposal system. Data shall be submitted which will demonstrate how a minimum of 24 inches of unsaturated soil will be maintained below the trench bottom. All water mounding calculations shall use measured hydraulic conductivity readings; estimating hydraulic conductivity without measured data shall be prohibited.~~

~~C. Location. In general, not less than four monitoring wells will be required. The monitoring wells shall be located to intercept any potential plume from the mass sewage disposal system and establish that adequate dilution is occurring. The department may require specific well locations to be designated by a certified professional geologist. Whenever a water supply is located within 500 feet down gradient from any part of a mass sewage disposal system or systems, at least one additional monitoring well shall be required between the water supply and the mass sewage disposal system.~~

~~D. Sampling. Ground water, soil and effluent sampling shall be required based on local hydrogeologic conditions. Sampling parameters shall be established by the department on a case-by-case basis but shall at a minimum include fecal coliform, chlorides and nitrates. Sampling frequency shall be every six months.~~

~~1. Responsibility for sampling. The owner of the mass sewage disposal system shall be responsible for ensuring that all samples are collected, analyzed, and reported to the department in accordance with these regulations. All laboratory tests shall be conducted in accordance with either Standard Methods for the Examination of Water and Wastewater, 1992 (American Public Health Association), or Methods for Determination of Inorganic Substances in Environmental Samples, August 1993 (USEPA).~~

~~2. Reporting requirements. All sample results shall be submitted on or before the last work day of the month in which the sample is due. Sample results shall be~~

~~submitted to the district health department office by the owner or the owner's representative. Results may be submitted on any form agreed to by the department prior to sampling.~~

~~E. Background sampling. At least one background sample from each well shall be required prior to permitting the mass sewage disposal system. Sampling may occur at any time satisfactory to the applicant. Where the background nitrate level is less than 10 mg/l, the system shall be designed to ensure that the nitrate level does not increase above 10 mg/l. Where the background nitrate level of any sample exceeds 10 mg/l, at the property boundary, the application for a mass sewage disposal system shall be denied.~~

Article 3.

Mass Sewage Disposal Systems.

12 VAC 5-610-449. Special requirements for mass sewage disposal systems.

A. The criteria contained in this article apply to mass sewage disposal systems and shall supersede any other conflicting criteria contained elsewhere in this chapter. The purpose of this article is to identify systems with flows over 1,200 gallons per day and which because of the combination of factors associated with their flows, wastewater characteristics, and hydrologic considerations have an increased risk of hydraulic failure (i.e., sewage surfacing) or present additional risks of ground water contamination. Examples of facilities that are considered to be served by mass sewage disposal systems regardless of the system configuration are condominiums, shopping centers, commercial development, and massed individual or combined systems when proposed by a single developer. Note: this would include new subdivisions. Examples of systems [that are not considered mass drainfields] are existing single family dwelling lots and new single family dwelling lots which are not developed as part of a subdivision.

B. Ownership. Mass sewage disposal systems shall have a single owner as described in 12 VAC 5-610-250 I. [In order to implement the provisions of this article, the requirements for mass sewage disposal systems shall be deemed to apply to new subdivisions that utilize individual onsite sewage systems to serve individual single family dwellings at the time that subdivision approval is sought from the department. The owner of the proposed subdivision shall be responsible for complying with the requirements of this article, and there shall be no continuing requirements imposed by this article upon the owner of an individual system serving a single family dwelling once that system has been conveyed to an individual owner.]

C. Uniform distribution. All mass sewage disposal systems shall be designed to provide uniform distribution. Mass sewage disposal systems shall not use a distribution box when enhanced flow is utilized.

[~~D. Plans and specifications. Mass sewage disposal systems shall not use a distribution box when enhanced flow is utilized.~~

~~E. D.] Reserve areas. A separate reserve area or reserve areas meeting the requirements of the original absorption~~

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area or areas, and equaling 100% of the required area, shall be provided. When appropriate secondary pretreatment and a certified wastewater treatment operator are provided, the reserve area requirement may be reduced to 50%.

[~~F. E.~~] Recordation. In addition to the subsurface absorption system protection provided for in 12 VAC 5-610-700, a dedication document duly recorded with the clerk of the circuit court shall be furnished to the department stating that the sewage disposal areas and reserve areas and nutrient dilution areas will be used only for sewage renovation and may not be excavated or used for permanent structures while the mass sewage disposal system is utilized.

[~~G. F.~~] Review process. In addition to the requirements found in this article, the treatment processes for all systems over 5,000 G.P.D. shall be permitted in accordance with 12 VAC 5-610-270 [~~of the Sewage Collection and Treatment Regulations~~]. The dispersal methodology may be reviewed under either this chapter or the Sewage Regulations, as deemed appropriate by the division.

12 VAC 5-610-449.1. Site assessment, verification, and monitoring.

A. Sites shall be evaluated by the criteria in this section depending upon their flow.

B. Nitrate evaluation. The prevention of ground water contamination shall be addressed by the applicant. Documentation shall include, but not be limited to, demonstrating that nitrate-nitrogen concentrations in the ground water will comply with 9 VAC 25-260-220, ground water standards promulgated by the [~~Department of Environmental Quality~~ State Water Control Board].

Table 2.1

Flow G.P.D.	Requirement
1,200 - 10,000	Nitrate mass balance estimations and water mounding calculations based on site and soil evaluation and existing geotechnical information. In addition, a wastewater characterization may be required pursuant to subsection D of this section.
10,001 - 40,000	Nitrate mass balance estimations and water mounding determination based on detailed wastewater characterization and geotechnical site evaluation, quarterly onsite treatment system performance evaluation.
>40,000	Nitrate mass balance estimations and water mounding determination based on detailed wastewater characterization, geotechnical site evaluation, quarterly onsite treatment system performance evaluation and ground water monitoring.

1. Dilution areas. Dilution areas, if utilized, shall be adjacent to and down gradient from the mass sewage disposal system and shall be in line with the direction of

local ground water flow when known. If the direction of local ground water flow is not known and cannot be readily determined, the regional ground water direction may be used.

2. Mass balance. Nitrogen calculations shall be based on a mass balance principle.

a. Without pretreatment, wastewater shall be defined to have 60 mg/l of total nitrogen concentration, of which not more than 30% will be denitrified as a result of gaseous losses prior to entering a saturated zone.

b. No reduction in nitrate-nitrogen loading rate shall be given for reduced water flow. For the purposes of determining nitrate-nitrogen loads from residential wastewater, a design flow of 75 gallons per person per day shall be utilized. Nothing contained in this subsection prevents the use of water saving fixtures.

c. Average annual rainfall shall be included in the mass balance equation and shall include an estimate for infiltration based on type of cover.

3. A nitrate level at the property line exceeding 10 mg/l is a violation of this chapter. This violation shall void the operation [permit] for the mass sewage disposal system. After giving notice that the operation permit is void, the owner can request an informal hearing. The operation permit may be reinstated when a plan to take remedial action has been proposed, reviewed and approved by the department.

C. Water mounding evaluation. The potential for effluent mounding below the absorption area shall be addressed by the applicant. The evaluation shall consider the impact of mass sewage disposal system facilities, proposed or existing, within 1,500 feet of the proposed mass sewage disposal system. Data shall be submitted which will demonstrate how a minimum of 24 inches of unsaturated soil or 18 inches with pretreatment will be maintained below the trench bottom. All water mounding calculations shall use measured hydraulic conductivity readings; estimating hydraulic conductivity without measured data or basing hydraulic conductivity on a percolation test shall be prohibited.

D. Wastewater strength. No effluent stronger than septic tank effluent may be discharged to a mass sewage disposal system. When the wastewater is not from residential units, a wastewater characterization shall be done by a professional engineer. When the strength is expected to exceed one or more of the values used to define septic tank effluent (see definitions in 12 VAC 5-610-120), pretreatment shall be provided to reduce the wastewater strength below the values used in the septic tank effluent definition.

E. Discharge of effluent to a mass sewage disposal system in excess of the values listed in subsection D of this section is a violation of this chapter. This violation shall void the operation for the mass sewage disposal system. After giving notice that the operation permit is void, the owner can request an informal hearing. The operation permit may be reinstated when a plan to take remedial action has been proposed, reviewed and approved by the department.

F. Geotechnical evaluation. When flows exceed 10,000 G.P.D., all proposals for mass drainfield systems shall include boring logs and other geophysical data, collected from the drainfield site, dilution area, reserve area, or other appropriate locations, sufficient to characterize the aquifer and vadose zone in terms of depth, thickness, transmissivity, and relationship to other nearby beneficial uses of ground and surface water. Such information shall include but not be limited to geologic, soils and hydrologic maps and reports produced by the United States Geologic Survey, the Virginia Department of Mines, Minerals and Energy, and the Natural Resources Conservation Service (previously the Soil Conservation Service).

G. System performance. All systems with design flows in excess of 10,000 G.P.D. shall be monitored for the following constituents: BOD₅, TSS, FOG, TKN, Total N and measured daily flow rate. Monitoring is the responsibility of the system owner. Effluent samples shall be collected at a point after the last engineered treatment process and before the absorption field.

1. Frequency. Unless determined otherwise, sampling shall be conducted on an annual basis for systems with flows equal to or less than 40,000 G.P.D. Systems with flows in excess of 40,000 G.P.D. shall be sampled not less than quarterly.

2. Responsibility for sampling. The owner of the mass sewage disposal system shall be responsible for assuring that all samples are collected, analyzed, and reported to the department in accordance with this chapter. All laboratory tests shall be conducted in accordance with the Standard Methods for the Examination of Water and Wastewater (American Public Health Association), 1992 Edition.

3. Reporting. All effluent samples shall be reported to the department by the 15th, or the first subsequent business day if the 15th falls on a weekend or holiday, of the month following the month the samples were collected.

4. Failure to collect or submit performance monitoring data required in this subsection is a violation of this chapter. This violation shall void the operation for the mass sewage disposal system. After giving notice that the operation permit is void, the owner can request an informal hearing. The operation permit may be reinstated when a plan to take remedial action has been proposed reviewed and approved by the department.

H. Ground water sampling. For flows up to 10,000 G.P.D., no monitoring wells are required. At least two monitoring wells are required for flows up to 40,000 G.P.D.; and over 40,000 G.P.D., the number of monitoring wells shall be determined on a case by case basis by the department. At a minimum, one monitoring well will be located up gradient and the remaining well(s) down gradient. The department shall review the proposed well construction criteria to assure that it will not cause ground water contamination and is designed to intercept potential contaminants from the mass drainfield. The monitoring wells shall be located to intercept any potential plume from the mass sewage disposal system and establish that adequate dilution is occurring. The department may

require specific well locations to be designated by a certified professional geologist. Whenever a mass sewage disposal system is located within 500 feet up gradient from any part of a drinking water supply subject to ground water contamination, at least one additional monitoring well shall be required between the water supply and the mass sewage disposal system.

I. Sampling. Ground water, soil and additional effluent sampling shall be required based on local hydrogeologic conditions. Sampling parameters shall be established by the department on a case-by-case basis but shall at a minimum include fecal coliform, chlorides, TKN, and nitrates. Sampling frequency shall be every six months.

1. Responsibility for sampling. The owner of the mass sewage disposal system shall be responsible for assuring that all samples are collected, analyzed, and reported to the department in accordance with this chapter. All laboratory tests shall be conducted in accordance with the Standard Methods for the Examination of Water and Wastewater (American Public Health Association), 1992 Edition.

2. Reporting requirements. All ground water samples shall be reported to the department by the 15th, or the first subsequent business day if the 15th falls on a weekend or holiday, of the month following the month the samples were collected.

J. Background sampling. At least one background sample from each well shall be required prior to permitting the mass sewage disposal system. Sampling may occur at any time satisfactory to the applicant. Where the background nitrate level is less than 10 mg/l, the system shall be designed to assure that the nitrate level does not increase above 10 mg/l. Where the background nitrate level of any sample exceeds 10 mg/l, at the property boundary, the application for a mass sewage disposal system shall be designed to discharge effluent which does not exceed 10 mg/l.

12 VAC 5-610-490. Characteristics of soils that determine suitability.

A. Color. Color is a key indication of the suitability of a soil.

1. Red and yellow mottlings may indicate slow internal drainage and may indicate a seasonal water table.

2. Gray and/or gray mottlings indicate seasonal water tables for at least three weeks duration.

3. Black appearance may be due to organic matter which has accumulated due to poor soil drainage.

B. Texture. The term texture refers to the relative proportion of various size groups of individual soil grains in a mass of soil. Specifically it refers to the proportion of sand, silt, and clay.

1. Soil Classification. For the purpose of this chapter soils have been categorized into four groups based on texture as follows:

a. Texture Group I - sand and loamy sand;

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b. Texture Group II - sandy loam, loam, and sandy clay loam. *Texture Group II soils are subdivided into Texture Group IIa and IIb soils. Texture Group IIa soils consist of sandy loam soils with percolation rates less than [30 31] minutes per inch and no structure development. The remainder of soils within this texture group are Texture Group IIb soils;*

c. Texture Group III - silt loam, clay loam, silty clay loam; and

d. Texture Group IV - sand clay, silty clay and clay.

2. The soil texture shall be estimated by field testing. The field test that shall be applied is contained in APPENDIX F and is entitled "Field Guide to Soil Texture Classes." Laboratory estimation of texture by sieve and sedimentation analysis may be substituted for the field test at the owner's request and expense. Samples shall be collected by the laboratory under supervision of the district or local health department.

C. Permeability. The term permeability pertains to the characteristics of the soil that enable water or air to move through its pores. The permeability of a soil profile may be limited by the presence of one nearly impermeable horizon, even though the others are permeable.

1. Estimated rates. The soil classifications contained in ~~paragraph subdivision B 1 of this section~~ have been assigned the following estimated rates in minutes per inch for the purpose of design. These rates may be modified when experience has shown that because of soil structure the texture group has a demonstrated rate different from that assigned.

a. Texture Group I - up to 16;

b. Texture Group II a - 17 to ~~45~~ 30;

c. *Texture Group IIb - 31 to 45;*

~~e. d.~~ Texture Group III - 46 to 90; and

~~e. e.~~ Texture Group IV - equal to or greater than 91.

2. Percolation tests. When the estimated percolation rates are in question, percolation tests may be performed, however, the district or local health department may require percolation tests to determine "measured" percolation rates.

a. Requirements. Percolation tests are to be performed under the supervision of the district or local health department. Test holes shall be located at points and depths selected and/or approved by the district or local health department. A minimum of three holes representative of the absorption area are required. When the results of the individual test holes have a spread of more than 30 minutes/inch, five holes with at least one hole in the center of the proposed absorption area are required. Records of all percolation tests performed shall be attached to the application (See APPENDIX G).

b. Procedure. All percolation tests shall be performed in accordance with the procedure contained in APPENDIX G.

c. Records. Data on swelling, saturation and measurement of the percolation rate shall be recorded on forms by the district or local health department; examples of these forms are contained in APPENDIX G.

d. Interpretation of percolation test results. The absorption ~~trench~~ area shall be based on the average percolation rate measured in the test holes. The average percolation rate shall be computed by determining the percolation rate (minutes/inch) for each hole and averaging those values. When the percolation rate for an individual hole is in excess of 240 minutes/inch, the area represented by the ~~unsatisfactory percolation hole shall~~ *may be retested and if the percolation rate is still in excess of 240 minutes/inch, the absorption area shall be readjusted to eliminate the unsatisfactory area one time and the most favorable rate used to calculate the percolation rate.*

~~3. Unsatisfactory percolation rate. Soils having an estimated or measured percolation rate greater than 120 minutes/inch are unsatisfactory for installation of subsurface soil absorption systems.~~

~~D. Alluvial and colluvial deposits. Placement of subsurface soil absorption systems in alluvial and colluvial deposits with shallow depths, extended periods of saturation, or possible flooding is prohibited.~~

~~E. D. Soil restrictions. A soil restriction is a feature in the soil that impedes the percolation of water. Restrictions generally consist of a layer of soil horizon within a soil that is firmly compacted or is very rich in clay. Soils containing restrictions may require verification of the percolation rate by percolation tests. In addition, soil restrictions in themselves may form the basis for outright rejection of the site. Examples of restrictions are listed below.~~

1. Pans. The term pans include hard pans, fragipans, clay pans, plowpans, traffic pans, iron pans, and plinthic horizons.

2. Stoniness. The term stoniness pertains to the relative proportions of stones present in a soil. Stoniness reduces the soil volume for absorption, and therefore, may require a larger subsurface soil absorption field than would be indicated by soil texture.

~~F. E. Soil concretions. Soil concretions as hard grains, pellets, or nodules from concentrations of compounds in the soil that cement the soil grains together. Concretions are indicative of slow percolation rates, restrictions, and/or seasonal water tables.~~

~~G. Free standing water. The presence of free standing water in a profile hole may be grounds for rejection of the site.~~

~~H. F. Shrink-swell soils. When soils containing horizons with shrink-swell characteristics (See definitions, Part I, Article 2 of this chapter) have been identified, they shall be rejected for use for subsurface soil absorption systems. Shrink-swell soils may exhibit satisfactory percolation rates when dry and therefore must be thoroughly wetted before a percolation test is performed.~~

12 VAC 5-610-593. Physical features.

Physical features, landscape position and soil characteristics affect the ability of soil-based systems to treat and disperse effluent. In order to correctly select and place a sewage system in the environment such that public health and the environment are protected, it is necessary to understand and consider the local hydrologic conditions, the regional geology, and the nature of the soils occurring on the site being evaluated. At a minimum, the following features shall be considered:

1. Marshes and swamps. Placement of subsurface soil absorption systems on or in swamps and marshes is prohibited.
2. Seasonal water table. A vertical separation distance between the point of effluent application and a seasonal water table shall be maintained which reflects the quality of the effluent and the receiving environment. Minimum vertical separation distances may be found in Articles 2 (12 VAC 5-610-594 et seq.) and 3 (12 VAC 5-610-597 et seq.) of this part and Tables 4.3 and 4.4.
3. Slope. Subsurface soil absorption trench systems shall not be placed on slopes greater than 50% unless terraced. Criteria for other types of onsite systems are contained in Tables 4.3 and 4.4.
4. Drainage ways. Subsurface soil absorption systems shall not be placed at a position in a drainage way subject to intermittent flooding.
5. Fill material. Placement of subsurface soil absorption systems in fill materials is generally prohibited except in three specific situations. The Wisconsin Mound system is considered a fill system as is the sand-on-sand system. These systems are governed by criteria found in [~~42 VAC 5-610-650~~ 12 VAC 5-610-960, 12 VAC 5-610-965,] and Table 4.4. Fill material consisting of colluvial soil derived from sandstone (noncarbonaceous) in the mountainous area may be considered on a case-by-case basis for placement of subsurface soil absorption systems.
6. Sink holes. Placement of a subsurface soil absorption system at the low point of a sink hole is prohibited. For set back distance see Table 4.2.
7. Flood plains. Subsurface soil absorption systems shall not be placed in flood plains subject to annual or more frequent sustained (24 hours) flooding.
8. Alluvial and colluvial deposits. Placement of subsurface soil absorption areas in alluvial and colluvial deposits with shallow depths, extended periods of saturation, or possible flooding is prohibited.
9. Shrink-swell soils. When soils containing horizons with shrink-swell characteristics (see definitions in 12 VAC 5-610-120) have been identified, they shall be rejected for use for subsurface soil absorption systems.
10. Soil restrictions. Soil restrictions in themselves may form the basis for outright rejection of the site.

11. Free standing water. The presence of free standing water in a profile hole may be grounds for rejection of the site.

Article 2.

Systems Using Naturally Occurring Undisturbed Soil.

12 VAC 5-610-594. In-ground systems.

A. An in-ground system is a system which utilizes a natural, undisturbed soil horizon to treat and disperse effluent where the infiltrative surface is placed 18 inches or more beneath the original surface of the ground. In-ground systems include, but are not limited to, conventional septic tank drainfield systems, chamber systems, alternative aggregate systems, enhanced flow systems, and pressure dosed systems.

B. Septic tank effluent. Septic tank effluent may be utilized in an in-ground system when all of the site and soil criteria of this subsection are met. Also see Table 4.3.

1. Horizon. The soil horizon(s) for the 18 inches immediately below the installation depth shall not show the presence of any limiting factor. Limiting factors include [~~greater than 50% rock by volume,~~] bedrock, seasonal or permanent water table, pans, or other impervious strata.

2. Separation distances. Table 4.2 contains the minimum setback distances between an absorption field and various structures or topographic features.

3. Estimated or measured infiltration rates. The estimated or measured infiltration rate shall not exceed 120 minutes per inch within any part of the sidewall area of the trench or within 18 inches of the infiltrative interface where effluent encounters undisturbed soil.

C. Soil criteria when utilizing secondary effluent. Secondary effluent may be utilized in an in-ground system when all of the criteria of this subsection are met. Also see Table 4.3.

1. Horizon. The soil horizon(s) for the 12 inches immediately below the installation depth shall not show the presence of any limiting factor. Limiting factors include [~~greater than 50% rock by volume,~~] bedrock, seasonal or permanent water table, pans or other impervious strata.

2. Separation distances. Table 4.2 contains the minimum setback distances between an absorption field and various structures or topographic features.

3. Estimated or measured infiltration rates. The estimated or measured infiltration rate shall not exceed 120 minutes per inch within the sidewall area of the trench, if any, or within 12 inches of the infiltrative interface where effluent encounters undisturbed soil.

12 VAC 5-610-596. Shallow-placed systems.

A. Shallow-placed systems are systems which utilize a natural, undisturbed soil horizon to treat and disperse effluent where the infiltrative surface is placed at a depth of less than 18 inches from the original soil surface. Also see Table 4.3. Shallow-placed systems may use the system designs similar to in-ground systems; however, when shallow-placed systems

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are installed at less than 12 inches from the ground surface, timed dosing shall be used to disperse the effluent.

B. Septic effluent prohibited. Septic tank effluent is prohibited for use in shallow-placed systems because of the increased likelihood for human and vector contact with effluent.

C. Soil criteria when utilizing secondary effluent. Secondary or better effluent may be utilized in an shallow-placed system when all of the criteria in this subsection are met. Also see Table 4.3.

1. **Soil texture.** In order to assure effluent dispersal under adverse conditions while maintaining adequate treatment capacity, shallow-placed systems installed shallower than 12 inches [,] which utilize absorption trenches [,] are limited to Texture Group I and II soils. [Any soil] texture group [~~III and IV soils~~] may be utilized for absorption trench systems installed between 12 and 18 inches [~~or when the measured percolation rate is less than 45 minutes per inch~~].

2. **Limiting features.** A minimum of 12 inches of soil is required beneath the trench bottom or infiltrative surface before encountering soils with [~~greater than 50% rock by volume, or a~~] seasonal or permanent water table. Additionally, to assure adequate hydraulic dispersal capacity, bedrock and impervious strata may not occur within 18 inches of the trench bottom.

3. **Separation distances.** Table 4.2 contains the minimum setback distances between an absorption field and various structures or topographic features.

[~~4. Estimated or measured percolation rates. The estimated or measured percolation rate shall not exceed 45 minutes per inch within the sidewall area of the trench, if any, or within 18 inches of the infiltrative surface where effluent encounters undisturbed soil.~~]

Article 3.

Systems Using Fill Material.

12 VAC 5-610-597. Fill systems.

A. Fill systems are systems where the infiltrative surface and some portion of the treatment medium is comprised of fill material and not a naturally occurring undisturbed soil. Fill systems may be located in-ground, shallow-placed, or above ground. Fill systems addressed in these regulations are the Wisconsin Mound system, the noncarbonaceous mountain colluvium system, and the sand-on-sand system.

B. Elevated Sand Mounds. Septic tank effluent may be utilized with elevated sand mounds. Pretreatment shall be required when effluent strength exceeds residential strength wastewater and may be required where hydrologic conditions meet the minimum criteria contained in this chapter. For the purpose of siting an elevated sand mound, the criteria in Table 4.4 shall apply. For the purposes of establishing minimum setback distances between an elevated sand mound and various structures or topographic features, the mound shall be considered an absorption field and distances shown in Table 4.2 utilized.

C. Sand-on-sand systems. Sand-on-sand is a process of modifying a soil absorption system site using fill material which is similar in texture to the original, naturally occurring material. Filling is accomplished in accordance with 12 VAC 5-610-965.

1. **Criteria for utilizing septic effluent.** Septic tank effluent may be utilized with sand-on-sand systems. For the purpose of siting a sand-on-sand system, the criteria in Table 4.4 shall apply. Sand-on-sand systems may be utilized with septic tank effluent when the following criteria are met:

a. **Soil texture.** In order to assure effluent dispersal under adverse conditions, while maintaining adequate treatment capacity, shallow-placed systems are limited to Texture Group I and IIa soils. The use of Texture Group IIb, III and IV soils for sand-on-sand systems is prohibited.

b. **Soil structure.** Sand-on-sand is restricted to soils classified as entisols (i.e., a young soil with no horizon development) and which have a texture of sand, loamy sand, coarse sandy loam, or sandy loam texture.

c. **Depth of soil.** A minimum of 18 inches of naturally occurring undisturbed soil, measured from the ground surface, is required before encountering soils with [~~greater than 50% rock by volume,~~] bedrock, or a seasonal or permanent water table. Additionally, to assure adequate hydraulic dispersal capacity, no restrictive horizons may occur within 30 inches of the ground surface.

d. **Separation distances.** Table 4.2 contains the minimum setback distances between an absorption field and various structures or topographic features.

e. **Estimated or measured infiltration rates.** When siting a sand-on-sand system, the estimated or measured infiltration rate shall not exceed 30 minutes per inch within the sidewall area of the trench or within 18 inches of the infiltrative interface where effluent encounters undisturbed soil.

f. **Slope.** Sand-on-sand is prohibited where the slope of the original site exceeds 5%.

2. **Criteria for utilizing secondary effluent.**

a. **Depth of soil.** A minimum of 12 inches of soil, measured from the ground surface, is required before encountering [~~soils with greater than 50% rock by volume,~~] bedrock, or a seasonal or permanent water table. Additionally, to assure adequate hydraulic dispersal capacity, no restrictive horizons may occur within 24 inches of the ground surface.

b. **Separation distances.** Table 4.2 contains the minimum setback distances between an absorption field and various structures or topographic features.

c. **Estimated or measured infiltration rates.** The estimated or measured infiltration rate shall not exceed 30 minutes per inch within the sidewall area of the

trench, if any, or within 18 inches of the infiltrative interface where effluent encounters undisturbed soil.

However, fill material consisting of colluvial soil derived from sandstone (noncarbonaceous) in the mountainous area may be considered on a case-by-case basis for placement of subsurface soil absorption systems.

D. Fill systems in mountain colluvium. The criteria for conventional, in-ground trench systems contained in Table 4.3 shall be complied with to the greatest extent possible.

Table 4.1.
Minimum Separation Distances for Pretreatment Units, Conveyance Lines, and Header Lines.

Structure or Topographic Features	Minimum Horizontal Distance
Property Lines	5
Building Foundations	10
Basements	20
Drinking Water Wells (all classes)	50
Cisterns (Bottom Elevation Lower than Ground Surface in Area of Pretreatment Unit)	100
Shellfish Waters	70
Natural Lakes & Impounded Waters and Streams	50
Developed Springs ([UpSlope when the spring is down slope])	100
Drainage Ditches:	
Ditch Bottoms above Seasonal Water Table	10
Ditch Bottom below Seasonal Water Table and Ditch Normally Contains Water	50
Lateral Ground Water Movement Interceptor	50
Low Point of Sink Holes When Placed within the Bowl of the Sink Hole	100
Utility Lines	10

Table 4.2.
Minimum Separation Distances.

Structure or Topographic Features	Soil Texture Group	Minimum Distance (Ft) from Bottom or Sidewall of Subsurface Soil Absorption System Trench	
		Vertical	Horizontal
Property Lines	I, II, III, IV	---	5
Building Foundations	I, II, III, IV	---	10
Basements	I, II, III, IV	---	20
Drinking Water Wells			
Class [I & II IIIA or IIIB]	I, II, III, IV	---	50
Class [III IIIC or IV]	I, II, III, IV	---	100
Cisterns (Bottom Elevation Lower than Ground Surface in Area of Subsurface Soil Absorption System)	I, II, III, IV	---	100
Shellfish Waters	I, II, III, IV	---	70
Natural Lakes & Impounded Waters	I, II, III, IV	---	50
Streams	I, II, III, IV	---	50 ^a
Developed Springs ([UpSlope when the spring is down slope])	I, II, III, IV	---	200 ^e
Rock and Rock Outcropping	I	2	2
Rock and Rock Outcropping	II, III, IV	1.5	1.5

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<i>Pans and Impervious Strata</i>	<i>I, II, III, IV</i>	<i>1.5</i>	<i>1.5</i>
<i>Drainage Ditches</i>			
<i>Ditch Bottoms above Seasonal Water Table</i>	<i>I, II, III, IV</i>	<i>----</i>	<i>10</i>
<i>Ditch Bottom below Seasonal Water Table and Ditch Normally Contains Water</i>	<i>I</i>	<i>----</i>	<i>70^a</i>
	<i>II</i>	<i>----</i>	<i>70^a</i>
	<i>III</i>	<i>----</i>	<i>50^a</i>
	<i>IV</i>	<i>----</i>	<i>50^a</i>
<i>Water Table Depressor System</i>			
	<i>I</i>	<i>6^b</i>	<i>70</i>
	<i>II</i>	<i>3^b</i>	<i>70</i>
	<i>III</i>	<i>2^b</i>	<i>50</i>
	<i>IV</i>	<i>2</i>	<i>50</i>
<i>Lateral Ground Water</i>	<i>I</i>	<i>----</i>	<i>70^c 10^d</i>
<i>Movement Interceptor</i>			
	<i>II</i>	<i>----</i>	<i>70^c 10^d</i>
	<i>III</i>	<i>----</i>	<i>50^c 10^d</i>
	<i>IV</i>	<i>----</i>	<i>50^c 10^d</i>
<i>Low Point of Sink Holes When Placed within the Bowl of the Sink Hole</i>	<i>I, II, III, IV</i>	<i>----</i>	<i>100</i>
<i>Utility Lines</i>	<i>I, II, III, IV</i>	<i>----</i>	<i>10</i>

^a The set back distance may be reduced to 10 feet in Group III and IV soils and 20 feet in Group I and II soils if the subsurface soil absorption system is designed to produce unsaturated flow condition in the soil.

^b Vertical Distance to the invert of the drain tile in the water table depressor system.

^c Absorption trench up slope from interceptor.

^d Absorption trench down slope from interceptor.

^e Arc of 180 degree up slope of spring and 100 ft. down slope.

Table 4.3.

Summary of Separation Distances between Systems Using Naturally Occurring Undisturbed Soils and Limiting Site Factors.

Site Factor	In-Ground System ¹		Shallow-placed System ¹	
	Septic Tank Effluent	Secondary Effluent	Septic Tank Effluent	Secondary Effluent
Bed Rock	18"	12"	n/a	[12" 18"]
[50% Rock Fragments	18"	12"	n/a	12"]
Restriction	18"	12"	n/a	18"
Shrink-Swell Soil	18"	12"	n/a	18"
Slope	50%	50%	n/a	50%
Perc Rate	5-120 mpi	5-120 mpi	n/a	5-45 mpi
Water Table	18"	12"	n/a	12"

¹ The separation distances for in-ground and shallow-placed systems are measured from the trench bottom or other infiltrative interface vertically down to listed site factor.

Table 4.4.
Summary of Separation Distances between Fill Systems and Limiting Site Factors.

Site Factor	Elevated Sand Mound		Sand-on-Sand System ²		Noncarbonaceous Mountain Colluvium	
	Septic Tank Effluent	Secondary Effluent	Septic Tank Effluent	Secondary Effluent	Septic Tank Effluent	Secondary Effluent
Bed Rock	24" ¹	24" ¹	60"	60"	18"	12"
[50% Rock Fragments	24"	n/a	48"	42"	48"	42"
Restriction	24"	12"	30"	24"	18"	12"
Shrink-Swell Soil	24"	12"	40"	30"	18"	12"
Slope	25%	25%	5%	5%	50%	50%
Perc Rate	5-120 mpi	5-120 mpi	5-30 mpi	5-30 mpi	5-120 mpi	5-120 mpi
Water Table	24"	10"	18"	12"	18"	12"

¹ 24 inches refers to creviced bedrock. This distance may be reduced to 12 inches when noncreviced bedrock is encountered. See the Wisconsin Mound Soil Absorption System Siting, Design, and Construction Manual, January 1990.

² The separation distance for sand-on-sand systems is measured from the ground surface vertically down to the listed site factor.

~~[Article 5.
Sewage Handling and Septage Management.~~

12 VAC 5-610-599.4. Sewage handling general.

~~A. In accordance with 12 VAC 5-610-240 B, a sewage handler shall have a written sewage handling permit issued by the commissioner.~~

~~B. It is the obligation of every sewage handler to assure that the sewage, sewage sludge or septage handled are transported and managed in a safe and sanitary manner in conformance with this chapter. Treatment and management~~

~~of sewage and sewage sludge are regulated by the Sewage Regulations (12 VAC 5-580-10 et seq.).~~

~~C. All sewage handling equipment in contact with sewage shall be washed in such a manner and location that the wastewater from washing is conveyed to an approved sewerage system or treatment works.~~

~~D. Disposal of sewage sludges or septage into bodies of water or streams is prohibited.]~~

Article 4: [6: 5.]
Installation of Residential Sewage Disposal Systems in Political Subdivisions Having Soil Drainage Management Contracts with the State Health Department.

Table 4.1 5.1.
Sewage Flows.

Discharge Facility	Design Unit	Flow (gpd)	BOD (#/day)	S.S. (#/#/day)	Flow Duration (Hour)
Dwelling ¹	per person total	75	0.2	0.2	24
Food preparation		15			
Toilet facilities		20			
Bathing facilities		20			
Handwashing facilities		5			
Laundering		15			
Schools with shower and cafeteria	per person	16	0.04	0.04	8
Schools without showers and with or without cafeteria	per person	10	0.025	0.025	8
Boarding schools	per person	75	0.2	0.2	16
Motels at 65 gals/person (rooms only)	per person	130	0.26	0.26	24
Trailer courts	per person	75	0.2	0.2	24
Restaurants	per seat	50	0.2	0.2	16
Interstate or through highway restaurants	per seat	100-180	0.7	0.7	16
Interstate rest areas	per person	5	0.01	0.01	24
Service stations	per vehicle serviced	10	0.01	0.01	16

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Factories & office buildings	per person per 8-hr shift	15-35	0.03-0.07	0.03-0.07	operating period
Shopping centers	per 1,000 [sq.] ft. of ultimate floor space	200-300	0.1	0.1	12
Hospitals	per bed	300	0.6	0.6	24
Nursing homes	per bed	200	0.3	0.3	24
Homes for the aged	per bed	100	0.2	0.2	24
Doctor's office in medical center	per [400 1,000 sq.] ft.	500	0.1	0.1	12
Laundromats, 9 to 12# machines	per machine	500	0.3	0.03	16
Community colleges	per student and faculty	15	0.03	0.03	12
Swimming pools	per swimmer	10	0.001	0.001	12
Theaters Theaters, drive-in type	per car	5	0.01	0.01	4
Theaters, auditorium type	per seat	5	0.01	0.01	12
Picnic areas	per person	5	0.01	0.01	12
Camps, resort day and night with limited plumbing	per campsite	50	0.05	0.05	24
Luxury camps with flush toilets	per camp site	100	0.1	0.1	24
Dump station	per camp site	50	0.05	0.05	24

¹ For all dwelling units the design shall be based on two ~~person~~ persons per bedroom.

[12 VAC 5-610-740. Slope.

The minimum slope for three- and four-inch sewers is 1-1/4 inches per 10 feet, and for a six-inch sewer, is 3/4 inches per 10 feet.]

12 VAC 5-610-815. Septic tank design.

~~4-~~ A. Tank capacity. The minimum hydraulic detention time shall be 48 hours based on daily design flow. In no case shall the septic tank capacity be less than 750 gallons. Table ~~4-2~~ 5.2 contains the minimum required septic tank capacities for dwelling units.

Table ~~4-2~~ 5.2.
Septic Tank Capacities for Dwelling Units.

No. of Bedrooms	Approximate Tank Volume in Gallons
1	750
2	750
3	900
4	1200
5	1500

~~2-~~ B. Tank dimensions. Septic tanks shall be rectangular in plan, cross-section and longitudinal view. The length to liquid depth to width ratio should be approximately equal or greater than 2 to 1 to 1 (2:1:1) and less than or equal to 3 to 1 to 1 (3:1:1). In no case shall the liquid depth be less than four feet or greater than eight feet. A minimum of one foot free board shall be provided. Inlet and outlet structures shall be placed on the longitudinal axis of the tank. Typical tank dimensions are found in Table ~~4-3~~ 5.3.

Table ~~4-3~~ 5.3.
Typical Septic Tank Dimensions in Feet.

Approximate Gallons	Length	Width	Liquid Depth	Freeboard
750	7	3.5	4	1
900	8	4	4	1
1200	9	4.5	4	1
1500	9.5	5	4.7	1

~~3-~~ C. Inlet-outlet structure.

~~a-~~ 1. General. The inlet and outlet structures shall function as a baffle. The invert of the inlet structure shall be greater than one inch but less than two inches higher than the invert of the outlet structure with the tank installed. The inlet structure shall extend six to eight inches below and eight to 10 inches above the normal liquid level. The outlet structure shall extend below the normal liquid surface to a distance of 35 to 40% of the liquid depth and eight to 10 inches above the normal liquid level. The inlet and outlet structures shall have an open space not less than four inches by four inches in cross-section or four inches in diameter.

~~b-~~ 2. Materials. All materials used for inlet and outlet structures shall have long term resistance to chemical and electrolytic corrosion. When pipe tees are used as inlet and outlet structures, the material shall be compatible with the material used in the sewer.

~~4-~~ D. Top access and watertightness. All septic tanks shall be watertight and shall be provided with a watertight top. As a minimum, access manholes shall be provided over the inlet and outlet structures and shall have a minimum open space

of 18 inches by 18 inches. When the septic tank has in excess of 30 inches of soil cover, an access manhole shall be brought to within 18 inches of the ground surface and shall be provided with a tight fitting cover. In wet areas the manhole covers shall be watertight.

~~E. Inspection port. All septic systems installed or repaired after July 1, 1994, and utilizing a septic tank for pretreatment, shall be equipped with a 4-inch to 6-inch (or larger) inspection port. The inspection port shall terminate at or above grade and be designed to allow an inspection of sludge build up in the septic tank. The inspection port shall be constructed of schedule 40 PVC pipe, or equivalent, and shall be fitted with a water tight threaded cap. The recommended location of the inspection port shall be in or near the manhole cover on the inlet side of the septic tank away from the inlet tee. Other locations may be approved by the district health department on a case-by-case basis.~~

~~D. F. E. Construction of septic tanks. The contractor and/or manufacturer shall design and construct the septic tank to withstand the lateral and bearing loads to which the septic tank is expected to be subjected. Suggested design and construction criteria are contained in Appendix N.~~

~~E. G. F. Placement of septic tanks. The precast septic tank shall be bedded with at least six inches of sand or fine gravel where rock or other undesirable conditions are encountered. The tank shall be placed level. Where excavation is required, the [hold hole] shall be sufficiently large to permit placement of the tank. Backfilling the excavation for all septic tanks shall be done in layers with sufficient tamping to avoid settling. Backfill material shall be free of large stones and debris.~~

12 VAC 5-610-817. Maintenance.

A. In order to encourage proper maintenance and reduce the likelihood of solids being discharged to an absorption field, all septic tanks constructed after [~~October 1, 1999~~ July 1, 2000], shall be designed to allow for routine inspection without being uncovered (i.e., have an inspection port as provided for in subsection B of this section) or have an effluent filter as provided for in subsection C of this section, or be designed for reduced maintenance as provided for in subsection D of this section.

B. Inspection port. An inspection port is a three-inch or larger port pipe or structure which allows access to the septic tank for the purpose of measuring sludge and scum accumulation. The inspection port shall terminate at or above grade and be designed to allow an inspection of sludge buildup in the septic tank. The inspection port shall be constructed of schedule 40 PVC pipe, or its equivalent, and shall be fitted with a watertight threaded cap. The recommended location of the inspection port shall be in or near the manhole cover on the inlet side of the septic tank away from the inlet tee. Other locations may be approved by the district health department on a case-by-case basis.

C. Effluent filters. An effluent filter is a device which has one or more of the following purposes: (i) to manage solids to provide greater service life to a pump or other components of an onsite system; (ii) to manage the total suspended solids (TSS) passed to the absorption field, potentially enhancing

absorption field life; or (iii) some other purpose recognized as beneficial by the department.

1. All effluent filters shall be designed to improve the quality of effluent leaving the tank in a manner which is consistent with their purpose.

2. Septic tank outlet filters shall be constructed from a material which resists the corrosive nature of the environment within a septic tank.

3. A tamper proof child resistant at-grade access port shall be provided to assure the filter can be readily maintained as necessary.

D. Reduced maintenance septic tanks. Septic tanks which are sized 30% larger than shown in Table 5.3 and which are baffled such that the first compartment is nominally the volume required in Table 5.3 shall be considered to be a reduced maintenance septic tank.

VA.R. Doc. No. R96-337; Filed April 4, 2000, 12:13 p.m.



TITLE 15. JUDICIAL

JUDICIAL INQUIRY AND REVIEW COMMISSION

REGISTRAR'S NOTICE: The following regulations were filed by description with the Registrar of Regulations in accordance with § 2.3 of the Virginia Code Commission Regulations implementing the Virginia Register Act. Section 2.3 of the Virginia Code Commission Regulations allows the Registrar to authorize the filing of a regulatory document by description in lieu of filing the entire text pursuant to criteria identified in that section.

Title of Regulation: 15 VAC 10-10-10. Rules of the Judicial Inquiry and Review Commission.

Statutory Authority: § 2.1-37.5 of the Code of Virginia.

Effective Date: March 24, 2000.

Exemptions Claimed:

This regulation is exempt from the Administrative Process Act pursuant to § 9-6.14:4.1 A 2 of the Code of Virginia, which exempts courts, any agency of the Supreme Court, and any agency which by the Constitution is expressly granted any of the powers of a court of record. Subdivision 2 a of § 2.3 of the Virginia Code Commission Regulations allows regulations concerning public officers and employees to be filed by description subject to the authorization of the Registrar of Regulations.

Description:

These rules govern proceedings before the Judicial Inquiry and Review Commission.

Final Regulations

Document Availability:

Web site: The full text of the rules are available on the commission's web site at <http://www.courts.state.va.us/jirc/rules.html>.

Mail or Facsimile: The rules are available by mail or fax by writing to P.O. Box 367, Richmond, VA 23218-0367, or by calling (804) 786-6636.

Document available for inspection at the following location: 100 North Ninth Street, Richmond, VA 23219.

VA.R. Doc. No. R00-158; Filed March 24, 2000, 11:10 a.m.



GENERAL NOTICES/ERRATA

STATE CORPORATION COMMISSION

REGISTRAR'S NOTICE: Appendices A through D referenced in the following order are not being published. However, these appendices are available for public inspection at the State Corporation Commission, Document Control Center, Tyler Building, 1st Floor, 1300 East Main Street, Richmond, Virginia, from 8:15 a.m. to 5 p.m., Monday through Friday.

AT RICHMOND, MARCH 28, 2000

COMMONWEALTH OF VIRGINIA, *ex rel.*
STATE CORPORATION COMMISSION

CASE NO. PUC000045

Ex Parte: In re: Investigation
to implement 711 abbreviated dialing
access to the Telecommunications
Relay Service in Virginia

ORDER INITIATING INVESTIGATION AND REQUESTING COMMENTS

The Commission initiates this investigation to implement 711 abbreviated dialing access to the Telecommunications Relay Service ("TRS") operated by AT&T Communications of Virginia, Inc. ("AT&T"). We will establish a comment period on this proposed 711 implementation and will designate a "711 Implementation Committee."

On February 19, 1997, the Federal Communications Commission ("FCC") issued its First Report and Order and Further Notice of Proposed Rulemaking In the Matter of the Use of N11 Codes and Other Abbreviated Dialing Arrangements, in CC Docket No. 92-105; FCC 97-51. The First Report and Order, *inter alia*, ordered Bell Communications Research ("Bellcore"), as then current North American Numbering Plan Administrator ("NANPA"), to assign 711 as a national code for TRS use. Also in that Order, the FCC tentatively concluded that nationwide implementation of 711 dialing for TRS access should occur within three years.

The use of 711 abbreviated dialing provides easier access to the TRS system. Ease of access to the TRS system furthers the goals of the Americans with Disabilities Act of 1990 which requires functionally equivalent access to the telephone network for persons with hearing or speech disabilities. Simplicity of TRS access encourages and supports use by hearing persons as well as persons with hearing and speech disabilities. Using 711 nationwide would facilitate consistency from state to state. Currently there are many TRS numbers assigned within states, often making access to the relay service confusing and difficult.

TRS now utilizes a variety of services to facilitate telephone communication by persons with hearing or speech disabilities. Relay services between text telephone ("TTY") users and voice users utilize a relay operator, called a Communications Assistant ("CA"), to read what the TTY user types to a voice

telephone user and to type responses back to the TTY user throughout the duration of a telephone call.¹

On February 18, 2000, the Commission's Division of Communications conducted a teleconference with representatives of AT&T, four Local Exchange Companies ("LECs"), the Virginia Telephone Industry Association ("VTIA"), and the Virginia Department for the Deaf and Hard of Hearing ("VDDHH"). AT&T representatives indicated their expectation that 711 abbreviated dialing access to their TRS center, located in Norton, Virginia, could be operational for the public by June 26, 2000.

Description of 711 Service for Virginia

The proposed plan for implementing 711 access in Virginia involves using 711 for both voice and TTY calls. Both voice and TTY users will dial 711 to access AT&T's TRS center. Incumbent Local Exchange Companies ("ILECs") and facilities-based Competitive Local Exchange Companies ("CLECs") will translate the 711 call to a new TRS 800 number. The translation normally occurs within one second. The current voice number and the current TTY number still will be available for calls for those TRS users not using the abbreviated 711 dialing.

When the call reaches the TRS, the Virginia user will enter an Enhanced Voice Upfront Automation Call Flow ("EVUFA") where voice customers will be greeted with an initial "Virginia Relay" prompt. Next, the customer will be prompted to press "1" for a voice call. If the user presses "1" for voice, they will go to another menu and be asked to press "0" for a CA, "1" to enter the number being called, or "2" for an explanation of how the TRS works. This initial voice prompt menu takes five to seven seconds.

If the system receives no response from the caller, the system will check for TTY signals, *i.e.*, ASCII first, secondly Turbo Code, and third for Baudot signals. The EVUFA determines the transmission type and connects the call to a CA. For voice callers taking no action, the Relay system would time-out and transfer the caller to a CA for handling.

If the user does not press any number on the initial menu, a five-second time-out occurs, after which the caller's ANI (Automatic Number Identification) is checked for an entry in the Relay Choice Profile Database. The Relay Choice Profile Database will check the customer's telephone number and in one or two seconds will determine if there is a prearranged option in the database on the choice of call type, *i.e.*, voice,

¹ On March 6, 2000, the FCC released a Report and Order in CC Docket 98-67 which adopted additional Rules requiring speech-to-speech relay service, utilizing individuals trained in understanding certain speech patterns to relay conversations for people with speech disabilities; required that Spanish language relay service be provided for interstate calls; and encouraged the provision of video relay interpreting service by making it eligible for reimbursement from the TRS fund. Video relay interpreting utilizes Communications Assistants skilled in sign language to relay conversations for users of American Sign Language. See In the matter of Telecommunications Relay Services, 2000 WL 245346 (F.C.C., Mar. 06, 2000) (No. FCC 00-56).

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ASCII, Turbo Code, Baudot, Voice Carryover ("VCO"),² or Hearing Carryover ("HCO").³

If the customer has a Relay Choice Profile, the call will be sent to a CA using the appropriate call type mode, *i.e.*, either voice, ASCII, Turbo Code, Baudot, VCO, or HCO. If the user does not have a Relay Choice Profile, the system will check for ASCII; then in about five seconds the call goes to Turbo Code seek tone. If the user does not respond to Turbo Code, the call goes to the Baudot seek tone. If the user does not respond to Baudot (again in about five seconds), the call is sent to a CA for help.

At worst, a TRS call using 711 would take no more than twenty-two seconds to be processed. This worst-case scenario assumes that the caller is using the Baudot text format and that the customer has no Relay Choice Profile set up, which thus necessitates going through all of the steps. At best, voice customers could connect to a CA in three seconds, and TTY users could connect in seven seconds.

Both ILECs and facilities-based CLECs will need to implement 711 access in order for there to be complete statewide coverage. There will be press releases detailing the proposed implementation of 711 in the Commonwealth; a bill insert or a billing statement will be developed for inclusion in all customers' bills; and the Customer Guide pages of the telephone directories will be updated to include the use of 711 abbreviated dialing access. Payphone service providers ("PSPs") (including all LECs) will be notified of 711 implementation so that their "smart" payphones can be programmed to translate the 711 call directly from the payphone itself.

Conclusion

We conclude that the 711 abbreviated dialing will facilitate the hearing and speech disabled community's access to the TRS system. It is also our belief that the hearing public would be more inclined to call TRS users (those with hearing and speech disabilities) if dialing were simplified.

711 Implementation

To assist the Commission with 711 implementation, we find that a 711 Implementation Committee should be established to develop guidelines for implementation in Virginia. This Committee will be charged with the following: (1) identifying processes required for implementing the 711 abbreviated dialing access; (2) identifying factors such as switch conversion timeframes and the relay provider conversion timeframe; (3) establishing a feasible cutover date; (4) identifying parties to be involved and/or notified of the 711 implementation plan including ILECs, CLECs, long distance

² VCO - Voice Carryover call type is for a deaf or hard-of-hearing person (TTY user) who wants to speak instead of type. The deaf or hard-of-hearing person talks directly into the phone. The CA types the hearing person's response to the TTY user.

³ HCO - Hearing Carryover call type is for a speech-disabled person who prefers to listen rather than read. The speech-disabled person types his or her part of the conversation for the CA to read to the standard telephone user.

companies, wireless companies, PSPs, the VTIA, and TRS user groups; (5) identifying the best method of industry notification (*e.g.*, industry publications); (6) developing a customer notification program (press releases, directory changes, bill inserts, etc.) including template text; (7) submitting input to the Local Exchange Routing Guide; (8) determining the need for system testing and/or a trial period; (9) evaluating the need for special trouble shooting reporting procedures; and (10) evaluating other areas the Committee deems relevant and appropriate. The 711 Implementation Committee should consist of representatives of AT&T, ILECs, CLECs, VTIA, VDDHH, PSPs, the hearing and speech disabled communities, and members of the Commission Staff. Mr. Alan Wickham, Deputy Director of the Commission's Division of Communications, should be notified by all parties desiring to serve on the 711 Implementation Committee.

Comments Invited

To assist the Commission in its investigation, comments are requested from any interested carrier, user, affected industry group, or advocacy group on the Commission's proposed implementation of 711 access to TRS. All comments should be filed no later than May 1, 2000. Comments may be mailed to Joel H. Peck, Clerk, Virginia State Corporation Commission, P.O. Box 2118, Richmond, Virginia 23218, and should refer to Case No. PUC000045. Accordingly,

IT IS THEREFORE ORDERED THAT:

(1) This investigation is docketed and assigned Case No. PUC000045.

(2) All companies, users of telecommunications services, industry, advocacy groups, and other interested parties are invited to file comments by May 1, 2000, as provided above. Any corporation shall be represented by counsel in accordance with Rule 4:8 of the Commission's Rules of Practice and Procedure and shall file an original and fifteen (15) copies of any comments or request for hearing on or before the deadline. Individuals may file single copies.

(3) The Clerk is hereby directed to serve a copy of this Order to all certificated companies, including wireless companies, PSPs, the VTIA, the Atlantic Payphone Association, VDDHH, and the Virginia Association of the Deaf and the Self Help for Hard of Hearing. Thereafter, if any party desires to be added to the service list, a Notice of Participation must be filed in this case.

(4) On or before April 16, 2000, the Commission's Division of Communications shall publish once a week for two (2) consecutive weeks the following notice as classified advertising only with display border in newspapers of general circulation in the Commonwealth of Virginia:

VIRGINIA STATE CORPORATION COMMISSION
NOTICE OF OPPORTUNITY TO COMMENT ON
THE PROPOSED IMPLEMENTATION OF 711
ABBREVIATED DIALING ACCESS TO THE
TELECOMMUNICATIONS RELAY SERVICE
CASE NO. PUC000045

The Virginia State Corporation Commission ("SCC") is inviting comments from telephone customers affected by calling into the Telecommunications Relay Service ("TRS").

The service relays conversations between people with hearing and/or speech disabilities who use text telephones (TTYs/computers) or telebraille and people who use standard telephones.

The Commission is proposing the implementation of 711 abbreviated dialing access to TRS operated by AT&T Communications of Virginia, Inc. ("AT&T"). The SCC has established a comment period on this proposed 711 implementation plan.

The use of 711 abbreviated dialing provides easier access to the TRS system. Ease of access to the TRS system furthers the goals of the Americans with Disabilities Act of 1990 that requires functionally equivalent access to the telephone network for persons with hearing and speech disabilities. Simplicity of TRS access encourages and supports use by hearing persons as well as persons with hearing and speech disabilities.

The proposed plan for implementing 711 access in Virginia involves using 711 for both voice and TTY calls. Both voice and TTY users will dial 711 to access the Relay Center. The current voice number and the current TTY number still will be available for TRS users not using abbreviated 711 dialing. AT&T indicated that their technology could be operational for the public by June 26, 2000.

Customers wishing to comment on the proposed 711 implementation or to request a hearing on the Order may do so by filing such requests or comments in writing, referring to Case No. PUC000045, with the Clerk of the Commission, Joel H. Peck, c/o Document Control Center, P.O. Box 2118, Richmond, Virginia 23218, on or before May 1, 2000. Any corporation shall be represented by counsel in accordance with Rule 4:8 of the Commission's Rules of Practice and Procedure and shall file an original and fifteen (15) copies of any comments or request for hearing on or before the deadline. Individuals may file single copies.

AN ATTESTED COPY hereof shall be sent by the Clerk of the Commission to: each local exchange telephone company operating in Virginia as set out in Appendix A attached; each interexchange carrier operating in Virginia as set out in Appendix B attached; each wireless carrier operating in Virginia as set out in Appendix C attached; each payphone service provider operating in Virginia as set out in Appendix D attached; Warner F. Brundage, Jr., Esquire, Bell Atlantic-Virginia, Inc., 600 East Main Street, 11th Floor, Richmond, Virginia 23219; Richard D. Gary, Esquire, Hunton & Williams,

Riverfront Plaza, East Tower, 951 East Byrd Street, Richmond, Virginia 23219-4074; John F. Dudley, Senior Assistant Attorney General, Division of Consumer Counsel, Office of Attorney General, 900 East Main Street, Second Floor, Richmond, Virginia 23219; Donald G. Owens, Esquire, Mays & Valentine, L.L.P., P.O. Box 1122, Richmond, Virginia 23218-1122; Eric M. Page, Esquire, LeClair Ryan, P.C., 4201 Dominion Boulevard, Suite 200, Glen Allen, Virginia 23060; James B. Wright, Senior Attorney, Sprint Mid-Atlantic Telecom, 14111 Capital Boulevard, Wake Forest, North Carolina 27587-5900; Wilma R. McCarey, Esquire, AT&T Communications of Virginia, Inc., 3033 Chain Bridge Road, Room 3-D, Oakton, Virginia 22185-0001; The Virginia Department for the Deaf and Hard of Hearing, Ronald L. Lanier, Director, 1602 Rolling Hills Drive, Suite 203, Richmond, Virginia 23229; The Virginia Association of the Deaf, Steve Williams, President, 5804 Stone Ridge Drive, Centreville, Virginia 29120; SHHH of Virginia, Robert Brown, Coordinator, 125 Jordon's Journey, Williamsburg, Virginia 23185; Atlantic Payphone Association, Mr. Mason Harris, President, 12156 Parklawn Drive, Rockville, Maryland 20852; Edward L. Petrini, Esquire, Christian & Barton, L.L.P., 909 East Main Street, Suite 1200, Richmond, Virginia 23219-3095; Virginia Telecommunications Industry Association, Earl D. Bishop, Executive Vice President, 11 South 12th Street, Suite 310, Richmond, Virginia 23219; and the Commission's Office of General Counsel and Division of Communications.

DEPARTMENT OF ENVIRONMENTAL QUALITY

Notice of Public Meeting and Public Comment-- Fecal Coliform Bacteria TMDL in Christians Creek

The Department of Environmental Quality (DEQ) and the Department of Conservation and Recreation seek written and oral comments from interested persons on the development of a Total Maximum Daily Load (TMDL) for Fecal Coliform Bacteria in Christians Creek. The stream is located in Augusta County and is part of the Potomac and Shenandoah River Basin. The segment is 31.52 miles in length: it begins at Christians Creek's headwaters and continues downstream to its confluence with the Middle River. The segment is identified in Virginia's 1998 § 303(d) TMDL Priority List and Report as impaired due to violations of the state's water quality standard for fecal coliform.

Section 303(d) of the Clean Water Act and § 62.1-44.19:7 C of the Code of Virginia require DEQ to develop TMDLs for pollutants responsible for each impaired water contained in Virginia's § 303(d) TMDL Priority List and Report.

The first public meeting on the development of the Fecal Coliform Bacteria TMDL will be held on Thursday, May 4, 2000, 7 p.m. in the Beam Annex Building next to Expo Hall on Route 935, Fishersville.

The public comment period will end on May 24, 2000. A fact sheet on the development of the TMDL for Fecal Coliform Bacteria on Christians Creek is available upon request. Questions or information requests should be addressed to Rod Bodkin. Written comments should include the name,

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address, and telephone number of the person submitting the comments and should be sent to Rod Bodkin, Department of Environmental Quality, 4411 Early Road, Harrisonburg, Virginia 22801, telephone (540) 574-7801, FAX (540) 540-7878, or e-mail rvbodkin@deq.state.va.us.

Notice of Public Meeting and Public Comment-- Fecal Coliform Bacteria TMDL on Mountain Run

The Department of Environmental Quality (DEQ) and the Department of Conservation and Recreation seek written and oral comments from interested persons on the draft of the Total Maximum Daily Load (TMDL) for fecal coliform bacteria on a 7.58 mile segment of Mountain Run. This impaired segment is located in Culpeper County and begins at the confluence of Flat Run and extends to the confluence with the Rappahannock River. Mountain Run is identified in Virginia's 1998 § 303(d) TMDL Priority List and Report as impaired due to violations of the state's water quality standard for fecal coliform bacteria.

Section 303(d) of the Clean Water Act and § 62.1-44.19:7 C of the Code of Virginia require DEQ to develop TMDLs for pollutants responsible for each impaired water contained in Virginia's § 303(d) TMDL Priority List and Report.

The third public meeting on the development of the Mountain Run fecal coliform TMDL will be held on Wednesday, May 10, 2000, at 7 p.m. in the cafeteria of the Culpeper Middle School located off of Route 229 at 14300 Achievement Drive in Culpeper. The draft TMDL will be presented.

The public comment period will end on May 24, 2000. A fact sheet on the development of the TMDL for fecal coliform bacteria on Mountain Run and copies of the draft TMDL are available upon request. Questions or information requests should be addressed to Joan Crowther. Written comments should include the name, address, and telephone number of the person submitting the comments and should be sent to Ms. Joan Crowther, Department of Environmental Quality, 13901 Crown Court, Woodbridge, Virginia, 22193, telephone (703) 583-3828, FAX (703) 583-3841, or e-mail jccrowther@deq.state.va.us.

STATE BOARD OF HEALTH

Drinking Water Funding

As described below, funding is made possible by the Drinking Water State Revolving Fund Program. However, the Water Supply Assistance Grant Fund guidelines are under development to coincide with the availability of about \$360,000 in July 2000.

Funds for item 1 are available now by submitting an application available from the contact person below.

1. **1452(k) Source Water Protection Initiatives** - (a) Land or Conservation Easement Loans or (b) Voluntary Incentive-based Protection Measures Loans – (Yellow application) Must be postmarked by **May 26, 2000**.

This provision allows VDH to loan money for activities to protect important drinking water resources. Loan funds are available to: (i) community and nonprofit noncommunity waterworks to acquire land/conservation easements and (ii) to community waterworks, only, to establish local, voluntary incentive-based protection measures.

Funds for items 2, 3, and 4 should be available January 2001 from federal appropriations in FY 2001. The FY 2001 Intended Use Plan will be developed using public input on these issues.

2. **Planning & Design Grants** – (Gray application) Must be postmarked by **May 26, 2000**.

Private and public owners of community waterworks are eligible to apply for these grant funds. Grants can be up to \$25,000 per project for small, rural, financially stressed, community waterworks serving fewer than 3,300 persons. Eligible projects may include preliminary engineering planning, design of plans and specifications, performance of source water quality and quantity studies, drilling test wells to determine source feasibility, or other similar technical assistance projects. These funds could assist the waterworks owner in future submittals for construction funds.

3. **FY 2001 Construction Funds** – (Cream application) Must be postmarked by **June 14, 2000**.

Private and public owners of community waterworks and nonprofit noncommunity waterworks are eligible to apply for construction funds. VDH makes selections based on criteria described in the Program Design Manual, such as existing public health problems, noncompliance, affordability, regionalization, the availability of matching funds, etc. Readiness to proceed with construction is a key element. An instruction packet and Construction Project Schedule are included.

4. **FY 2001 Set-Aside Suggestion Forms** – (White form) Must be postmarked by **June 14, 2000**.

The FY 2001 funds bring anyone the opportunity to suggest new or continuing set-aside (nonconstruction) activities such as items 1 and 2 above, small system technical assistance, viability enhancements, operator programs and general technical assistance. Set-aside funds help VDH assist waterworks owners to prepare for future drinking water challenges and assure the sustainability of safe drinking water.

The VDH's Program Design Manual describes the features of the above opportunities for funding. After receiving the aforementioned public input, VDH will develop a draft Intended Use Plan for public review and comment. When developed in August 2000, the draft Intended Use Plan will describe specific details for use of the FY 2001 funds. A public meeting is planned for the fall of 2000 and written comments will be accepted before we submit a final version to the USEPA for approval.

Applications, set-aside suggestion form, Program Design Manual, the request for information may be received and comments may be forwarded by writing, calling, or faxing the

Department of Health. The materials are also accessible on our web site at www.vdh.state.va.us/owp.

Contact: Thomas B. Gray, P.E., Special Projects Manager, Department of Health, 1500 East Main Street, Room 109, Richmond, VA 23219, telephone (804) 786-1087, FAX (804) 786-5567.

Water Supply Assistance Grant Fund New Drinking Water Funds

The 1999 General Assembly created the Water Supply Assistance Grant (WSAG) Fund in § 32.1-171.2 of the Code of Virginia. The purpose of the WSAG is to make grant funds available to localities and owners of waterworks to assist in the provision of drinking water.

The Virginia Department of Health (VDH) formed an advisory committee to develop guidelines for the WSAG. A draft guideline has been written and is now available for comment. A 60-day comment period is available during which VDH seeks written comments until 5 p.m. on June 23, 2000. A public hearing will be held after the comment period on Tuesday, June 27, 2000, from 2 to 4 p.m. at the Roanoke City Council Chambers, 215 Church Avenue, SW, Room 450, Roanoke, VA 24011-1356, telephone number 540/853-2541.

To receive a copy of the draft guideline or to be placed on a mailing list, please contact the department.

Contact: Thomas B. Gray, P.E., Virginia Department of Health, Office of Water Programs, 1500 East Main Street, Room 109, Richmond, VA 23219, Voice (804) 786-1087, FAX (804) 786-5567, web site: www.vdh.state.va.us/owp.

DEPARTMENT OF LABOR AND INDUSTRY

Safety and Health Codes Board

Notice of Periodic Review of Regulation Pursuant to Executive Order 25 (98)

Pursuant to Executive Order Number 25 (98), the Virginia Department of Labor and Industry (DOLI) and the Safety and Health Codes Board have scheduled the regulations listed below for review. The agency will conduct this review to determine whether the regulations should be terminated, amended, or retained as written. If any changes are deemed necessary, DOLI will file the appropriate documentation as required by the Administrative Process Act (APA) (§ 9-6.14:1 et seq. of the Code of Virginia).

Regulation Title: 16 VAC 25-35-10 et seq. Regulation Concerning Certified Lead Contractors Notification, Lead Project Permits, and Permit Fees.

Description: Establishes the notification requirements for certain lead projects and provides for the payment of permit fees based on the size of the lead project. The regulation also requires filing of amended notifications prior to changes

in or cancellation of projects. It does not mandate the abatement of lead from any public or private property.

DOLI seeks public comment regarding the following questions:

1. Does the regulation meet the following goals?
 - Reduce the incidence of material impairment of the health of Virginians due to exposure to lead in the workplace or as an environmental pollutant.
 - Provide process for lead contractors to notify the government of lead projects and to pay fees to cover the costs of administering the program.
 - Protect the public's health, safety and welfare with the least possible cost and intrusiveness to the citizens and businesses of the Commonwealth.
2. Is the regulation written clearly and understandably?

Regulation Title: 16 VAC 25-70-10 et seq. Virginia Confined Space Standard for the Telecommunications Industry.

Description: Prescribes basic mandatory practices and procedures which telecommunications employers must establish and use for employee entry into and work within confined spaces.

DOLI seeks public comment regarding the following questions:

1. Does the regulation meet the following goals?
 - Reduce the incidence of material impairment of the health of Virginia workers due to workplace exposure to known hazards.
 - Provide protection to telecommunications workers equal to that provided to workers in other industries.
 - Protect the public's health, safety and welfare with the least possible cost and intrusiveness to the citizens and businesses of the Commonwealth.
2. Is the regulation written clearly and understandably?

Regulation Title: 16 VAC 25-80-10 Access to Employee Exposure and Medical Records.

Description: Provides employees and their designated representatives a right of access to relevant exposure and medical records and provides access to representatives of the Department of Labor and Industry to relevant employee exposure and medical records. This access is provided to promote the recognition of workplace hazards and the subsequent reduction of occupational disease.

DOLI seeks public comment regarding the following questions:

1. Does the regulation meet the following goals?
 - Reduce the incidence of material impairment of the health of Virginia workers due to workplace exposure to known hazards.

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- Provide access to employee records to determine exposure.
- Protect the public's health, safety and welfare with the least possible cost and intrusiveness to the citizens and businesses of the Commonwealth.

2. Is the regulation written clearly and understandably?

Regulation Title: 16 VAC 25-140-10 et seq. Virginia Confined Space Standard for the Construction Industry.

Description: This regulation applies to all employers with employees covered by the Virginia regulations for the construction industry. This regulation prescribes the basic mandatory practices and procedures which employers must establish and use for employee entry and work within confined spaces.

DOLI seeks public comment regarding the following questions:

1. Does the regulation meet the following goals?

- Reduce the incidence of material impairment of the health of Virginia workers due to workplace exposure to known hazards.
- Provide protection to construction workers equal to that provided to workers in other industries.
- Protect the public's health, safety and welfare with the least possible cost and intrusiveness to the citizens and businesses of the Commonwealth.

2. Is the regulation written clearly and understandably?

Regulation Title: 16 VAC 25-150-10 Underground Construction, Construction Industry.

Description: Requires employers to comply with any more stringent requirements contained in the Virginia Confined Space Standard for the Construction Industry, 16 VAC 25-140, when working in underground construction areas which also meet the definition of "confined space" in 16 VAC 25-140. This regulation changes the atmospheric testing requirement for oxygen from a maximum level of 22% in the air to 23%.

DOLI seeks public comment regarding the following questions:

1. Does the regulation meet the following goals?

- Reduce the incidence of construction fatalities of Virginia workers due to workplace exposure to known hazards.
- Protect the public's health, safety and welfare with the least possible cost and intrusiveness to the citizens and businesses of the Commonwealth.

2. Is the regulation written clearly and understandably?

Regulation Title: 16 VAC 25-160-10 et seq. Construction Industry Standard for Sanitation.

Description: Requires employers engaged in construction activities to furnish, without cost to the employees, potable water, toilet facilities and hand washing facilities. Potable

drinking water containers as well as toilet and hand washing facilities are required to be maintained in a clean and sanitary condition. The potable drinking water which must be furnished under the regulation must be suitably cool and in sufficient amounts so that it is not completely consumed during the workday. Drinking water must be dispensed in single-use cups.

DOLI seeks public comment regarding the following questions:

1. Does the regulation meet the following goals?

- Reduce the incidence of material impairment of the health of Virginia workers due to workplace exposure to known hazards.
- Require sanitary facilities for construction workers equal to those required for agricultural workers.
- Protect the public's health, safety and welfare with the least possible cost and intrusiveness to the citizens and businesses of the Commonwealth.

2. Is the regulation written clearly and understandably?

Regulation Title: 16 VAC 25-170-10 et seq. Virginia Excavation Standard, Construction Industry.

Description: Requires employers to comply with any more stringent requirements contained in the Virginia Confined Space Standard for the Construction Industry, 16 VAC 25-140, when working in excavation areas which also meet the definition of "confined space" in 16 VAC 25-140.

DOLI seeks public comment regarding the following questions:

1. Does the regulation meet the following goals?

- Reduce the incidence of construction fatalities of Virginia workers due to workplace exposure to known hazards.
- Protect the public's health, safety and welfare with the least possible cost and intrusiveness to the citizens and businesses of the Commonwealth.

2. Is the regulation written clearly and understandably?

Regulation Title: 16 VAC 25-180-10 Virginia Field Sanitation Standard, Agriculture.

Description: This regulation is designed to protect workers against heat-related illnesses, communicable and infectious diseases, urinary tract infections and pesticide illnesses. The regulation ensures that sanitary conditions affecting agricultural workers will be maintained so as to minimize adverse effects on their health and safety. The regulation requires employers with eleven or more employees engaged in hand labor operations in the field to provide their employees with potable drinking water, toilet facilities and hand washing 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 provision of potable water is required for all agricultural establishments regardless of the number of employees.

DOLI seeks public comment regarding the following questions:

1. Does the regulation meet the following goals?
 - Reduce the incidence of material impairment of the health of Virginia workers due to workplace exposure to known hazards.
 - Require sanitary facilities for agricultural workers equal to those required for construction workers.
 - Protect the public's health, safety and welfare with the least possible cost **and** intrusiveness to the citizens and businesses of the Commonwealth.
2. Is the regulation written clearly and understandably?

Written and electronically submitted comments on any of the listed regulations may be submitted through May 24, 2000. Comments should be sent to Bonnie R. Hopkins, Regulatory Coordinator, Department of Labor and Industry, 13 South Thirteenth Street, Richmond, VA 23219, telephone (804) 371-2631, FAX (804) 371-6524 or e-mail brh@doli.state.va.us.

Virginia Tax Bulletin

Virginia Department of Taxation

March 28, 2000

INTEREST RATES SECOND QUARTER 2000

Changes to Virginia Interest Rates: In 1999, the General Assembly enacted legislation to equalize Virginia's interest rates on most tax overpayments (refunds) and underpayments (assessments) for both corporate and noncorporate taxpayers. Effective beginning on January 1, 2000, Virginia's overpayment rate for all overpayments is now equal to the federal overpayment rate for noncorporate taxpayers plus 2% under this change. However, the interest rate on "large corporate underpayments," remains unchanged and is equal to the federal rate for large corporate underpayments plus 2%.

Federal rates changed: State and certain local interest rates are subject to change every quarter based on changes in federal rates established pursuant to I.R.C. § 6621. The federal rates for the second quarter of 2000 increase to 9% for tax underpayments (assessments), 9% for tax overpayments (refunds) by taxpayers other than corporations, and 11% for "large corporate underpayments" as defined in I.R.C. § 6621(c). Code of Virginia § 58.1-15 provides that the underpayment rates for Virginia taxes will be 2% higher than the corresponding federal rates and overpayment rates for Virginia taxes will be 2% higher than the federal rate for noncorporate taxpayers. Accordingly, the Virginia rates for the second quarter of 2000 will be 11% for tax underpayments (assessments), 11% for tax overpayments (refunds), and 13% for "large corporate underpayments."

Rate for Addition to Tax for Underpayments of Estimated Tax

Taxpayers with taxable years ending on March 31, 2000: Tax returns are due on July 17, 2000. For the purpose of computing the addition to the tax for underpayment of Virginia estimated income taxes on Form 760C (for individuals, estates and trusts), Form 760F (for farmers and fishermen) or on Form 500C, the second quarter 11% underpayment rate will apply through the due date of the return, July 17, 2000, (for corporations), and August 1, 2000, (for individuals and fiduciaries).

Individuals whose taxable years ends on December 31, 1999: Tax returns for the calendar year 1999 are due on May 1, 2000. For the purpose of computing the addition to the tax for underpayment of Virginia estimated income taxes on Form 760C (for individuals, estates and trusts) or Form 760F (for farmers and fishermen), the first quarter 10% underpayment rate will apply through the due date of the return, May 1, 2000.

Virginia Tax Bulletin 00-1

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Corporations with taxable years ending on December 31, 1999: Tax returns for the calendar year 1999 are due on April 17, 2000. For the purpose of computing the addition to the tax for underpayment of Virginia estimated income taxes on Form 500C, the first quarter 10% underpayment rate will apply through the due date of the return, April 17, 2000.

Local Tax

Assessments: Localities that assess interest on delinquent taxes under Code of Virginia § 58.1-3916 may impose interest at a rate not to exceed 10% for the first year of delinquency, and at a rate not to exceed 10% or the federal underpayment rate in effect for the applicable quarter, whichever is greater, for the second and subsequent years of delinquency. For the second quarter of 2000, the federal underpayment rate is 9%.

Refunds: Effective July 1, 1999, localities which charge interest on delinquent taxes are required paying interest to taxpayers on all overpayments or erroneously assessed taxes at the same rate as they charge interest on delinquent taxes under Code of Virginia § 58.1-3916.

Recent Interest Rates

Accrual <u>Beginning</u>	Period <u>Through</u>	Non - Corporation Overpayment <u>(Refund)</u>	Corporation Overpayment <u>(Refund)</u>	Underpayment <u>(Assessment)</u>	Large Corporate <u>Underpayment</u>
1-Oct-89	31-Mar-91	10%	10%	11%	----
1-Apr-91	30-Jun-91	9%	9%	10%	----
1-Jul-91	31-Dec-91	9%	9%	12%	14%
1-Jan-92	31-Mar-92	8%	8%	11%	13%
1-Apr-92	30-Sep-92	7%	7%	10%	12%
1-Oct-92	30-Jun-94	6%	6%	9%	11%
1-Jul-94	30-Sep-94	7%	7%	10%	12%
1-Oct-94	31-Mar-95	8%	8%	11%	13%
1-Apr-95	30-Jun-95	9%	9%	12%	14%
1-Jul-95	31-Mar-96	8%	8%	11%	13%
1-Apr-96	30-Jun-96	7%	7%	10%	12%
1-Jul-96	31-Mar-98	8%	8%	11%	13%
1-Apr-98	31-Dec-98	7%	7%	10%	12%
1-Jan-99	31-Mar-99	7%	6%	9%	11%
1-Apr-99	31-Dec-99	8%	7%	10%	12%
1-Jan-00	31-Mar-00	10%	10%	10%	12%
1-Apr-00	30-Jun-00	11%	11%	11%	13%

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For additional information: Contact the Office of Customer Services, Virginia Department of Taxation, P. O. Box 1115, Richmond, Virginia 23218-1115, or call the following numbers for additional information about interest rates and penalties.

Individual & Fiduciary Income Tax	(804) 367-8031
Corporation Income Tax	(804) 367-8037
Withholding Tax	(804) 367-8037
Soft Drink Excise Tax	(804) 367-8098
Aircraft Sales & Use Tax	(804) 367-8098
Other Sales & Use Taxes	(804) 367-8037

VIRGINIA CODE COMMISSION

Notice to State Agencies

Mailing Address: Virginia Code Commission, 910 Capitol Street, General Assembly Building, 2nd Floor, Richmond, VA 23219. You may FAX in your notice; however, we ask that you FAX two copies and do not follow up with a mailed copy. Our FAX number is: (804) 692-0625.

Forms for Filing Material for Publication in *The Virginia Register of Regulations*

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

Internet: Forms and other *Virginia Register* resources may be printed or downloaded from the *Virginia Register* web page:

<http://legis.state.va.us/codecomm/register/regindex.htm>

FORMS:

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

ERRATA

**BOARD OF LICENSED PROFESSIONAL
COUNSELORS, MARRIAGE AND FAMILY
THERAPISTS AND SUBSTANCE ABUSE
TREATMENT PROFESSIONALS**

Title of Regulation: 18 VAC 115-20-10 et seq. Regulations Governing the Practice of Professional Counseling.

Publication: 16:13 VA.R. 1786-1792 March 13, 2000.



Correction to Final Regulation:

Page 1787, 18 VAC 115-20-40, subdivision 1, should read "1. Meet the degree program requirements prescribed in 18 VAC 115-20-49, the course work requirements prescribed in 18 VAC 115-20-50 or 18 VAC 115-20-51, and the experience requirements prescribed in 18 VAC 115-20-52; and"

Page 1788, 18 VAC 115-20-49, reverse the order of subsections A and B and reletter "B" as "A" and "A" as "B"


CALENDAR OF EVENTS

Symbol Key

-  Location accessible to persons with disabilities
 Teletype (TTY)/Voice Designation

NOTICE


Only those meetings which are filed with the Registrar of Regulations by the filing deadline noted at the beginning of this publication are listed. Since some meetings are called on short notice, please be aware that this listing of meetings may be incomplete. Also, all meetings are subject to cancellation and the *Virginia Register* deadline may preclude a notice of such cancellation.

For additional information on open meetings and public hearings held by the standing committees of the legislature during the interim, please call Legislative Information at (804) 698-1500 or Senate Information and Constituent Services at (804) 698-7410 or (804) 698-7419/TTY , or visit the General Assembly web site's Legislative Information System (<http://leg1.state.va.us/lis.htm>) and select "Meetings."


VIRGINIA CODE COMMISSION

EXECUTIVE

BOARD OF AGRICULTURE AND CONSUMER SERVICES

May 18, 2000 - 9 a.m. -- Open Meeting
Department of Agriculture and Consumer Services,
Washington Building, 1100 Bank Street, 2nd Floor,
Richmond, Virginia. 

A meeting to discuss issues related to Virginia agriculture and consumer protection. The board will entertain public comment at the conclusion of all other business for a period not to exceed 30 minutes. Any person who needs any accommodation in order to participate in the meeting should contact Roy Seward at least five days before the meeting date so that suitable arrangements can be made.

Contact: Roy E. Seward, Board Secretary, Department of Agriculture and Consumer Services, Washington Bldg., 1100 Bank St., Richmond, VA 23219, telephone (804) 786-3538, FAX (804) 371-7679, or (800) 828-1120/TTY , email rseward@vdacs.state.va.us.


Virginia Cattle Industry Board

† May 4, 2000 - 10 a.m. -- Open Meeting
Holiday Inn, Woodrow Wilson Parkway, Staunton, Virginia. 

A regular meeting to approve the minutes from the February 2000 meeting in addition to reviewing the financial statement for the period from February 1 through April 30. Staff will give program updates for the state and national level. Priorities will be discussed and set for preliminary planning of FY 00-01 marketing plan. The board will entertain public comment at the conclusion of all other business for a period not to exceed 30 minutes. Any person who needs any accommodation in order to participate at the meeting should contact the person identified in this notice at least five days before the meeting date so that suitable arrangements can be made.

Contact: Reginald B. Reynolds, Executive Director, Virginia Cattle Industry Board, P.O. Box 9, Daleville, VA 24083, telephone (540) 992-1992, FAX (540) 992-4632.

Virginia Marine Products Board

† June 14, 2000 - 6 p.m. -- Open Meeting
Chesapeake Bay Prime Rib and Seafood Company, 4329
George Washington Memorial Highway, Gloucester,
Virginia. 

A meeting to receive reports from the Executive Director of the Virginia Marine Products Board on finance, marketing, past and future program planning, publicity, public relations and old and new business. The board will entertain public comment at the conclusion of all other business for a period not to exceed 30 minutes. Any person who needs any accommodation in order to participate at the meeting should contact the person identified in this notice at least five days before the meeting date so that suitable arrangements can be made.

Contact: Shirley Estes, Executive Director, Virginia Marine Products Board, 554 Denbigh Blvd., Suite B, Newport News, VA 23608, telephone (757) 874-3474, FAX (757) 886-0671.

ALCOHOLIC BEVERAGE CONTROL BOARD

April 24, 2000 - 9:30 a.m. -- Open Meeting
May 8, 2000 - 9:30 a.m. -- Open Meeting
May 22, 2000 - 9:30 a.m. -- Open Meeting
Department of Alcoholic Beverage Control, 2901 Hermitage
Road, Richmond, Virginia. 

A meeting to receive reports from staff members, discuss activities, and discuss other matters not yet determined.

Contact: W. Curtis Coleburn, Secretary to the Board, Department of Alcoholic Beverage Control, 2901 Hermitage Rd., P.O. Box 27491, Richmond, VA 23261, telephone (804) 213-4409 or FAX (804) 213-4442.

COMPREHENSIVE SERVICES FOR AT-RISK YOUTH AND THEIR FAMILIES

State Executive Council

NOTE: CHANGE IN TIME FOR MAY 31 MEETING

April 26, 2000 - 9 a.m. -- Open Meeting

May 31, 2000 - 9 a.m. -- Open Meeting

† June 28, 2000 - 9 a.m. -- Open Meeting


Department of Social Services, 730 East Broad Street, Richmond, Virginia.

A monthly meeting to discuss interagency programmatic and fiscal policies, oversee the administration of funds appropriated under the Act, and advise the Governor.


Contact: Alan G. Saunders, Director, Office of Comprehensive Services, Department of Social Services, Wythe Building, 1604 Santa Rosa Road, Suite 137, Richmond, VA 23229, telephone (804) 662-9815, FAX (804) 662-9831, e-mail ags992@central.dss.state.va.us.

CHESAPEAKE BAY LOCAL ASSISTANCE BOARD

April 25, 2000 - 10 a.m. -- Open Meeting


Chesapeake Bay Local Assistance Department, James Monroe Building, 101 North 14th Street, 17th Floor, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A meeting of the Northern Area Review Committee to review Chesapeake Bay Preservation Area programs for the northern area. Persons interested in observing should call the department to verify meeting time, location and schedule. No public comments will be heard at the meeting; however, written comments are welcome.


Contact: Carolyn J. Elliott, Executive Secretary Senior, Chesapeake Bay Local Assistance Department, 101 North 14th Street, 17th Floor, Richmond, VA 23219, telephone (804) 371-7505, FAX (804) 225-3447 or toll-free (800) 243-7229/TTY 

STATE BOARD FOR COMMUNITY COLLEGES


† May 17, 2000 - 12:30 p.m. -- Open Meeting

Tidewater Community College, Thomas W. Moss, Jr. Norfolk Campus, 300 Granby Street, Norfolk, Virginia.  (Interpreter for the deaf provided upon request)


Committee meetings. The exact time and location for each committee meeting will be announced later.

Contact: Dr. Joy S. Graham, Assistant Chancellor for Public Affairs, State Board for Community Colleges, Monroe Bldg., 101 N. 14th St., 15th Floor, Richmond, VA 23219, telephone (804) 225-2126, FAX (804) 371-0085, (804) 371-8504/TTY 

† May 18, 2000 - 9 a.m. -- Open Meeting


Tidewater Community College, Thomas W. Moss Jr. Norfolk Campus, 300 Granby Street, Norfolk, Virginia.  (Interpreter for the deaf provided upon request)

A regular meeting of the board. Public comment will be received at the beginning of the meeting.

Contact: Dr. Joy S. Graham, Assistant Chancellor for Public Affairs, State Board for Community Colleges, Monroe Bldg., 101 N. 14th Street, 15th Floor, Richmond, VA 23219, telephone (804) 225-2126, FAX (804) 371-0085, (804) 371-8504/TTY 

COMPENSATION BOARD

April 25, 2000 - 11 a.m. -- Open Meeting

Ninth Street Office Building, 202 North Ninth Street, 10th Floor, Richmond, Virginia. 


A monthly board meeting.

Contact: Cynthia P. Waddell, Administrative Staff Assistant, Compensation Board, P.O. Box 710, Richmond, VA 23218, telephone (804) 786-0786, FAX (804) 371-0235, e-mail cwaddell@scb.state.va.us.

DEPARTMENT OF CONSERVATION AND RECREATION

Chippokes Plantation Farm Foundation Board of Trustees

† May 1, 2000 - 9:30 a.m. -- Open Meeting


Chippokes Mansion, Chippokes Plantation State Park, Conference Room, Surry, Virginia.  (Interpreter for the deaf provided upon request)

A general business meeting. Requests for a deaf interpreter should be filed with the agency at least two weeks prior to the meeting date.

Contact: Katherine Wright, Executive Secretary, Department of Conservation and Recreation, 203 Governor St., Richmond, VA 23219, telephone (804) 786-7950, FAX (804) 371-8500, e-mail krwright@dcr.state.va.us.

Falls of the James Scenic River Advisory Board

May 4, 2000 - Noon -- Open Meeting


Richmond City Hall, Planning Commission, Conference Room, 5th Floor, Richmond, Virginia.  (Interpreter for the deaf provided upon request)


A regular meeting. Requests for an interpreter for the deaf should be made two weeks prior to the meeting.

Contact: Leon E. App, Regulatory Coordinator, Department of Conservation and Recreation, 203 Governor Street, Suite 302, Richmond, VA 23219, telephone (804) 786-4570, FAX (804) 786-6141, e-mail leonapp@dcr.state.va.us.

Calendar of Events

Board on the Conservation and Development of Public Beaches


† **May 4, 2000 - 10 a.m.** -- Open Meeting
Taylor's Landing Marine Center, 8172 Shore Drive, Norfolk, Virginia.  (Interpreter for the deaf provided upon request)

† **May 22, 2000 - 10 a.m.** -- Open Meeting
Virginia Institute of Marine Science, Watermans Hall, Director's Conference Room, Gloucester Point, Virginia.  (Interpreter for the deaf provided upon request)

The board will review requests from localities for matching grant funds, accept public comments about the management and conservation of public beaches and on May 4 will tour the Norfolk public beaches. Requests for an interpreter for the deaf should be filed two weeks prior to the meeting.

Contact: Lee Hill, Environmental Engineer, Department of Conservation and Recreation, 203 Governor St., Richmond, VA 23219, telephone (804) 786-3998, e-mail leehill@dcr.state.va.us.


Virginia State Parks Foundation

† **May 4, 2000 - 10 a.m.** -- Open Meeting
James Madison Building, 109 Governor Street, 13th Floor, Richmond, Virginia.  (Interpreter for the deaf provided upon request)


A regular business meeting originally scheduled for April 13, 2000, to consider state park funding requests. Requests for an interpreter for the deaf should be filed two weeks prior to the meeting date.

Contact: Leon E. App, Acting Deputy Director, Department of Conservation and Recreation, 203 Governor St., Suite 302, Richmond, VA 23219, telephone (804) 786-4570, FAX (804) 786-6141, e-mail leonapp@dcr.state.va.us.

DEPARTMENT FOR THE DEAF AND HARD-OF-HEARING

† **May 3, 2000 - 9:30 a.m.** -- Open Meeting
Department for the Deaf and Hard of Hearing, 1602 Rolling Hills Drive, 2nd Floor, Conference Room, Richmond, Virginia.  (Interpreter for the deaf provided upon request)


A quarterly meeting of the Advisory Board. The public is invited to address the board on agenda items during the public comment time at 11:30 a.m.

Contact: Leslie G. Hutcheson, Regulatory Coordinator, Department for the Deaf and Hard-of-Hearing, 1602 Rolling Hills Dr., Suite 203, Richmond, VA 23229-5012, telephone (804) 662-9703, FAX (804) 662-9718, toll-free (800) 552-7917, (800) 552-7917/TTY , e-mail hutchelg@ddhh.state.va.us.


BOARD OF DENTISTRY

† **April 28, 2000 - 10:30 a.m.** -- Open Meeting
Department of Health Professions, 6606 West Broad Street, 4th Floor, Richmond, Virginia. 


A formal administrative hearing to hear possible violations of the regulations and statutes governing the practice of dentistry. No public comment will be heard.

Contact: Marcia Miller, Executive Director, Board of Dentistry, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9906, FAX (804) 662-9943, (804) 662-7197/TTY , e-mail mmiller@dhp.state.va.us.

DESIGN-BUILD/CONSTRUCTION MANAGEMENT REVIEW BOARD

May 15, 2000 - 11 a.m. -- Open Meeting
The Library of Virginia, 800 East Broad Street, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A monthly meeting to review requests submitted by localities to use design-build or construction management type contracts. Please contact the Division of Engineering and Buildings of the Department of General Services to confirm meeting.


Contact: Katherine R. Bowen, Administrative Assistant, Department of General Services, 805 East Broad Street, Room 101, Richmond, VA 23219, telephone (804) 786-3263, FAX (804) 371-7934, (804) 786-6152/TTY , e-mail kbowen@dgs.state.va.us.

BOARD OF EDUCATION

April 26, 2000 - 9 a.m. -- Open Meeting

April 27, 2000 - 9 a.m. -- Open Meeting


April 28, 2000 - 9 a.m. -- Open Meeting

The Tides Lodge, 1 St. Andrews Lane, Irvington, Virginia.  (Interpreter for the deaf provided upon request)

An annual planning meeting and retreat. Persons requesting services of interpreter for the deaf are requested to do so in advance.

Contact: Dr. Margaret N. Roberts, Office of Policy, Department of Education, Monroe Building, 101 North 14th Street, 25th Floor, P.O. Box 2120, Richmond, VA 23219, telephone (804) 225-2540, FAX (804) 225-2524 or toll-free (800) 292-3829, e-mail mroberts@mail.vak12ed.edu.


May 25, 2000 - 9 a.m. -- Open Meeting

Cultural Arts Center, 2880 Mountain Road, Glen Allen, Virginia.  (Interpreter for the deaf provided upon request)

A summit for the fine arts. Persons requesting services of interpreter for the deaf are requested to do so in advance.

Contact: Dr. Margaret N. Roberts, Office of Policy, Department of Education, Monroe Building, 101 North 14th Street, 25th Floor, P.O. Box 2120, Richmond, VA 23219,

telephone (804) 225-2540, FAX (804) 225-2524 or toll-free (800) 292-3829, e-mail mroberts@mail.vak12ed.edu.


May 26, 2000 - 9 a.m. -- Open Meeting
Cultural Arts Center, 2880 Mountain Road, Glen Allen, Virginia.  (Interpreter for the deaf provided upon request)

A regular business meeting. Persons requesting services of interpreter for the deaf are requested to do so in advance.


The Board of Education seeks public comment on the proposed Standards of Learning for computer/technology to be completed by grade 12. The purpose of the standards is to ensure mastery of skills that will result in students who are both computer literate and competent in application of skills. Proposal may be viewed at www.pen.k12.va.us. Written comments will be received until May 12, 2000.

Contact: Dr. Margaret N. Roberts, Office of Policy, Department of Education, Monroe Building, 101 North 14th Street, 25th Floor, P.O. Box 2120, Richmond, VA 23219, telephone (804) 225-2540, FAX (804) 225-2524 or toll-free (800) 292-3829, e-mail mroberts@mail.vak12ed.edu.


LOCAL EMERGENCY PLANNING COMMITTEE - GLOUCESTER

† May 24, 2000 - 6:30 p.m. -- Open Meeting
Gloucester Courthouse Office Building, 6467 Main Street, Gloucester, Virginia. 

A meeting to discuss training opportunities, review the public information campaign, and appoint a nominating committee.

Contact: Georgette N. Hurley, Assistant County Administrator, Gloucester County Administrator's Office, P.O. Box 329, Gloucester, VA 23061, telephone (804) 693-4042 or (804) 693-1476/TTY 


DEPARTMENT OF ENVIRONMENTAL QUALITY

† May 4, 2000 - 7 p.m. -- Open Meeting
Beam Annex Building, Route 935, Fishersville, Virginia. 

The first public meeting on the development of the fecal coliform bacterial total maximum daily load for Christians Creek in Augusta County.

Contact: Rod Bodkin, Department of Environmental Quality, 4411 Early Rd., Harrisonburg, VA 22801, telephone (540) 574-7801, FAX (540) 574-7878, e-mail rvbodkin@deq.state.va.us.


Virginia Ground Water Protection Steering Committee

† May 16, 2000 - 9 a.m. -- Open Meeting
Department of Environmental Quality, 629 East Main Street, 10th Floor, Conference Room, Richmond, Virginia 


A regular meeting. Anyone interested in ground water issues is welcome to attend. Meeting minutes and agenda are available from the contact person listed below.

Contact: Mary Ann Massie, Environmental Program Planner, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4042, FAX (804) 698-4032, (804) 698-4021/TTY , e-mail mamassie@deq.state.va.us.

Technical Advisory Committee

† May 18, 2000 - 10 a.m. -- Open Meeting
† June 6, 2000 - 10 a.m. -- Open Meeting
Department of Environmental Quality, Piedmont Regional Office, 4949-A Cox Road, Training Room, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A meeting to discuss possible amendments to the Regulations for the Development of Solid Waste Management Plans (9 VAC 20-130-10 et seq.).

Contact: Robert G. Wickline, Waste Operations Division, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240-0009, telephone (804) 698-4213, toll-free 1-800-592-5482 or (804) 698-4021/TTY 


BOARD OF GAME AND INLAND FISHERIES

† June 1, 2000 - 9 a.m. -- Open Meeting
Department of Game and Inland Fisheries, 4000 West Broad Street, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A meeting to address the Department of Game and Inland Fisheries' Fiscal Year 2000-2001 operating and capital budgets, and discuss general and administrative issues. The board may elect to hold a dinner Wednesday evening, May 31, at a location and time to be determined.

Contact: Phil Smith, Policy Analyst and Regulatory Coordinator, Board of Game and Inland Fisheries, 4010 W. Broad St., Richmond, VA 23230, telephone (804) 367-1000, FAX (804) 367-0488, e-mail dgifweb@dgif.state.va.us.

HOPEWELL INDUSTRIAL SAFETY COUNCIL

May 2, 2000 - 9 a.m. -- Open Meeting
June 6, 2000 - 9 a.m. -- Open Meeting
Hopewell Community Center, 100 West City Point Road, Hopewell, Virginia.  (Interpreter for the deaf provided upon request)

Local Emergency Preparedness Committee meeting as required by SARA Title III.


Contact: Robert Brown, Emergency Services Coordinator, 300 N. Main St., Hopewell, VA 23860, telephone (804) 541-2298.

Calendar of Events


DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

State Building Code Technical Review Board

May 19, 2000 - 10 a.m. -- Open Meeting

Department of Housing and Community Development, The Jackson Center, 501 North Second Street, 1st Floor, Conference Room, Richmond, Virginia.  (Interpreter for the deaf provided upon request)


A meeting to hear administrative appeals concerning building and fire codes and other regulations of the department. The board also issues and formalizes recommendations to the Board of Housing and Community Development concerning future changes to the regulations.

Contact: Vernon W. Hodge, Secretary, Office of the Review Board, Department of Housing and Community Development, The Jackson Center, 501 N. 2nd St., Richmond, VA 23219, telephone (804) 371-7180 or (804) 371-7089/TTY 


DEPARTMENT OF LABOR AND INDUSTRY

Virginia Apprenticeship Council Subcommittee

† **May 11, 2000 - 9:30 a.m.** -- Open Meeting


Department of Labor and Industry, Powers-Taylor Building, 13 South Thirteenth Street, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A regular meeting.


Contact: Beverley Donati, Assistant Program Manager, Department of Labor and Industry, Powers-Taylor Bldg., 13 S. 13th St., Richmond, VA 23219, telephone (804) 786-2382, FAX (804) 786-8418, (804) 786-2376/TTY , e-mail bgd@doli.state.va.us.

Virginia Apprenticeship Council

† **June 15, 2000 - 10 a.m.** -- Open Meeting

University of Virginia, Emmet Street, Newcomb Hall, South Meeting Room, 3rd Floor, Charlottesville, Virginia.  (Interpreter for the deaf provided upon request)

A regular quarterly meeting.


Contact: Beverley Donati, Assistant Program Manager, Department of Labor and Industry, Powers-Taylor Bldg., 13 S. 13th St., Richmond, VA 23219, telephone (804) 786-2382, FAX (804) 786-8418, (804) 786-2376/TTY , e-mail bgd@doli.state.va.us.

MARINE RESOURCES COMMISSION


April 25, 2000 - 9:30 a.m. -- Open Meeting

May 23, 2000 - 9:30 a.m. -- Open Meeting

June 27, 2000 - 9:30 a.m. -- Open Meeting

Marine Resources Commission, 2600 Washington Avenue, Room 403, Newport News, Virginia.  (Interpreter for the deaf provided upon request)


The commission will hear and decide the following marine environmental matters beginning at 9:30 a.m.: permit applications for projects in wetlands, bottom lands, coastal primary sand dunes and beaches; appeals of local wetland board decisions; and policy and regulatory issues. The commission will hear and decide the following fishery management items beginning at approximately noon: regulatory proposals, fishery management plans, fishery conservation issues, licensing, and shellfish leasing. Meetings are open to the public. Testimony will be taken under oath from parties addressing agenda items on permits and licensing. Public comments will be taken on resource matters, regulatory issues and items scheduled for public hearing.

Contact: LaVerne Lewis, Secretary to the Commission, Marine Resources Commission, P.O. Box 756, Newport News, VA 23607-0756, telephone (757) 247-2261, toll-free 1-800-541-4646 or (757) 247-2292/TTY 

DEPARTMENT OF MEDICAL ASSISTANCE SERVICES

Drug Utilization Review Board

May 11, 2000 - 2 p.m. -- Open Meeting

Department of Medical Assistance Services, 600 East Broad Street, Suite 1300, Board Room, Richmond, Virginia. 


A routine business meeting.

Contact: Marianne Rollings, DUR Coordinator, Department of Medical Assistance Services, 600 East Broad Street, Suite 1300, Richmond, VA 23219, telephone (804) 225-4268, FAX (804) 786-1680, (800) 343-0634/TTY , e-mail mrollings@dmas.state.va.us.

BOARD OF MEDICINE

Advisory Committee on Acupuncture

May 10, 2000 - 9 a.m. -- Open Meeting

Department of Health Professions, 6606 West Broad Street, 5th Floor, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A meeting to discuss regulatory review of 18 VAC 85-110-10 et seq., Regulations Governing the Practice of Licensed Acupuncturists, and such other issues which may be presented. The advisory committee will entertain public comments during the first 15 minutes on agenda items.

Contact: William L. Harp, M.D., Executive Director, Board of Medicine, 6606 West Broad Street, 4th Floor, Richmond, VA

23230-1717, telephone (804) 662-9960, FAX (804) 662-9517 or (804) 662-7197/TTY ☎

Advisory Board on Athletic Trainers

† **May 16, 2000 - 12:30 p.m.** -- Open Meeting
Department of Health Professions, 6606 West Broad Street, Fifth Floor, Conference Room 4, Richmond, Virginia. ♿

A meeting to consider and approve draft regulations for recommendation to the Board of Medicine and discuss other business as may come to its attention. Public comment will be received at the beginning of the meeting, and the public will also be invited to participate in discussion of regulations.

Contact: William L. Harp, M.D., Executive Director, Board of Medicine, Southern States Bldg., 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9908, FAX (804) 662-9943, (804) 662-7197/TTY ☎, e-mail wharp@dhp.state.va.us.

Informal Conference Committee

April 27, 2000 - 9:30 a.m. -- Open Meeting
Wyndham Roanoke Hotel, Hershberger Road, Roanoke, Virginia.

April 28, 2000 - 9:30 a.m. -- Open Meeting
Williamsburg Marriott, 50 Kingsmill Road, Williamsburg, Virginia.

May 4, 2000 - 9 a.m. -- Open Meeting
Central Park Hotel, 2801 Plank Road, Fredericksburg, Virginia.

A meeting to inquire into allegations that certain practitioners may have violated laws and regulations governing the practice of medicine and other healing arts in Virginia. The committee will meet in open and closed sessions pursuant to § 2.1-344 of the Code of Virginia. Public comment will not be received.

Contact: Peggy Sadler or Renee Dixson, Board of Medicine, 6606 West Broad Street, 4th Floor, Richmond, VA 23230, telephone (804) 662-7332, FAX (804) 662-9517, (804) 662-7197/TTY ☎

Legislative Committee

May 26, 2000 - 1 p.m. -- Open Meeting
Department of Health Professions, 6606 West Broad Street, 5th Floor, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A meeting to discuss legislative issues related to board activities and regulations, to review any pending regulations pursuant to regulatory review or legislative action, and to consider any other information that may come before the committee. The committee will entertain public comments during the first 15 minutes on agenda items.

Contact: William L. Harp, M.D., Executive Director, Board of Medicine, Department of Health Professions, 6606 West Broad Street, 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9960, FAX (804) 662-9517 or (804) 662-7197/TTY ☎

Advisory Board on Occupational Therapy

May 11, 2000 - 9 a.m. -- Open Meeting
Department of Health Professions, 6606 West Broad Street, 5th Floor, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A meeting to review public comments and make recommendations to the Board of Medicine regarding the regulatory review of 18 VAC 85-80-10 et seq., Regulations for Licensure of Occupational Therapists, and such other issues which may be presented. The advisory board will entertain public comments during the first 15 minutes on agenda items.

Contact: William L. Harp, M.D., Executive Director, Board of Medicine, 6606 West Broad Street, 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9960, FAX (804) 662-9517 or (804) 662-7197/TTY ☎

Advisory Board on Physical Therapy

May 12, 2000 - 9 a.m. -- Open Meeting
Department of Health Professions, 6606 West Broad Street, 5th Floor, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A meeting to review public comments and make recommendations to the Board of Medicine regarding the regulatory review of 18 VAC 85-31-10 et seq., Regulations Governing the Practice of Physical Therapy, and such other issues which may be presented. The advisory board will entertain public comments during the first 15 minutes on agenda items.

Contact: William L. Harp, M.D., Executive Director, Board of Medicine, 6606 West Broad Street, 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9960, FAX (804) 662-9517 or (804) 662-7197/TTY ☎

Advisory Committee on Physician Assistants

May 12, 2000 - 1 p.m. -- Open Meeting
Department of Health Professions, 6606 West Broad Street, 5th Floor, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A meeting to review public comments and make recommendations to the Board of Medicine regarding the regulatory review of 18 VAC 85-50-10 et seq., Regulations Governing the Practice of Physician Assistants, and such other issues which may be presented. The advisory committee will entertain public comments during the first 15 minutes on agenda items.

Contact: William L. Harp, M.D., Executive Director, Board of Medicine, 6606 West Broad Street, 4th Floor, Richmond, VA

Calendar of Events

23230-1717, telephone (804) 662-9960, FAX (804) 662-9517 or (804) 662-7197/TTY ☎

Advisory Committee on Radiological Technology

May 10, 2000 - 1 p.m. -- Open Meeting
Department of Health Professions, 6606 West Broad Street, 5th Floor, Richmond, Virginia.☎ (Interpreter for the deaf provided upon request)

A meeting to review public comments and make recommendations to the board regarding 18 VAC 85-101-10 et seq., Regulations Governing the Licensure of Radiologic Technologists and Radiologic Technologists-Limited, and such other issues which may be presented. The advisory committee will entertain public comments during the first 15 minutes on agenda items.

Contact: William L. Harp, M.D., Executive Director, Board of Medicine, 6606 West Broad Street, 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9960, FAX (804) 662-9517 or (804) 662-7197/TTY ☎

Advisory Board on Respiratory Care

May 11, 2000 - 1 p.m. -- Open Meeting
Department of Health Professions, 6606 West Broad Street, 5th Floor, Richmond, Virginia.☎ (Interpreter for the deaf provided upon request)

A meeting to review public comments and make recommendations to the Board of Medicine regarding the regulatory review of 18 VAC 85-40-10 et seq., Regulations Governing the Practice of Respiratory Care Practitioners, and such other issues which may be presented. The advisory board will entertain public comments during the first 15 minutes on agenda items.

Contact: William L. Harp, M.D., Executive Director, Board of Medicine, 6606 West Broad Street, 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9960, FAX (804) 662-9517 or (804) 662-7197/TTY ☎

DEPARTMENT OF MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES

April 27, 2000 - 1 p.m. -- Open Meeting
WyteStone Suites of Potomac Mills, 14525 Gideon Drive, Woodbridge, Virginia.☎ (Interpreter for the deaf provided upon request)

A regular meeting of the State Human Rights Committee to discuss business and conduct hearings relating to human rights issues. Agenda items are available from the department.

Contact: Kli Kinzie, Executive Secretary, Department of Mental Health, Mental Retardation and Substance Abuse Services, P.O. Box 1797, Richmond, VA 23218, telephone (804) 786-3988, FAX (804) 371-2308 or (804) 371-8977/TTY ☎

VIRGINIA MILITARY INSTITUTE

May 13, 2000 - 8:30 a.m. -- Open Meeting
Virginia Military Institute, Turman Room, Preston Library, Lexington, Virginia.☎

A regular meeting of the Board of Visitors to receive committee reports; approve awards, distinctions and diplomas; discuss personnel changes; and elect a president pro tem. The Board of Visitors will not provide an opportunity for public comment at this meeting.

Contact: Colonel Edwin L. Dooley, Jr., Secretary to the Board of Visitors, Virginia Military Institute, Superintendent's Office, Lexington, VA 24450, telephone (540) 464-7206 or FAX (540) 464-7660.

MOTOR VEHICLE DEALER BOARD

† May 15, 2000 - 9 a.m. -- Open Meeting
Department of Motor Vehicles, 2300 West Broad Street, Room 702, Richmond, Virginia.☎ (Interpreter for the deaf provided upon request)

Committees will meet as follows:

Dealer Practices Committee - 9 a.m.
Franchise Law Committee - 10 a.m.
Licensing Committee - 10:45 a.m.
Transaction Recovery Fund Committee - 1:30 p.m.
Advertising Committee - 2:15 p.m.
Personnel Committee - 3 p.m.

NOTE: Meetings may begin later but not earlier than scheduled. Any person who needs any accommodation in order to participate in the meeting should contact the board at least 10 days before the meeting so that suitable arrangements can be made.

Contact: Alice R. Weedon, Administrative Assistant, Motor Vehicle Dealer Board, 2201 W. Broad St., Suite 104, Richmond, VA 23220, telephone (804) 367-1100, FAX (804) 367-1053, toll-free (877) 270-0203, e-mail dboard@mvb.state.va.us.

† May 16, 2000 - 8:30 a.m. -- Open Meeting
Department of Motor Vehicles, 2300 West Broad Street, Room 702, Richmond, Virginia.☎ (Interpreter for the deaf provided upon request)

A meeting of the full board. Prior to the meeting the following committees will meet:

Finance Committee - 8:30 a.m. -- Room 702
Full board - 9:30 a.m. -- Room 702

NOTE: Meetings may begin later but not earlier than scheduled. Any person who needs any accommodation in order to participate in the meeting should contact the board at least 10 days before the meeting so that suitable arrangements can be made.

Contact: Alice R. Weedon, Administrative Assistant, Motor Vehicle Dealer Board, 2201 W. Broad St., Suite 104, Richmond, VA 23220, telephone (804) 367-1100, FAX (804)

367-1053, toll-free (877) 270-0203, e-mail
dboard@mva.state.va.us.


VIRGINIA MUSEUM OF FINE ARTS

† **May 18, 2000 - Noon** -- Open Meeting
Virginia Museum of Fine Arts, 2800 Grove Avenue,
Auditorium, Richmond, Virginia. 

The annual meeting of the Board of Trustees. The agenda will consist of committee and staff reports, fiscal year budget review, and approval of acquisition of works of art. Public comment will not be received, and a portion of the meeting will be held in closed session.

Contact: Emily C. Robertson, Secretary of the Museum, Virginia Museum of Fine Arts, 2800 Grove Ave., Richmond, VA 23221, telephone (804) 340-1503, FAX (804) 340-1502, e-mail erobertson@vmfa.state.va.us.

Buildings and Grounds Committee

† **May 18, 2000 - 8:30 a.m.** -- Open Meeting
Virginia Museum of Fine Arts, 2800 Grove Avenue, CEO 2nd
Floor Meeting Room, Richmond, Virginia. 

A quarterly meeting to review current and upcoming buildings and grounds projects. Public comment will not be received at the meeting.

Contact: Emily C. Robertson, Secretary of the Museum, Virginia Museum of Fine Arts, 2800 Grove Ave., Richmond, VA 23221, telephone (804) 340-1503, FAX (804) 340-1502, e-mail erobertson@vmfa.state.va.us.


Collections Committee

† **May 18, 2000 - 9:30 a.m.** -- Open Meeting
Virginia Museum of Fine Arts, 2800 Grove Avenue,
Auditorium, Richmond, Virginia. 

A meeting to consider art acquisitions and loans for recommendation to the full Board of Trustees. Public comment will not be received; much of the meeting will be held in closed session.

Contact: Emily C. Robertson, Secretary of the Museum, Virginia Museum of Fine Arts, 2800 Grove Ave., Richmond, VA 23221, telephone (804) 340-1503, FAX (804) 340-1502, e-mail erobertson@vmfa.state.va.us.


Communications and Marketing Committee

† **May 17, 2000 - 3:15 p.m.** -- Open Meeting
Virginia Museum of Fine Arts, 2800 Grove Avenue, CEO 2nd
Floor Meeting Room, Richmond, Virginia. 

A quarterly meeting to review current and upcoming initiatives in communications and marketing of the museum's activities and programs. Public comment will not be received at the meeting.

Contact: Emily C. Robertson, Secretary of the Museum, Virginia Museum of Fine Arts, 2800 Grove Ave., Richmond, VA 23221, telephone (804) 340-1503, FAX (804) 340-1502, e-mail erobertson@vmfa.state.va.us.


Education and Programs Committee

† **May 17, 2000 - 2 p.m.** -- Open Meeting
Virginia Museum of Fine Arts, 2800 Grove Avenue, CEO 1st
Floor Meeting Room, Richmond, Virginia. 

A quarterly meeting to review current and upcoming educational programs. Public comment will not be received at the meeting.

Contact: Emily C. Robertson, Secretary of the Museum, Virginia Museum of Fine Arts, 2800 Grove Ave., Richmond, VA 23221, telephone (804) 340-1503, FAX (804) 340-1502, e-mail erobertson@vmfa.state.va.us.


Executive Committee

† **May 2, 2000 - 8 a.m.** -- Open Meeting
Virginia Museum of Fine Arts, 2800 Grove Avenue, Main
Lobby Conference Room, Richmond, Virginia. 

A monthly meeting for the staff to brief the Executive Committee on current activities. No action will be taken; public comment will not be received.

Contact: Emily C. Robertson, Secretary of the Museum, Virginia Museum of Fine Arts, 2800 Grove Ave., Richmond, VA 23221, telephone (804) 340-1503, FAX (804) 340-1502, e-mail erobertson@vmfa.state.va.us.


Exhibitions Committee

† **May 17, 2000 - 4:30 p.m.** -- Open Meeting
Virginia Museum of Fine Arts, 2800 Grove Avenue, CEO 1st
Floor Meeting Room, Richmond, Virginia. 

A quarterly meeting to review current and upcoming exhibitions and museum long-range activities. Public comment will not be received at the meeting.

Contact: Emily C. Robertson, Secretary of the Museum, Virginia Museum of Fine Arts, 2800 Grove Ave., Richmond, VA 23221, telephone (804) 340-1503, FAX (804) 340-1502, e-mail erobertson@vmfa.state.va.us.

Finance Committee


† **May 18, 2000 - 11 a.m.** -- Open Meeting
Virginia Museum of Fine Arts, 2800 Grove Avenue, Main
Lobby Conference Room, Richmond, Virginia. 

A quarterly meeting to review the fiscal year budget. Public comment will not be received at the meeting.

Contact: Emily C. Robertson, Secretary of the Museum, Virginia Museum of Fine Arts, 2800 Grove Ave., Richmond, VA 23221, telephone (804) 340-1503, FAX (804) 340-1502, e-mail erobertson@vmfa.state.va.us.

Calendar of Events

Planning Committee

† **May 17, 2000 - 12:30 p.m.** -- Open Meeting
Virginia Museum of Fine Arts, 2800 Grove Avenue,
Auditorium, Richmond, Virginia. 


A meeting to review revisions to the museum's mission statement for recommendation to the board of trustees.

Contact: Emily C. Robertson, Secretary of the Museum, Virginia Museum of Fine Arts, 2800 Grove Ave., Richmond, VA 23221, telephone (804) 340-1503, FAX (804) 340-1502, e-mail erobertson@vmfa.state.va.us.


VIRGINIA MUSEUM OF NATURAL HISTORY

April 29, 2000 - 9 a.m. -- Open Meeting
Holiday Inn, 1019 Millwood Pike, Winchester, Virginia. 


A meeting of the Board of Trustees to include reports from the development, executive, finance, legislative, marketing, nominating, outreach, personnel, planning and facilities, and research and collections committees. Public comments will be received following the approval of the February minutes.

Contact: Pat Christenbury, Executive Assistant, Virginia Museum of Natural History, 1001 Douglas Ave., Martinsville, VA 24112, telephone (540) 666-8600 or (540) 666-8638/TTY 


BOARD OF NURSING

May 15, 2000 - 8:30 a.m. -- Open Meeting
May 17, 2000 - 8:30 a.m. -- Open Meeting
May 18, 2000 - 8:30 a.m. -- Open Meeting
Department of Health Professions, 6606 West Broad Street,
5th Floor, Conference Room 2, Richmond, Virginia. 


A panel of the board will conduct formal hearings with licensees and certificate holders. Public comment will not be received.

Contact: Nancy K. Durrett, R.N., Executive Director, Board of Nursing, 6606 W. Broad St., 4th Floor, Richmond, VA 23230, telephone (804) 662-9909, FAX (804) 662-9512, (804) 662-7197/TTY , e-mail nursebd@dhp.state.va.us.


Special Conference Committee

April 26, 2000 - 8:30 a.m. -- Open Meeting
Department of Health Professions, 6606 West Broad Street,
5th Floor, Conference Room 3, Richmond, Virginia. 


A meeting to conduct informal conferences with licensees and certificate holders. Public comment will not be received.

Contact: Nancy K. Durrett, R.N., Executive Director, Board of Nursing, 6606 W. Broad St., 4th Floor, Richmond, VA 23230, telephone (804) 662-9909, FAX (804) 662-9512, (804) 662-7197/TTY , e-mail nursebd@dhp.state.va.us.

BOARD OF OPTOMETRY

May 3, 2000 - 9 a.m. -- Open Meeting
Department of Health Professions, 6606 West Broad Street,
5th Floor, Conference Room 3, Richmond, Virginia. 

The board will continue discussions on the development of regulations governing the practice of optometry in mercantile establishments pursuant to Executive Order 25(98). The board will also review the CPT codes related to optometry and consider any other business as may come before it. Public comment will be received at the beginning of the meeting.

Contact: Elizabeth A. Carter, Ph.D., Executive Director, Board of Optometry, Southern States Building, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9910, FAX (804) 662-9504, (804) 662-7197/TTY , e-mail ecarter@dhp.state.va.us.

VIRGINIA OUTDOORS FOUNDATION

Preservation Trust Fund Advisory Board - Region II

† **May 24, 2000 - 10 a.m.** -- Open Meeting
Culpeper County Office Building, Board of Supervisor's
Meeting Room, Culpeper, Virginia.

The Region II Advisory Board will meet to conduct the business of the board, review applications received for funding under the Open Space Lands Preservation Trust Fund, and make recommendations. Public comment will be received after the conclusion of the regular business meeting.

Contact: Sherry Buttrick, Director, Charlottesville Office, Virginia Outdoors Foundation, 1010 Harris St., Room 4, Charlottesville, VA 22903, telephone (804) 293-3423, FAX (804) 293-3859, e-mail vofsherryb@aol.com.


Preservation Trust Fund Advisory Board - Region V

† **May 31, 2000 - 10:30 a.m.** -- Open Meeting
Lynchburg Chamber of Commerce, Conference Room,
Lynchburg, Virginia.

A meeting to review requests for Region V applications.

Contact: Sherry Buttrick, Virginia Outdoors Foundation, 1010 Harris St., Room 4, Charlottesville, VA 22903, telephone (804) 293-3423, FAX (804) 293-3859, e-mail vofsherryb@aol.com.

VIRGINIA BOARD FOR PEOPLE WITH DISABILITIES

May 31, 2000 - 9 a.m. -- Open Meeting
Library of Virginia, 800 East Broad Street, Lobby Level,
Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A meeting of the Executive Committee.

Contact: Tom Ariail, Jr., Assistant Director of Board Operations, Virginia Board for People with Disabilities, Ninth Street Office Building, 202 N. 9th St., 9th Floor, Richmond, VA 23219, telephone (804) 786-0016, FAX (804) 786-1118, toll-free 1-800-846-4464 or (804) 786-0016/TTY ☎

June 1, 2000 - 9 a.m. -- Open Meeting
Library of Virginia, 800 East Broad Street, Lobby Level, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A quarterly meeting.

Contact: Tom Ariail, Jr., Assistant Director of Board Operations, Virginia Board for People with Disabilities, Ninth Street Office Building, 202 N. 9th St., 9th Floor, Richmond, VA 23219, telephone (804) 786-0016, FAX (804) 786-1118, toll-free 1-800-846-4464 or (804) 786-0016/TTY ☎

BOARD OF PHARMACY

Special Conference Committee

April 25, 2000 - 9 a.m. -- Open Meeting
Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Room 3, Richmond, Virginia. ♿

Special Conference Committee to hear informal conference(s). Public comment will not be received.

Contact: Elizabeth Scott Russell, Executive Director, Board of Pharmacy, Southern States Building, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9911, FAX (804) 662-9313, (804) 662-7197/TTY ☎, e-mail russell@dhp.state.va.us.

VIRGINIA RECYCLING MARKETS DEVELOPMENT COUNCIL

† May 9, 2000 - 10 a.m. -- Open Meeting
Central Virginia Waste Management Authority, 2104 West Laburnum Avenue, Board Room, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A quarterly meeting. The council will discuss its 1999 Annual Report and pending revisions to the state's Solid Waste Management Plan regulations and related recycling issues. Subcommittee meetings may be held prior to or after the meeting. Call Mike Murphy for details or e-mail mpmurphy@deq.state.va.us.

Contact: Michael P. Murphy, Director, Environmental Enhancement, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240-0009, telephone (804) 698-4003, FAX (804) 698-4319, toll-free 1-800-592-5482, (804) 698-4021/TTY ☎ or email mpmurphy@deq.state.va.us.

BOARD OF REHABILITATIVE SERVICES

† May 24, 2000 - 3:30 p.m. -- Open Meeting
Hyatt Fair Lakes, 12777 Fair Lakes Circle, Fairfax, Virginia. ♿ (Interpreter for the deaf provided upon request)

A quarterly business meeting. Public comments will be received at 3:45 p.m.

Contact: Barbara G. Tyson, Administrative Staff Assistant, Department of Rehabilitative Services, 8004 Franklin Farms Dr., P.O. Box K-300, Richmond, VA 23288-0300, telephone (804) 662-7010, toll-free 1-800-552-5019 or (804) 662-7000/TTY ☎

VIRGINIA RESOURCES AUTHORITY

† May 9, 2000 - 9 a.m. -- Open Meeting
Doubletree Hotel, 2350 Seminole Trail, Charlottesville, Virginia.

A meeting to (i) approve minutes of the meeting of March 14, 2000, (ii) review the authority's operations for the prior months; and (iii) consider other matters and other actions as it may deem appropriate. The planned agenda of the meeting will be available at the offices of the authority one week prior to the date of the meeting.

Contact: Benjamin Hoyle, Executive Assistant, Virginia Resources Authority, 707 E. Main St., Suite 1350, Richmond, VA 23219, telephone (804) 644-3100, e-mail bhoyle@vra.state.va.us.

DEPARTMENT FOR RIGHTS OF VIRGINIANS WITH DISABILITIES

† May 3, 2000 - 10 a.m. -- Open Meeting
Northern Virginia Training Center, 9901 Braddock Road, Building 4, Fairfax, Virginia. ♿ (Interpreter for the deaf provided upon request)

A quarterly meeting.

Contact: Susan Jones, Program Operations Coordinator, Department for Rights of Virginians with Disabilities, 202 North 9th Street, 9th Floor, Richmond VA 23219, telephone (804) 225-2061, FAX (804) 225-3221, toll-free (800) 552-3962, (804) 225-2042/TTY ☎, e-mail jonesm@drvd.state.va.us.

SCIENCE MUSEUM OF VIRGINIA

April 27, 2000 - 3 p.m. -- Open Meeting
Science Museum of Virginia, 2500 West Broad Street, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)


A quarterly meeting of the Board of Trustees.

Contact: Karen Spencer, Administrative Assistant, Science Museum of Virginia, 2500 W. Broad St., Richmond, VA

Calendar of Events

23220, telephone (804) 367-6799, FAX (804) 367-8410, toll-free (800) 659-1727, e-mail kspencer@smv.org.

SEWAGE HANDLING AND DISPOSAL APPEAL REVIEW BOARD

† **May 24, 2000 - 10 a.m.** -- Open Meeting
General Assembly Building, 9th and Broad Streets, Senate Room A, Richmond, Virginia. 

A meeting to hear appeals of the Department of Health's denials of septic tank permits.

Contact: Susan C. Sherertz, Board Secretary, Sewage Handling and Disposal Appeal Review Board, 1500 E. Main St., Room 115, Richmond, VA 23219, telephone (804) 371-4236 or FAX (804) 225-4003.

STATE BOARD OF SOCIAL SERVICES

June 9, 2000 - Public 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 State Board of Social Services intends to amend regulations entitled: **22 VAC 40-600-10 et seq. Food Stamp Program - Administrative Disqualification Hearings.** Changes to the procedures for administrative hearings include that the decisions of the hearing officer is the final action, that notices may be sent by regular mail, and that the hearing may be held when the mail is returned to the agency.

Statutory Authority: §§ 63.1-25 and 63.1-124.2 of the Code of Virginia.


Contact: Patricia Duva, Food Stamp Program Manager, Division of Temporary Assistance Programs, Department of Social Services, 730 E. Broad St., Richmond, VA 23219, telephone (804) 692-1712 or FAX (804) 692-1704.

BOARD OF SOCIAL WORK


Special Conference Committee

† **May 11, 2000 - 10 a.m.** -- Open Meeting
Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Room 4, Richmond, Virginia. 

An informal conference in accordance with § 9-6.14:11 of the Code of Virginia to hear a petition for reinstatement of licensure. No public comment will be heard.

Contact: Rai Minor, Administrative Assistant, Board of Social Work, 6606 W. Broad St., 4th Floor, Richmond, VA 23230, telephone (804) 662-9914, FAX (804) 662-9943, (804) 662-7197/TTY , e-mail bsw@dhp.state.va.us.


GOVERNOR'S COMMISSION ON TRANSPORTATION POLICY

† **May 1, 2000 - 9 a.m.** -- Open Meeting
General Assembly Building, 9th and Broad Streets, House Room D, Richmond, Virginia. 

The ninth meeting of the commission.

Contact: Dan Shoemaker, Assistant Secretary of Transportation, 1401 E. Broad St., Room 414, Richmond, VA 23219, telephone (804) 786-3655 or FAX (804) 786-6683.

TRANSPORTATION SAFETY BOARD


May 9, 2000 - 11 a.m. -- Open Meeting
Central Park Hotel and Conference Center, I-95 and Route 3, Fredericksburg, Virginia.  (Interpreter for the deaf provided upon request)

A quarterly meeting to discuss highway safety issues.


Contact: Angelisa Jennings, Management Analyst, Transportation Safety Board, 2300 W. Broad St., Richmond, VA 23269, telephone (804) 367-2026, FAX (804) 367-6031.

BOARD OF VETERINARY MEDICINE

Special Conference Committee


† **May 10, 2000 - 9 a.m.** -- Open Meeting
Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Room 1, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

Special hearings. No public comment will be received.

Contact: Terri H. Behr, Administrative Assistant, Board of Veterinary Medicine, 6606 W. Broad St., 4th Floor, Richmond, VA 23230, telephone (804) 662-9915, FAX (804) 662-7098, (804) 662-7197/TTY , e-mail tbehr@dhp.state.va.us.

DEPARTMENT FOR THE VISUALLY HANDICAPPED

Statewide Rehabilitation Council for the Blind

June 10, 2000 - 10 a.m. -- Open Meeting
Department for the Visually Handicapped, 397 Azalea Avenue, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A regular quarterly meeting to advise the department on matters related to vocational rehabilitation services for the blind and visually impaired citizens of the Commonwealth.

Contact: James G. Taylor, VR Program Director, Department for the Visually Handicapped, 397 Azalea Ave., Richmond, VA 23227, telephone (804) 371-3111, FAX (804) 371-3351, toll-free (800) 622-2155, (804) 371-3140/TTY 

VIRGINIA WASTE MANAGEMENT BOARD

April 27, 2000 - 9 a.m. -- Open Meeting

May 25, 2000 - 9 a.m. -- Open Meeting

June 15, 2000 - 9 a.m. -- Open Meeting


Department of Environmental Quality, 629 East Main Street, Richmond, Virginia.

A meeting of the ad hoc advisory group assisting the Virginia Waste Management Board in the development of proposed amendments to 9 VAC 20-70-10 et seq., Financial Assurance Regulations for Solid Waste Facilities.

Contact: Melissa Porterfield, Virginia Waste Management Board, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4238, e-mail mporterfi@deq.state.va.us.

STATE WATER CONTROL BOARD


† **April 26, 2000 - 10 a.m.** -- Open Meeting

Department of Environmental Quality Offices, 629 East Main Street, Richmond, Virginia. 


A meeting of the advisory committee assisting the department in the development of proposed amendments to the General VPDES Permit for Domestic Sewage Discharges of Less Than or Equal To 1,000 Gallons Per Day.

Contact: Lily Choi, State Water Control Board, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4054, FAX (804) 698-4032, e-mail ychoi@deq.state.va.us.


† **May 30, 2000 - 2 p.m.** -- Public Hearing

Eastern Shore Community College, Lecture Hall, Melfa, Virginia.  (Interpreter for the deaf provided upon request)

† **June 1, 2000 - 7 p.m.** -- Public Hearing

Turner Ashby High School, 800 North Main Street, Auditorium, Bridgewater, Virginia.  (Interpreter for the deaf provided upon request)

† **June 2, 2000 - 10 a.m.** -- Public Hearing

General Assembly Building, 9th and Broad Streets, House Room D, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

June 23, 2000 - Public comments may be received until this date.

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: **9 VAC 25-630-10 et seq. Virginia Pollution Abatement General Permit Regulation for Poultry Waste Management.** The purpose of the proposed amendments are to establish requirements for the proper storage, management and tracking of poultry waste.

Affected Locality: The regulation will be applicable statewide and will not affect any one locality disproportionately.

Question and Answer Period: A question and answer period will be held one-half hour prior to each of the public hearings at the same locations. Interested citizens will have an opportunity to ask questions pertaining to the proposal at that time. The board reserves the right to limit oral presentations at the public hearings to three minutes per speaker.

Accessibility to Persons with Disabilities: The public hearings will be held at facilities believed to be accessible to persons with disabilities. Any person with questions should contact Mr. Richard W. Ayers, Office of Water Permit Programs, Department of Environmental Quality, P.O. Box 10009, Richmond, Virginia 23240-0009, telephone (804) 698-4075. Persons needing interpreter services for the deaf should notify Mr. Ayers no later than April 28, 2000.


Request for Comments: The board is seeking written comments from interested persons on both the proposed regulatory action and the draft permit. Comments are also solicited regarding alternative approaches that meet the statutory mandate given by the General Assembly. Written comments on the proposed issuance of the permit and on the proposed regulation must be received no later than 4 p.m. on Friday, June 23, 2000, and should be submitted to Mr. Ayers. Comments shall include the name, address, and telephone number of the writer and contain a complete, concise statement of the factual basis for comments. Only those comments received within this period will be considered by the board.

Statutory Authority: § 62.1-44.17:1.1 of the Code of Virginia.


Contact: Richard W. Ayers, Office of Water Permit Programs, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240-0009, telephone (804) 698-4075 or FAX (804) 698-4032.

VIRGINIA WORKFORCE COUNCIL


† **April 25, 2000 - 10:30 a.m.** -- Open Meeting

Virginia Employment Commission, Central Office, 703 East Main Street, Conference Room 101, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A meeting of the Emerging Workforce Committee to finalize a "youth vision" for workforce development and consider certification of training providers, strategies to match trained workers with available jobs, WIA youth program design/guidelines and its FY 2001 schedule.

Contact: Gail Robinson, Virginia Workforce Council Liaison, Virginia Employment Commission, P.O. Box 1358, Richmond, VA 23218-1358, telephone (804) 225-3070, FAX (804) 225-2190 or (804) 371-8050/TTY 

† **May 3, 2000 - 10 a.m.** -- Open Meeting

Virginia Employment Commission, Central Office, 703 East Main Street, Conference Room 303, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A meeting of the WIA and Coordinated Planning Committee to review the WIA local workforce investment board certifications and determine its agenda for the next fiscal year (July 1, 2000 - June 30, 2001).

Calendar of Events

Contact: Gail Robinson, Virginia Workforce Council Liaison, Virginia Employment Commission, P.O. Box 1358, Richmond, VA 23218-1358, telephone (804) 225-3070, FAX (804) 225-2190 or (804) 371-8050/TTY ☎

May 23, 2000 - 10 a.m. -- Open Meeting
Virginia Employment Commission, Central Office, 703 East Main Street, Conference Room 303, Richmond, Virginia. ♿
(Interpreter for the deaf provided upon request)

A meeting of the Existing Workforce and the Hard-to-Employ Committee to consider the option afforded the state to use a discretionary formula for up to 30% of the Workforce Investment Act (WIA) youth and adult local allocation for the fiscal year beginning July 1, 2001. Public comment is at 11 a.m. A written copy of comments must be provided.

Contact: Gail Robinson, Virginia Workforce Council Liaison, Virginia Employment Commission, P.O. Box 1358, Richmond, VA 23218-1358, telephone (804) 225-3070, FAX (804) 225-2190 or (804) 371-8050/TTY ☎

INDEPENDENT

STATE LOTTERY BOARD

† **May 10, 2000 - 9:30 a.m.** -- Open Meeting
State Lottery Department, 900 East Main Street, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A regular meeting of the board. Public comment will be received at the beginning of the meeting.

Contact: Barbara L. Robertson, Board, Legislative and Regulatory Coordinator, State Lottery Department, 900 E. Main St., Richmond, VA 23219, telephone (804) 692-7105 or FAX (804) 692-7775.

LEGISLATIVE

JOINT LEGISLATIVE AUDIT AND REVIEW COMMISSION

† **May 8, 2000 - 10 a.m.** -- Open Meeting
General Assembly Building, 9th and Broad Streets, Senate Room A, Richmond, Virginia. ♿

A staff briefing on the JLARC workplan for 2000 and the Auditor of Public Accounts workplan for 2000.

Contact: Philip A. Leone, Director, Joint Legislative Audit and Review Commission, General Assembly Bldg., 910 Capitol St., Suite 1100, Richmond, VA 23219, telephone (804) 786-1258.

COMMISSION ON VIRGINIA'S STATE AND LOCAL TAX STRUCTURE FOR THE 21ST CENTURY

† **April 27, 2000 - 2 p.m.** -- Public Hearing
Emory and Henry College, Van Dyke Center, Board of Visitors' Lounge, Emory, Virginia.

A public hearing to receive testimony concerning possible changes in Virginia's state and local tax structure to address the needs of the Commonwealth in the 21st century. Individuals and groups that wish to address the commission at the hearing are requested to preregister with the commission's staff in Richmond at the telephone number below.

Contact: Mich Wilkinson, Staff Director, Commission on Virginia's State and Local Tax Structure for the 21st Century, 700 E. Franklin St., Suite 700, Richmond, VA, 23219-2318, telephone (804) 786-4273, FAX (804) 371-0234.

† **April 27, 2000 - 7 p.m.** -- Open Meeting
Emory and Henry College, Van Dyke Center, Board of Visitors' Lounge, Emory, Virginia.

A meeting devoted to the commission's discussion and consideration of issues concerning the adequacy of Virginia's state and local tax structure to address the needs of the Commonwealth in the 21st century.

Contact: Mich Wilkinson, Staff Director, Commission on Virginia's State and Local Tax Structure for the 21st Century, 700 E. Franklin St., Suite 700, Richmond, VA, 2219-2318, telephone (804) 786-4273, FAX (804) 371-0234, homepage <http://www2.institute.virginia.edu/taxstudy>.

CHRONOLOGICAL LIST

OPEN MEETINGS

April 24

Alcoholic Beverage Control Board

April 25

Chesapeake Bay Local Assistance Board

- Northern Area Review Committee

Compensation Board

Marine Resources Commission

Pharmacy, Board of

- Special Conference Committee

† Workforce Council, Virginia

- Emerging Workforce Committee

April 26

At-Risk Youth and Their Families, Comprehensive Services for

- State Executive Council

Education, Board of

Nursing, Board of

- Special Conference Committee

† Water Control Board, State

- Ad Hoc Advisory Committee

April 27

Education, Board of

Medicine, Board of
- Informal Conference Committee
Mental Health, Mental Retardation and Substance Abuse
Services, Department of
- State Human Rights Committee
Science Museum of Virginia
- Board of Trustees
† State and Local Tax Structure for the 21st Century,
Commission on Virginia's
Waste Management Board, Virginia
- Ad Hoc Advisory Committee

April 28

† Dentistry, Board of
Education, Board of
Medicine, Board of
- Informal Conference Committee

April 29

Museum of Natural History, Virginia
- Board of Trustees

May 1

† Conservation and Recreation, Department of
- Chippokes Plantation Farm Foundation Board of
Trustees
† Transportation Policy, Governor's Commission on

May 2

Hopewell Industrial Safety Council
† Museum of Fine Arts, Virginia
- Executive Committee

May 3

† Deaf and Hard-of-Hearing, Department for the
Optometry, Board of
† Rights of Virginians with Disabilities, Department for
- Developmental Disabilities Advisory Council
† Workforce Council, Virginia
- WIA and Coordinated Planning Committee

May 4

† Agriculture and Consumer Services, Department of
- Virginia Cattle Industry Board
† Conservation and Recreation, Department of
- Board on the Conservation and Development of
Public Beaches
- Falls of the James Scenic River Advisory Board
- Virginia State Parks Foundation
† Environmental Quality, Department of
Medicine, Board of
- Informal Conference Committee

May 8

Alcoholic Beverage Control Board
† Legislative Audit and Review Commission, Joint

May 9

† Recycling Markets Development Council, Virginia
† Resources Authority, Virginia
Transportation Safety Board

May 10

† Environmental Quality, Department of
† Lottery Board, State
Medicine, Board of

- Advisory Committee on Acupuncture
- Advisory Committee on Radiological Technology
† Veterinary Medicine, Board of
- Special Conference Committee

May 11

† Labor and Industry, Department of
- Virginia Apprenticeship Council Subcommittee
Medical Assistance Services, Department of
- Drug Utilization Review Board
Medicine, Board of
- Advisory Board on Occupational Therapy
- Advisory Board on Respiratory Care
† Social Work, Board of
- Special Conference Committee

May 12

Medicine, Board of
- Advisory Board on Physical Therapy
- Advisory Committee on Physician Assistants

May 13

Military Institute, Virginia

May 15

Design-Build/Construction Management Review Board
† Motor Vehicle Dealer Board, Virginia
- Advertising Committee
- Dealer Practices Committee
- Franchise Law Committee
- Licensing Committee
- Personnel Committee
- Transaction Recovery Fund Committee
Nursing, Board of

May 16

† Environmental Quality, Department of
- Virginia Ground Water Protection Steering Committee
† Medicine, Board of
- Advisory Board on Athletic Trainers
† Motor Vehicle Dealer Board
- Finance Committee

May 17

† Community Colleges, State Board for
† Museum of Fine Arts, Virginia
- Communications and Marketing Committee
- Education and Programs Committee
- Exhibitions Committee
- Planning Committee
Nursing, Board of

May 18

Agriculture and Consumer Services, Board of
† Community Colleges, State Board for
† Environmental Quality, Department of
- Technical Advisory Committee
† Museum of Fine Arts, Virginia
- Buildings and Grounds Committee
- Collections Committee
- Finance Committee
Nursing, Board of

May 19

Housing and Community Development, Department of

Calendar of Events

- State Building Code Technical Review Board

May 22

Alcoholic Beverage Control Board
† Conservation and Recreation, Department of
- Board for Conservation and Development of Public
Beaches

May 23

Marine Resources Commission
Workforce Council, Virginia
- Existing Workforce and the Hard-to-Employ
Committee

May 24

† Emergency Planning Committee, Local - Gloucester
County
† Outdoors Foundation, Virginia
- Preservation Trust Fund Advisory Board - Region II
† Rehabilitative Services, Board of
† Sewage Handling and Disposal Appeal Review Board

May 25

Education, Board of
Waste Management Board, Virginia
- Ad Hoc Advisory Committee

May 26

Education, Board of
Medicine, Board of
- Legislative Committee

May 31

At-Risk Youth and Their Families, Comprehensive
Services for
- State Executive Council
† Outdoors Foundation, Virginia
- Preservation Trust Fund Advisory Board - Region V
People with Disabilities, Virginia Board for
- Executive Committee

June 1

† Game and Inland Fisheries, Board of
People with Disabilities, Virginia Board for

June 6

† Environmental Quality, Department of
- Technical Advisory Committee
Hopewell Industrial Safety Council

June 10

Visually Handicapped, Department for the
- Statewide Rehabilitation Council for the Blind

June 14

† Agriculture and Consumer Services, Department of
- Virginia Marine Products Board

June 15

† Labor and Industry, Department of
- Virginia Apprenticeship Council
Waste Management Board, Virginia
- Ad Hoc Advisory Committee

June 27

Marine Resources Commission

June 28

† At-Risk Youth and Their Families, Comprehensive
Services for
- State Executive Council

PUBLIC HEARINGS

April 27

† State and Local Tax Structure for the 21st Century,
Commission on Virginia's

May 30

† Water Control Board, State

June 1

† Water Control Board, State

June 2

† Water Control Board, State