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THE VIRGINIA REGISTER OF REGULATIONS 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. In addition, the Virginia Register is a source of other information about state government, including petitions for rulemaking, emergency regulations, executive orders issued by the Governor, the Virginia Tax Bulletin issued periodically by the Department of Taxation, and notices of public hearings and open meetings of state agencies.

ADDITION, AMENDMENT, AND REPEAL OF REGULATIONS

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

Following publication of the proposal in the Virginia Register, the promulgating agency receives public comments for a minimum of 60 days. The Governor reviews the proposed regulation to determine if it is necessary to protect the public health, safety, and welfare, and if it is clearly written and easily understandable. If the Governor chooses to comment on the proposed regulation, his comments must be transmitted to the agency and the Registrar no later than 15 days following the completion of the 60-day public comment period. The Governor’s comments, if any, will be published in the Virginia Register. Not less than 15 days following the completion of the 60-day public comment period, the agency may adopt the proposed regulation. The Joint Commission of Administrative Rules (JCAR) or the appropriate standing committee of each house of the General Assembly may meet during the promulgation or final adoption process and file an objection with the Registrar and the promulgating agency. The objection will be published in the Virginia Register. Within 21 days after receipt by the agency of a legislative objection, the agency shall file a response with the Registrar, the objecting legislative body, and the Governor.

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

The Governor may review the final regulation during this time and, if he objects, forward his objection to the Registrar and the agency. If the Governor finds that changes made to the proposed regulation have substantial impact, he may require the agency to provide an additional 30-day public comment period on the changes. Notice of the additional public comment period required by the Governor will be published in the Virginia Register.

The agency shall suspend the regulatory process for 30 days when it receives requests from 25 or more individuals to solicit additional public comment, unless the agency determines that the changes have minor or inconsequential impact. A regulation becomes effective at the conclusion of the 30-day final adoption period, or at any other later date specified by the promulgating agency, unless (i) a legislative objection has been filed, in which event the regulation, unless withdrawn, becomes effective on the date specified, which shall be after the expiration of the 21-day objection period; (ii) the Governor exercises his authority to require the agency to provide for additional public comment, in which event the regulation, unless withdrawn, becomes effective on the date specified, which shall be after the expiration of the period for which the Governor has provided for additional public comment; (iii) the Governor and the General Assembly exercise their authority to suspend the effective date of a regulation until the end of the next regular legislative session; or (iv) the agency suspends the regulatory process, in which event the regulation, unless withdrawn, becomes effective on the date specified, which shall be after the expiration of the 30-day public comment period and no earlier than 15 days from publication of the readopted action. Proposed regulatory action may be withdrawn by the promulgating agency at any time before the regulation becomes final.

FAST-TRACK RULEMAKING PROCESS

Section 2.2-4012.1 of the Code of Virginia provides an exemption from certain provisions of the Administrative Process Act for agency regulations deemed by the Governor to be noncontroversial. To use this process, Governor’s concurrence is required and advance notice must be provided to certain legislative committees. Fast-track regulations will become effective on the date noted in the regulatory action if no objections to using the process are filed in accordance with § 2.2-4012.1.

EMERGENCY REGULATIONS

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 (§ 2.2-4006 et seq.) of Chapter 40 of Title 2.2 of the Code of Virginia be examined carefully.

CITATION TO THE VIRGINIA REGISTER


The Virginia Register of Regulations is published pursuant to Article 6 (§ 2.2-4031 et seq.) of Chapter 40 of Title 2.2 of the Code of Virginia. Members of the Virginia Code Commission: R. Steven Landes, Chairman; John S. Edwards, Vice Chairman; Ryan T. McDougle; Robert Hurt; Robert L. Calhoun; Frank S. Ferguson; E.M. Miller, Jr.; Thomas M. Monceur, Jr.; James F. Almand; S. Bernard Goodwyn.

Staff of the Virginia Register: Jane D. Chaffin, Registrar of Regulations; June T. Chandler, Assistant Registrar.
## PUBLICATION SCHEDULE AND DEADLINES

This schedule is available on the Register's Internet home page (http://register.state.va.us).

### October 2006 through August 2007

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*Filing deadlines are Wednesdays unless otherwise specified.
The table printed below lists regulation sections, by Virginia Administrative Code (VAC) title, that have been amended, added or repealed in the *Virginia Register* since the regulations were originally published or last supplemented in VAC (the Spring 2006 VAC Supplement includes final regulations published through *Virginia Register* Volume 22, Issue 9, dated January 9, 2006). Emergency regulations, if any, are listed, followed by the designation “emer,” and errata pertaining to final regulations are listed. Proposed regulations are not listed here. The table lists the sections in numerical order and shows action taken, the volume, issue and page number where the section appeared, and the effective date of the section.

### CUMULATIVE TABLE OF VIRGINIA ADMINISTRATIVE CODE SECTIONS ADOPTED, AMENDED, OR REPEALED

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| 2 VAC 5-195-10 through 2 VAC 5-195-180 | Added | 22:25 VA.R. 3872-3876 | 8/21/06 |
| 2 VAC 5-210-10 | Amended | 22:24 VA.R. 3579 | 7/19/06 |
| 2 VAC 5-210-20 | Amended | 22:24 VA.R. 3579 | 7/19/06 |
| 2 VAC 5-210-30 | Amended | 22:24 VA.R. 3579 | 7/19/06 |
| 2 VAC 5-210-41 | Added | 22:24 VA.R. 3580 | 7/19/06 |
| 2 VAC 5-210-40 | Repealed | 22:24 VA.R. 3580 | 7/19/06 |
| 2 VAC 5-210-50 | Repealed | 22:24 VA.R. 3580 | 7/19/06 |
| 2 VAC 5-210-60 | Amended | 22:24 VA.R. 3581 | 7/19/06 |
| 2 VAC 5-330-30 | Amended | 22:24 VA.R. 3587 | 9/7/06 |
| 2 VAC 5-390-180 | Amended | 22:14 VA.R. 2201 | 2/27/06 |
| 2 VAC 20-40-10 | Amended | 22:26 VA.R. 4105 | 10/5/06 |
| 2 VAC 20-40-20 | Amended | 22:26 VA.R. 4106 | 10/5/06 |
| 2 VAC 20-40-40 | Amended | 22:26 VA.R. 4107 | 10/5/06 |
| 2 VAC 20-40-60 | Amended | 22:26 VA.R. 4107 | 10/5/06 |
| 2 VAC 20-40-65 | Added | 22:26 VA.R. 4107 | 10/5/06 |
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| 2 VAC 20-40-120 | Repealed | 22:26 VA.R. 4109 | 10/5/06 |

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<p>| 4 VAC 5-36-50 | Erratum | 22:14 VA.R. 2216 | -- |
| 4 VAC 5-40-10 through 4 VAC 5-40-350 | Repealed | 22:21 VA.R. 2801-2804 | 7/26/06 |
| 4 VAC 5-60-10 through 4 VAC 5-60-170 | Repealed | 22:21 VA.R. 2805-2807 | 7/26/06 |
| 4 VAC 10-30-10 through 4 VAC 10-30-350 | Added | 22:21 VA.R. 2801-2804 | 7/26/06 |
| 4 VAC 10-40-10 through 4 VAC 10-40-170 | Added | 22:21 VA.R. 2805-2807 | 7/26/06 |
| 4 VAC 15-20-65 | Added | 22:22 VA.R. 3089 | 7/1/06 |
| 4 VAC 15-20-130 | Amended | 22:19 VA.R. 2599 | 7/1/06 |
| 4 VAC 15-20-160 | Amended | 22:19 VA.R. 2600 | 7/1/06 |
| 4 VAC 15-40-30 | Amended | 22:19 VA.R. 2601 | 7/1/06 |
| 4 VAC 15-40-200 | Amended | 22:19 VA.R. 2601 | 7/1/06 |
| 4 VAC 15-40-285 | Added | 22:19 VA.R. 2601 | 7/1/06 |
| 4 VAC 15-50-71 | Amended | 22:19 VA.R. 2601 | 7/1/06 |
| 4 VAC 15-50-110 | Amended | 22:19 VA.R. 2602 | 7/1/06 |
| 4 VAC 15-50-120 | Amended | 22:19 VA.R. 2602 | 7/1/06 |
| 4 VAC 15-70-10 | Amended | 22:19 VA.R. 2602 | 7/1/06 |
| 4 VAC 15-70-60 | Added | 22:19 VA.R. 2602 | 7/1/06 |
| 4 VAC 15-90-22 | Added | 22:19 VA.R. 2603 | 7/1/06 |
| 4 VAC 15-90-70 | Amended | 22:19 VA.R. 2603 | 7/1/06 |
| 4 VAC 15-90-80 | Amended | 22:19 VA.R. 2604 | 7/1/06 |</p>
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**Title 6. Criminal Justice and Corrections**

<p>| 6 VAC 20-120-80 | Amended | 22:20 VA.R. 2704 | 7/12/06 |
| 6 VAC 20-190-10 through 6 VAC 20-190-200 | Repealed | 22:10 VA.R. 1556-1559 | 2/22/06 |
| 6 VAC 20-210-10 through 6 VAC 20-210-110 | Repealed | 22:10 VA.R. 1561-1562 | 2/22/06 |
| 6 VAC 20-220-20 through 6 VAC 20-220-80 | Repealed | 22:10 VA.R. 1559-1560 | 2/22/06 |
| 6 VAC 20-240-10 through 6 VAC 20-240-120 | Added | 22:11 VA.R. 1764-1768 | 3/8/06 |
| 6 VAC 20-260-10 through 6 VAC 20-260-360 emer | Added | 22:12 VA.R. 2044-2053 | 2/20/06-2/19/07 |
| 6 VAC 35-10-10 through 6 VAC 35-10-50 | Amended | 23:1 VA.R. 25-26 | 10/18/06 |
| 6 VAC 35-10-60 | Repealed | 23:1 VA.R. 26 | 10/18/06 |
| 6 VAC 35-10-70 through 100 | Amended | 23:1 VA.R. 26-27 | 10/18/06 |</p>
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**Title 8. Education**

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## Cumulative Table of VAC Sections Adopted, Amended, or Repealed

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### Title 24. Transportation and Motor Vehicles

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TITLE 9. ENVIRONMENT

STATE WATER CONTROL BOARD

Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the State Water Control Board intends to consider amending regulations entitled 9 VAC 25-260, Water Quality Standards. The purpose of the proposed action is to update the water quality standards based on new scientific information; improve permitting, monitoring and assessment programs; and fulfill the legal mandates for a three-year review of the standards.

The agency intends to hold a public hearing on the proposed action after publication in the Virginia Register.


Public comments may be submitted until 5 p.m. on November 17, 2006.

Contact: Elleanore M. Daub, Department of Environmental Quality, P.O. Box 10009, 629 E. Main St., Richmond, VA 23240, telephone (804) 698-4111, FAX (804) 698-4116, or email emdaub@deq.virginia.gov.

VA.R. Doc. No. R06-344; Filed August 30, 2006, 8:18 a.m.

TITLE 12. HEALTH

STATE BOARD OF HEALTH

Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the State Board of Health intends to consider repealing regulations entitled 12 VAC 5-610, Sewage Handling and Disposal Regulations, and adopting regulations entitled 12 VAC 5-611, Onsite Sewage Regulations. The purpose of the proposed action is to promulgate regulations based on public meetings held between January and May 2006 and related issues as determined by the board, and to include provisions to address the previously proposed allowable rock content and footprint amendments.

The agency does not intend to hold a public hearing on the proposed action after publication in the Virginia Register.


Public comments may be submitted until October 4, 2006.

Contact: William Lessard, Project Manager, Department of Medical Assistance Services, 600 E. Broad St., Suite 1300, Richmond, VA 23219, telephone (804) 225-4593, FAX (804) 786-1680 or email william.lessard@dmas.virginia.gov.

VA.R. Doc. No. R06-317; Filed August 7, 2006, 2:46 p.m.

Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Department of Medical Assistance Services intends to consider amending regulations entitled 12 VAC 30-120, Waivered Services. The purpose of the proposed action is to update the Technology Assisted Waiver Program in order to accommodate changes in the industry and to provide greater clarity to the regulations.

The agency does not intend to hold a public hearing on the proposed action after publication in the Virginia Register.


Public comments may be submitted until October 4, 2006.
Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Board of Audiology and Speech-Language Pathology intends to consider amending regulations entitled 18 VAC 30-20, Regulations Governing the Practice of Audiology and Speech-Language Pathology. The purpose of the proposed action is to establish requirements for the issuance of provisional licensure in audiology and the supervision of such licensees.

The agency intends to hold a public hearing on the proposed action after publication in the Virginia Register.

Statutory Authority: § 54.1-2400 and Chapter 26 (§ 54.1-2600 et seq.) of Title 54.1 of the Code of Virginia.

Public comments may be submitted until 5 p.m. on October 4, 2006.

Contact: Elizabeth Young, Executive Director, Board of Audiology and Speech-Language Pathology, 3600 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9111, FAX (804) 662-9523 or email elizabeth.young@dhp.virginia.gov.
BOARD OF MEDICINE

Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Board of Medicine intends to consider amending regulations entitled:

18 VAC 85-20, Regulations Governing the Practice of Medicine, Osteopathic Medicine, Podiatry, and Chiropractic.
18 VAC 85-40, Regulations Governing the Practice of Respiratory Care Practitioners.
18 VAC 85-50, Regulations Governing the Practice of Physician Assistants.
18 VAC 85-80, Regulations Governing the Licensure of Occupational Therapists.
18 VAC 85-110, Regulations Governing the Practice of Licensed Acupuncturists.

The purpose of the proposed action is to set out the fees and renewal requirements for a person holding a restricted volunteer license.

The agency intends to hold a public hearing on the proposed action after publication in the Virginia Register.


Public comments may be submitted until 5 p.m. on October 4, 2006.

Contact: Jay P. Douglas, R.N., Executive Director, Board of Nursing, 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9909, FAX (804) 662-9512 or email jay.douglas@dhp.virginia.gov.

VA.R. Doc. No. R06-341; Filed August 22, 2006, 9:10 a.m.

REAL ESTATE APPRAISER BOARD

Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Real Estate Appraiser Board intends to consider amending regulations entitled 18 VAC 130-20, Real Estate Appraiser Board Rules and Regulations. The purpose of the proposed action is to make (i) changes consistent with new federal requirements, (ii) clarifying changes, and (iii) other changes that may result from the department's periodic review of the regulations.

The agency intends to hold a public hearing on the proposed action after publication in the Virginia Register.


Public comments may be submitted until October 20, 2006.

Contact: Christine Martine, Executive Director, Real Estate Appraiser Board, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8552, FAX (804) 367-6946, or email reappraisers@dpor.virginia.gov.

VA.R. Doc. No. R06-333; Filed August 29, 2006, 3:15 p.m.

TITLE 22. SOCIAL SERVICES

STATE BOARD OF SOCIAL SERVICES

Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the State Board of Social Services intends to consider amending regulations entitled 22 VAC 40-35, Virginia Independence Program. The purpose of the proposed action is to implement provisions of the federal Deficit Reduction Act of 2005 that requires states to meet certain work participation rates in their Temporary Assistance for Needy Families program or face substantial penalties.
The agency does not intend to hold a public hearing on the proposed action after publication in the Virginia Register.

Statutory Authority: § 63.2-217 of the Code of Virginia.

Public comments may be submitted until October 4, 2006.

Contact: Mark Golden, Economic Assistance and Employment Manager, Department of Social Services, 7 N. 8th St., Richmond, VA 23219, telephone (804) 726-7385, FAX (804) 726-7356, toll-free 1-800-828-1120 or email mark.golden@dss.virginia.gov.

VA.R. Doc. No. R06-328; Filed August 10, 2006, 1:20 p.m.
TITLE 9. ENVIRONMENT
STATE WATER CONTROL BOARD
Final Regulation

REGISTRAR'S NOTICE: The following regulation filed by the State Water Control Board is exempt from the Administrative Process Act in accordance with § 2.2-4006 A 9 of the Code of Virginia, which exempts 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.) of Title 62.1 and Chapter 25 (§ 62.1-254 et seq.) of Title 62.1 of the Code of Virginia if the board (i) provides a Notice of Intended Regulatory Action in conformance with the provisions of § 2.2-4007 B, (ii) following the passage of 30 days from the publication of the Notice of Intended Regulatory Action 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 § 2.2-4007 F, and (iv) conducts at least one public hearing on the proposed general permit.


Effective Date: November 1, 2006.

Agency Contact: Kyle Winter, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4182, FAX (804) 698-4032, or email kwinter@deq.virginia.gov.

Summary:
This regulation establishes the registration and permitting of total nitrogen and total phosphorus loads discharged into the Chesapeake Bay Watershed in Virginia, and establishes procedures by which those loads may be exchanged among those permittees located in the respective Chesapeake Bay tributary watersheds. The regulation includes registration requirements, effluent limitations, compliance plan and schedule requirements, monitoring and reporting requirements, conditions under which nutrient trading is permitted, conditions applicable to new and expanded facilities, and conditions applicable to all facilities covered under this permit. This permit differs from other VPDES general permits in that (i) the compliance schedule focuses on the aggregate performance of all of the facilities within a tributary watershed as opposed to the individual facilities themselves, (ii) the permit will be issued in addition to the individual VPDES permits that the affected facilities are already required to hold, and (iii) rather than outlining facilities that may register for permit coverage, it incorporates all VPDES dischargers by rule and requires specific categories of facilities to register for coverage under the general permit and comply with the requirements therein.

Changes to the regulation from publication of the proposed regulation to the final regulation include changes to definitions to resolve apparent discrepancies within the regulation, changes to the final compliance dates in the tributarywide schedule of compliance, additional requirements pertaining to the determination of load limits, additional requirements pertaining to the exchange of nutrient loads by permittees, and additional requirements pertaining to new and expanding facilities offsetting the additional nutrient loads discharged by their operations.


Except as defined below, the words and terms used in this chapter shall have the meanings defined in the Virginia Pollutant Discharge Elimination System (VPDES) Permit Regulation (9 VAC 25-31).

"Annual mass load of total nitrogen" (expressed in pounds per year) means the daily total nitrogen concentration (expressed as mg/l to the nearest 0.01 mg/l) multiplied by the flow volume of effluent discharged during the 24-hour period (expressed as MGD to the nearest 0.01 MGD), multiplied by 8.3438 and rounded to the nearest whole number to convert to pounds per year (lbs/yr) units.

"Annual mass load of total phosphorus" (expressed in pounds per year) means the daily total phosphorus concentration (expressed as mg/l to the nearest 0.01 mg/l) multiplied by the flow volume of effluent discharged during the 24-hour period (expressed as MGD to the nearest 0.01 MGD) multiplied by 8.3438 and rounded to the nearest whole number to convert to pounds per day (lbs/day) units, and then totaled for the calendar month to convert to pounds per month (lbs/mo) units, and then totaled for the calendar year to convert to pounds per year (lbs/yr) units.
month to convert to pounds per month (lbs/mo) units, and then totaled for the calendar year to convert to pounds per year (lbs/yr) units.


"Attenuation" means the rate at which nutrients are reduced through natural processes during transport in water.

"Biological nutrient removal technology" means (i) technology that will achieve an annual average total nitrogen effluent concentration of eight milligrams per liter and an annual average total phosphorus effluent concentration of one milligram per liter, or (ii) equivalent reductions in loads of total nitrogen and total phosphorus through the recycle or reuse of wastewater as determined by the department.

"Board" means the Virginia State Water Control Board or State Water Control Board.

"Delivered total nitrogen load" means the discharged mass load of total nitrogen from a point source that is adjusted by the delivery factor for that point source.

"Delivered total phosphorus load" means the discharged mass load of total phosphorus from a point source that is adjusted by the delivery factor for that point source.

"Delivery factor" means an estimate of the number of pounds of total nitrogen or total phosphorus delivered to tidal waters for every pound discharged from a permitted facility, as determined by the specific geographic location of the permitted facility, to account for attenuation that occurs during riverine transport between the permitted facility and tidal waters. Delivery factors shall be calculated using the Chesapeake Bay Program watershed model. [ For the purpose of this regulation, delivery factors with a value greater than 1.00 in the Chesapeake Bay Program watershed model shall be considered to be equal to 1.00. ]

"Department" means the Department of Environmental Quality.

"Equivalent load" means [ ];

2,300 pounds [ or more ] per year of total nitrogen or 300 pounds [ or more ] per year of total phosphorus [ for new and expanded facilities discharged by an industrial facility are considered equivalent to the load discharged from sewage treatment works with a design capacity of 0.04 million gallons per day ], and

3,800 pounds [ or more ] per year of total nitrogen or 760 pounds [ or more ] per year of total phosphorus discharged by an existing industrial facility [ directly into tidal waters are considered equivalent to the load discharged from sewage treatment works with a design capacity of 0.1 million gallons per day ], and

28,500 pounds [ or more ] per year of total nitrogen or 3,800 pounds [ or more ] per year of total phosphorus discharged by an existing industrial facility [ directly to non tidal waters are considered equivalent to the load discharged from sewage treatment works with a design capacity of 0.05 million gallons per day ].

"Existing facility" means a facility holding a current individual VPDES permit that has either commenced discharge from, or has received a Certificate to Construct (for sewage treatment works, or equivalent DEQ approval for discharges from industrial facilities) the treatment works used to derive its waste load allocation on or before July 1, 2005, or has a wasteload allocation listed in 9 VAC 25-720-50 C. 9 VAC 25-720-60 C, 9 VAC 25-720-70 C, 9 VAC 25-720-110 C, and 9 VAC 25-720-120 C of the Water Quality Management Planning Regulation [ as of January 1, 2006 ].

"Expansion" or "expands" means initiating construction at an existing facility treatment works after July 1, 2005, to increase design flow capacity, except that the term does not apply in those cases where a Certificate to Construct (for sewage treatment works, or equivalent DEQ approval for discharges from industrial facilities) was issued on or before July 1, 2005.

"Facility" means a point source discharging or proposing to discharge total nitrogen or total phosphorus to the Chesapeake Bay or its tributaries. This term does not include confined animal feeding operations, discharges of storm water, return flows from irrigated agriculture, or vessels.

"General permit" means this general permit authorized by § 62.1-44.19:14 of the Code of Virginia.

"Industrial facility" means any facility (as defined above) other than sewage treatment works.

"New discharge" means any discharge from a facility that did not commence the discharge of pollutants prior to July 1, 2005, except that the term does not apply in those cases where a Certificate to Construct (for sewage treatment works, or equivalent DEQ approval for discharges from industrial facilities) was issued to the facility on or before July 1, 2005.

"Nonsignificant discharger" means (i) a sewage treatment works discharging to the Chesapeake Bay watershed downstream of the fall line with a design capacity of less than 0.1 million gallons per day, or [ less than ] an equivalent load discharged from industrial facilities, or (ii) a sewage treatment works discharging to the Chesapeake Bay watershed upstream of the fall line with a design capacity of less than 0.5 million gallons per day, or [ less than ] an equivalent load discharged from industrial facilities.

"Offset" means to acquire an annual waste load allocation of total nitrogen or total phosphorus by a new or expanding facility to ensure that there is no net increase of nutrients into the affected tributary of the Chesapeake Bay.
"Permitted facility" means a facility authorized by this general permit to discharge total nitrogen or total phosphorus. For the sole purpose of generating point source nitrogen credits or point source phosphorus credits, "permitted facility" shall also mean the Blue Plains wastewater treatment facility operated by the District of Columbia Water and Sewer Authority.

"Permitted design capacity" or "permitted capacity" means the annual mass load of total nitrogen or total phosphorus discharged by an allowable load (pounds per year) assigned to an existing facility that is a nonsignificant discharger, that does not have a wastewater allocation listed in 9 VAC 25-720-50 C, 9 VAC 25-720-60 C, 9 VAC 25-720-70 C, 9 VAC 25-720-110 C, and 9 VAC 25-720-120 C of the Water Quality Management Planning Regulation as of January 1, 2006. This mass load is calculated based on the design flow and installed nutrient removal technology (for sewage treatment works, or equivalent discharge from industrial facilities) at a facility that has either commenced discharge, or has received a Certificate to Construct (for sewage treatment works, or equivalent DEQ approval for discharges from industrial facilities) prior to July 1, 2005. This mass load is used for (i) determining whether the expanding facility must offset additional mass loading of nitrogen and phosphorus and (ii) determining whether the facility must acquire credits at the end of a calendar year. [For the purpose of this regulation, facilities that have installed secondary wastewater treatment (intended to achieve BOD and TSS monthly average concentrations equal to or less than 30 milligrams per liter) are assumed to achieve an annual average total nitrogen effluent concentration of 18.7 milligrams per liter and an annual average total phosphorus effluent concentration of 2.5 milligrams per liter. Permitted design capacities for facilities that, before July 1, 2005, were required to comply with more stringent nutrient limits shall be calculated using the more stringent values.]

"Permittee" means a person authorized by this general permit to discharge total nitrogen or total phosphorus.

"Point source nitrogen credit" means the difference between (i) the waste load allocation for a permitted facility specified as an annual mass load of total nitrogen and (ii) the monitored annual mass load of total nitrogen discharged by that facility, where clause (ii) is less than clause (i), and where the difference is adjusted by the applicable delivery factor and expressed as pounds per year of delivered total nitrogen load.

"Point source phosphorus credit" means the difference between (i) the waste load allocation for a permitted facility specified as an annual mass load of total phosphorus and (ii) the monitored annual mass load of total phosphorus discharged by that facility, where clause (ii) is less than clause (i), and where the difference is adjusted by the applicable delivery factor and expressed as pounds per year of delivered total phosphorus load.

[ Quantification level (QL)" means the lowest standard in the calibration curve for a given analyte. The QL must have a value greater than zero and be verified each day of analysis by analyzing a sample of known concentration at the selected QL with a recovery range of 70% – 130%.]

"Registration list" means a list maintained by the department indicating all facilities that have registered for coverage under this general permit, by tributary, including their waste load allocations, permitted design capacities and delivery factors as appropriate.

"Significant discharger" means (i) a sewage treatment works discharging to the Chesapeake Bay watershed upstream of the fall line with a design capacity of 0.5 million gallons per day or greater, or an equivalent load discharged from industrial facilities; (ii) a sewage treatment works discharging to the Chesapeake Bay watershed downstream of the fall line with a design capacity of 0.1 million gallons per day or greater, or an equivalent load discharged from industrial facilities; (iii) a planned or newly expanding sewage treatment works discharging to the Chesapeake Bay watershed upstream of the fall line that is expected to be in operation by December 31, 2010, with a permitted design of 0.5 million gallons per day or greater, or an equivalent load to be discharged from industrial facilities; or (iv) a planned or newly expanding sewage treatment works discharging to the Chesapeake Bay watershed downstream of the fall line that is expected to be in operation by December 31, 2010, with a design capacity of 0.1 million gallons per day or greater, or an equivalent load to be discharged from industrial facilities.

"State-of-the-art nutrient removal technology" means (i) technology that will achieve an annual average total nitrogen effluent concentration of three milligrams per liter and an annual average total phosphorus effluent concentration of 0.3 milligrams per liter or (ii) equivalent load reductions in total nitrogen and total phosphorus through recycle or reuse of wastewater as determined by the department.

"Tributaries" means those river basins for which separate tributary strategies were prepared pursuant to $2.2-218 of the Code of Virginia and includes the Potomac, Rappahannock, York, and James River Basins, and the Eastern Coastal Basin, which encompasses the creeks and rivers of the Eastern Shore of Virginia that are west of Route 13 and drain into the Chesapeake Bay.

"Waste load allocation" means (i) the water quality-based annual mass load of total nitrogen or annual mass load of total phosphorus allocated to individual facilities pursuant to 9 VAC 25-720-50 C, 9 VAC 25-720-60 C, 9 VAC 25-720-70 C, 9 VAC 25-720-110 C, and 9 VAC 25-720-120 C of the Water Quality Management Planning Regulation or its successor, (ii) the water quality-based annual mass load of total nitrogen or annual mass load of total phosphorus acquired pursuant to § 62.1-44.19:15 of the Code of Virginia for new or expanded facilities, or (iii) applicable total...

A. This regulation fulfills the statutory requirement for the General VPDES Watershed Permit for Total Nitrogen and Total Phosphorus discharges and nutrient trading in the Chesapeake watershed issued by the board pursuant to the Clean Water Act (33 USC § 1251 et seq.) and § 62.1-44.19:14 of the Code of Virginia.

B. This general permit regulation governs facilities holding individual VPDES permits that discharge or propose to discharge total nitrogen or total phosphorus to the Chesapeake Bay or its tributaries.

C. The director may perform any act of the board provided under this regulation, except as limited by § 62.1-44.14 of the Code of Virginia.


A. This general permit shall control in lieu of conflicting or duplicative mass loading effluent limitations, monitoring or reporting requirements for total nitrogen and total phosphorus contained in individual VPDES permits for facilities covered by this general permit, where these requirements are based upon standards, criteria, waste load allocations, policy, or guidance established to restore or protect the water quality and beneficial uses of the Chesapeake Bay or its tidal tributaries.

B. This general permit shall not control in lieu of more stringent water quality-based effluent limitations for total nitrogen or total phosphorus in individual permits where those limitations are necessary to protect local water quality, or more stringent technology-based effluent concentration limitations in the individual permit for any facility that has installed technology for the control of nitrogen and phosphorus whether by new construction, expansion, or upgrade.

C. The compliance schedule in this general permit shall control in lieu of conflicting or duplicative schedule requirements contained in individual VPDES permits for facilities covered by this general permit, where those requirements address mass loading of total nitrogen or total phosphorus and are based upon standards, criteria, waste load allocations, policy, or guidance established to restore or protect the water quality and beneficial uses of the Chesapeake Bay or its tidal tributaries.


A. Within nine months of the effective date of this regulation, every owner or operator of a facility required to submit a registration statement to the department by January 1, 2007, shall either individually or through the Virginia Nutrient Credit Exchange Association submit compliance plans to the department for approval.

1. The compliance plans shall contain any capital projects and implementation schedules needed to achieve total nitrogen and phosphorus reductions sufficient to comply with the individual and combined waste load allocations of all the permittees in the tributary as soon as possible. Permittees submitting individual plans are not required to account for other facilities’ activities.

2. As part of the compliance plan development, permittees whose facilities would have complied with their individual waste load allocations for calendar year 2005, had the allocations been effective in that year, shall either:
   a. Demonstrate that the additional capital projects in subdivision 1 of this subsection are necessary to ensure continued compliance with these allocations through the applicable deadline for the tributary to which the facility discharges (Part I C of the permit), or
   b. Request that their individual waste load allocations become effective on January 1, 2007. Permittees selecting this option shall be entitled to trade nutrient credits generated by their facilities and to acquire nutrient credits.

3. The compliance plans may rely on the exchange of point source credits in accordance with this general permit, but not the acquisition of credits through payments into the Water Quality Improvement Fund (§ 10.1-2128 et seq. of the Code of Virginia), to achieve compliance with the individual and combined waste load allocations in each tributary.

B. Every owner or operator of a facility required to submit a registration statement shall either individually or through the Virginia Nutrient Credit Exchange Association submit annual compliance plan updates to the department for approval as required by Part I D of this general permit.


A. This general permit shall be transferred by the current permittee to a new owner or operator concurrently with the transfer of the individual permit(s) in accordance with 9 VAC 25-31-380. If the current permittee holds an aggregated waste load allocation for multiple facilities in accordance with Part I B 2 of this general permit, the current permittee shall submit a revised registration statement for any facilities retained and the new owner shall submit a registration statement for the facilities transferred.

B. All conditions of this general permit, including, but not limited to, the submittal of a registration statement, annual nutrient allocation compliance and reporting requirements, shall apply to the new owner or operator immediately upon the transfer date.
9 VAC 25-820-60. Termination of permit coverage.
The owner or operator shall terminate coverage under this general permit concurrently with any request for termination of the individual permit(s) in accordance with 9 VAC 25-31-370.

Any owner whose registration statement is accepted by the board will receive the following general permit and shall comply with the requirements therein.

General Permit No.: VAN000000
Effective Date: January 1, 2007
Expiration Date: December 31, 2011

GENERAL PERMIT FOR TOTAL NITROGEN AND TOTAL PHOSPHORUS DISCHARGES AND NUTRIENT TRADING IN THE CHESAPEAKE WATERSHED IN VIRGINIA

AUTHORIZATION TO DISCHARGE UNDER THE VIRGINIA POLLUTANT DISCHARGE ELIMINATION SYSTEM AND THE VIRGINIA STATE WATER CONTROL LAW

In compliance with the provisions of the Clean Water Act, as amended, and pursuant to the State Water Control Law and regulations adopted pursuant thereto, owners of facilities holding a VPDES individual permit, with total nitrogen and/or total phosphorus discharges to the Chesapeake Bay or its tributaries, are authorized to discharge to surface waters and exchange credits for total nitrogen and/or total phosphorus.

The authorized discharge shall be in accordance with the registration statement filed with DEQ, this cover page, Part I-Special Conditions Applicable to All Facilities, Part II-Special Conditions Applicable to New and Expanded Facilities, and Part III-Conditions Applicable to All VPDES Permits, as set forth herein.

PART I
SPECIAL CONDITIONS APPLICABLE TO ALL FACILITIES

A. Authorized activities.

1. Authorization to discharge for facilities required to register.

a. Every owner or operator of a facility required to submit a registration statement to the department by January 1, 2007, and thereafter upon the reissuance of this general permit, shall be authorized to discharge total nitrogen and total phosphorus subject to the requirements of this general permit upon the department’s approval of the registration statement.

b. Any owner or operator of a facility required to submit a registration statement with the department at the time he makes application with the department for a new discharge or expansion that is subject to an offset or technology-based requirement in Part II of this general permit, shall be authorized to discharge total nitrogen and total phosphorus subject to the requirements of this general permit upon the department’s approval of the registration statement.

c. Upon the department’s approval of the registration statement, a facility will be included in the registration list maintained by the department.

2. Authorization to discharge for facilities not required to register.
Any facility authorized by a Virginia Pollutant Discharge Elimination System permit and not required by this general permit to submit a registration statement shall be deemed to be authorized to discharge total nitrogen and total phosphorus under this general permit at the time it is issued. Owners or operators of facilities that are deemed to be permitted under this subsection shall have no obligation under this general permit prior to submitting a registration statement and securing coverage under this general permit based upon such registration statement.

B. Waste load allocations.

1. Waste load allocations allocated to permitted facilities pursuant to 9 VAC 25-720-50 C, 9 VAC 25-720-60 C, 9 VAC 25-720-70 C, 9 VAC 25-720-110 C, and 9 VAC 25-720-120 C of the Water Quality Management Planning Regulation, or applicable total maximum daily loads, or waste load allocations acquired by new and expanding facilities to offset new or increased delivered total nitrogen and delivered total phosphorus loads from a new discharge or expansion under Part II B of this general permit, and existing loads calculated from the permitted design capacity of expanding facilities not previously covered by this general permit, shall be incorporated into the registration list maintained by the department. The waste load allocations contained in this list shall be enforceable as annual [ mass ] load limits in this general permit. Credits shall not be generated by facilities whose mass loads are derived from permitted design capacities.

2. [ Except as described in subdivision 2 d of this subsection, ] an owner or operator of two or more facilities covered by this general permit and located in the same tributary may apply for and receive an aggregated [ waste mass ] load [ allocation limit ] for [ delivered ] total nitrogen and an aggregated [ waste mass ] load [ allocation limit ] for [ delivered ] total phosphorus reflecting the total of the water quality-based total nitrogen and total phosphorus waste load allocations or permitted design capacities established for such facilities individually.

[ a. The permittee (and all of the individual facilities covered under a single registration) shall be deemed to be in compliance when the aggregate mass load discharged by the facilities is less than the aggregate load limit.

Volume 23, Issue 2 Virginia Register of Regulations October 2, 2006
b. The permittee will be eligible to generate credits only if the aggregate mass load discharged by the facilities is less than the total of the waste load allocations assigned to any of the affected facilities in 9 VAC 25-720-50 C, 9 VAC 25-720-60 C, 9 VAC 25-720-70 C, 9 VAC 25-720-110 C and 9 VAC 25-720-120 C of the Water Quality Management Planning Regulation.

c. Credits shall not be generated by [facilities whose mass loads are derived] permittees whose aggregated mass load limit is derived entirely [from permitted design capacities].

d. The aggregation of mass load limits shall not affect any requirement to comply with local water-quality-based limitations.

e. Operation under an aggregated mass load limit in accordance with this section shall not be deemed credit acquisition as described in Part I J 2 of this general permit.

3. An owner who consolidates two or more facilities located in the same tributary into a single regional facility may apply for and receive an aggregated mass load limit for [delivered] total nitrogen and an aggregated mass load limit for [delivered] total phosphorus, subject to the following conditions:

a. If all of the affected facilities have waste load allocations in 9 VAC 25-720-50 C, 9 VAC 25-720-60 C, 9 VAC 25-720-70 C, 9 VAC 25-720-110 C, and 9 VAC 25-720-120 C of the Water Quality Management Planning Regulation [as of January 11, 2006], the aggregate mass load limit shall be calculated by adding the waste load allocations of the affected facilities. The regional facility shall be eligible to generate credits.

b. If any, but not all, of the affected facilities has a waste load allocation in 9 VAC 25-720-50 C, 9 VAC 25-720-60 C, 9 VAC 25-720-70 C, 9 VAC 25-720-110 C, and 9 VAC 25-720-120 C of the Water Quality Management Planning Regulation [as of January 11, 2006], the aggregate mass load limit shall be calculated by adding:


(2) Permitted design capacities assigned to affected industrial facilities; and

(3) Loads from affected sewage treatment works that do not have a waste load allocation in 9 VAC 25-720-50 C, 9 VAC 25-720-60 C, 9 VAC 25-720-70 C, 9 VAC 25-720-110 C, and 9 VAC 25-720-120 C of the Water Quality Management Planning Regulation [as of January 11, 2006], calculated by the following formulae:

\[
\text{Nitrogen Load} = \text{flow} \times \frac{8.0 \text{ mg/l}}{x 8.3438 \times 365 \text{ days/year}}
\]

\[
\text{Phosphorus Load} = \text{flow} \times \frac{1.0 \text{ mg/l}}{x 8.3438 \times 365 \text{ days/year}}
\]

Flows used in the preceding formulae shall be the design flow of the treatment works from which the affected facility currently discharges.

The regional facility shall be eligible to generate credits.

c. If none of the affected facilities have a waste load allocation in 9 VAC 25-720-50 C, 9 VAC 25-720-60 C, 9 VAC 25-720-70 C, 9 VAC 25-720-110 C, and 9 VAC 25-720-120 C of the Water Quality Management Planning Regulation, the aggregate mass load limit shall be calculated by adding the respective permitted design capacities for the affected facilities. The regional facility shall not be eligible to generate credits.

4. Unless otherwise noted, the nitrogen and phosphorus waste load allocations assigned to permitted facilities are considered total loads including nutrients present in the intake water from the river, as applicable. On a case-by-case basis, an industrial discharger may demonstrate to the satisfaction of the board that a portion of the nutrient load originates in its intake water. [This demonstration shall be consistent with the assumptions and methods used to derive the allocations through the Chesapeake Bay models.] In these cases, the board may limit the permitted discharge to the net nutrient load portion of the assigned waste load allocation.

5. Bioavailability. Unless otherwise noted, the entire nitrogen and phosphorus waste load allocations assigned to permitted facilities are considered to be bioavailable to organisms in the receiving stream. On a case-by-case basis, a discharger may demonstrate to the satisfaction of the board that a portion of the nutrient load is not bioavailable [this demonstration shall not be based on the ability of the nutrient to resist degradation at the wastewater treatment plant, but instead, on the ability of the nutrient to resist degradation within a natural environment for the amount of time that it is expected to remain in the bay watershed. This demonstration shall also be consistent with the assumptions and methods used to derive the allocations through the Chesapeake Bay models]. In these cases, the board may limit the permitted discharge to the bioavailable portion of the assigned waste load allocation.

C. Schedule of compliance.

1. The following schedule of compliance pertaining to the load allocations for total nitrogen and total phosphorus applies to the facilities in each tributary, as listed.
[a.] Compliance shall be achieved as soon as possible, but no later than the following dates, corresponding to the respective tributaries, subject to any compliance plan-based adjustment by the board pursuant to subdivision 1 b of this subsection, for each parameter:

<table>
<thead>
<tr>
<th>Tributary</th>
<th>Parameter</th>
<th>Final Effluent Limits Effective Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>James River</td>
<td>Nitrogen</td>
<td>January 1, 2011</td>
</tr>
<tr>
<td></td>
<td>Phosphorus</td>
<td>January 1, 2011</td>
</tr>
<tr>
<td>Shenandoah and</td>
<td>Nitrogen</td>
<td>January 1, 2011</td>
</tr>
<tr>
<td>Potomac Rivers</td>
<td>Phosphorus</td>
<td>January 1, 2011</td>
</tr>
<tr>
<td>Rappahannock River</td>
<td>Nitrogen</td>
<td>January 1, 2011</td>
</tr>
<tr>
<td></td>
<td>Phosphorus</td>
<td>January 1, 2011</td>
</tr>
<tr>
<td>York River</td>
<td>Nitrogen</td>
<td>January 1, 2011</td>
</tr>
<tr>
<td></td>
<td>Phosphorus</td>
<td>January 1, 2011</td>
</tr>
<tr>
<td>Eastern Shore</td>
<td>Nitrogen</td>
<td>January 1, 2011</td>
</tr>
<tr>
<td></td>
<td>Phosphorus</td>
<td>January 1, 2011</td>
</tr>
</tbody>
</table>

[b.] Following submission of compliance plans and compliance plan updates required by 9 VAC 25-820-40, the board shall reevaluate the schedule of compliance in subdivision 1 a of this subsection, taking into account the information in the compliance plans and the factors in § 62.1-44.19:14 C 2 of the Code of Virginia. When warranted based on such information and factors, the board shall adjust the schedule in subdivision 1 a of this subsection as appropriate by modification or reissuance of this general permit.

2. The registration list shall contain individual dates for compliance (as defined in Part I J 1 a-b of this general permit) for dischargers, as follows:

a. Facilities that were required to submit a registration statement with the department by January 1, 2007, will have individual dates for compliance based on their respective compliance plans, that may be earlier than the basin schedule listed in subdivision 1 of this subsection.

b. Facilities that have waived their compliance schedules in accordance with 9 VAC 25-820-40 A 2 b shall have an individual compliance date of January 1, 2007.

c. Upon completion of the projects contained in their compliance plans, facilities may receive a revised individual compliance date of January 1 for the calendar year immediately following the year in which a Certificate to Operate was issued for the capital projects, but not later than the basin schedule listed in subdivision 1 of this subsection.  

b. d.] New and expanded facilities will have individual dates for compliance corresponding to the date that coverage under this general permit was extended to the facility.

D. Annual update of compliance plan. Every owner or operator of a facility required to submit a registration statement shall either individually or through the Virginia Nutrient Credit Exchange Association submit updated compliance plans to the department no later than February 1 of each year. The compliance plans shall contain, at a minimum, any capital projects and implementation schedules needed to achieve total nitrogen and phosphorus reductions sufficient to comply with the individual and combined waste load allocations of all the permittees in the tributary. Compliance plans for facilities that were required to submit a registration statement with the department by January 1, 2007, may rely on the acquisition of point source credits in accordance with Part I J of this general permit, but not the acquisition of credits through payments into the Water Quality Improvement Fund, to achieve compliance with the individual and combined waste load allocations in each tributary. Compliance plans for expansions or new discharges for facilities that are required to submit a registration statement with the department may rely on the acquisition of allocation in accordance with Part II B of this general permit to achieve compliance with the individual and combined waste load allocations in each tributary. Any change to the deadlines contained in the schedule of compliance will require modification of this general permit.

E. Monitoring requirements.

1. Discharges shall be monitored by the permittee during weekdays as specified below:

<table>
<thead>
<tr>
<th>Parameter</th>
<th>Sample Type and Collection Frequency</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nitrogen Compounds (Total Nitrogen = TKN + NO3-N (as N) + NO2-N (as N))</td>
<td>24 HC 3 Days/Week 24 HC 1/Week 8 HC 2/Month &gt; 7 days apart</td>
</tr>
<tr>
<td>Phosphorus Compounds (Total Phosphorus and Orthophosphate)</td>
<td>24 HC 3 Days/Week 24 HC 1/Week 8 HC 2/Month &gt; 7 days apart</td>
</tr>
</tbody>
</table>

2. Monitoring for compliance with effluent limitations shall be performed at a location in a manner identical to that used to determine compliance with effluent limitations established in the individual VPDES permit and monitoring or sampling shall be conducted according to analytical laboratory methods approved under 40 CFR Part 136 (2006).
3. Monitoring or sampling shall be conducted according to analytical laboratory methods approved under 40 CFR Part 136, unless other test or sample collection procedures have been requested by the permittee and approved by the department in writing. Loading values reported in accordance with Part I E and F of this general permit shall be calculated and reported to the nearest pound without regard to mathematical rules of precision.

4. Data shall be reported on a form provided by the department, by the same date each month as is required by the facility’s individual permit. The total monthly load shall be calculated in accordance with the following formula:

\[ ML = ML_{avg} \times d \]

where:
- \( ML = \) total monthly load (lb/mo)
- \( ML_{avg} = \) monthly average load as reported on DMR (lb/d)
- \( d = \) number of discharge days in the calendar month

\[ ML_{avg} = \sum DL \]

\[ s \]

where:
- \( DL = \) daily load = daily concentration (expressed as mg/l to the nearest 0.01 mg/l) multiplied by the flow volume of effluent discharged during the 24-hour period (expressed as MGD to the nearest 0.01 MGD), multiplied by 8.3438 and rounded to the nearest whole number to convert to pounds per day (lbs/day)
- \( s = \) number of days in the calendar month in which a sample was collected and analyzed

All daily concentration data below the quantification level (QL) for the analytical method used should be treated as half the QL. All daily concentration data equal to or above the QL for the analytical method used shall be treated as it is reported.

The total year-to-date mass load shall be calculated in accordance with the following formula:

\[ AL-YTD = \sum (Jan-current month) ML \]

where:
- \( AL-YTD = \) calendar year-to-date annual load (lb/yr)
- \( ML = \) total monthly load (lb/mo) as reported on DMR

F. Annual reporting.
1. Annually, on or before February 1, the permittee shall either individually or through the Virginia Nutrient Credit Exchange Association file a report with the department, using a reporting form supplied by the department. The report shall identify:
   a. The annual mass load of total nitrogen and the annual mass load of total phosphorus discharged by each of its permitted facilities during the previous calendar year,
   b. The delivered total nitrogen load and delivered total phosphorus load discharged by each of its permitted facilities during the previous year, and
   c. The number of total nitrogen and total phosphorus credits for the previous calendar year to be acquired or eligible for exchange by the permittee.

The total annual mass load shall be calculated in accordance with the following formula:

\[ AL = \sum (Jan-Dec) ML \]

where:
- \( AL = \) calendar year annual load (lb/yr)
- \( ML = \) total monthly load (lb/mo) as reported on DMR

G. Requirement to register; exclusions.
1. The following owners or operators are required to register for coverage under this general permit:
   a. Every owner or operator of an existing facility authorized by a Virginia Pollutant Discharge Elimination System permit to discharge 100,000 gallons or more per day from a sewage treatment work, or an equivalent load from an industrial facility, directly into tidal waters, or 500,000 gallons or more per day from a sewage treatment work, or an equivalent load from an industrial facility, directly into nontidal waters, shall submit a registration statement to the department by January 1, 2007, and thereafter upon the reissuance of this general permit in accordance with Part III B. The conditions of this general permit will apply to such owner and operator upon approval of a registration statement.
   b. Any owner or operator of a facility authorized by a Virginia Pollutant Discharge Elimination System permit to discharge 40,000 gallons or more per day from a sewage treatment work, or an equivalent load from an industrial facility, directly into tidal or nontidal waters shall submit a registration statement with the department at the time he makes application for an individual permit with the department for a new discharge or expansion that is subject to an offset or technology-based requirement in Part II of this general permit, and thereafter upon the reissuance of this general permit in accordance with Part III B. The conditions of this general permit will apply to such owner or operator upon approval of a registration statement.

b. Any owner or operator of a facility authorized by a Virginia Pollutant Discharge Elimination System permit to discharge 40,000 gallons or more per day from a sewage treatment work, or an equivalent load from an industrial facility, directly into tidal or nontidal waters shall submit a registration statement with the department at the time he makes application for an individual permit with the department for a new discharge or expansion that is subject to an offset or technology-based requirement in Part II of this general permit, and thereafter upon the reissuance of this general permit in accordance with Part III B. The conditions of this general permit will apply to such owner or operator upon approval of a registration statement.
2. All other categories of discharges are excluded from registration under this general permit.

H. Registration statement.

1. The registration statement shall contain the following information:
   a. Name, mailing address and telephone number, e-mail address and fax number of the owner (and facility operator, if different from the owner) applying for permit coverage;
   b. Name (or other identifier), address, city or county, contact name, phone number, e-mail address and fax number for the facility for which the registration statement is submitted;
   c. VPDES permit numbers for all permits assigned to the facility;
   d. If applying for an aggregated waste load allocation in accordance with Part I B 2 of this permit, list all affected facilities and the VPDES permit numbers assigned to these facilities;
   e. For new and expanded facilities, a plan to offset new or increased delivered total nitrogen and delivered total phosphorus loads, including the amount of waste load allocation acquired; and
   f. For existing facilities, the amount of a facility’s waste load allocation transferred to or from another facility to offset new or increased delivered total nitrogen and delivered total phosphorus loads from a new discharge or expansion.

2. The registration statement shall be submitted to the DEQ Central Office, Office of Water Permit Programs.

3. An amended registration statement shall be submitted upon the acquisition or transfer of a facility’s waste load allocation to offset new or increased delivered total nitrogen and delivered total phosphorus loads from a new discharge or expansion.

I. Public notice for registration statements proposing modifications or incorporations of new waste load allocations or delivery factors.

1. All public notices issued pursuant to a proposed modification or incorporation of a (i) new waste load allocation to offset new or increased delivered total nitrogen and delivered total phosphorus loads from a new discharge or expansion, or (ii) delivery factor, shall be published once a week for two consecutive weeks in a major local newspaper of general circulation serving the locality where the facility is located informing the public that the facility intends to apply for coverage under this general permit. At a minimum, the notice shall include:
   a. A statement of the owner or operator’s intent to register for coverage under this general permit;
   b. A brief description of the facility and its location;
   c. The amount of waste load allocation that will be acquired or transferred if applicable;
   d. The delivery factor for a new discharge or expansion;
   e. A statement that the purpose of the public participation is to acquaint the public with the technical aspects of the facility and how the standards and the requirements of this chapter will be met, to identify issues of concern, to facilitate communication and to establish a dialogue between the owner or operator and persons who may be affected by the facility;
   f. An announcement of a 30-day comment period, in accordance with 9 VAC 25-720-50 C, 9 VAC 25-720-60 C, 9 VAC 25-720-70 C, 9 VAC 25-720-110 C, and 9 VAC 25-720-120 C of the Water Quality Management Planning Regulation, and the name, telephone number, and address of the owner’s or operator’s representative who can be contacted by the interested persons to answer questions;
   g. The name, telephone number, and address of the DEQ representative who can be contacted by the interested persons to answer questions, or where comments shall be sent; and
   h. The location where copies of the documentation to be submitted to the department in support of this general permit notification and any supporting documents can be viewed and copied.

2. The owner or operator shall place a copy of the documentation and support documents in a location accessible to the public in the vicinity of the proposed facility.

3. The public shall be provided 30 days to comment on the technical and regulatory aspects of the proposal. The comment period will begin on the date the notice is published in the local newspaper.

J. Compliance with waste load allocations.

1. Methods of compliance. The permitted facility shall comply with its waste load allocation contained in the registration list maintained by the department. The permitted facility shall be in compliance with its waste load allocation if:
   a. The annual mass load is less than or equal to the applicable waste load allocation assigned to the facility in this general permit (or permitted design capacity for expanded facilities without allocations);
   b. The permitted facility acquires sufficient point source nitrogen or phosphorus credits in accordance with
subdivision 2 of this subsection; provided, however, that
the acquisition of nitrogen or phosphorus credits pursuant
to this section shall not alter or otherwise affect the
individual waste load allocations for each permitted
facility; or

e. In the event it is unable to meet the individual waste
load allocation pursuant to subdivision 1 a or 1 b of this
subsection, the permitted facility acquires sufficient
nitrogen or phosphorus credits through payments made
into the Water Quality Improvement Fund pursuant to
subdivision 3 of this subsection; provided, however, that
the acquisition of nitrogen or phosphorus credits pursuant
to this section shall not alter or otherwise affect the
individual waste load allocations for each permitted
facility.

2. Credit acquisition from permitted facilities. A permittee
may acquire point source nitrogen credits or point source
phosphorus credits from one or more permitted facilities
with waste load allocations [ in 9 VAC 25-720-50 C, 9
VAC 25-720-60 C, 9 VAC 25-720-70 C, 9 VAC 25-720-
110 C and 9 VAC 25-720-120 C of the Water Quality
Management Planning Regulation ], including the Blue
Plains wastewater treatment facility operated by the District
of Columbia Water and Sewer Authority, only if:

a. The credits are generated and applied to a compliance
obligation in the same calendar year.

b. The credits are generated by one or more permitted
facilities in the same tributary.

c. [ Such acquisition does not result in a localized water
quality exceedance The exchange or acquisition of
credits does not affect any requirement to comply with
local water quality-based limitations ] as determined by
the board,

d. The credits are acquired no later than June 1
immediately following the calendar year in which the
credits are applied,

e. The credits are generated by a facility that has been
constructed, and has discharged from treatment works
whose design flow or equivalent industrial activity is the
basis for the facility’s waste load allocations (until a
facility is constructed and has commenced operation,
such credits are held, and may be sold, by the Water
Quality Improvement Fund), and

f. No later than June 1 immediately following the
calendar year in which the credits are applied, the
permittee certifies on a credit exchange notification form
supplied by the department that he has acquired sufficient
credits to satisfy his compliance obligations. The
permittee shall comply with the terms and conditions
contained in the credit exchange notification form
submitted to the department.

3. Credit acquisitions from the Water Quality Improvement
Fund. [ Permittees Until such time as the board finds that
no allocations are reasonably available in an individual
tributary, permittees ] that cannot meet their total nitrogen
or total phosphorus effluent limit may acquire nitrogen or
phosphorus credits through payments made into the
Virginia Water Quality Improvement Fund established in
§ 10.1-2128 of the Code of Virginia only if, no later than
June 1 immediately following the calendar year in which
the credits are [ to be ] applied, the permittee certifies on a
form supplied by the department that he has diligently
sought, but has been unable to acquire, sufficient credits to
satisfy his compliance obligations through the acquisition
of point source nitrogen or phosphorus credits with other
permitted facilities in the same tributary, and that he has
acquired sufficient credits to satisfy his compliance
obligations through one or more payments made in
accordance with the terms of this general permit. Such
certification may include, but not be limited to, providing a
record of solicitation or demonstration that point source
allocations are not available for sale in the tributary in
which the permittee is located. Payments to the Water
Quality Improvement Fund shall be in the amount of
$11.06 for each pound of nitrogen and $5.04 for each
pound of phosphorus [ ; and shall be subject to the
following requirements:

a. The credits are generated and applied to a compliance
obligation in the same calendar year.

b. The credits are generated in the same tributary.

c. The acquisition of credits does not affect any
requirement to comply with local water quality-based
limitations, as determined by the board.

4. This general permit neither requires, nor prohibits a
municipality or regional sewerage authority’s development
and implementation of trading programs among industrial
users, which are consistent with the pretreatment regulatory
requirements at 40 CFR Part 403 and the municipality’s or
authority’s individual VPDES permit.

PART II
SPECIAL CONDITIONS APPLICABLE TO NEW AND
EXPANDED FACILITIES

A. Offsetting mass loads discharged by new and expanded
facilities.

1. An owner or operator of a new or expanded facility shall
comply with the applicable requirements of this section as a
condition of the facility’s coverage under this general
permit.

a. An owner or operator of a facility authorized by a
Virginia Pollutant Discharge Elimination System permit
first issued before July 1, 2005, that expands his facility
to discharge 40,000 gallons or more per day, or an
equivalent load, shall demonstrate to the department that
he has acquired waste load allocations sufficient to offset any increase in his delivered total nitrogen and delivered total phosphorus loads resulting from any expansion beyond his permitted capacity as of July 1, 2005.

b. An owner or operator of a facility authorized by a Virginia Pollutant Discharge Elimination System permit first issued on or after July 1, 2005, to discharge 40,000 gallons or more per day, or an equivalent load, shall demonstrate to the department that he has acquired waste load allocations sufficient to offset his delivered total nitrogen and delivered total phosphorus loads.

2. Offset calculations shall address the proposed discharge that exceeds:


b. The permitted design capacity, for all other expanding dischargers; and

c. Zero, for facilities with a new discharge.

[3. An owner or operator of multiple facilities located in the same tributary, and assigned an aggregate mass load limit in accordance with Part I B 2 of this general permit, that undertakes construction of new or expanded facilities, shall be required to acquire waste load allocations sufficient to offset any increase in delivered total nitrogen and delivered total phosphorus loads resulting from any expansion beyond the aggregate mass load limit assigned these facilities.]

B. Acquisition of waste load allocations. Waste load allocations required by this section to offset new or increased delivered total nitrogen and delivered total phosphorus loads shall be acquired in accordance with this section.

1. Such allocations may be acquired from one or a combination of the following:

a. Acquisition of all or a portion of the waste load allocations from one or more permitted facilities, based on delivered pounds by the respective trading parties as listed by the department;

b. Acquisition of nonpoint source load allocations, using a trading ratio of two pounds reduced for every pound to be discharged, through the use of best management practices that are:

   (1) Acquired through a public or private entity acting on behalf of the land owner;

   (2) Calculated using [the] best management practices efficiency rates and attenuation rates, [provided by the]

Department of Environmental Quality, based upon rates determined by the Department of Conservation and Recreation, and consistent where appropriate with rates utilized by the Chesapeake Bay Program as established by the latest science and relevant technical information, and approved by the board];

(3) Based on [the] appropriate delivery factors, [determined by the Department of Environmental Quality, and consistent with delivery factors utilized by the Chesapeake Bay Program as established by the latest science and relevant technical information, and approved by the board];

(4) Demonstrated to have achieved reductions beyond those already required by or funded under federal or state law, or by the Virginia tributaries strategies plans [utilizing guidelines provided by the Department of Environmental Quality, and based upon a determination made by the Department of Conservation and Recreation]; and

(5) Included as conditions [for compliance with] the facility’s individual Virginia Pollutant Discharge Elimination System permit;

c. [Acquisition Until such time as the board finds that no allocations are reasonably available in an individual tributary, acquisition] of allocations through payments made into the Virginia Water Quality Improvement Fund established in § 10.1-2128 of the Code of Virginia; or

d. Acquisition of allocations through such other means as may be approved by the department on a case-by-case basis.

2. Acquisition of allocations is subject to the following conditions:

a. The allocations shall be generated and applied to an offset obligation in the same calendar year;

b. The allocations shall be generated in the same tributary;

c. Such acquisition does not [result in a localized water quality exceedance affect any requirement to comply with local water quality-based limitations,] as determined by the [department board];

d. The allocations are authenticated (i.e., verified to have been generated) by the permittee as required by the facility’s individual Virginia Pollutant Discharge Elimination permit, utilizing procedures approved by the board, no later than February 1 immediately following the calendar year in which the allocations are applied;

e. If obtained from a permitted point source, the allocations shall be generated by a facility that has been constructed, and has discharged from treatment works.
whose design flow or equivalent industrial activity is the basis for the facility’s waste load allocations; and

f. No later than June 1 [immediately following in the year prior to] the calendar year in which the allocations are [to be] applied, the permittee shall certify on an exchange notification form supplied by the department that he has acquired sufficient allocations to satisfy his compliance obligations. The permittee shall comply with the terms and conditions contained in the exchange notification form submitted to the department.

3. Priority of options. The board shall give priority to allocations acquired in accordance with subdivisions 1 a and 1 b of this subsection. The board shall approve allocations acquired in accordance with subdivisions 1 c and 1 d of this subsection only after the owner or operator has demonstrated that he has made a good faith effort to acquire sufficient allocations in accordance with subdivisions 1 a and 1 b of this subsection, and that such allocations are not reasonably available taking into account timing, cost and other relevant factors. Such demonstration may include, but not be limited to, providing a record of solicitation, or other demonstration that point source allocations or nonpoint source allocations are not available for sale in the tributary in which the permittee is located.

4. [Allocation Annual allocation] acquisitions from the Water Quality Improvement Fund. The cost for each pound of nitrogen and each pound of phosphorus shall be determined at the time payment is made to the WQIF, based on the higher of (i) the estimated cost of achieving a reduction of one pound of nitrogen or phosphorus at the facility that is securing the allocation, or comparable facility, for each pound of allocation acquired; or (ii) the average cost, as determined by the Department of Conservation and Recreation on an annual basis, of reducing two pounds of nitrogen or phosphorus from nonpoint sources in the same tributary for each pound of allocation acquired.

PART III
CONDITIONS APPLICABLE TO ALL VPDES PERMITS

A. Duty to comply. The permittee must comply with all conditions of the permit. Any permit noncompliance constitutes a violation of the law and the Clean Water Act, except that noncompliance with certain provisions of the permit may constitute a violation of the law but not the Clean Water Act. Permit noncompliance is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or denial of a permit renewal application.

B. Duty to register for reissued general permit. If the permittee wishes to continue an activity regulated by the general permit after its expiration date, the permittee must register for coverage under the new general permit, when it is reissued by the department.

C. 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 the permit.

D. Duty to mitigate. The permittee shall take all reasonable steps to minimize or prevent any discharge in violation of the permit that has a reasonable likelihood of adversely affecting human health or the environment.

E. Proper operation and maintenance. The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) that are installed or used by the permittee to achieve compliance with the conditions of the permit. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems that are installed by a permittee only when the operation is necessary to achieve compliance with the conditions of the permit.

F. Permit actions. Permits may be modified, revoked and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition.

G. Property rights. Permits do not convey any property rights of any sort, or any exclusive privilege.

H. Duty to provide information. The permittee shall furnish to the department, within a reasonable time, any information that the board may request to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. The board may require the permittee to furnish, upon request, such plans, specifications, and other pertinent information as may be necessary to determine the effect of the wastes from his discharge on the quality of state waters, or such other information as may be necessary to accomplish the purposes of the law. The permittee shall also furnish to the department upon request, copies of records required to be kept by the permit, pertaining to activities related to the permitted facility.

I. Inspection and entry. The permittee shall allow the director or an authorized representative (including an authorized contractor acting as a representative of the administrator), upon presentation of credentials and other documents as may be required by law, to:

1. Enter upon the permittee’s premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of the permit;
2. Have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit;

3. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under the permit; and

4. Sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the Clean Water Act and the law, any substances or parameters at any location.

J. Monitoring and records.

1. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity.

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 the permit, and records of all data used to complete the application for the permit, for a period of at least three years from the date of the sample, measurement, report or application. This period of retention shall be extended automatically during the course of any unresolved litigation regarding the regulated activity or regarding control standards applicable to the permittee, or as requested by the board.

3. Records of monitoring information shall include:
   a. The date, exact place, and time of sampling or measurements;
   b. The individual(s) who performed the sampling or measurements;
   c. The date(s) analyses were performed;
   d. The individual(s) who performed the analyses;
   e. The analytical techniques or methods used; and
   f. The results of such analyses.

4. Monitoring results must be conducted according to test procedures approved under 40 CFR Part 136 (2000-2006) or alternative EPA-approved methods, unless other test procedures have been specified in the permit.

K. Signatory requirements. All applications, reports, or information submitted to the department shall be signed and certified as required by 9 VAC 25-31-110.

L. Reporting requirements.

1. The permittee shall give notice to the department as soon as possible of any planned physical alterations or additions to the permitted facility. Notice is required only when:
   a. The alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source in 9 VAC 25-31-180 A; or
   b. The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants that are subject neither to effluent limitations in the permit, nor to notification requirements under 9 VAC 25-31-200 A 1.

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

3. Permits are not transferable to any person except after notice to the department. The board may require modification or revocation and reissuance of permits to change the name of the permittee and incorporate such other requirements as may be necessary under the law or the Clean Water Act.

4. Monitoring results shall be reported at the intervals specified in the permit.
   a. Monitoring results must be reported on a Discharge Monitoring Report (DMR) or forms provided or specified by the department for reporting results of monitoring of sludge use or disposal practices.
   b. If the permittee monitors any pollutant specifically addressed by the permit more frequently than required by the permit using test procedures approved under 40 CFR Part 136 (2000-2006), or as specified in the permit, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the DMR specified by the department.
   c. Calculations for all limitations that require averaging of measurements shall utilize an arithmetic mean unless otherwise specified in the permit.

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

6. If any unusual or extraordinary discharge including a bypass or upset should occur from a facility and such discharge enters or could be expected to enter state waters, the owner shall promptly notify, in no case later than 24 hours, the department by telephone after the discovery of such discharge. This notification shall provide all available details of the incident, including any adverse affects on aquatic life 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 subdivision 7 a of this
subsection. Unusual and extraordinary discharges include but are not limited to any discharge resulting from:

a. Unusual spillage of materials resulting directly or indirectly from processing operations;

b. Breakdown of processing or accessory equipment;

c. Failure or taking out of service of the treatment work or auxiliary facilities (such as sewer lines or wastewater pump stations); and

d. Flooding or other acts of nature.

7. Twenty-four-hour reporting.

a. The permittee shall report any noncompliance that may endanger health or the environment. Any information shall be provided orally within 24 hours from the time the permittee becomes aware of the circumstances. A written submission shall also be provided within five days of the time the permittee becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; 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 steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.

b. The following shall be included as information that must be reported within 24 hours under this subdivision.

(1) Any unanticipated bypass that exceeds any effluent limitation in the permit.

(2) Any upset that exceeds any effluent limitation in the permit.

(3) Violation of a maximum daily discharge limitation for any of the pollutants listed in the permit to be reported within 24 hours.

c. The board may waive the written report on a case-by-case basis for reports under this subdivision if the oral report has been received within 24 hours.

8. The permittee shall report all instances of noncompliance not reported under subdivisions 4, 5, 6, and 7 of this subsection, in writing at the time the next monitoring reports are submitted. The reports shall contain the information listed in subdivision 7 of this subsection.

9. Where the permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to the department, it shall promptly submit such facts or information.

M. Bypass.

1. The permittee may allow any bypass to occur that does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of subdivisions 2 and 3 of this subsection.

2. Notice.

a. Anticipated bypass. If the permittee knows in advance of the need for a bypass, it shall submit prior notice, if possible at least 10 days before the date of the bypass.

b. Unanticipated bypass. The permittee shall submit notice of an unanticipated bypass as required in subdivision L 7 of this section (24-hour notice).

3. Prohibition of bypass.

a. Bypass is prohibited, and the board may take enforcement action against a permittee for bypass, unless:

(1) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;

(2) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass that occurred during normal periods of equipment downtime or preventive maintenance; and

(3) The permittee submitted notices as required under subdivision 2 of this subsection.

b. The board may approve an anticipated bypass, after considering its adverse effects, if the board determines that it will meet the three conditions listed above in subdivision 3 a of this subsection.

N. Upset.

1. An upset constitutes an affirmative defense to an action brought for noncompliance with such technology-based permit effluent limitations if the requirements of subdivision 2 of this subsection are met. No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review.

2. A permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:

a. An upset occurred and that the permittee can identify the cause(s) of the upset;

b. The permitted facility was at the time being properly operated;
c. The permittee submitted notice of the upset as required in subdivision L 7 b (2) of this section (24-hour notice); and 

d. The permittee complied with any remedial measures required under subsection D of this section.

3. In any enforcement proceeding, the permittee seeking to establish the occurrence of an upset has the burden of proof.

NOTICE: The form used in administering 9 VAC 25-820, General Virginia Pollutant Discharge Elimination System (VPDES) Watershed Permit Regulation for Total Nitrogen and Total Phosphorus Discharges and Nutrient Trading in the Chesapeake Bay Watershed in Virginia, is listed and published below.

FORMS
Virginia Pollutant Discharge Elimination System General Permit Registration Statement for Total Nitrogen and Total Phosphorus Discharges and Nutrient Trading in the Chesapeake Watershed in Virginia, (eff. [4/06 11/06]).
**VIRGINIA POLLUTANT DISCHARGE ELIMINATION SYSTEM**
**GENERAL PERMIT REGISTRATION STATEMENT**
FOR TOTAL NITROGEN AND TOTAL PHOSPHORUS DISCHARGES AND NUTRIENT TRADING IN
THE CHESAPEAKE WATERSHED IN VIRGINIA

1. **APPLICANT INFORMATION**
   
   A. Name of Facility: ____________________________

   B. Facility Owner: ____________________________

   C. Owner's Mailing Address
      
      a. Street or P.O. Box ________________________

      b. City or Town _____________________________

      c. State __ d. Zip Code ______

      e. Phone Number __________________________

      f. Fax Number ____________________________

      g. E-mail address __________________________

   D. Facility Location:
      
      Street No., Route No., or Other Identifier

      County

   E. Is the operator of the facility also the owner? ___ Yes ___ No
      (If No, complete F. & G.)

   F. Name of Operator: __________________________

   G. Operator's Mailing Address
      
      a. Street or P.O. Box ________________________

      b. City or Town _____________________________

      c. State __ d. Zip Code ______

      e. Phone Number __________________________

      f. Fax Number ____________________________

      g. E-mail address __________________________

2. **FACILITY INFORMATION**
   
   Does this facility currently have a VPDES permit? Yes ___ No ___
   (If no, has a permit been applied for? Yes ___ No ___)
   (If yes to either of the above questions, provide permit number.)

3. **AGGREGATED DISCHARGES**
   
   If the owner or operator listed above desires to aggregate the facility's waste load allocations for total
   nitrogen and total phosphorus with other permitted facilities under common ownership or operation in
   the same tributary, list all affected facilities and the VPDES permit numbers assigned to these facilities.

Registration Statement, VPDES General Permit for Total Nitrogen and Total Phosphorus Discharges and Watershed
Trading in the Chesapeake Watershed in Virginia
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4. TRANSFER OF ALLOCATION TO OR FROM ANOTHER FACILITY

If the owner or operator listed above proposes the exchange of an allocation for total nitrogen or total phosphorus with other permitted facilities, list all affected facilities, the VPDES permit numbers assigned to these facilities and the delivered pounds of total nitrogen or total phosphorus proposed for exchange.

Facility  VPDES permit No.  N/P?  Delivered pounds  Acquired/ transferred?

Attach a copy of the applicable contract documentation related to the execution of these allocations.

5. 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.

Signature  Date:

Name of person(s) signing above:  (printed or typed)

Title(s):

REQUIRED ATTACHMENTS FOR NEW AND EXPANDED FACILITIES

Plan to offset new or increased delivered total nitrogen and delivered total phosphorus loads
Results of public participation effort including proof of publication, comments received and the owner or operator’s response to comments received.

For Department Use Only:

Accepted/Not Accepted by:  Date:

Registration Statement, VPDES General Permit for Total Nitrogen and Total Phosphorus Discharges and Watershed Trading in the Chesapeake Watershed in Virginia

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INSTRUCTIONS FOR COMPLETING THE REGISTRATION STATEMENT

FOR

THE GENERAL VIRGINIA POLLUTANT DISCHARGE ELIMINATION SYSTEM
PERMIT FOR TOTAL NITROGEN AND TOTAL PHOSPHORUS DISCHARGES AND NUTRIENT
TRADING IN THE CHESAPEAKE WATERSHED IN VIRGINIA

WHO MUST FILE THE REGISTRATION STATEMENT

The following owners or operators are required to register for coverage under this general permit:

1. Every owner or operator of a facility authorized by a Virginia Pollutant Discharge Elimination System permit to discharge 100,000 gallons or more per day, or an equivalent load, directly into tidal waters, or 300,000 gallons or more per day, or an equivalent load, directly into non-tidal waters, shall submit a registration statement to the Department by January 1, 2007.

2. Any owner or operator of a facility authorized by a Virginia Pollutant Discharge Elimination System permit to discharge 40,000 gallons or more per day, or an equivalent load, directly into tidal or non-tidal waters shall submit a registration statement with the Department at the time he makes application with the Department for a new discharge or expansion that is subject to an offset or technology-based requirement in § 62.1-44.19:15 of the Code of Virginia.

WHERE TO FILE THE REGISTRATION STATEMENT

The completed registration statement should be sent to the Department of Environmental Quality, Water Quality Division Office of Water Permit Programs, P.O. Box 10009, Richmond, Virginia 23240-0009.

COMPLETENESS

Complete all items except where indicated, or enter NA for "not applicable" in order for your registration statement to be accepted. If you need more space than the form allows, write on and attach extra sheets of paper.

DEFINITIONS

"Equivalent load" means 2,300 pounds or more per year of total nitrogen or 300 pounds or more per year of total phosphorus for new and expanded industrial facilities; 5,700 pounds or more per year of total nitrogen or 760 pounds or more per year of total phosphorus discharged by an existing industrial facility directly into tidal waters, and 28,500 pounds or more per year of total nitrogen or 3,800 pounds or more per year of total phosphorus discharged by an existing industrial facility directly to non-tidal waters.

"Existing facility" means a facility holding a current individual VPDES permit that has either commenced discharge from, or has received a Certificate to Construct, the treatment works used to derive its wasteload allocation on or before July 1, 2005.

"Expansion" or "expands" means initiating construction at an existing facility after July 1, 2005 to increase treatment capacity, except that the term does not apply in those cases where a Certificate to Construct was issued on or before July 1, 2005.

"Facility" means a point source discharging or proposing to discharge total nitrogen or total phosphorus to the Chesapeake Bay or its tributaries. This term does not include confined animal feeding operations, discharges of stormwater, return flows from irrigated agriculture, or vessels.

"New discharge" means any discharge from a facility that did not commence the discharge of pollutants prior to July 1, 2005, except that the term does not apply in those cases where a Certificate to Construct was issued to the facility on or before July 1, 2005.
LINE BY LINE INSTRUCTIONS
Item 1. APPLICANT INFORMATION

Item A: Provide the name of the facility associated with the discharge(s).
Item B: Provide the name of the person or corporation that owns the business. This does not have to be the owner of the facility (e.g., if it is leased) but should be who is responsible for the regulated activity and wants coverage under the general permit.
Item C: Provide the mailing address, phone number, fax number and e-mail address of the above person.
Item D: Indicate here the physical location of the facility if it can’t be located from the mailing address.
Item E: If someone other than the owner listed in item B runs the facility and is the person with whom business will be conducted, check No. Otherwise check Yes.
Item F. If No was checked above, indicate the name of the person other than the owner who operates the facility.
Item G. Provide the address, phone number, fax number and e-mail address of the person other than the owner here.

Item 2. FACILITY INFORMATION
Provide permit number for all valid VPDES permits held by the facility. Please note that facilities without a valid VPDES permit are ineligible for coverage under this general permit.

Item 3: AGGREGATED DISCHARGES

An owner or operator of two or more facilities located in the same tributary may apply for and receive an aggregated waste load allocation for total nitrogen and an aggregated waste load allocation for total phosphorus reflecting the total of the water quality-based total nitrogen and total phosphorus waste load allocations established for such facilities individually. List the facilities (and their permit numbers) that are proposed for an aggregated waste load allocation.

Item 4: TRANSFER OF ALLOCATION TO OR FROM ANOTHER FACILITY

The General Permit allows the transfer of all or a portion of the waste load allocations to or from one or more permitted facilities in the same tributary, based on delivered pounds by the respective trading parties as listed by the Department. List the facility name, permit number, parameter (whether nitrogen or phosphorus), delivered pounds and whether the allocation is being acquired or transferred, and provide legal evidence of the exchange that lists the parties involved, the parameter in question and the load allocation (in delivered pounds) to be exchanged for each of the calendar years for which the contract will be in effect.

Item 5: CERTIFICATION

All registration statement shall be signed as follows:

1. 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 provided the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures;

Instructions for Completing Registration Statement, VPDES General Permit for Total Nitrogen and Total Phosphorus Discharges and Watershed Trading in the Chesapeake Watershed in Virginia
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2. For a partnership or sole proprietorship, by a general partner or the proprietor, respectively; or
3. 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 federal 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.
PLAN TO OFFSET NEW OR INCREASED DELIVERED TOTAL NITROGEN AND DELIVERED TOTAL PHOSPHORUS LOADS (if applicable):

An owner or operator of a facility authorized by a Virginia Pollutant Discharge Elimination System permit first issued before July 1, 2005, that expands his facility to discharge 100,000 gallons or more per day, or an equivalent load directly into tidal waters, or 500,000 gallons or more per day, or an equivalent load, directly into non-tidal waters, shall demonstrate to the Department that he has acquired waste load allocations sufficient to offset any increase in his delivered total nitrogen and delivered total phosphorus loads resulting from any expansion beyond his waste load allocations or permitted design capacity as of July 1, 2005.

An owner or operator of a facility authorized by a Virginia Pollutant Discharge Elimination System permit first issued before July 1, 2005, that expands his facility to discharge 100,000 gallons or more per day up to and including 499,999 gallons per day, or an equivalent load, directly into non-tidal waters, shall demonstrate to the Department that he has acquired waste load allocations sufficient to offset any increase in his delivered total nitrogen and delivered total phosphorus loads resulting from any expansion beyond his permitted capacity as of July 1, 2005.

An owner or operator of a facility authorized by a Virginia Pollutant Discharge Elimination System permit first issued on or after July 1, 2005, to discharge 40,000 gallons or more per day, or an equivalent load, shall demonstrate to the Department that he has acquired waste load allocations sufficient to offset his delivered total nitrogen and delivered total phosphorus loads.

This offset may be acquired by one of the following methods: the registrant for this general permit may elect to use one, or a combination of more than one, method:

1. Acquisition of all or a portion of the waste load allocations from one or more permitted facilities in the same tributary, based on delivered pounds by the respective trading parties as listed by the Department.

2. Acquisition of nonpoint source load allocations through the use of best management practices acquired through a public or private entity acting on behalf of the land owner. Such best management practices shall achieve reductions beyond those already required by or funded under federal or state law, or the Virginia tributaries strategies plans, and shall be installed in the same tributary in which the new or expanded facility is located and includes as conditions of the facility’s individual Virginia Pollutant Discharge Elimination System permit; or

3. The permittee may acquire nitrogen or phosphorus credits through payments made into the Virginia Water Quality Improvement Fund established in § 10.1-2128 only after the owner or operator has demonstrated that he has made a good faith effort to acquire sufficient allocations in accordance with 1 and 2 (above) and that such allocations are not reasonably available taking into account timing, cost, and other relevant factors.

Attach to the registration statement the applicable plan for offsetting new or increased delivered total nitrogen and delivered total phosphorus loads.

Instructions for Completing Registration Statement, VPDES General Permit for Total Nitrogen and Total Phosphorus Discharges and Watershed Trading in the Chesapeake Watershed in Virginia

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VA.R. Doc. No. R05-175; Filed September 12, 2006, 12:53 p.m.
REGISTRAR'S NOTICE: The State Corporation Commission is exempt from the Administrative Process Act in accordance with § 2.2-4002 A 2 of the Code of Virginia, which exempts courts, any agency of the Supreme Court, and any agency that by the Constitution is expressly granted any of the powers of a court of record.

Title of Regulation: 14 VAC 5-260. Rules Governing Insurance Holding Companies (amending 14 VAC 5-260-10, 14 VAC 5-260-30 through 14 VAC 5-260-60, 14 VAC 5-260-80, and 14 VAC 5-260-90; adding 14 VAC 5-260-110; repealing 14 VAC 5-260-20).


Effective Date: October 2, 2006.

Agency Contact: Raquel C. Pino-Moreno, Principal Insurance Analyst, Bureau of Insurance, P.O. Box 1157, Richmond, VA 23218, telephone (804) 371-9499, FAX (804) 371-9511, toll-free (800) 552-7945 or email raquel.pino-moreno@scc.virginia.gov.

Summary:
The revisions amend the Code of Virginia citation references and add language requiring notification to the Bureau of Insurance regarding (i) investments in any one corporation under certain circumstances and (ii) declaration or payment of dividends or other distributions. These revisions are necessary as a result of the passage of Chapter 577 of the 2006 Acts of Assembly effective July 1, 2006, which amends §§ 38.2-1329 and 38.2-1330, and adds a new provision, § 38.2-1330.1, of the Code of Virginia. In addition, the section entitled "Severability clause" is being relocated, requiring the rule at 14 VAC 5-260-20 to be repealed and replaced with a new rule at 14 VAC 5-260-110. There also are several additional non-substantive revisions to various sections.

As of the date of this Order, no request for a hearing has been filed and no comments have been filed with the Clerk of the Commission.

The Bureau, therefore, has recommended that the proposed revisions as submitted by the Bureau be adopted by the Commission, effective October 2, 2006.

THE COMMISSION, having considered the proposed revisions and the Bureau's recommendation, is of the opinion that the proposed revisions should be adopted.

THEREFORE, IT IS ORDERED THAT:

(1) The proposed revisions to Chapter 260 of Title 14 of the Virginia Administrative Code, entitled "Rules Governing Insurance Holding Companies," which amend the rules at 14 VAC 5-260-10, 14 VAC 5-260-30 through 14 VAC 5-260-60, 14 VAC 5-260-80, and 14 VAC 5-260-90; repeal the rule at 14 VAC 5-260-20; and add a new rule at 14 VAC 5-260-110; and which are reflected in the revised rules attached hereto and made a part hereof, are hereby ADOPTED, to be effective October 2, 2006.

(2) AN ATTESTED COPY hereof shall be sent by the Clerk of the Commission to the Bureau of Insurance in care of Deputy Commissioner Douglas C. Stolte, who forthwith shall give further notice of the adoption of the revisions by mailing a copy of this Order, including a copy of the attached revised
rules, to all insurers, burial societies, fraternal benefit societies, and health maintenance organizations licensed or authorized by the Commission pursuant to Title 38.2 of the Code of Virginia, and certain interested parties designated by the Bureau of Insurance.

(3) The Commission's Division of Information Resources forthwith shall cause a copy of this Order, including a copy of the attached revised rules, to be forwarded to the Virginia Registrar of Regulations for appropriate publication in the Virginia Register of Regulations and shall make available this Order and the attached revised rules on the Commission's website, http://www.scc.virginia.gov/caseinfo.htm.

(4) The Bureau of Insurance shall file with the Clerk of the Commission an affidavit of compliance with the notice requirements of paragraph (2) above.

AT RICHMOND, SEPTEMBER 19, 2006
COMMONWEALTH OF VIRGINIA
At the relation of the
STATE CORPORATION COMMISSION
Ex Parte: In the matter of Adopting
Revisions to the Rules Governing
Insurance Holding Companies

CORRECTING ORDER
In the Order Adopting Revisions to Rules entered herein September 11, 2006, page 5 and page 11 of the rules attached thereto were not the correct versions of such pages. Although there were no substantive changes made from the proposed revisions attached to the Order to Take Notice entered herein June 20, 2006, there is one grammatical change that should be reflected, and there are two typographical errors that should be corrected; therefore, it is necessary to correct page 5 and page 11 attached to the Order Adopting Revisions to Rules.

IT IS THEREFORE ORDERED THAT:

(1) Page 5 of the rules attached to the Order Adopting Revisions to Rules entered herein September 11, 2006, shall be deleted in its entirety, and the page 5 attached hereto, shall be, and it is hereby, adopted in its place and stead.

(2) Page 11 of the rules attached to the Order Adopting Revisions to Rules entered herein September 11, 2006, shall be deleted in its entirety, and the page 11 attached hereto, shall be, and it is hereby, adopted in its place and stead.

(3) All provisions of the Order Adopting Revisions to Rules entered September 11, 2006, shall remain in full force and effect.

(4) AN ATTESTED COPY hereof shall be sent by the Clerk of the Commission to the Bureau of Insurance in care of Deputy Commissioner Douglas C. Stolte, who forthwith shall give further notice of entry of this Order by mailing a copy of this Order, including a copy of the attached corrected pages 5 and 11 of the rules, to all insurers, burial societies, fraternal benefit societies, and health maintenance organizations licensed or authorized by the Commission pursuant to Title 38.2 of the Code of Virginia, and certain interested parties designated by the Bureau of Insurance.

(5) The Commission's Division of Information Resources forthwith shall cause a copy of this Order, including a copy of the attached corrected pages 5 and 11 of the rules, to be forwarded to the Virginia Registrar of Regulations for appropriate publication in the Virginia Register of Regulations and shall make available this Order and the attached corrected pages 5 and 11 of the rules on the Commission's website, http://www.scc.virginia.gov/caseinfo.htm.

(6) The Bureau of Insurance shall file with the Clerk of the Commission an affidavit of compliance with the notice requirements of paragraph (4) above.

14 VAC 5-260-10. Purpose Applicability.
The purpose of this regulation is to set forth rules and procedural requirements which the commission deems necessary to carry out the provisions of Articles 5 and 6 in Chapter 13 (§ 38.2-1322 et seq. and § 38.2-1335 et seq. hereinafter) of Chapter 13 of Title 38.2 ("the Act") of the Code of Virginia, concerning insurance holding companies and subsidiaries of insurance companies. The information called for by this regulation is necessary and appropriate for the protection of the policyholders in this Commonwealth.

14 VAC 5-260-20. Severability clause. (Repealed.)
If any provision of this regulation or the application thereof to any person or circumstance is for any reason held to be invalid, the remainder of the regulation and the application of such provision to other persons or circumstances shall not be affected thereby.

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

"Commission" means the State Corporation Commission.

"Commissioner of Insurance" means the administrative or executive officer of the division or bureau of state government established to administer the insurance laws of a state other than Virginia.

"Executive officer" means chief executive officer, chief operating officer, chief financial officer, president, vice-president, vice president, treasurer, secretary, controller, and any other individual performing functions corresponding to those performed by the foregoing officers under whatever title.
"Foreign insurer" shall include an alien insurer except where clearly noted otherwise.

"NAIC" means National Association of Insurance Commissioners.

"The Act" means Articles 5 and 6 of Chapter 13 (§ 38.2-1322 et seq. and § 38.2-1335 et seq.) of Title 38.2 of the Code of Virginia.

"Ultimate controlling person" means that person which is not controlled by any other person.

Unless the context otherwise requires, Other terms found in this regulation chapter are used as defined in § 38.2-1322 of the Code of Virginia, or industry usage if not defined by the Code of Virginia.

14 VAC 5-260-40. Acquisition of control; approval of applications.

A. A person filing an application or statement pursuant to subsection A of § 38.2-1323 A, or any related provision of §§ 38.2-1324 through 38.2-1328, of the Act shall furnish the required information designated on Form A of this regulation chapter.

1. Where applicable and required by Form A, Form E shall also be filed.

2. Whenever an application includes information in the format required by Form E, the commission may require an opinion of an economist as to the competitive impact of the proposed acquisition.

B. When the person being acquired controls a domestic insurer, such the person shall, for purposes of completing a Form A application, be deemed to be a "domestic insurer."

1. The name of the domestic subsidiary insurer should be indicated on the cover page as follows:

"ABC Insurance Company, a subsidiary of XYZ Holding Company;" and

2. References to "the insurer" contained in Form A shall refer to both the domestic subsidiary insurer and the person being acquired.

C. The applicant shall promptly advise the commission of any changes in the information so furnished on Form A, or any attachments thereto, arising subsequent to the date upon which such the information was furnished, but prior to the commission's disposition of the application and consummation of the acquisition of control.

1. Within two business days after the person filing the application learns of the change, an amendment setting forth the change, together with copies of all documents and other material relevant to the change, shall be filed with the commission. The filing shall be made with the clerk of the commission. Except where the applicant is also the insurer, the applicant shall show on each such filing that a copy has also been sent to the insurer.

2. A failure to file complete and accurate information as required by this regulation chapter is grounds for a denial by the commission pursuant to § 38.2-1326.

3. As used in this section and for purposes of all Form A filings, "material change" includes any change in the identity of executive officers or any party to a merger or a liquidating transaction.

D. Where "control" is derived from a management agreement, including any other agreement between a domestic insurer and another person other than a contract for goods or nonmanagement services, any termination of the agreement or any substitution of persons under such the agreement shall be deemed a change of control requiring notice and application to the commission pursuant to § 38.2-1323 of the Act.

E. A person seeking to merge with or acquire a domestic insurer may apply to the commission for an order exempting the person from the provisions of §§ 38.2-1323 through 38.2-1327 if the merger or acquisition meets the standards for exemption provided in § 38.2-1328.

1. The application shall be in writing and shall be filed with the clerk of the commission. Filing instructions are the same as for a Form A filing. See Section III of the Form A Instructions for information regarding number of copies and signature requirements. The applicant shall identify the parties to the merger or acquisition and shall state (i) the purpose of the merger or acquisition, (ii) the method of merger or acquisition, and (iii) why the person believes the exemption criteria of § 38.2-1328 will be met.

2. Within 30 days after the application for exemption is filed with the Clerk's Office clerk of the commission, the commission shall enter an order granting the exemption or giving notice of a hearing to determine the merits of the application.

F. Any hearing held to consider an application filed pursuant to the provisions of this section and § 38.2-1323 of the Act shall be held pursuant to § 38.2-1326 and shall begin, unless waived by the insurer, within 40 days of the date the application is filed with the commission. An application shall be deemed filed upon receipt by the commission of all material required by the this section or § 38.2-1324 of the Act.

14 VAC 5-260-50. Acquisitions involving insurers not otherwise covered.

A. An acquisition covered by subsection B of § 38.2-1323 B of the Act may be subject to orders pursuant to subsections B and C of § 38.2-1323 B and C of the Code of Virginia unless the acquiring party files a pre-acquisition notification or an acquisition statement in the format prescribed by Form E of
1. The commission may enter an order suspending the license of an insurer involved in such an acquisition if there is substantial evidence that the effect of the acquisition may be substantially to lessen competition in any line of insurance in this Commonwealth or tend to create a monopoly therein, and is detrimental to policyholders or the public in general.

2. Such an order suspending the license may also be entered if the insurer fails to file adequate information sufficient to rebut a reasonable belief that the merger or acquisition causes or tends to cause a substantial lessening of competition in any line of insurance, and also is detrimental to policyholders or the public.

3. In determining whether competition may be detrimental, the commission shall consider, among other things, whether applicable competitive standards promulgated by the NAIC have or may be violated as a consequence of the acquisition. Such standards may include any indicators of competition identified or enumerated by the NAIC in any model laws or portions of practice and procedure or instructional manuals developed to provide guidance in regulatory oversight of holding company systems, mergers and acquisitions, or competitive practices within the marketplace. Such standards include particularly the definitions, guidelines or standards embodied in any model holding company act or model holding company regulation adopted by the NAIC. In addition, the commission may request and consider the opinion of an economist as to the competitive impact of the acquisition whenever pre-acquisition notification is submitted pursuant to subsection B of § 38.2-1323 B of the Act.

4. An order suspending the license shall not be entered under § 38.2-1323 B of the Act unless the involved insurer has received 10 days’ notice and an opportunity to be heard. The notice of hearing shall be accompanied by a request for such information as required by § 38.2-1324 of the Act; it may include also a request for an opinion of an economist as to the competitive impact of the acquisition.

   a. Requested information shall be filed as an acquisition statement in the format of Form E of this chapter.

   b. If the commission determines that the acquisition or merger causes or tends to cause a substantial lessening of competition in any line of insurance, the commission may request the insurer to furnish the additional information required by § 38.2-1324, in order to rebut the reasonable belief that such the lessening of competition is detrimental to policyholders or the public in general.

5. An order suspending the license shall not be entered under § 38.2-1323 B of the Code of Virginia and this section if:

   a. The acquisition will yield substantial economies of scale or economies in resource utilization that cannot be feasibly achieved in any other way, and the public benefits which would arise from such the economies exceed the public benefits which would arise from not lessening competition; or

   b. The acquisition will substantially increase the availability of insurance, and the public benefits of such the increase exceed the public benefits which would arise from not lessening competition.

6. The commission's order suspending the license entered under this section shall not become final earlier than 21 days after it is issued, during which time the involved insurer may submit a plan to remedy the anticompetitive impact of the acquisition within a reasonable time. Based upon such the plan or other information, the commission shall specify the conditions, if any, under the time period during which the aspects of the acquisition causing a violation of the applicable competitive standards announced by the commission would be remedied and the order vacated or modified.

B. Any hearing held pursuant to the provisions of this section shall begin, unless waived by the insurer, within 40 days of the date of receipt by the commission of all material required by § 38.2-1323 of the Act.

C. For the purposes of this section and § 38.2-1323 B of the Act, “acquisition” means any agreement, arrangement or activity the consummation of which results in a person acquiring directly or indirectly control of another person, and includes but is not limited to the acquisition of voting securities, the acquisition of assets, bulk reinsurance, and mergers.

14 VAC 5-260-60. Annual registration of insurers; registration statement filings and amendments.

A. An insurer required to file a registration statement pursuant to § 38.2-1329 of the Act shall furnish the required information in the format designated on Form B of this regulation chapter.

   1. The initial registration statement shall be filed with the commission within 15 days after the insurer becomes subject to registration under § 38.2-1329 of the Act.

   2. Annually thereafter by April 30 of each year, for the previous calendar year, the registrant shall file a completely restated up-to-date registration statement in the format designated on Form B, with amendments consolidated therein. Each such registration statement shall contain a summary outlining all items in the current registration statement representing changes from the prior registration.
B. An insurer shall file a copy of its most current registration statement and the Form C filing, also known as a Summary of Registration Filing, in each state in which the insurer is authorized to do business, if requested by the insurance commissioner of that state.

C. Amendments to Form B.

1. An amendment to Form B shall be filed under the following conditions:
   a. Within 15 days after the end of any month in which there is a material change to the information provided in the annual registration statement;
   b. Within 15 days after the end of any month in which the registrant or insurer learns there is a change in control of the registrant, in which case all of Form B and Form C shall be made current;
   c. Within 15 days after the end of any month in which the registrant or insurer learns there is a material change in information given in Item 5 of Form B;
   d. Within 30 days after the investment in any one corporation, if the total investment in that corporation, by the insurance holding company system, exceeds 10% of that corporation’s voting securities;
   e. Within 15 days after the end of any month in which there is a material change in any portion of the information given in Item 6 of Form B;
   f. Within two five business days following the declaration of any dividend or other distribution to an insurer’s shareholder, and at least 30 days prior to payment thereof; and
   g. Within 120 days after the end of each fiscal year of the ultimate controlling person of the insurance holding company system.

2. Amendments shall be filed in the Form B format. Subject to the provisions of subdivision A 2 of this section, only those items which are being amended need be reported. Each such amendment shall include at the top of the cover page "Amendment No. (insert number) to Registrant Statement, brought current from (insert year)" and shall indicate as its "Date," the date of the change and not the date of the original filings. Filings made in the format of Forms A, D, E, or F may be deemed amendments filed in the Form B format when accompanied by certification under oath or affirmation that the transaction reported on such Form A, D, E, or F has been consummated. If the commission's approval of the transaction is required by the Act, the certification shall state also that consummation was pursuant to terms and agreements approved by the commission.

3. As used in this section, "material transaction" has the meaning set forth in § 38.2-1322 of the Act except that, unless the commission by rule, order or regulation prescribes otherwise, no sale, purchase, exchange, loan, or extension of credit or investment shall be considered "material" unless it involves at least 0.5% of an insurer’s admitted assets or 5.0% of the insurer’s surplus to policyholders, as of the 31st day of immediately preceding December next preceding 31. Any sale or other transaction which is one of a series of transactions occurring within a 12-month period that are sufficiently similar in nature as to be reasonably construed as a single transaction and that in the aggregate exceed the minimum limits herein provided shall be deemed a material transaction.

D. Exemptions and alternative and consolidated registrations.

1. Any insurer which is authorized to do business in this Commonwealth may file a registration statement on behalf of any affiliated insurer or insurers which are required to register under § 38.2-1329 of the Act. A registration statement may include information not required by the Act regarding any insurer in the insurance holding company system even if such the insurer is not authorized to do business in this Commonwealth. In lieu of filing a registration statement on Form B, the authorized insurer may file a copy of the registration statement or similar report which it is required to file in its state of domicile, provided:
   a. The statement or report contains substantially similar information required to be furnished on Form B; and
   b. The filing insurer is the principal insurance company in the insurance holding company system.

2. The question of whether the filing insurer is the principal insurance company in the insurance holding company system is a question of fact and an insurer filing a registration statement or report in lieu of Form B on behalf of an affiliated insurer, shall set forth a brief statement of facts which will substantiate the filing insurer's claim that it, in fact, is the principal insurer in the insurance holding company system.

3. With the prior approval of the commission, an insurer not licensed to transact the business of insurance in this Commonwealth may follow any of the procedures which could be done by an authorized insurer under subdivision 1 of this subsection.

4. Any insurer may take advantage of the provisions of § 38.2-1329 G or § 38.2-1329 H of the Act without obtaining the prior approval of the commission.
commission, however, reserves the right to require individual filings if it deems such the filings necessary in the interest of clarity, ease of administration or the public good.

5. The state of entry of an alien insurer shall be deemed to be its state of domicile for the purpose of this regulation chapter.

6. Any foreign insurer subject to disclosure requirements and standards adopted by statute or regulation in the jurisdiction of its domicile that are substantially similar to those contained in § 38.2-1329 of the Act; shall be exempted and excepted from registration in this Commonwealth pursuant to this section and § 38.2-1329 A of the Act; however, if requested by the commission, such the insurer shall furnish to the commission a copy of the registration statement or other information filed with its state of domicile. Such The information shall be filed with the commission within 15 days after the commission makes its request.

7. Any insurer not otherwise exempt or excepted from § 38.2-1329 of the Code of Virginia may apply for an exemption from the requirements of this section of the Code of Virginia by submitting a statement to the commission setting forth its reasons for being exempt.

14 VAC 5-260-80. Transactions subject to prior notice filing.

A. An insurer required to give notice of a proposed transaction pursuant to § 38.2-1331 of the Act shall furnish the required information in the format designated on Form D, as specified in the instructions of that form, which is a part of this regulation chapter.

B. The approval of any material transactions pursuant to § 38.2-1331 of the Act shall be deemed an amendment to an insurer's registration statement under subdivision C 4 of § 38.2-1329 C 4 of the Act without further filing other than written confirmation under oath or affirmation by registrant that the transaction as approved by the commission has been consummated. Such The confirmation shall be filed within two business days following consummation of the approved transaction.

14 VAC 5-260-90. Dividends and other distributions.

A. Each registered insurer shall report to the commission as required under § 38.2-1329 of the Act, all dividends and other distributions to shareholders within two five business days following declaration and at least 30 days prior to payment. Except as provided in subsection B of this section, such the report shall be filed in the format prescribed by Form F and shall include at least the following:

1. A statement stating whether the dividend or distribution is extraordinary. If the dividend or distribution is extraordinary, the insurer also shall state the date of approval, if any, obtained pursuant to § 38.2-1330 C § 38.2-1330.1 A of the Act, or the earliest date on which such approval may be deemed;

2. Earned surplus as of the immediately preceding December 31;

3. The amount of the proposed dividend;

4. 4. The date of declaration, date of record and date established for payment of the dividend;

5. A statement as to whether the dividend is to be in cash or other property and, if in property, a description thereof, its cost, and its fair market value together with an explanation of the basis for valuation;

6. The amounts, dates and form of payment of all dividends or distributions (including regular dividends but excluding distributions of the insurer's own securities) paid within the period of 12 consecutive months ending on the date fixed for payment of the proposed dividend for which approval is sought and commencing on the day after the same day of the same month in the last preceding year; and

7. A brief statement as to the effect of the proposed dividend upon the insurer's surplus and the reasonableness of surplus in relation to the insurer's outstanding liabilities and the adequacy of surplus relative to the insurer's financial needs; and

8. A statement identifying any and all revaluations of assets.

B. If payment of an extraordinary dividend or distribution has been approved prior to its declaration, the insurer may comply with the requirements of § 38.2-1329 E of the Act by filing written confirmation under oath or affirmation that the extraordinary dividend or distribution, as approved by the commission, as has been declared. Confirmation shall be filed within five two business days following declaration.

C. An insurer may obtain prior approval of an extraordinary dividend or distribution, as required by § 38.2-1330-C § 38.2-1330.1 A of the Act, by filing a request for approval with the commission. The request for approval shall be filed in the format prescribed by Form F and shall include at least the following:

1. All the information required in subsection A of this section;

2. Statements of financial condition and earnings for the period intervening from the last annual statement filed with the commission and the end of the month preceding the month in which the request for dividend approval is submitted; and, if the date of payment or distribution is more than 60 days removed from the date of the most current financial statement submitted by the insurer, the insurer shall include also a pro forma statement as of the day after the distribution or payment of the dividend.
showing its effect and other known and reasonably projected adjustments to the financial condition and earnings of the insurer; and

3. A copy of the calculations determining that the proposed dividend is extraordinary. The work paper shall include the following information:

a. The amounts, dates and form of payment of all dividends or distributions (including regular dividends but excluding distributions of the insurer's own securities) paid within the period of 12 consecutive months ending on the date fixed for payment of the proposed dividend for which approval is sought, and commencing on the day after the same day of the same month in the last preceding year;

b. Surplus as regards policyholders (total capital and surplus) as of the 31st day of immediately preceding December next preceding 31;

c. If the insurer is a life insurer, the net gain from operations for the 12-month period ending the 31st day of immediately preceding December next preceding 31; and

d. If the insurer is not a life insurer, the net income less realized capital gains for the 12-month period ending the 31st day of December next preceding and the two preceding 12-month periods; and immediately preceding December 31, but shall not include pro rata distributions of any class of the insurer’s own securities.

e. If the insurer is not a life insurer, the dividends paid to stockholders (excluding distributions of the insurer's own securities) in the preceding two calendar years.

4. Statements on each factor set forth in subsection B of § 38.2-1330 B of the Act must be submitted in support of the request for approval of an extraordinary dividend or distribution, although these factors are not intended to be an exhaustive list. In determining the adequacy and reasonableness of an insurer's surplus no single factor is controlling. The commission, instead, will consider the net effect of all of these factors plus other factors bearing on the financial condition of the insurer. In comparing the surplus maintained by other insurers, the commission will consider the extent to which each of these factors varies from company to company and in determining the quality and liquidity of investments in subsidiaries, the commission will consider the individual subsidiary and may discount or disallow its valuation to the extent that the individual investments so warrant.

5. In addition, in order to determine the possibility of any financial effect on the insurer, the commission may request the means of funding and the purpose of the extraordinary dividend or distribution.

D. No declaration of an extraordinary dividend or distribution shall confer any rights on shareholders without the prior approval thereof pursuant to § 38.2-1330 C. However, an insurer may declare an extraordinary dividend or distribution which is conditioned upon the commission's approval, and the declaration shall confer no rights upon shareholders until (i) the commission has approved the payment of the dividend or distribution or (ii) the commission has not disapproved the payment within the 30-day period provided by § 38.2-1330 C. A of the Act.

14 VAC 5-260-110. Severability clause.
If any provision of this chapter or the application thereof to any person or circumstance is for any reason held to be invalid, the remainder of the chapter and the application of the provision to other persons or circumstances shall not be affected thereby.

V.A.R. Doc. No. R06-278; Filed September 12, 2006, 11:45 a.m.

TITLE 24. TRANSPORTATION AND MOTOR VEHICLES

COMMONWEALTH TRANSPORTATION BOARD

Final Regulation

REGISTRAR'S NOTICE: The Department of Transportation is claiming an exemption from the Administrative Process Act in accordance with § 2.2-4002 B 3 of the Code of Virginia, which exempts regulations relating to the location, design, specifications or construction of public buildings or other facilities; § 2.2-4002 B 4 of the Code of Virginia, which exempts regulations relating to grants of state or federal funds or property; and § 2.2-4006 A 4 a of the Code of Virginia, which excludes regulations that are necessary to conform to changes in Virginia statutory law or the appropriation act where no agency discretion is involved. The Commonwealth Transportation Board will receive, consider and respond to petitions by any interested person at any time with respect to reconsideration or revision.


Effective Date: November 1, 2006.

Agency Contact: William R. Dandridge, Transportation Engineer Senior, Department of Transportation, Local Assistance Division, 1401 East Broad Street, 4th Floor Annex, Richmond, VA 23219, telephone (804) 786-2743,
ECONOMIC DEVELOPMENT ACCESS FUND POLICY.


The policies and procedures set forth in this chapter govern the use of industrial economic development access funds derived from taxes on motor fuels, fees and charges on motor vehicle registrations, road taxes or any other state revenue allocated for highway purposes. Any access road constructed or improved under this chapter shall constitute a part of the secondary system of state highways or the road system of the locality in which it is located and shall thereafter be constructed, reconstructed, maintained and improved as other roads in the system of which it is a part.


A. The use of industrial economic development access funds shall be limited to:

1. Providing adequate access to economic development sites on which new or substantially expanding manufacturing, processing and industrial facilities, research and development facilities, distribution centers, regional service centers, corporate headquarters, or other establishments that also meet basic employer criteria as determined by the Virginia Economic Development Partnership in consultation with the Virginia Department of Business Assistance; and

2. Improving existing roads that may not be adequate to serve new industry or substantially expanding manufacturing, processing and industrial facilities, or other establishments as described in subdivision 1 of this subsection.

B. Industrial Economic development access funds may not be used for the acquisition of rights of way or adjustment of utilities. These funds are to be used only for the actual construction and engineering of a road facility adequate to serve the traffic generated by the new or expanding eligible establishments.

C. Industrial Economic development access funds may not be used for the construction of access roads to schools, hospitals, libraries, airports, armories, speculative office buildings, shopping centers, apartment buildings, professional offices, residential developments, churches, hotels, motels, government installations, or similar facilities, whether public or private. (Access roads to licensed, public-use airports, while provided for in § 33.1-221 of the Code of Virginia, are funded and administered separately through 24 VAC 30-450, Airport Access Funding.)

D. No cost incurred prior to the board's approval of an allocation from the industrial economic development access funds may be reimbursed by such funds. Industrial Economic development access funds shall be authorized only after certification that the manufacturing, processing or other establishment economic development establishment as listed or meeting the criteria as described will be built under firm contract, or is already constructed, or upon presentation of acceptable surety in accordance with § 33.1-221 A of the Code of Virginia.

E. When an eligible establishment is not yet constructed or under firm contract and a local governing body guarantees by bond or other acceptable surety that such will occur, the maximum time limit for such bond shall be five years, beginning on the date of the allocation of the industrial economic development access funds by the Commonwealth Transportation Board. At the end of the five-year period, the amount of industrial economic development access funds expended on the project and not justified by eligible capital outlay of one or more establishments acceptable to the board shall be reimbursed to the Department of Transportation voluntarily by the locality or by forfeiture of the surety. The bonded period for projects approved between March 21, 1996, and July 1, 1999, shall be extended for a period of two additional years beyond their original expiration dates, contingent upon the affected locality providing acceptable surety for the extended period. In the event that, after the Department of Transportation has been reimbursed, but still within 24 months immediately following the end of the five-year period, the access funds expended come to be justified by eligible capital outlay of one or more eligible establishments, then the locality may request a refund of one-half of the sum reimbursed to the Department of
The following restrictions or allowances apply to the use of industrial access funds:

1. Industrial Economic development access funds shall not be used to construct or improve roads on a privately owned plant site. Nor shall the construction of a new access road to serve any industrial economic development site on a parcel of land that abuts a road constituting a part of the systems of state highways or the road system of the locality in which it is located be eligible for industrial economic development access funds, unless the existing road is a limited access highway and no other access exists. Further, where the existing road is part of the road system of the locality in which it is located, or the secondary system of state highways, industrial economic development access funds may be used to upgrade the existing road only to the extent required to meet the needs of traffic generated by the new or expanding industrial facility eligible establishment.

2. In the event an industrial economic development site has access according to the foregoing provisions of this chapter, but it can be determined that such access is not adequate in that it does not provide for safe and efficient movement of the industrial traffic generated by the industry eligible establishment on the site or that the site's traffic conflicts with the surrounding road network to the extent that it poses a safety hazard to the general public, consideration will be given to funding additional improvements. Such projects shall be evaluated on a case-by-case basis upon request, by resolution, from the local governing body. Localities are encouraged to establish planning policies that will discourage incompatible mixes such as industrial and residential traffic.

The following funding limitations and procedures apply to the use of industrial access funds:

1. Not more than $300,000 of unmatched industrial economic development access funds may be allocated in any fiscal year for use in any county, city or town that receives highway maintenance payments under § 33.1-41.1 of the Code of Virginia. A town whose streets are maintained under either § 33.1-79 or § 33.1-82 of the Code of Virginia shall be considered as part of the county in which it is located. The maximum eligibility of unmatched funds shall be limited to 10% of the capital outlay of the designated industry or industries eligible establishments. The unmatched eligibility may be supplemented with additional industrial economic development access funds, in which case the supplemental access funds shall be not more than $150,000, to be matched dollar-for-dollar from funds other than those administered by this board. The supplemental industrial economic development access funds over and above the unmatched eligibility shall be limited to 5.0% of the capital outlay of the designated industry or industries eligible establishments as previously described. Such supplemental funds shall be considered only if the total estimated cost of eligible items for the individual economic development access improvement exceeds $300,000.

2. If an eligible site is owned by a regional industrial facility authority, as defined in Chapter 61 (§ 15.2-6400 et seq.) of Title 15.2 of the Code of Virginia, funds may be allocated for construction of an access road project to that site without penalty to the jurisdiction in which the site is located. This provision may be applied to one regional project per fiscal year in any jurisdiction with the same funding limitations as prescribed for other individual projects.

H. Eligible items of construction and engineering shall be limited to those that are essential to providing an adequate facility to serve the anticipated traffic while meeting all appropriate Commonwealth Transportation Board and state policies and standards. Items such as storm sewers, curb and gutter, and extra pavement width will not normally be eligible. However, additional pavement width or other features may be eligible where necessary to qualify the road facility in a city or town for maintenance payments under § 33.1-41.1 of the Code of Virginia.

I. It is the intent of the board that industrial economic development access funds not be anticipated from year to year. Unused eligibility cannot be allowed to accumulate and be carried forward from one fiscal year to another.

J. The Commonwealth Transportation Board will consult and work closely with the Virginia Economic Development Partnership (VEDP) and the Department of Business Assistance (DBA) in determining the use of industrial economic development access funds and may rely on the recommendations of this department the VEDP and the DBA in making decisions as to the allocation of these funds. In making its recommendations to this board, the Department of Business Assistance VEDP and DBA will take into consideration the impact of the proposed facility on the employment and tax base of both the area in which the facility is to be located and the Commonwealth of Virginia. The determination by the Department of Business Assistance that the subject establishment impacts the economic growth of the Commonwealth to such an extent that an allocation should be made regardless of the manufacturing or distributive classification will be given considerable weight by this board.

K. Prior to the formal request for the use of industrial economic development access funds to provide access to new or expanding industries eligible establishments, the location of the access road shall be submitted for approval of the engineers of the Virginia Department of Transportation. The engineers of the Virginia Department of Transportation shall take into consideration the cost of the facility as it relates to the location and as it relates to the possibility of the future extension of the road to serve other possible industrial eligible establishments, as well as the future development of the area traversed.
L. Prior to this board's allocation of funds for such construction or road improvements to an industry eligible economic development establishment proposing to locate or expand in a county, city or town, the governing body shall by resolution request the access funds and shall be responsible for the preliminary negotiations with the industries eligible establishment and others interested. Engineers of the Virginia Department of Transportation will be available for consultation with the governing bodies and others, and may prepare surveys, plans, engineering studies, and cost estimates.

M. The Commonwealth Transportation Commissioner is directed to establish administrative procedures to assure the provisions of this chapter and legislative directives are adhered to and complied with.

V.A.R. Doc. No. R07-01; Filed September 12, 2006, 8:47 a.m.
DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

2006 Annual Report - Agricultural Stewardship Act

The Commissioner of Agriculture and Consumer Services announces the availability of the annual report of the Agricultural Stewardship Act entitled "Virginia Agricultural Stewardship Act Annual Report, April 1, 2005 - March 31, 2006: A Positive Approach." Copies of this report can be obtained by contacting Joyce Knight at (804) 786-3538 or email joyce.knight@vdacs.virginia.gov. A written request may be sent to the address below. Copies of the annual report are available without charge. Joyce Knight, Virginia Department of Agriculture and Consumer Services, Office of Policy, Planning and Research, 102 Governor Street, Suite 219, P.O. Box 1163, Richmond, VA 23218.

DEPARTMENT OF ENVIRONMENTAL QUALITY

Notice of Citizen Nomination of Surface Waters for Water Quality Monitoring

In accordance with § 62.1-44.19:5 F of the Code of Virginia, the Water Quality Monitoring Information and Restoration Act, the Virginia Department of Environmental Quality (DEQ) has developed guidance for requests from the public regarding specific segments that can be nominated for consideration to be included in the Virginia Department of Environmental Quality (DEQ's) annual Water Quality Monitoring Plan.

Any citizen of the Commonwealth who wishes to nominate a water body or stream segment for inclusion in DEQ's Water Quality Monitoring Plan should refer to the guidance in preparation and submittal of their requests. All nominations must be received by December 31, 2006, to be considered for the 2008 calendar year. Copies of the guidance document and nomination form are available online at http://www.deq.virginia.gov/cmonitor/.

For more information, please contact James Beckley, Water Quality Data Liaison, Virginia Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240-0009, telephone (804) 698-4025, or email at jebeckley@deq.virginia.gov.

STATE LOTTERY DEPARTMENT

Director's Orders

The following Director's Orders of the State Lottery Department were filed with the Virginia Registrar of Regulations on September 6, 2006. The orders may be viewed at the State Lottery Department, 900 E. Main Street, Richmond, Virginia, or at the office of the Registrar of Regulations, 910 Capitol Street, 2nd Floor, Richmond, Virginia.

Final Rules for Game Operation:

Director's Order Number Forty-Seven (06)
Virginia's Instant Game Lottery 742; "Jingle Bucks" (effective 8/30/06)

Director's Order Number Forty-Eight (06)
Virginia's Instant Game Lottery 750; "Winner Wonderland" (effective 8/31/06)

Director's Order Number Forty-Nine (06)
Virginia's Instant Game Lottery 746; "Santa Paws" (effective 8/30/06)

Director's Order Number Fifty (06)
Virginia's Instant Game Lottery 748; "Frosty the Doughman" (effective 8/30/06)

Director's Order Number Fifty-One (06)
Virginia's Instant Game Lottery 751; "$1,000,000 Holiday Cheer" (effective 8/30/06)

The following Director's Orders of the State Lottery Department were filed with the Virginia Registrar of Regulations on September 14, 2006. The orders may be viewed at the State Lottery Department, 900 E. Main Street, Richmond, Virginia, or at the office of the Registrar of Regulations, 910 Capitol Street, 2nd Floor, Richmond, Virginia.

Final Rules for Game Operation:

Director's Order Number Fifty-Two (06)
Virginia's Instant Game Lottery 753; "Fast Cash" (effective 9/12/06)

Director's Order Number Fifty-Three (06)
Virginia's Instant Game Lottery 754; "Red Hot Cherries" (effective 9/12/06)

Director's Order Number Fifty-Four (06)
Virginia's Instant Game Lottery 755; "$50,000 Poker Night" (effective 9/12/06)
STATE WATER CONTROL BOARD

Proposed Consent Order - Louisa County

Purpose of notice: To invite citizens to comment on a proposed consent order for a facility in Louisa County, Virginia.

Public comment period: October 2, 2006, to November 1, 2006.

Consent order description: The State Water Control Board proposes to issue a consent order to O. Zeigler and Yvonne W. White to address alleged violations at Winston Acres Farm governed by permit number VPG230012. The location of the facility where the alleged violation occurred is 2321 Valentine Mill Road, Louisa, VA 23093. The consent order describes a settlement to resolve the improper storage of poultry waste, failure to monitor waste at the frequency required, failure to operate in accordance with the Nutrient Management Plan (NMP), an expired NMP, inadequate mortality disposal, and failure to provide litter transfer records.

How to comment: DEQ accepts comments from the public by email, fax, or postal mail. All comments must include the name, address, and telephone number of the person commenting and be received by DEQ within the comment period. The public may review the proposed consent order at the DEQ office named below or on the DEQ website at www.deq.virginia.gov.

Contact for public comments, document requests and additional information: Jennifer Sheedy, Department of Environmental Quality, Northern Virginia Regional Office, 13901 Crown Court, Woodbridge, VA, 22193, telephone (703) 583-3938, FAX (703) 583-3841, or email jlsheedy@deq.virginia.gov.

Approval of Water Quality Management Planning Actions

Notice of action: The State Water Control Board (board) is considering the approval of 15 total maximum daily load (TMDL) reports and granting authorization to include the TMDL reports in the appropriate Water Quality Management Plans (WQMPs).

Purpose of notice: The board is seeking comment on the proposed approvals and authorizations. The purpose of these actions is to approve 15 TMDL reports as Virginia’s plans for the pollutant reductions necessary for attainment of water quality goals in several impaired waterbodies. These actions are taken in accordance with the Public Participation Procedures for Water Quality Management Planning.


Description of proposed action: At previous meetings, the board voted unanimously to delegate to the DEQ Director the authority to approve TMDLs that do not include waste load allocations requiring regulatory adoption by the board, provided that a summary report of the action the director plans to take is presented to the board prior to the director approving the TMDL reports. The TMDLs included in this public notice will be approved using this delegation of authority.

The TMDLs listed below were developed in accordance with Federal Regulations (40 CFR 130.7) and are exempt from the provisions of Article II of the Virginia Administrative Process Act. The TMDLs have been through the TMDL public participation process contained in DEQ’s Public Participation Procedures for Water Quality Management Planning. The public comment process provides the affected stakeholders an opportunity for public appeal of the TMDLs. EPA approved all TMDL reports presented under this public notice. The approved reports can be found at http://gisweb.deq.virginia.gov/tmdlapp/tmdl_report_search.cfm.

DEQ staff intends to recommend (i) that the DEQ Director approve the TMDL reports listed below as Virginia’s plans for the pollutant reductions necessary for attainment of water quality goals in the impaired segments, and (ii) that the DEQ Director authorize inclusion of the TMDL reports in the appropriate WQMPs. No regulatory amendments are required for these TMDLs and their associated waste load allocations.

Affected Waterbodies and Localities:

In the Chesapeake Bay-Small Coastal-Eastern Shore River Basin:

“Total Maximum Daily Load (TMDL) Report for Shellfish Areas Listed Due to Bacteria Contamination – Back River”

1. 11 bacteria TMDLs, located in York County and the cities of Poquoson and Hampton, propose bacteria reductions for portions of the watershed to address VDH Shellfish Area Condemnations

2. Back River - Brick Kiln Creek bacteria TMDLs, located in York County and the cities of Poquoson and Hampton, propose bacteria reductions for portions of the watershed to address VDH Shellfish Area Condemnations and swimming use impairments

3. Back River – New Market Creek and SW Branch Back River bacteria TMDLs, located in York County and the cities of Poquoson and Hampton, propose bacteria reductions for portions of the watershed to address VDH Shellfish Area Condemnations and swimming use impairments

“Total Maximum Daily Load (TMDL) Report for Shellfish Areas Listed Due to Bacteria Contamination – Browns Bay and Monday Creek”
4. 2 bacteria TMDLs, located in Gloucester County, propose bacteria reductions for portions of the watershed to address VDH Shellfish Area Condemnations

“Total Maximum Daily Load (TMDL) Report for Shellfish Areas Listed Due to Bacteria Contamination – Craddock Creek”

5. Bacteria TMDL, located in Accomack County, proposes bacteria reductions for portions of the watershed to address VDH Shellfish Area Condemnations

“Total Maximum Daily Load (TMDL) Report for Shellfish Areas Listed Due to Bacteria Contamination – Dividing Creek and Prentice Cove”

6. 4 bacteria TMDLs, located in Northumberland County, propose bacteria reductions for portions of the watershed to address VDH Shellfish Area Condemnations

“Total Maximum Daily Load (TMDL) Report for Shellfish Areas Listed Due to Bacteria Contamination – Great Wicomico River”

7. 5 bacteria TMDLs, located in Northumberland County, propose bacteria reductions for portions of the watershed to address VDH Shellfish Area Condemnations

“Total Maximum Daily Load (TMDL) Report for Shellfish Areas Listed Due to Bacteria Contamination – Messongo and Guilford Creeks”

8. 3 bacteria TMDLs, located in Accomack County, propose bacteria reductions for portions of the watershed to address VDH Shellfish Area Condemnations

“Total Maximum Daily Load (TMDL) Report for Shellfish Areas Listed Due to Bacteria Contamination – Nandua Creek and McLean Gut”

9. 2 bacteria TMDLs, located in Accomack County, propose bacteria reductions for portions of the watershed to address VDH Shellfish Area Condemnations

“Total Maximum Daily Load (TMDL) Report for Shellfish Areas Listed Due to Bacteria Contamination – North River”

10. 4 bacteria TMDLs, located in Mathews and Gloucester counties, propose bacteria reductions for portions of the watershed to address VDH Shellfish Area Condemnations

“Total Maximum Daily Load (TMDL) Report for Shellfish Areas Listed Due to Bacteria Contamination – Occonhannock Creek”

11. Bacteria TMDL, located in Accomack County, proposes bacteria reductions for portions of the watershed to address VDH Shellfish Area Condemnations

“Total Maximum Daily Load (TMDL) Report for Shellfish Areas Listed Due to Bacteria Contamination – Onancock Creek”

12. 3 bacteria TMDLs, located in Accomack County, propose bacteria reductions for portions of the watershed to address VDH Shellfish Area Condemnations

13. 4 bacteria TMDLs, located in Accomack County, propose bacteria reductions for portions of the watershed to address VDH Shellfish Area Condemnations and swimming use impairments

“Total Maximum Daily Load (TMDL) Report for Shellfish Areas Listed Due to Bacteria Contamination – Piankatank River and Harper Creek”

14. 2 bacteria TMDLs, located in Middlesex County, propose bacteria reductions for portions of the watershed to address VDH Shellfish Area Condemnations

“Total Maximum Daily Load (TMDL) Report for Shellfish Areas Listed Due to Bacteria Contamination – Poquoson River and Back Creek”

15. 2 bacteria TMDLs, located in York County and the City of Poquoson County, propose bacteria reductions for portions of the watershed to address VDH Shellfish Area Condemnations

“Total Maximum Daily Load (TMDL) Report for Shellfish Areas Listed Due to Bacteria Contamination – Severn River”

16. 2 bacteria TMDLs, located in Gloucester County, propose bacteria reductions for portions of the watershed to address VDH Shellfish Area Condemnations

“Total Maximum Daily Load (TMDL) Report for Shellfish Areas Listed Due to Bacteria Contamination – Upper Pungoteague Creek and Taylors Creek”

17. 2 bacteria TMDLs, located in Accomack County, propose bacteria reductions for portions of the watershed to address VDH Shellfish Area Condemnations

“Total Maximum Daily Load (TMDL) Report for Shellfish Areas Listed Due to Bacteria Contamination – Upper Pungoteague Creek and Taylors Creek”

18. 2 bacteria TMDLs, located in Gloucester County, propose bacteria reductions for portions of the watershed to address VDH Shellfish Area Condemnations

How to comment: The DEQ accepts written comments by email, fax and postal mail. All written comments must include the full name, address and telephone number of the person commenting and be received by DEQ by 5 p.m. on the last day of the comment period.

How a decision is made: After comments have been considered, the board will make the final decision. Citizens that submit statements during the comment period may address the board members during the board meeting at which a final decision is made on the proposal.
To review documents: The TMDL reports and TMDL implementation plans are available on the DEQ website at http://www.deq.virginia.gov/tmdl/ and by contacting the DEQ representative named below. The electronic copies are in PDF format and may be read online or downloaded.

Contact for public comments, document requests and additional information: Jutta Schneider, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23219, telephone (804) 698-4099, FAX (804) 698-4116 or email jschneider@deq.virginia.gov.

* * *

Notice of action: The State Water Control Board (board) is considering the approval of three TMDL implementation plans (TMDL IPs) and granting authorization to include the TMDL implementation plans in the appropriate Water Quality Management Plans (WQMPs).

Purpose of notice: The board is seeking comment on the proposed approvals and authorizations. The purpose of these actions is to approve three TMDL IPs as Virginia’s plans for the management actions necessary for attainment of water quality goals in several impaired waterbodies. These actions are taken in accordance with the Public Participation Procedures for Water Quality Management Planning.

Public comment period: October 3, 2006, to November 3, 2006

Description of proposed action: At previous meetings, the board voted unanimously to delegate to the DEQ Director the authority to approve TMDL implementation plans, provided that a summary report of the action the director plans to take is presented to the board prior to the director approving the TMDL IPs. The TMDLs IPs included in this public notice will be approved using this delegation of authority.

The TMDL IPs listed below were developed in accordance with the 1997 Water Quality Monitoring, Information and Restoration Act (WQMIRA, § 62.1-44.19:4 through 19:8 of the Code of Virginia) and federal recommendations. The TMDL IPs were developed in accordance with DEQ’s Public Participation Procedures for Water Quality Management Planning. Extensive public participation was solicited during the development of the plans, and the public comment process provided the affected stakeholders with opportunities for comment on the proposed plans. The final TMDL IPs can be found at http://www.deq.state.va.us/tmdl/iprpts.html.

DEQ staff intends to recommend (i) that the DEQ Director approve the TMDL IPs listed below as Virginia’s plans for the management actions necessary for attainment of water quality goals in the impaired segments, and (ii) that the DEQ Director authorize inclusion of the TMDL IPs in the appropriate WQMPs. No regulatory amendments are required for these TMDL IPs.

Affected Waterbodies and Localities:

In the Potomac-Shenandoah River Basin:

“Opequon Creek Watershed TMDL Implementation Plan”
1. Opequon Creek bacteria and sediment TMDL implementation plan, Clarke and Frederick counties and the City of Winchester
2. Abrams Creek bacteria and sediment TMDL implementation plan, Frederick County and the City of Winchester

In the Roanoke River Basin:

“Big Otter Watershed Implementation Plan”
3. Sheep Creek bacteria TMDL implementation plan, Bedford County
4. Elk Creek bacteria TMDL implementation plan, Bedford County
5. Machine Creek bacteria TMDL implementation plan, Bedford County
6. Little Otter River, Bedford County and the City of Bedford
7. Big Otter River, Bedford and Campbell counties and the City of Bedford
8. North Otter Creek, Bedford County

In the Chesapeake Bay - Small Coastal-Eastern Shore River Basin:

“Implementation Plan for the Fecal Coliform Total Maximum Daily Load (TMDL) for Shellfish Areas of Lynnhaven Bay, Broad Bay and Linkhorn Bay watersheds”
9. Lynnhaven Bay bacteria TMDL implementation plan, City of Virginia Beach
10. Broad and Linkhorn Bay bacteria TMDL implementation plan, City of Virginia Beach

How to comment: The DEQ accepts written comments by email, fax and postal mail. All written comments must include the full name, address and telephone number of the person commenting and be received by DEQ by 5 p.m. on the last day of the comment period.

How a decision is made: After comments have been considered, the board will make the final decision. Citizens that submit statements during the comment period may address the board members during the board meeting at which a final decision is made on the proposal.

To review documents: The TMDL implementation plans are available on the DEQ website at http://www.deq.virginia.gov/tmdl/ and by contacting the DEQ representative named below. The electronic copies are in PDF format and may be read online or downloaded.
Amendment of Water Quality Management Planning Regulation

Notice of action: The State Water Control Board (board) is considering the amendment of the regulation on water quality management planning in accordance with the Public Participation Procedures for Water Quality Management Planning. A regulation is a general rule governing people's rights or conduct that is upheld by a state agency.

Purpose of notice: The board is seeking comments through the Department of Environmental Quality on the proposed amendment. The purpose of the amendment to the state’s Water Quality Management Planning Regulation (9 VAC 25-720) is to adopt five total maximum daily load (TMDL) waste load allocations.


Description of proposed action: DEQ staff will propose amendments of the state’s Water Quality Management Planning regulation for the following river basins: Potomac-Shenandoah River Basin (9 VAC 25-720-50 A), and the New River Basin (9 VAC 25-720-130 A). Statutory authority for promulgating these amendments can be found in § 62.1-44.15(10) of the Code of Virginia.

Staff intends to recommend (i) that the board approve three TMDL reports as the plans for the pollutant reductions necessary for attainment of water quality goals in the impaired segments, (ii) that the board authorize inclusion of the TMDL reports in the appropriate Water Quality Management Plan, and (iii) that the board adopt five TMDL waste load allocations as part of the state’s Water Quality Management Planning Regulation in accordance with § 2.2-4006 A 4 c and § 2.2-4006 B of the Code of Virginia.

The three TMDL reports were developed in accordance with federal regulations (40 CFR 130.7) and are exempt from the provisions of Article II of the Virginia Administrative Process Act. The reports were subject to the TMDL public participation process contained in DEQ’s Public Participation Procedures for Water Quality Management Planning. The public comment process provides the affected stakeholders an opportunity for public appeal of the TMDLs. EPA approved all TMDLs presented under this public notice. The approved reports can be found at http://www.deq.virginia.gov/tmdl.

Affected Waterbodies and Localities:

In the Potomac - Shenandoah River Basin (9 VAC 25-720-50 A):

“Benthic TMDL Development for South Run, Virginia” - South Run benthic TMDL, located in Fauquier County, proposes phosphorus reductions for portions of the watershed and provides a total phosphorus wasteload allocation of 0.038 tons/year.

“Total Maximum Daily Load Development for Lewis Creek, General Standard (Benthic)” – Lewis Creek benthic TMDL, located in Augusta County and the City of Staunton, proposes reductions of sediment, lead and polycyclic aromatic hydrocarbons (PAHs) for portions of the watershed. The WLAs are 40 tons/year for sediment, 0 kg/year for lead and 0 kg/year for PAHs.

In the New River Basin (9 VAC 25-720-130 A):

"Total Maximum Daily Load Development for Chestnut Creek, Fecal Bacteria and General Standard (Benthic)" - Chestnut Creek benthic TMDL, located in Carroll and Grayson Counties and the City of Galax, proposes sediment reductions for portions of the watershed and provides a sediment wasteload allocation of 18.9 tons/year. To address a bacteria impairment, this TMDL report also proposes bacteria reductions for portions of the watershed. No regulatory amendments pertaining to these bacteria reductions are proposed.

How to comment: The DEQ accepts written comments by email, fax and postal mail. All written comments must include the full name, address and telephone number of the person commenting and be received by DEQ by 5 p.m. on the last day of the comment period.

Contact for public comments, document requests and additional information: Jutta Schneider, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23219, telephone (804) 698-4099, FAX (804) 698-4116 or email jschneider@deq.virginia.gov.

Announcement of a Total Maximum Daily Load (TMDL) Study to Restore Water Quality in Streams Located in the Upper Rappahanock River Basin That Are Contaminated With Bacteria

Purpose of notice: The Virginia Department of Environmental Quality (DEQ) and the Virginia Department of Conservation and Recreation (DCR) announce the first series of public
meetings to introduce the Upper Rappahannock River Basin TMDL study.

Public meetings:

Public Meeting #1, Wednesday, October 4, 2006
7 p.m. to 9 p.m. – Mt. Nebo Church
3890 Jacks Shop Road, Rochelle, VA 22738

Public Meeting #2, Wednesday, October 11, 2006
7 p.m. to 9 p.m. – Rappahannock County Library, Jamieson Meeting Room
4 Library Road, Washington, VA 22747

Public Meeting #3, Tuesday, October 17, 2006
7 p.m. to 9 p.m. – St. Luke’s Church
400 Church Street, Remington, VA 22734

Public Meeting #4, Wednesday, October 18, 2006
7 p.m. to 9 p.m. – Germanna Community College
2130 Germanna Highway, Locust Grove, VA 22508

Meeting description: This series of public meetings are the first round of meetings to introduce this project to the public. The TMDL study addresses elevated levels of bacteria in 16 stream segments in the Upper Rappahannock River Basin.

Description of study: DEQ and DCR are working together to identify sources of bacteria contamination in stream segments in the Upper Rappahannock River Basin. The impaired stream segments are located in parts of Albemarle, Culpeper, Fauquier, Greene, Madison, Orange, Rappahannock, and Spotsylvania counties, and their location is set forth in the table below.

<table>
<thead>
<tr>
<th>Stream Name</th>
<th>Locality</th>
<th>Impairment</th>
<th>Length (miles)</th>
<th>Upstream Limit</th>
<th>Downstream Limit</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hughes River</td>
<td>Culpeper Rappahannock</td>
<td>Bacteria</td>
<td>3.68</td>
<td>Kilbys Run</td>
<td>Hazel River</td>
</tr>
<tr>
<td>Hazel River</td>
<td>Culpeper</td>
<td>Bacteria</td>
<td>16.67</td>
<td>Rt. 707 Bridge</td>
<td>Unnamed Tributary</td>
</tr>
<tr>
<td>Hazel River</td>
<td>Culpeper</td>
<td>Bacteria</td>
<td>3.32</td>
<td>Indian Run</td>
<td>Muddy Run</td>
</tr>
<tr>
<td>Rush River</td>
<td>Rappahannock</td>
<td>Bacteria</td>
<td>4.55</td>
<td>Unnamed Tributary</td>
<td>Big Branch</td>
</tr>
<tr>
<td>Rappahannock River</td>
<td>Fauquier Rappahannock</td>
<td>Bacteria</td>
<td>2.17</td>
<td>Jordan River</td>
<td>UT</td>
</tr>
<tr>
<td>Marsh Run</td>
<td>Fauquier</td>
<td>Bacteria</td>
<td>8.35</td>
<td>Craig Run</td>
<td>Rappahannock River</td>
</tr>
<tr>
<td>Browns Run</td>
<td>Fauquier</td>
<td>Bacteria</td>
<td>2.39</td>
<td>Unnamed Tributary</td>
<td>Marsh Run</td>
</tr>
<tr>
<td>Craig Run</td>
<td>Fauquier</td>
<td>Bacteria</td>
<td>3.61</td>
<td>Headwaters of Craig Run</td>
<td>Marsh Run</td>
</tr>
<tr>
<td>Rappahannock River</td>
<td>Culpeper Fauquier</td>
<td>Bacteria</td>
<td>2.02</td>
<td>Ruffans Run</td>
<td>Tinpot Run</td>
</tr>
<tr>
<td>Rappahannock River</td>
<td>Culpeper Fauquier</td>
<td>Bacteria</td>
<td>2.85</td>
<td>Unnamed Tributary</td>
<td>Marsh Run</td>
</tr>
<tr>
<td>Blue Run</td>
<td>Orange Albermarle</td>
<td>Bacteria</td>
<td>11.61</td>
<td>Headwaters of Blue Run</td>
<td>Rapidan River</td>
</tr>
<tr>
<td>Rapidan River</td>
<td>Culpeper Madison Orange</td>
<td>Bacteria</td>
<td>7.5</td>
<td>Poplar Run</td>
<td>Robinson River</td>
</tr>
<tr>
<td>Marsh Run</td>
<td>Greene Madison Orange</td>
<td>Bacteria</td>
<td>5.19</td>
<td>Headwaters of Marsh Run</td>
<td>Rapidan River</td>
</tr>
<tr>
<td>Unnamed Tributary to Rapidan River</td>
<td>Madison Orange</td>
<td>Bacteria</td>
<td>2.57</td>
<td>Headwaters of Unnamed Tributary</td>
<td>Rapidan River</td>
</tr>
<tr>
<td>Cedar Run</td>
<td>Culpeper Orange</td>
<td>Bacteria</td>
<td>5.4</td>
<td>Buck Run</td>
<td>Rapidan River</td>
</tr>
<tr>
<td>Rapidan River</td>
<td>Culpeper Spotsylvania</td>
<td>Bacteria</td>
<td>2.68</td>
<td>Wilderness Run</td>
<td>Middle Run</td>
</tr>
</tbody>
</table>
During the study, DEQ will develop a total maximum daily load, or a TMDL, for each of the impaired stream segments. A TMDL is the total amount of a pollutant a water body can contain and still meet water quality standards. To restore water quality, contamination levels have to be reduced to the TMDL allocated amount.

How to comment: The public comment period for this series of meetings will extend from October 4, 2006, to November 2, 2006. DEQ accepts written comments by email, fax, or postal mail. Written comments should include the name, address, and telephone number of the person commenting and be received by DEQ during the comment period. Fact Sheets on the impaired segments are available from the contact below.

Contact for additional information: Katie Conaway, Virginia Department of Environmental Quality, 13901 Crown Court, Woodbridge, VA 22193, telephone (703) 583-3804, email mkconaway@deq.virginia.gov.

VIRGINIA CODE COMMISSION

Notice to State Agencies

Mailing Address: Virginia Code Commission, 910 Capitol Street, General Assembly Building, 2nd Floor, Richmond, VA 23219, FAX (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://register.state.va.us.

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
RESPONSE TO PETITION FOR RULEMAKING-RR13
FAST-TRACK RULEMAKING ACTION-RR14
EXECUTIVE

BOARD OF ACCOUNTANCY

† October 3, 2006 - 1 p.m. -- Open Meeting
Department of Professional and Occupational Regulation, 3600 West Broad Street, Suite 378, Richmond, Virginia. (Interpreter for the deaf provided upon request)

A meeting of the Administrative/Personnel/Finance/Public Relations Committee to discuss personnel matters in executive session. No public comment will be accepted at the meeting. All meetings are subject to change. Persons desiring to participate in the meeting and requiring special accommodations or interpretive services should contact the department at least 10 days prior to the meeting so that suitable arrangements can be made. The department fully complies with the Americans with Disabilities Act.

Contact: Nancy Taylor Feldman, Executive Director/Agency Head, Board of Accountancy, 3600 W. Broad St., Suite 378, Richmond, VA 23230, telephone (804) 367-8505, FAX (804) 367-2174, (804) 367-9753/TTY , email boa@boa.virginia.gov.

† October 10, 2006 - 9 a.m. -- Open Meeting
† October 27, 2006 - 9 a.m. -- Open Meeting
General Assembly Building, 9th and Broad Streets, 2nd Floor, Richmond, Virginia. (Interpreter for the deaf provided upon request)

A meeting of the Legislative Working Group to discuss general matters about statutory review. Public comment will not be taken at the meeting. The public may observe and submit comments in writing within 10 days following the meeting. All meetings are subject to change. Persons desiring to participate in the meeting and requiring special accommodations or interpretive services should contact the department at least 10 days prior to the meeting so that suitable arrangements can be made. The department fully complies with the Americans with Disabilities Act.

Contact: Nancy Taylor Feldman, Executive Director/Agency Head, Board of Accountancy, 3600 W. Broad St., Suite 378, Richmond, VA 23230, telephone (804) 367-8505, FAX (804) 367-2174, (804) 367-9753/TTY , email boa@boa.virginia.gov.

STATE AIR POLLUTION CONTROL BOARD

October 12, 2006 - 7 p.m. -- Public Hearing
Galax Public Library, 610 West Stuart Drive, Galax, Virginia.

A public hearing to receive comments on an application for renewal of the Title V operating permit for Galax Energy Concepts, LLC, located in Galax, Virginia. In addition, an information briefing will convene at 6:30 p.m. on the same day and at the same location as the public hearing. The
Calendar of Events

A public hearing on an application for an amendment to a permit for operating a scrap tire fueled boiler in Henry County. The amendment would revise emission limits and control equipment requirements, based on changes to the method of operation initially proposed for the facility. An informational briefing will be held prior to the public hearing beginning at 6:30 p.m. The public comment period began on September 17, 2006, and closes on October 23, 2006.

Contact: Gary R. Bradley, State Air Pollution Control Board, 3019 Peters Creek Rd., Roanoke, VA 24019, telephone (540) 562-6738, FAX (540) 562-6729, email grbradley@deq.virginia.gov.

ALCOHOLIC BEVERAGE CONTROL BOARD

October 2, 2006 - 9 a.m. -- Open Meeting
October 16, 2006 - 9 a.m. -- Open Meeting
November 6, 2006 - 9 a.m. -- Open Meeting
November 20, 2006 - 9 a.m. -- Open Meeting
December 4, 2006 - 9 a.m. -- Open Meeting
December 18, 2006 - 9 a.m.-- Open Meeting

Department of Alcoholic Beverage Control, 2901 Hermitage Road, Richmond, Virginia.

An executive staff meeting to receive and discuss reports and activities from staff members and to discuss other matters not yet determined.

Contact: W. Curtis Coleburn, III, Secretary to the Board, Department of Alcoholic Beverage Control, 2901 Hermitage Rd., Richmond, VA 23220, telephone (804) 213-4409, FAX (804) 213-4411, (804) 213-4687/TTY, email curtis.coleburn@abc.virginia.gov.

BOARD FOR ARCHITECTS, PROFESSIONAL ENGINEERS, LAND SURVEYORS, CERTIFIED INTERIOR DESIGNERS AND LANDSCAPE ARCHITECTS

October 25, 2006 - 9 a.m. -- Open Meeting

Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia.

A meeting of the Architects Section to conduct board business. A portion of the board's business may be discussed in closed session. Persons desiring to participate in the meeting and requiring special accommodations or interpretive services should contact the department at least 10 days prior to the meeting so that suitable arrangements can be made. The department fully complies with the Americans with Disabilities Act.

Contact: Mark N. Courtney, Executive Director, Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects, 3600 W. Broad St., Richmond, VA 23230-4917, telephone (804) 367-8514, FAX (804) 367-2475 or email apelscidla@dpor.virginia.gov.

October 31, 2006 - 9 a.m. -- Open Meeting

Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia.

A meeting of the Professional Engineers Section to conduct board business. A portion of the board's business may be discussed in closed session. Persons desiring to participate in the meeting and requiring special accommodations or interpretive services should contact the department at least 10 days prior to the meeting so that suitable arrangements can be made. The department fully complies with the Americans with Disabilities Act.

Contact: Mark N. Courtney, Executive Director, Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects, 3600 W. Broad St., Richmond, VA 23230-4917, telephone (804) 367-8514, FAX (804) 367-2475 or email apelscidla@dpor.virginia.gov.

November 8, 2006 - 9 a.m. -- Open Meeting

Department of Professional and Occupational Regulation, 3600 West Broad Street, 4th Floor, IFF Room 1, Richmond, Virginia.

A meeting of the Land Surveyors Section to conduct board business. A portion of the board's business may be discussed in closed session. Persons desiring to participate in the meeting and requiring special accommodations or interpretive services should contact the department at least 10 days prior to the meeting so that suitable arrangements can be made. The department fully complies with the Americans with Disabilities Act.
10 days prior to the meeting so that suitable arrangements can be made. The department fully complies with the Americans with Disabilities Act.

**Contact:** Mark N. Courtney, Executive Director, Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects, 3600 W. Broad St., Richmond, VA 23230-4917, telephone (804) 367-8514, FAX (804) 367-2475 or email apelsclidla@dpor.virginia.gov.

**November 9, 2006 - 9 a.m. -- Open Meeting**
Department of Professional and Occupational Regulation, 3600 West Broad Street, 4th Floor, IFF Room 1, Richmond, Virginia.

A meeting of the Interior Designers Section to conduct board business. A portion of the board's business may be discussed in closed session. Persons desiring to participate in the meeting and requiring special accommodations or interpretive services should contact the department at least 10 days prior to the meeting so that suitable arrangements can be made. The department fully complies with the Americans with Disabilities Act.

**Contact:** Mark N. Courtney, Executive Director, Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects, 3600 W. Broad St., Richmond, VA 23230-4917, telephone (804) 367-8514, FAX (804) 367-2475 or email apelsclidla@dpor.virginia.gov.

**ART AND ARCHITECTURAL REVIEW BOARD**

**October 6, 2006 - 10 a.m. -- Open Meeting**

**November 3, 2006 - 10 a.m. -- Open Meeting**

**December 1, 2006 - 10 a.m. -- Open Meeting**

Science Museum of Virginia, 2500 West Broad Street, Forum Room, Richmond, Virginia. (Interpreter for the deaf provided upon request)

A monthly meeting to review projects submitted by state agencies. Art and Architectural Review Board submittal forms and submittal instructions can be downloaded by visiting the DGS Forms Center at www.dgs.virginia.gov. Request form #DGS-30-905 or submittal instructions #DGS-30-906. The deadline for submitting project datasheets and other required information is two weeks prior to the meeting date.

**Contact:** Brian Ohlinger, AIA, Chairman, Art and Architectural Review Board, 700 West Grace Street, Suite 2200, Richmond, VA 23284, telephone (804) 828-9647, FAX (804) 828-1288, (804) 786-6152/TTY, or email bjohling@vcu.edu.

**VIRGINIA COMMISSION FOR THE ARTS**

**October 3, 2006 - 10 a.m. -- Open Meeting**
Virginia Commission for the Arts, 223 Governor Street, Richmond, Virginia.

A Fiction B Fellowship Panel meeting to review the second half of the writer applications for fellowships in fiction. The applications will be divided alphabetically. The meeting is scheduled to last until 5 p.m. as needed.

**Contact:** Peggy Baggett, Executive Director, Virginia Commission for the Arts, 223 Governor St., Richmond, VA 23219, telephone (804) 225-3132, FAX (804) 225-4327, (804) 225-3132/TTY, email peggy.baggett@arts.virginia.gov.

**October 19, 2006 - 10 a.m. -- Open Meeting**
Location to be announced. (Interpreter for the deaf provided upon request)

A quarterly meeting of the 13 commissioners to review grant award recommendations by the three Artist Fellowship Panels and by the Technology Enhancement Grant Panel.

**Contact:** Peggy Baggett, Executive Director, Virginia Commission for the Arts, 223 Governor St., Richmond, VA 23219, telephone (804) 225-3132, FAX (804) 225-4327, (804) 225-3132/TTY, email peggy.baggett@arts.virginia.gov.

**VIRGINIA BOARD FOR ASBESTOS, LEAD, AND HOME INSPECTORS**

**November 1, 2006 - 9 a.m. -- Open Meeting**
Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia.

A general business meeting including consideration of regulatory issues as may be presented on the agenda. A portion of the board's business may be discussed in closed session. Public comment will be heard at the beginning of the meeting. Persons desiring to participate in the meeting and requiring special accommodations or interpretive services should contact the department at least 10 days prior to the meeting so that suitable arrangements can be made. The department fully complies with the Americans with Disabilities Act.

**Contact:** David Dick, Executive Director, Virginia Board for Asbestos, Lead, and Home Inspectors, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8507, FAX (804) 367-2475, (804) 367-9753/TTY, email alhi@dpor.virginia.gov.
December 15, 2006 - 9 a.m. -- Open Meeting
Department of Professional and Occupational Regulation,
3600 West Broad Street, 4th Floor, Room 453, Richmond, Virginia.

A licensing informal fact-finding conference.

Contact: David Dick, Assistant Director, Virginia Board for
Asbestos, Lead, and Home Inspectors, 3600 W. Broad St.,
Richmond, VA 23230, telephone (804) 367-8595, FAX (804)
367-2475, (804) 367-9753/TTY, email asbestos@dpor.virginia.gov.

ASSISTIVE TECHNOLOGY LOAN FUND AUTHORITY
† October 5, 2006 - 9 a.m. -- Open Meeting
1602 Rolling Hills Drive, Suite 107, Richmond, Virginia.
(Interpreter for the deaf provided upon request)

A regular quarterly business meeting of the Board of
Directors.

Contact: Joey Wallace, Ph.D., Executive Director, Assistive
Technology Loan Fund Authority, 1602 Rolling Hills Dr.,
Suite 107, Richmond, VA 23229, telephone (804) 662-9997,
FAX (804) 662-9533, toll-free (866) 835-5976, email
joey.wallace@atlfa.org.

AUCTIONEERS BOARD
October 5, 2006 - 10 a.m. -- Open Meeting
Department of Professional and Occupational Regulation,
3600 West Broad Street, Richmond, Virginia.

A meeting to conduct board business. The meeting is open
to the public; however, a portion of the board's business
may be discussed in closed session. Persons desiring to
participate in the meeting and requiring special
accommodations or interpreter services should contact the
department at least 10 days prior to the meeting so that
suitable arrangements can be made. The department fully
complies with the Americans with Disabilities Act.

Contact: Marian H. Brooks, Board Administrator,
Department of Professional and Occupational Regulation,
3600 W. Broad St., Richmond, VA 23230, telephone (804)
367-8514, FAX (804) 367-9753/TTY, email
auctioneers@dpor.virginia.gov.

DEPARTMENT FOR THE BLIND AND VISION
IMPAIRED
State Plan for Vocational Rehabilitation
† October 4, 2006 - 3 p.m. -- Open Meeting
Department for the Blind and Vision Impaired, 111
Commonwealth Avenue, Bristol, Virginia.
(Interpreter for the deaf provided upon request)

† October 5, 2006 - 7 p.m. -- Open Meeting
Anthony's, 309 West Broad Street, Falls Church, Virginia.
(Interpreter for the deaf provided upon request)

† October 6, 2006 - 5 p.m. -- Open Meeting
† October 27, 2006 - 5 p.m. -- Open Meeting
Crowne Plaza Hotel Richmond West, 6531 West Broad
Street, Richmond, Virginia.
(Interpreter for the deaf
provided upon request)

amend regulations entitled 18 VAC 25-21, Regulations of
the Virginia Auctioneers Board. The purpose of the
proposed action is to develop necessary regulations to
implement a mandatory continuing education program for
the renewal and reinstatement of auctioneer licenses as
required by Chapter 956 of the 2004 Acts of Assembly.

Statutory Authority: §§ 54.1-201, 54.1-602 and 54.1-603.1 of
the Code of Virginia.

Contact: William H. Ferguson, II, Executive Director, Board
for Barbers and Cosmetology, 3600 W. Broad Street, 4th Floor, Richmond, Virginia.

A general business meeting to include consideration of
regulatory issues as may be presented on the agenda. The
meeting is open to the public; however, a portion of the
board's business may be discussed in closed session. Public
comment will be heard at the beginning of the meeting.
Persons desiring to participate in the meeting and requiring
special accommodations or interpretive services should
contact the department at least 10 days prior to the meeting
so that suitable arrangements can be made. The department
fully complies with the Americans with Disabilities Act.

Contact: William H. Ferguson, II, Executive Director, Board
for Barbers and Cosmetology, 3600 W. Broad Street, 4th Floor, Richmond, Virginia.

A general business meeting to include consideration of
regulatory issues as may be presented on the agenda. The
meeting is open to the public; however, a portion of the
board's business may be discussed in closed session. Public
comment will be heard at the beginning of the meeting.
Persons desiring to participate in the meeting and requiring
special accommodations or interpretive services should
contact the department at least 10 days prior to the meeting
so that suitable arrangements can be made. The department
fully complies with the Americans with Disabilities Act.

Contact: William H. Ferguson, II, Executive Director, Board
for Barbers and Cosmetology, 3600 W. Broad Street, 4th Floor, Richmond, Virginia.
† October 18, 2006 - 7 p.m. -- Open Meeting
Lions Sight Foundation and Vision Impaired, 501 Elm Avenue, SW, Roanoke, Virginia (Interpreter for the deaf provided upon request)

† October 21, 2006 - 2 p.m. -- Open Meeting
LeiAunte’s, 213 Gramby Street, Norfolk, Virginia. (Interpreter for the deaf provided upon request)

A meeting to solicit comments from the public regarding the department for the Blind and Vision Impaired's intent to amend its state plan for vocational rehabilitation (VR) to identify by category the order in which eligible VR clients will be served in the event resources are not available to serve all eligible VR clients.

Contact: Susan D. Payne, VR Program Director, Department for the Blind and Vision Impaired, 397 Azalea Ave., Richmond, VA 23227, telephone (804) 373-3184, FAX (804) 371-3390, toll-free (800) 622-2155, (804) 371-3140/TTY, email susan.payne@dbvi.virginia.gov.

BOARD FOR BRANCH PILOTS

November 1, 2006 - 8:30 a.m. -- Open Meeting
Virginia Port Authority, 600 World Trade Center, Norfolk, Virginia. (Interpreter for the deaf provided upon request)

A meeting of the Examination Administrators to conduct board business. The meeting is open to the public; however, a portion of the board’s business may be discussed in closed session. All meetings are subject to cancellation. Any person desiring to attend the meeting and requiring special accommodations or interpreter services should contact the board at least 10 days prior to the meeting so suitable arrangements can be made. The board fully complies with the Americans with Disabilities Act.

Contact: Mark N. Courtney, Executive Director, Board for Branch Pilots, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8514, FAX (804) 367-8552, toll-free (800) 622-2155, (804) 367-9753/TTY, email branchpilots@dpor.virginia.gov.

November 1, 2006 - 9:30 a.m. -- Open Meeting
December 11, 2006 - 9:30 a.m. -- Open Meeting
Virginia Port Authority, 600 World Trade Center, Norfolk, Virginia. (Interpreter for the deaf provided upon request)

A meeting to conduct board business. The meeting is open to the public; however, a portion of the board’s business may be discussed in closed session. All meetings are subject to cancellation. Any person desiring to attend the meeting and requiring special accommodations or interpreter services should contact the board at least 10 days prior to the meeting so suitable arrangements can be made. The board fully complies with the Americans with Disabilities Act.

Contact: Mark N. Courtney, Executive Director, Board for Branch Pilots, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8514, FAX (804) 367-2475, (804) 367-9753/TTY, email branchpilots@dpor.virginia.gov.

December 4, 2006 - 9 a.m. -- Open Meeting
December 5, 2006 - 9 a.m. -- Open Meeting
Virginia Pilot Association, 3329 Shore Drive, Virginia Beach, Virginia.

A meeting to conduct examinations for renewal of licenses.

Contact: Mark N. Courtney, Executive Director, Board for Branch Pilots, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8514, FAX (804) 367-2475, (804) 367-9753/TTY, email branchpilots@dpor.virginia.gov.

CEMETERY BOARD

October 17, 2006 - 9 a.m. -- Open Meeting
Department of Professional and Occupational Regulation, 3600 West Broad Street, 4th Floor, Richmond, Virginia. (Interpreter for the deaf provided upon request)

A meeting to discuss board business.

Contact: Christine Martine, Executive Director, Cemetery Board, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8514, FAX (804) 367-2475, (804) 367-9753/TTY, email cemetery@dpor.virginia.gov.

October 17, 2006 - 10:30 a.m. -- Public Hearing
Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Cemetery Board intends to amend regulations entitled 18 VAC 47-20, Cemetery Board Rules and Regulations. The purpose of the proposed action is to replace emergency regulations with permanent regulations.


Contact: Christine Martine, Executive Director, Cemetery Board, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8514, FAX (804) 367-2475, (804) 367-9753/TTY, email cemetery@dpor.virginia.gov.

CHARITABLE GAMING BOARD

December 5, 2006 - 10 a.m. -- Open Meeting
Science Museum of Virginia, 2500 West Broad Street, Richmond, Virginia. (Interpreter for the deaf provided upon request)

A regular board meeting.

Contact: Clyde E. Cristman, Director, Department of Charitable Gaming, James Monroe Bldg., 101 N. 14th St.,
CHESAPEAKE BAY LOCAL ASSISTANCE BOARD

October 31, 2006 - 10 a.m. -- Open Meeting
James Monroe Building, 101 North 14th Street, 17th Floor Conference Room, Richmond, Virginia.

A regular meeting of the Northern Area Review Committee to review local programs.

Contact: David C. Dowling, Policy, Planning, and Budget Director, Department of Conservation and Recreation, 203 Governor St., Suite 302, Richmond, VA 23219, telephone (804) 786-2291, FAX (804) 786-6141, email david.dowling@dcr.virginia.gov.

October 31, 2006 - 2 p.m. -- Open Meeting
James Monroe Building, 101 North 14th Street, 17th Floor Conference Room, Richmond, Virginia.

A regular meeting of the Southern Area Review Committee to review local programs.

Contact: David C. Dowling, Policy, Planning, and Budget Director, Department of Conservation and Recreation, 203 Governor St., Suite 302, Richmond, VA 23219, telephone (804) 786-2291, FAX (804) 786-6141, email david.dowling@dcr.virginia.gov.

December 11, 2006 - 10 a.m. -- Open Meeting
Location to be announced.

A regular meeting to review local programs.

Contact: David C. Dowling, Policy, Planning, and Budget Director, Department of Conservation and Recreation, 203 Governor St., Suite 302, Richmond, VA 23219, telephone (804) 786-2291, FAX (804) 786-6141, email david.dowling@dcr.virginia.gov.

CHILD DAY-CARE COUNCIL

October 20, 2006 - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Child Day-Care Council intends to amend regulations entitled 22 VAC 15-10, Public Participation Guidelines. The purpose of the proposed action is to make editorial changes throughout the regulation to improve clarity. 22 VAC 15-10-40 will be amended to reflect the provisions of Chapter 241 of the 2002 Acts of Assembly that changed the provisions for a person to petition the council to take a rulemaking action. 22 VAC 15-10-50 will be amended to reflect the statutory changes of Chapter 717 of the 1995 Acts of Assembly that make publication of proposed regulations in a newspaper of general circulation discretionary rather than mandatory.

Statutory Authority: §§ 2.2-4007 and 63.2-1735 of the Code of Virginia.

Contact: Richard Martin, Manager, Office of Legislative and Regulatory Affairs, Department of Social Services, 7 N. 8th St., Richmond, VA 23219, telephone (804) 726-7902, FAX (804) 726-7906 or email richard.martin@dss.virginia.gov.

STATE CHILD FATALITY REVIEW TEAM

November 17, 2006 - 10 a.m. -- Open Meeting
Office of the Chief Medical Examiner, 400 East Jackson Street, Richmond, Virginia.

The business portion of the State Child Fatality Review Team meeting, from 10 a.m. to 10:30 a.m., is open to the public. At the conclusion of the open meeting, the team will go into closed session for confidential case review.

Contact: Rae Hunter-Havens, Coordinator, State Child Fatality Review, 400 E. Jackson St., Richmond, VA 23219, telephone (804) 786-1047, FAX (804) 371-8595, toll-free (800) 447-1708, email rae.hunter-havens@vdh.virginia.gov.

COMPENSATION BOARD

October 18, 2006 - 11 a.m. -- Open Meeting
102 Governor Street, Lower Level, Room LL22, Richmond, Virginia.

A monthly board meeting.

Contact: Cindy Waddell, Compensation Board, P.O. Box 710, Richmond, VA 23218, telephone (804) 225-3308, FAX (804) 371-0235, email cindy.waddell@scb.virginia.gov.

DEPARTMENT OF CONSERVATION AND RECREATION

October 3, 2006 - 9 a.m. -- Open Meeting
October 16, 2006 - 9 a.m. -- Open Meeting
October 26, 2006 - 9 a.m. -- Open Meeting
Location to be determined.

A Technical Advisory Committee meeting to assist the department in considering revisions to the Virginia Soil and Water Conservation Boards Virginia Stormwater Management Program (V SMP) Permit Regulations.

Contact: David C. Dowling, Policy, Planning, and Budget Director, Department of Conservation and Recreation, 203 Governor St., Suite 302, Richmond, VA 23219, telephone (804) 786-2291, FAX (804) 786-6141, email david.dowling@dcr.virginia.gov.
October 11, 2006 - 9 a.m. -- Open Meeting
John Tyler Community College, Nicholas Student Center, 13101 Jefferson Davis Highway, Chester, Virginia.

A Technical Advisory Committee meeting to assist the department in considering revisions to the Virginia Soil and Water Conservation Board's Impounding Structure (Dam Safety) Regulations.

Contact: David C. Dowling, Policy, Planning, and Budget Director, Department of Conservation and Recreation, 203 Governor St., Suite 302, Richmond, VA 23219, telephone (804) 786-2291, FAX (804) 786-6141, email david.dowling@dcr.virginia.gov.

October 12, 2006 - Noon -- Open Meeting

November 9, 2006 - Noon -- Open Meeting

December 14, 2006 - Noon -- Open Meeting
Richmond City Hall, 900 East Broad Street, 5th Floor, Planning Commission Conference Room, Richmond, Virginia.

A regular meeting of the Falls of the James Scenic River Advisory Committee to discuss river issues.

Contact: David C. Dowling, Policy, Planning, and Budget Director, Department of Conservation and Recreation, 203 Governor St., Suite 302, Richmond, VA 23219, telephone (804) 786-2291, FAX (804) 786-6141, email david.dowling@dcr.virginia.gov.

† October 18, 2006 - 10 a.m. -- Open Meeting
Department of Forestry, 900 Natural Resources Drive, Charlottesville, Virginia.

A meeting of the Virginia Outdoors Plan Technical Advisory Committee. This is a meeting of a committee appointed by the Director of the Department of Conservation and Recreation to provide information and comments on development of the 2007 Virginia Outdoors Plan.

Contact: John R. Davy, Division Director, Planning and Recreation Resources, Department of Conservation and Recreation, 203 Governor St., Suite 326, Richmond, VA 23219, telephone (804) 786-1119, FAX (804) 371-7899, email john.davy@dcr.virginia.gov.

October 19, 2006 - 7 p.m. -- Open Meeting
Prince Edward County Courthouse, Board Room, Farmville, Virginia.

A meeting to receive comment from the public regarding the proposed High Bridge State Park Master Plan.

Contact: Robert S. Munson, Planning Bureau Manager, Department of Conservation and Recreation, 203 Governor St., Suite 326, Richmond, VA 23219, telephone (804) 786-6140, FAX (804) 371-7899, email robert.munson@dcr.virginia.gov.

October 26, 2006 - 1 p.m. -- Open Meeting
VDOT Training Center, Farmville, Virginia.

A meeting of the High Bridge State Park Master Plan Advisory Committee for continued discussion of the master plan development.

Contact: Robert S. Munson, Planning Bureau Manager, Department of Conservation and Recreation, 203 Governor St., Suite 326, Richmond, VA 23219, telephone (804) 786-6140, FAX (804) 371-7899, email robert.munson@dcr.virginia.gov.

November 21, 2006 - 10 a.m. -- Open Meeting
Location to be announced.

A meeting of the Virginia Land Conservation Foundation to review grant manual criteria.

Contact: David C. Dowling, Policy, Planning, and Budget Director, Department of Conservation and Recreation, 203 Governor St., Suite 302, Richmond, VA 23219, telephone (804) 786-2291, FAX (804) 786-6141, email david.dowling@dcr.virginia.gov.

Virginia Scenic River Advisory Board

October 5, 2006 - 10 a.m. -- Open Meeting
Location to be announced.

A regular meeting to discuss river issues.

Contact: David C. Dowling, Policy, Planning, and Budget Director, Department of Conservation and Recreation, 203 Governor St., Suite 302, Richmond, VA 23219, telephone (804) 786-2291, FAX (804) 786-6141, email david.dowling@dcr.virginia.gov.

Virginia Soil and Water Conservation Board

November 16, 2006 - 9:30 a.m. -- Open Meeting
Location to be announced.

A regular board meeting.

Contact: David C. Dowling, Policy, Planning, and Budget Director, Department of Conservation and Recreation, 203 Governor St., Suite 302, Richmond, VA 23219, telephone (804) 786-2291, FAX (804) 786-6141, email david.dowling@dcr.virginia.gov.

BOARD FOR CONTRACTORS

October 3, 2006 - 9 a.m. -- Open Meeting

October 12, 2006 - 9 a.m. -- Open Meeting
† October 17, 2006 - 9 a.m. -- Open Meeting
† October 31, 2006 - 9 a.m. -- Open Meeting
Department of Professional and Occupational Regulation, 3600 West Broad Street, 4th Floor, Room 453, Richmond, Virginia.

An informal fact-finding conference.
Calendar of Events

**Contact:** Eric L. Olson, Executive Director, Board for Contractors, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-2785, FAX (804) 367-2474, (804) 367-9753/TTY, email contractors@dpor.virginia.gov.

**October 12, 2006 - 9 a.m. -- Open Meeting**
Department of Professional and Occupational Regulation, 3600 West Broad Street, Room 453, Richmond, Virginia.

An informal fact-finding conference for licensing (LRD).

**Contact:** Eric L. Olson, Executive Director, Board for Contractors, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-2785, FAX (804) 367-2474, (804) 367-9753/TTY, email contractors@dpor.virginia.gov.

**October 24, 2006 - 9 a.m. -- Open Meeting**

**November 28, 2006 - 9 a.m. -- Open Meeting**

**† December 19, 2006 - 9 a.m. -- Open Meeting**
Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia.

A regular meeting to address policy and procedural issues and review and render decisions on matured complaints against licensees. The meeting is open to the public; however, a portion of the board's business may be conducted in closed session. Persons desiring to participate in the meeting and requiring special accommodations or interpretive services should contact the department at least 10 days prior to this meeting so that suitable arrangements can be made. The department fully complies with the Americans with Disabilities Act.

**Contact:** Eric L. Olson, Executive Director, Board for Contractors, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-2785, FAX (804) 367-2474, (804) 367-9753/TTY, email contractors@dpor.virginia.gov.

**November 28, 2006 - 1 p.m. -- Open Meeting**
Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia.

A quarterly meeting of the Board for Contractors Committee. The meeting starts after the Board for Contractors meeting.

**Contact:** Kevin Hoeft, Regulatory Boards Administrator, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-2785, FAX (804) 367-2474, (804) 367-9753/TTY, email contractors@dpor.virginia.gov.

**November 14, 2006 - 10 a.m. -- Open Meeting**
Department of Corrections, 6900 Atmore Drive, 3rd Floor, Board Room, Richmond, Virginia.

A regular meeting of the full board to review and discuss all matters considered by board committees that require presentation to and action by the board.

**Contact:** Barbara Woodhouse, Administrative Staff Assistant, Department of Corrections, 6900 Atmore Dr., Richmond, VA 23225, telephone (804) 674-3124, FAX (804) 674-3236, email barbara.woodhouse@vadoc.virginia.gov.

**November 15, 2006 - 9:30 a.m. -- Open Meeting**
Department of Corrections, 6900 Atmore Drive, 3rd Floor, Room 3054, Richmond, Virginia.

A meeting of the Administration Committee to discuss administrative matters to be considered by the board.

**Contact:** Barbara Woodhouse, Administrative Staff Assistant, Department of Corrections, 6900 Atmore Dr., Richmond, VA 23225, telephone (804) 674-3124, FAX (804) 674-3236, email barbara.woodhouse@vadoc.virginia.gov.

**November 15, 2006 - 10 a.m. -- Open Meeting**
Department of Corrections, 6900 Atmore Drive, 3rd Floor Board Room, Richmond, Virginia.

A regular meeting of the full board to review and discuss all matters considered by board committees that require presentation to and action by the board.

**Contact:** Barbara Woodhouse, Administrative Staff Assistant, Department of Corrections, 6900 Atmore Dr., Richmond, VA 23225, telephone (804) 674-3124, FAX (804) 674-3236, email barbara.woodhouse@vadoc.virginia.gov.

**BOARD OF CONDEEBTESS**

**November 14, 2006 - 10 a.m. -- Open Meeting**
Department of Corrections, 6900 Atmore Drive, 3rd Floor Board Room, Richmond, Virginia.

A meeting of the Liaison Committee to discuss correctional matters of interest to the board.

**Contact:** Barbara Woodhouse, Administrative Staff Assistant, Department of Corrections, 6900 Atmore Dr., Richmond, VA 23225, telephone (804) 674-3124, FAX (804) 674-3236, email barbara.woodhouse@vadoc.virginia.gov.

**November 14, 2006 - 1 p.m. -- Open Meeting**
Department of Corrections, 6900 Atmore Drive, 3rd Floor, Board Room, Richmond, Virginia.

A meeting of the Correctional Services/Policy and Regulations Committee to discuss correctional services and policy/regulation matters to be considered by the board.

**Contact:** Barbara Woodhouse, Administrative Staff Assistant, Department of Corrections, 6900 Atmore Dr., Richmond, VA 23225, telephone (804) 674-3124, FAX (804) 674-3236, email barbara.woodhouse@vadoc.virginia.gov.

**November 15, 2006 - 9:30 a.m. -- Open Meeting**
Department of Corrections, 6900 Atmore Drive, 3rd Floor, Room 3054, Richmond, Virginia.

A meeting of the Administration Committee to discuss administrative matters to be considered by the board.

**Contact:** Barbara Woodhouse, Administrative Staff Assistant, Department of Corrections, 6900 Atmore Dr., Richmond, VA 23225, telephone (804) 674-3124, FAX (804) 674-3236, email barbara.woodhouse@vadoc.virginia.gov.

**BOARD OF DENTISTRY**

**October 6, 2006 - Public comments may be submitted until this date.**

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Board of Dentistry intends to amend regulations entitled 18 VAC 60-20, Board of Dentistry Regulations. The purpose of the proposed action is to allow the board to accept other evidence of qualification for licensure from an applicant if a transcript of other documentation cannot be produced by a third-party entity from which it is required. It will also require an applicant to submit a current report from the National Practitioner Data Bank, which is produced along with the report that is currently required from the Healthcare Integrity and Protection Data Bank.
* * * * * * * *

November 3, 2006 - Public comments may be submitted until 5 p.m. on this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Board of Dentistry intends to amend regulations entitled 18 VAC 60-20, Regulations Governing the Practice of Dentistry and Dental Hygiene. The purpose of the proposed action is to eliminate the requirement for a second person to be in the operatory with the dentist to monitor the patient during the administration of inhalation analgesia or nitrous oxide. Copies of the board's regulation may be found on the board's website at http://dhp.virginia.gov/dentistry.


Public comments may be submitted until 5 p.m. on November 3, 2006, to Sandra Reen, Executive Director, Board of Dentistry, 6603 West Broad Street, 5th Floor, Richmond, VA 23230-1712.

Contact: Elaine J. Yeatts, Regulatory Coordinator, Department of Health Professions, 6603 W. Broad St., Richmond, VA 23230, telephone (804) 662-9918, FAX (804) 662-9114 or email elaine.yeatts@dhp.virginia.gov.

October 13, 2006 - 9 a.m. -- Open Meeting

October 27, 2006 - 9 a.m. -- Open Meeting

November 16, 2006 - 11 a.m. -- Open Meeting

† December 21, 2006 - 11 a.m. -- Open Meeting

Department of General Services, 202 North Ninth Street, Room 412, Richmond, Virginia. (Interpreter for the deaf provided upon request)

A monthly meeting to review requests submitted by localities to use the design build or construction management type contracts. Contact the Division of Engineering and Buildings to confirm this meeting. Board rules and regulations can be obtained on-line at www.dgs.virginia.gov under DGS Forms, Form #DGS-30-904.

Contact: Rhonda M. Bishton, Administrative Assistant, Division of Engineering and Buildings, Department of General Services, 202 N. Ninth St., Richmond, VA 23219, telephone (804) 786-3263, FAX (804) 371-7934, (804) 786-6152/TTY, email rhonda.bishton@dgs.virginia.gov.

Board of Education

† October 18, 2006 - 5 p.m. -- Open Meeting

† October 19, 2006 - 8:30 a.m. -- Open Meeting

† October 20, 2006 - 8:30 a.m. -- Open Meeting

Holiday Inn, 1400 East Market Street, Harrisonburg, Virginia.

A meeting of the State Special Education Advisory Committee (SSEAC). For updates visit http://www.doe.virginia.gov/VDOE/Instruction/Sped/sseac.html or call 804-225-2707, TTY 800-422-1098.

Contact: Dr. Margaret N. Roberts, Office of Policy and Public Affairs, Department of Education, P.O. Box 2120, James Monroe Bldg., 101 N. 14th St., 25th Floor, Richmond,
Calendar of Events

VA 23219, telephone (804) 225-2540, FAX (804) 225-2524, email margaret.roberts@doe.virginia.gov.

**October 25, 2006 - 9 a.m.** -- Open Meeting

**November 29, 2006 - 9 a.m.** -- Open Meeting

James Monroe Building, 101 North 14th Street, Main Lobby Level, Conference Rooms C and D, Richmond, Virginia.

(Interpreter for the deaf provided upon request)

A regular business meeting of the board. Public comment will be received. The public is urged to confirm arrangements prior to each meeting by viewing the Department of Education's public meeting calendar at http://www.pen.k12.va.us/VDOE/meetings.html. This site will contain the latest information on the meeting arrangements and will note any last minute changes in time or location. Persons who wish to speak or who require the services of an interpreter for the deaf should contact the agency at least 72 hours in advance.

**Contact:** Dr. Margaret N. Roberts, Office of Policy and Public Affairs, Department of Education, P.O. Box 2120, James Monroe Bldg., 101 N. 14th St., 25th Floor, Richmond, VA 23219, telephone (804) 225-2540, FAX (804) 225-2524, email margaret.roberts@doe.virginia.gov.

**SECRETARY OF EDUCATION**

**October 4, 2006 - 10 a.m.** -- Open Meeting

**November 15, 2006 - 10 a.m.** -- Open Meeting

Capital One West Creek Campus, Town Center Building, Richmond, Virginia.

A full council meeting of the Start Strong Pre-K Council.

**Contact:** Kendall Tyree, Special Assistant to the Secretary of Education, 1111 E. Broad St., Richmond, VA 23219, telephone (804) 692-2550, email kendall.tyree@governor.virginia.gov.

**LOCAL EMERGENCY PLANNING COMMITTEE - WINCHESTER**

**November 6, 2006 - 3 p.m.** -- Open Meeting

Timbrook Public Safety Center, 231 East Piccadilly Street, Winchester, Virginia.

A regular meeting.

**Contact:** L.A. Miller, Fire and Rescue Chief, Local Emergency Planning Committee, Winchester Fire and Rescue Department, 231 E. Piccadilly St., Winchester, VA 22601, telephone (540) 662-2298, FAX (540) 542-1318, (540) 662-4131/TTY.

**DEPARTMENT OF ENVIRONMENTAL QUALITY**

† **October 4, 2006 - 7 p.m.** -- Open Meeting

Mt. Nebo Church, 3890 Jacks Shop Road, Rochelle, Virginia.

† **October 11, 2006 - 7 p.m.** -- Open Meeting

Rappahannock County Library, Jamieson Meeting Room, 4 Library Road, Washington, Virginia.

† **October 17, 2006 - 7 p.m.** -- Open Meeting

St. Luke's Church, 400 Church Street, Remington, Virginia.

† **October 18, 2006 - 7 p.m.** -- Open Meeting

Germanna Community College, 2130 Germanna Highway, Locust Grove, Virginia.

A public meeting on the development of bacteria TMDLs for streams in the Upper Rappahannock River Basin located in parts of Albemarle, Culpeper, Fauquier, Greene, Madison, Orange, Rappahannock and Spotsylvania counties. The public notice appears in the Virginia Register on October 2, 2006. The public comment period begins on October 4, 2006, and ends on November 2, 2006.

**Contact:** Katie Conaway, Department of Environmental Quality, 13901 Crown Court, Woodbridge, VA 22193, telephone (703) 583-3804, email mkconaway@deq.virginia.gov.

**October 6, 2006 - 10 a.m.** -- Public Hearing

Department of Environmental Quality, Northern Regional Office, 13901 Crown Court, Woodbridge, Virginia.

A public hearing on a proposed revision to the Commonwealth of Virginia State Implementation Plan. The hearing will be held to accept testimony concerning the proposed revision. The proposed revision is necessary to demonstrate that the Northern Virginia eight-hour moderate ozone nonattainment area meets the requirements of Reasonably Available Control Technology (RACT) set forth by the federal Clean Air Act (CAA). These jurisdictions are the City of Alexandria, Arlington County, the City of Fairfax, Fairfax County, the City of Falls Church, Loudoun County, the City of Manassas, the City of Manassas Park, and Prince William County. The CAA requires that states achieve the health-based 8-hour ozone National Ambient Air Quality Standard (NAAQS) by specified dates, based on the severity of an area’s air quality problem. Furthermore, EPA’s Final Rule to Implement the 8-Hour Ozone NAAQS (70 FR 71612, November 29, 2005) states that areas classified as “moderate” nonattainment for ozone must submit a demonstration that their existing rules fulfill the 8-hour ozone RACT requirements. RACT is 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.
Calendar of Events

Contact: Doris A. McLeod, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4197, FAX (804) 698-4510, email damcleod@deq.virginia.gov.

October 18, 2006 - 6:30 p.m. -- Open Meeting
Old Mathews Courthouse, 27 Court Street, Mathews, Virginia.

A public meeting on the draft TMDL report for fecal coliform bacteria in shellfish propagation waters located in the East River in Mathews County. The public notice appears in the Virginia Register on September 18, 2006.

Contact: Chester Bigelow, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4554, FAX (804) 698-4116, email ccbigelow@deq.virginia.gov.

VIRGINIA FIRE SERVICES BOARD

† October 11, 2006 - 9:30 a.m. -- Open Meeting
Department of Forestry, 900 Natural Resources Drive, Charlottesville, Virginia. (Interpreter for the deaf provided upon request)

A meeting of the Urban Wildlife and Fire Subcommittee.

Contact: Brook M. Pittering, Quality Assurance Chief, Virginia Fire Services Board, 1005 Technology Park Dr., Glen Allen, VA 23059, telephone (804) 371-0220, toll-free (866) 482-3473, email brook.pittinger@vdfp.virginia.gov.

† October 11, 2006 - 3 p.m. -- Open Meeting
South Hill Fire Department, 114 North Brunswick Avenue, South Hill, Virginia.

A meeting of the Executive Subcommittee.

Contact: Brook M. Pittinger, Quality Assurance Chief, Virginia Fire Services Board, 1005 Technology Park Dr., Glen Allen, VA 23059, telephone (804) 371-0220, toll-free (866) 482-3473, email brook.pittinger@vdfp.virginia.gov.

October 12, 2006 - 10 a.m. -- Open Meeting
South Hill Fire Department, 114 North Brunswick Avenue, South Hill, Virginia. (Interpreter for the deaf provided upon request)

Meetings of the following committees:

10 a.m. - Fire Education and Training
2 p.m. - Fire Prevention and Control
3 p.m. - Administration, Policy and Finance

Contact: Brook Pittinger, Department of Fire Services, 1005 Technology Park Dr., Glen Allen, VA 23059, telephone (804) 371-0220, email brook.pittinger@vdfp.virginia.gov.

FORENSIC SCIENCE BOARD

October 10, 2006 - Public comments may be submitted until 5 p.m. on this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Department of Forensic Science intends to adopt regulations entitled 6 VAC 40-10, Public Participation Guidelines. The purpose of the proposed action is to facilitate participation by the public in the formation of regulations that are being promulgated to carry out the legislative mandates of the Department of Forensic Science as required by § 2.2-4007 D of the Code of Virginia.


Contact: Meghan Kish, Department of Forensic Science, 700 N. 5th St., Richmond, VA 23219, telephone (804) 786-1006, FAX (804) 786-6857 or email meghan.kish@dfs.virginia.gov.

BOARD OF FUNERAL DIRECTORS AND EMBALMERS

† October 11, 2006 - 9 a.m. -- Open Meeting
Department of Health Professions, 6603 West Broad Street, 5th Floor, Richmond, Virginia.

An informal conference to discuss and review allegations of cases that may have violated certain laws and regulations of the practice of funeral services and embalming.

Contact: Elizabeth Young, Executive Director, Board of Funeral Directors and Embalmers, Alcoa Bldg., 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9907, FAX (804) 662-9523, (804) 662-7197/TTY, email elizabeth.young@dhp.virginia.gov.
Calendar of Events

BOARD FOR GEOLOGY

October 18, 2006 - 9 a.m. -- Open Meeting
Department of Professional and Occupational Regulation,
3600 West Broad Street, Richmond, Virginia.

A general business meeting including consideration of regulatory issues as may be presented on the agenda. The meeting is open to the public; however, a portion of the board's business may be discussed in closed session. Public comment will be heard at the beginning of the meeting. Person desiring to participate in the meeting and requiring special accommodations or interpretive services should contact the department at least 10 days prior to the meeting so that suitable arrangements can be made. The department fully complies with the Americans with Disabilities Act.

Contact: David E. Dick, Regulatory Programs Coordinator, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8507, FAX (804) 367-6128, (804) 367-9753/TTY, email geology@dpor.virginia.gov.

GEORGE MASON UNIVERSITY

October 6, 2006 - 9 a.m. -- Open Meeting
December 6, 2006 - 9 a.m. -- Open Meeting
Fairfax Campus, Mason Hall, Fairfax, Virginia.

A meeting of the Board of Visitors. Agenda items will be posted 10 days prior to the meeting.

Contact: Mary Roper, Secretary Pro Tem, George Mason University, 4400 University Dr., Fairfax, VA 22030, telephone (703) 993-8703, toll-free (703) 993-8707, email mroper@gmu.edu.

OFFICE OF GOVERNOR

Olmstead Community Integration Implementation Team

October 17, 2006 - 1 p.m. -- Open Meeting
December 19, 2006 - 1 p.m. -- Open Meeting
Virginia Housing Development Authority, 601 South Belvidere Street, Richmond, Virginia. (Interpreter for the deaf provided upon request)

A regular meeting.

Contact: Julie A. Stanley, Director, Community Integration for People with Disabilities, Office of Governor, 1111 E. Broad St., Richmond, VA 23219, telephone (804) 371-0828, FAX (804) 786-6984, email julie.stanley@governor.virginia.gov.

STATE BOARD OF HEALTH

October 4, 2006 - 7 p.m. -- Public Hearing
Henrico Training Center, 7701 East Parham Road, Rooms 2031 and 2032, Richmond, Virginia.

November 10, 2006 - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the State Board of Health intends to amend regulations entitled 12 VAC 5-585, Biosolids Use Regulations. The purpose of the proposed action is to provide regulations and standards for training, testing and certification of persons land applying Class B sewage sludge (biosolids) in the Commonwealth, and for revoking, suspending or denying such certification from any person for cause. The amended regulations are to include standards and criteria for the approval of instructional programs to be taught by governmental entities and by the private sector for the purpose of certifying biosolids land applicators.

Statutory Authority: § 32.1-164.5 of the Code of Virginia.

Contact: C.M. Sawyer, Division Director, Department of Health, 109 Governor St., 5th Floor, Richmond, VA 23219, telephone (804) 864-7463, FAX (804) 864-7475 or email cal.sawyer@vdh.virginia.gov.

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October 11, 2006 - 3 p.m. -- Public Hearing
Department of Health, Madison Building, 109 Governor Street, 5th Floor Conference Room, Richmond, Virginia.

October 20, 2006 - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the State Board of Health intends to consider adopting regulations entitled 12 VAC 5-125, Regulations for Bedding and Upholstered Furniture Inspection Program. The purpose of the proposed action is to ensure that only safe and healthy bedding and upholstered furniture products are being sold in the Commonwealth, that uniformity with other state bedding programs be maintained, and that the Code of Virginia be enforced.


Contact: Gary L. Hagy, Director, Division of Food and Environmental Services, Department of Health, 109 Governor St., 5th Floor, Richmond, VA 23219, telephone (804) 864-7455, FAX (804) 864-7475 or email gary.hagy@vdh.virginia.gov.
October 23, 2006 - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the State Board of Health intends to repeal regulations entitled 12 VAC 5-70, Regulations Governing the Newborn Screening and Treatment Program, and adopt regulations entitled 12 VAC 5-71, Regulations Governing Virginia Newborn Screening Services. The purpose of the proposed action is to expand newborn screening services as required by Chapter 721 of the 2005 Acts of Assembly.

Statutory Authority: §§ 32.1-12 and Article 7 (§ 32.1-65 et seq.) of Chapter 2 of Title 32.1 of the Code of Virginia.

Public comments may be submitted until October 23, 2006.

Contact: Nancy Ford, Division of Child and Adolescent Health, Department of Health, 109 Governor St., Richmond, VA 23219, telephone (804) 864-7691, FAX (804) 864 7647, or email nancy.ford@vdh.virginia.gov.

November 18, 2006 - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the State Board of Health intends to repeal regulations entitled 12 VAC 5-40, Regulations Governing Financial Assistance for Emergency Medical Services, and amend regulations entitled 12 VAC 5-31, Virginia Emergency Medical Services Regulations. The purpose of the proposed action is to adopt regulations for designation of regional EMS councils and revise regulations regarding the Rescue Squad Assistance Fund (RSAF) combining them with all regulations governing EMS in Virginia.

Statutory Authority: §§ 32.1-12, 32.1-111.4 and 32.1-111.11 of the Code of Virginia.

Contact: Michael D. Berg, Manager, Regulation and Compliance, 109 Governor St, UB-55, Richmond, VA 23219, telephone (804) 864-7615, FAX (804) 864-7580, toll-free 1-800-523-6019 or email michael.berg@vdh.virginia.gov.

DEPARTMENT OF HEALTH

† October 3, 2006 - 10 a.m. -- Open Meeting
Department of Health, 109 Governor Street, Room 219, Richmond, Virginia.

The purpose of the African American Faith Initiative Request for Proposals (RFP) is to establish contracts through competitive negotiations with African American faith institutions/organizations for the development and implementation of and/or enhancement of existing faith-based HIV prevention services in Virginia. The purpose of the pre-proposal conference is to explain in more detail and answer questions concerning the contents of the RFP.

Contact: Marquieta Alston, HIV/STD Prevention and Training Coordinator, Department of Health, 109 Governor St., Room 326, Richmond, VA 23219, telephone (804) 864-8006, FAX (804) 864-8053, email marquieta.alston@vdh.virginia.gov.

October 3, 2006 - 10 a.m. -- Open Meeting
Division of Consolidated Laboratory Services, 600 North 5th Street, Training Room T-23, Richmond, Virginia.

A meeting of the Genetics Advisory Committee to advise the Department of Health on coordinating access to clinical genetics services across the Commonwealth and assuring the provision of genetic awareness and quality services and education for consumers and providers taking into consideration issues of confidentiality, privacy and consent.

Contact: Nancy Ford, Director, Pediatric Screening and Genetic Services, Department of Health, 109 Governor St., Richmond, VA 23219, telephone (804) 864-7691, email nancy.ford@vdh.virginia.gov.

† October 11, 2006 - 1 p.m. -- Open Meeting
Medical Society of Virginia, 2924 Emerywood Parkway, Richmond, Virginia.

A meeting of the State Medical Facilities Plan Advisory Committee to address issues concerning the proposed state medical facilities plan.

Contact: Carrie Eddy, Senior Policy Analyst, Department of Health, 3600 W. Broad St., Suite 216, Richmond, VA 23230, telephone (804) 367-2157, FAX (804) 367-2149, email carrie.eddy@vdh.virginia.gov.

† October 17, 2006 - 1 p.m. -- Open Meeting
Norfolk Public Health Department, 830 Southampton Avenue, 2nd Floor Library, Room 2005, Norfolk, Virginia.

† November 1, 2006 - 1 p.m. -- Open Meeting
Holiday Inn Tanglewood, 4468 Starkey Road SW, Roanoke, Virginia.

† November 2, 2006 - 10:30 a.m. -- Open Meeting
Northern Virginia Regional Commission, 3060 Williams Drive, Suite 510, Fairfax, Virginia.

A meeting to solicit public comment for the Virginia Department of Health use of Ryan White CARE Act Title II funds during the 2007-2008 grant year and issues, barriers and emerging risk behaviors related to HIV prevention. Check the Commonwealth Calendar for additional public hearings in other regions of the Commonwealth.
Calendar of Events

Contact: Ben Alonso, Health Care Planner, Department of Health, 109 Governor St., Room 326, Richmond, VA 23219, telephone (804) 864-8022, FAX (804) 864-8050, email ben.alonso@vdh.virginia.gov.

November 16, 2006 - 9 a.m. -- Open Meeting
Department of Health, 109 Governor Street, 5th Floor, Conference Room, Richmond.
Will also be scheduled in remote locations via video conference.
A meeting of the Authorized Onsite Soil Evaluator Regulations Advisory Committee to make recommendations to the commissioner regarding AOSE/PE policies and programs.

Contact: Dwayne Roadcap, Program Manager, Department of Health, 109 Governor St., Richmond, VA 23219, telephone (804) 864-7462, FAX (804) 864-7476, email dwayne.roadcap@vdh.virginia.gov.

December 8, 2006 - 10 a.m. -- Open Meeting
Virginia Hospital and Healthcare Association, 4200 Innslake Drive, Glen Allen, Virginia.
A meeting of the Virginia Early Hearing Detection and Intervention Program Advisory Committee to assist the Department of Health in the implementation of the Virginia Early Hearing Detection and Intervention Program. Public comment will not be received.

Contact: Pat Dewey, M.Ed., Program Manager, Department of Health, 109 Governor St., Richmond, VA 23219, telephone (804) 864-7713, email pat.dewey@vdh.virginia.gov.

DEPARTMENT OF HEALTH PROFESSIONS

October 4, 2006 - 11 a.m. -- Open Meeting
Department of Health Professions, 6603 West Broad Street, 5th Floor, Board Room 1, Richmond, Virginia.
A meeting of the Prescription Monitoring Program Advisory Committee to review data collected for the Program Evaluation Workplan and receive a progress report on the enhancement and expansion of the program. The committee will discuss the development of criteria to provide these reports and the resource information that will be provided with them. Public comments will be received during this meeting.

Contact: Ralph A. Orr, PMP, Program Manager, Department of Health Professions, Alcoa Bldg., 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9133, FAX (804) 662-9240, (804) 662-7197/TTY, email ralph.orr@dhp.virginia.gov.

† October 18, 2006 - 4 p.m. -- Open Meeting
Williamsburg Hospitality House, 415 Richmond Road, Williamsburg, Virginia.
A general business meeting devoted largely to board member orientation and discussion of board organizational and workplan issues for each standing committee for the upcoming year. Public comment will be received at the beginning of the meeting.

Contact: Elizabeth A. Carter, Ph.D., Executive Director, Board of Health Professions, Alcoa Bldg., 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-7013, FAX (804) 662-7098, (804) 662-7197/TTY, email elizabeth.carter@dhp.virginia.gov.

BOARD FOR HEARING AID SPECIALISTS

November 15, 2006 - 9 a.m. -- Open Meeting
Department of Professional and Occupational Regulation, 3600 West Broad Street, 4th Floor, Richmond, Virginia.
A general business meeting including consideration of regulatory issues as may be presented on the agenda. The meeting is open to the public; however, a portion of the board's business may be discussed in closed session. Public comment will be heard at the beginning of the meeting. Person desiring to participate in the meeting and requiring special accommodations or interpretive services should contact the department at least 10 days prior to the meeting so that suitable arrangements can be made. The department fully complies with the Americans with Disabilities Act.

Contact: William H. Ferguson, II, Executive Director, Board for Hearing Aid Specialists, 3600 W. Broad St., Richmond, VA 23230-4917, telephone (804) 367-8590, FAX (804) 367-6295, (804) 367-9753/TTY, email hearingaidspec@dpor.virginia.gov.

STATE COUNCIL OF HIGHER EDUCATION FOR VIRGINIA

† October 17, 2006 - 12:30 p.m. -- Open Meeting
State Council of Higher Education for Virginia, 101 North 14th Street, Richmond, Virginia.
Committee meetings begin at 8:30 a.m. Agenda materials will be available on the website approximately one week prior to the meeting at www.schev.edu. A public comment period will be allocated on the meeting agenda. To be scheduled, those interested in making public comment should contact the person listed below no later than 5 p.m. three business days prior to the meeting date. At the time of the request, the speaker's name, address and topic must be provided. Each speaker will be given up to three minutes to address SCHEV. Speakers are asked to submit a written copy of their remarks at the time of comment.
Contact: Lee Ann Rung, State Council of Higher Education for Virginia, 101 N 14th St., Richmond, VA 23219, telephone (804) 225-2602, FAX (804) 371-7911, email leeannrung@schev.edu.

VIRGINIA HIGHER EDUCATION TUITION TRUST FUND

Virginia College Savings Plan Board

October 11, 2006 - 10 a.m. -- Open Meeting
James Monroe Building, 101 North 14th Street, 5th Floor, Virginia College Savings Plan Boardroom, Richmond, Virginia.

A meeting of the Compensation Committee.

Contact: Jennifer Jones, Administrative Operations Specialist, Virginia Higher Education Tuition Trust Fund, James Monroe Bldg., 101 N. 14th St., 5th Floor, Richmond, VA 23219, telephone (804) 225-2853, FAX (804) 786-2453, toll-free (888) 567-0540, (804) 786-2766/TTY, email vcspinfo@virginia529.com.

October 11, 2006 - 11 a.m. -- Open Meeting
James Monroe Building, 101 North 14th Street, 5th Floor, Virginia College Savings Plan Boardroom, Richmond, Virginia.

A regular board meeting.

Contact: Jennifer Jones, Administrative Operations Specialist, Virginia Higher Education Tuition Trust Fund, James Monroe Bldg., 101 N. 14th St., 5th Floor, Richmond, VA 23219, telephone (804) 225-2853, FAX (804) 786-2453, toll-free (888) 567-0540, (804) 786-2766/TTY, email vcspinfo@virginia529.com.

BOARD OF HOUSING AND COMMUNITY DEVELOPMENT

October 6, 2006 - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Board of Housing and Community Development intends to repeal regulations entitled 13 VAC 5-111, Enterprise Zone Regulations, and adopt regulations entitled 13 VAC 5-112, Enterprise Zone Grant Program Regulations. The purpose of the proposed action is to establish the processes and procedures for the new Real Property Investment Grants and the new Job Creation Grants and to establish new enterprise zone administration processes and procedures.


Contact: Stephen W. Calhoun, Regulatory Coordinator, Department of Housing and Community Development, The Jackson Center, 501 N. 2nd St. Richmond, VA 23219-1321, telephone (804) 371-7000, FAX (804) 371-7090, (804) 371-7089/TTY, email steve.calhoun@dhcd.virginia.gov.

VIRGINIA COUNCIL ON HUMAN RESOURCES

December 14, 2006 - 9:30 a.m. -- Open Meeting
James Monroe Building, 101 North 14th Street, PDS 4, Richmond, Virginia.

A quarterly meeting.

Contact: Charles Reed, Associate Director, Department of Human Resource Management, James Monroe Bldg., 101 N. 14th St., 13th Floor, Richmond, VA 23219, telephone (804) 786-3124, FAX (804) 371-2505, email charles.reed@dhrm.virginia.gov.

VIRGINIA INFORMATION TECHNOLOGIES AGENCY

Wireless E-911 Services Board

November 8, 2006 - 10 a.m. -- Open Meeting
Richmond Plaza Building, 110 South 7th Street, 4th Floor Auditorium, Richmond, Virginia.

A regular board meeting.

Contact: Steve Marzolf, Public Safety Communications Coordinator, Virginia Information Technologies Agency, 411 E. Franklin St., 5th Floor, Suite 500, Richmond, VA 23219, telephone (804) 371-0015, FAX (804) 371-2277, toll-free (866) 482-3911, email steve.marzolf@vita.virginia.gov.

JAMESTOWN-YORKTOWN FOUNDATION

October 19, 2006 - Noon -- Open Meeting

December 6, 2006 - 2 p.m. -- Open Meeting
Crowne Plaza Fort Magruder, 6945 Pocahontas Trail, Williamsburg, Virginia. (Interpreter for the deaf provided upon request)

A regular meeting of the Executive Committee of the Jamestown 2007 Steering Committee.

Contact: Judith Leonard, Administrative Office Manager, Jamestown-Yorktown Foundation, 410 W. Francis St., Williamsburg, VA 23185, telephone (757) 253-4253, FAX (757) 253-4950, email judith.leonard@jyf.virginia.gov.

November 20, 2006 - 10 a.m. -- Open Meeting

November 21, 2006 - 8 a.m. -- Open Meeting
Crowne Plaza Fort Magruder, 6945 Pocahontas Trail, Williamsburg, Virginia. (Interpreter for the deaf provided upon request)

The semiannual two-day Board of Trustees meeting. Public comment will be received on the second day of the meeting. Contact the Foundation for a schedule.

Contact: Laura W. Bailey, Executive Assistant to the Boards, Jamestown-Yorktown Foundation, P.O. Box 1607, Williamsburg, VA 23187, telephone (757) 253-4840, FAX (804) 371-7090, (804) 371-7089/TTY, email steve.calhoun@dhcd.virginia.gov.
Calendar of Events

(757) 253-5299, toll-free (888) 593-4682, (757) 253-7236/TTY, email laura.bailey@jyf.virginia.gov.

STATE BOARD OF JUVENILE JUSTICE

November 8, 2006 - 9 a.m. -- Open Meeting
Shenandoah Valley Juvenile Detention Home, 300 Technology Drive, Staunton, Virginia.

Meeting details will be provided closer to the meeting date.

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

DEPARTMENT OF LABOR AND INDUSTRY

Virginia Apprenticeship Council

December 14, 2006 - 10 a.m. -- Open Meeting
Confederate Hills Recreation Building, 302 Lee Avenue, Highland Springs, Virginia.

A regular business meeting.

Contact: Beverley Donati, Program Director, 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, email bgd@doli.state.va.us.

LIBRARY BOARD

November 13, 2006 - 10:30 a.m. -- Open Meeting
The Library of Virginia, 800 East Broad Street, Richmond, Virginia.

A meeting to discuss matters pertaining to the Library of Virginia and the Library Board.

Contact: Jean H. Taylor, Executive Secretary Senior, The Library of Virginia, 800 E. Broad St., Richmond, VA 23219-8000, telephone (804) 692-3525, FAX (804) 692-3594, (804) 692-3976/TTY, email jtaylor@lva.lib.va.us.

BOARD OF LONG-TERM CARE ADMINISTRATORS

October 31, 2006 - 9:30 a.m. -- Open Meeting
Department of Health Professions, 6603 West Broad Street, 5th Floor, Richmond, Virginia.

A meeting to discuss general business matters. There will be a 15-minute public comment period at the beginning of the meeting.

Contact: Sandra Reen, Executive Director, Board of Long-Term Care Administrators, Alcoa Bldg., 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-7457, FAX (804) 662-9943, (804) 662-7197/TTY, email sandra.reen@dhp.virginia.gov.

MARINE RESOURCES COMMISSION

† October 24, 2006 - 9:30 a.m. -- Open Meeting
† November 28, 2006 - 9:30 a.m. -- Open Meeting
† December 19, 2006 - 9:30 a.m. -- Open Meeting
Marine Resources Commission, 2600 Washington Avenue, 4th Floor, Newport News, Virginia (Interpreter for the deaf provided upon request)

A monthly commission meeting.

Contact: Jane McCroskey, Commission Secretary, Marine Resources Commission, 2600 Washington Ave., 3rd Floor, Newport News, VA 23607, telephone (757) 247-2215, FAX (757) 247-8101, toll-free (800) 541-4646, (757) 247-2292/TTY, email jane.mccroskey@mrc.virginia.gov.

BOARD OF MEDICAL ASSISTANCE SERVICES

December 12, 2006 - 10 a.m. -- Open Meeting
Department of Medical Assistance Services, 600 East Broad Street, 13th Floor Conference Room, Richmond, Virginia.

A quarterly meeting.

Contact: Nancy Maleczewski, Board Liaison, Department of Medical Assistance Services, 600 E. Broad St., Suite 1300, Richmond, VA 23219, telephone (804) 786-8096, FAX (804) 371-4981, (800) 343-0634/TTY, email nancy.maleczewski@dmas.virginia.gov.

DEPARTMENT OF MEDICAL ASSISTANCE SERVICES

† October 10, 2006 - 9 a.m. -- Open Meeting
Department of Medical Assistance Services, 600 East Broad Street, 7th Floor Conference Room, Richmond, Virginia.

A meeting of the Medicaid Revitalization Committee for adoption of a final report.

Contact: Bonnie Scott, Director's Office, Department of Medical Assistance Services, 600 E. Broad St., Suite 1300, Richmond, VA 23219, telephone (804) 786-8437, FAX (804) 786-1680, (800) 343-0634/TTY, email bonnie.scott@dmas.virginia.gov.

October 18, 2006 - 9:30 a.m. -- Public Hearing
Department of Medical Assistance Services, 600 East Broad Street, 7th Floor, Conference Room, Richmond, Virginia.

A meeting to hear public comment on the integration of acute and long-term care. Written comments may be sent throughout the process to altc@dmas.virginia.gov.

Contact: Adrienne T. Fegans, Program Operations Administrator, Department of Medical Assistance Services, 600 E. Broad St., Suite 1300, Richmond, VA 23219, telephone (804) 786-4112, FAX (804) 343-0634/TTY, email altc@dmas.virginia.gov.
October 18, 2006 - 1 p.m. -- Open Meeting
Department of Medical Assistance Services, 600 East Broad Street, 13th Floor, Board Room, Richmond, Virginia.

A meeting of the Medicaid Transportation Advisory Committee to discuss Medicaid transportation issues with the committee and the community.

Contact: Bob Knox, Transportation Supervisor, Department of Medical Assistance Services, 600 E. Broad St., Suite 1300, Richmond, VA 23219, telephone (804) 371-8854, FAX (804) 786-6035, (800) 343-0634/TTY, email robert.knox@dmas.virginia.gov.

October 20, 2006 - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Department of Medical Assistance Services intends to adopt regulations entitled 12 VAC 30-30, Groups Covered and Agencies Responsible for Eligibility Determination; 12 VAC 30-40, Eligibility Conditions and Requirements; and 12 VAC 30-50, Amount, Duration, and Scope of Medical and Remedial Care Services. The purpose of the proposed action is to implement the Medicare Prescription Part D Drug Program.

Statutory Authority: §§ 32.1-324 and 32.1-325 of the Code of Virginia

Public comments may be submitted until October 20, 2006.

Contact: Jack Quigley, Policy & Research Division, Department of Medical Assistance Services, 600 E. Broad St., Suite 1300, Richmond, VA 23219, telephone (804) 786-1300, FAX (804) 786-1680 or email jack.quigley@dmas.virginia.gov.

October 20, 2006 - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Board of Medical Assistance Services intends to amend regulations entitled 12 VAC 30-70, Methods and Standards for Establishing Payment Rates; In-Patient Hospital Care. The purpose of the proposed action is to permit DMAS to make DSH payments in conformity with changing federal legislation.

Statutory Authority: §§ 32.1-324 and 32.1-325 of the Code of Virginia

Public comments may be submitted until October 20, 2006.

Contact: Katina Goodwyn, Pharmacy Contract Manager, Department of Medical Assistance Services, 600 E. Broad St., Suite 1300, Richmond, VA 23219, telephone (804) 371-0428, (800) 343-0634/TTY, email katina.goodwyn@dmas.virginia.gov.

November 3, 2006 - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Department of Medical Assistance Services intends to amend regulations entitled 12 VAC 30-110, Eligibility and Appeals. The purpose of the proposed action is to update the appeals regulations to reflect current practice.

Statutory Authority: §§ 32.1-324 and 32.1-325 of the Code of Virginia

Contact: Mahalia McGill-Arnold, Project Manager, Department of Medical Assistance Services, 600 E. Broad St., Suite 1300, Richmond, VA 23219, telephone (804) 786-1531, FAX (804) 786-1680 or email mahalia.arnold@dmas.virginia.gov.
November 3, 2006 - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Department of Medical Assistance Services intends to amend regulations entitled 12 VAC 30-120, Waivered Services. The purpose of the proposed action is to revise and update the MEDALLION regulations to address several operational and waiver changes in the MEDALLION program.


Contact: Vivian Horn, Managed Care Division, Department of Medical Assistance Services, 600 E. Broad St., Suite 1300, Richmond, VA 23219, telephone (804) 371-6060, FAX (804) 786-1680 or email vivian.horn@dmas.virginia.gov.

November 9, 2006 - 2 p.m. -- Open Meeting
Department of Medical Assistance Services, 600 East Broad Street, 13th Floor Board Room, Richmond, Virginia.

A meeting of the Drug Utilization Review Committee to discuss Medicaid pharmacy issues as related to this committee.

Contact: Rachel Cain, Pharmacist, Department of Medical Assistance Services, 600 E. Broad St., Suite 1300, Richmond, VA 23219, telephone (804) 371-0428, (800) 343-0634/TTY, email katina.goodwyn@dmas.virginia.gov.

BOARD OF MEDICINE

October 19, 2006 - 8 a.m. -- Open Meeting
Department of Health Professions, 6603 West Broad Street, 5th Floor, Board Room 2, Richmond, Virginia.

A meeting of the full board to consider regulatory and disciplinary matters as may be presented on the agenda. Public comment on agenda items will be received at the beginning of the meeting.

Contact: William L. Harp, M.D., Executive Director, Board of Medicine, Alcoa Bldg., 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9908, FAX (804) 662-9943, (804) 662-7197/TTY, email william.harp@dhp.virginia.gov.

† November 2, 2006 - 9:30 a.m. -- Open Meeting
Holiday Inn Express, 3315 Ordway Drive, Roanoke, Virginia.

† November 7, 2006 - 9 a.m. -- Open Meeting
Holiday Inn Select, 2801 Plank Road, Fredericksburg, Virginia.
Advisory Board on Athletic Training

October 5, 2006 - 9 a.m. -- Open Meeting
Department of Health Professions, 6603 West Broad Street, 5th Floor, Board Room 4, Richmond, Virginia.

A meeting to consider issues related to the regulations of athletic training. Public comment on agenda items will be received at the beginning of the meeting.

Contact: William L. Harp, M.D., Executive Director, Board of Medicine, Alcoa Bldg., 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9908, FAX (804) 662-9943, (804) 662-7197/TTY , email william.harp@dhp.virginia.gov.

Advisory Board on Midwifery

October 6, 2006 - 10 a.m. -- Open Meeting
Department of Health Professions, 6603 West Broad Street, 5th Floor, Board Room 4, Richmond, Virginia.

A meeting to consider issues related to the regulations of midwifery. Public comment on agenda items will be received at the beginning of the meeting.

Contact: William L. Harp, M.D., Executive Director, Board of Medicine, Alcoa Bldg., 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9908, FAX (804) 662-9943, (804) 662-7197/TTY , email william.harp@dhp.virginia.gov.

Advisory Board on Occupational Therapy

October 3, 2006 - 10 a.m. -- Open Meeting
Department of Health Professions, 6603 West Broad Street, 5th Floor, Board Room 4, Richmond, Virginia.

A meeting to consider issues related to the regulations of occupational therapy. Public comment on agenda items will be received at the beginning of the meeting.

Contact: William L. Harp, M.D., Executive Director, Board of Medicine, Alcoa Bldg., 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9908, FAX (804) 662-9943, (804) 662-7197/TTY , email william.harp@dhp.virginia.gov.

Advisory Board on Physician Assistants

October 5, 2006 - 1 p.m. -- Open Meeting
Department of Health Professions, 6603 West Broad Street, 5th Floor, Board Room 4, Richmond, Virginia.

A meeting to consider issues related to the regulations of physician assistants. Public comment on agenda items will be received at the beginning of the meeting.

Contact: William L. Harp, M.D., Executive Director, Board of Medicine, Alcoa Bldg., 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9908, FAX (804) 662-9943, (804) 662-7197/TTY , email william.harp@dhp.virginia.gov.

Advisory Board on Radiologic Technology

October 4, 2006 - 1 p.m. -- Open Meeting
Department of Health Professions, 6603 West Broad Street, 5th Floor, Board Room 4, Richmond, Virginia.

A meeting to consider issues related to the regulations of radiologic technologists and radiologic technologist-limited. Public comment on agenda items will be received at the beginning of the meeting.

Contact: William L. Harp, M.D., Executive Director, Board of Medicine, Alcoa Bldg., 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9908, FAX (804) 662-9943, (804) 662-7197/TTY , email william.harp@dhp.virginia.gov.

Advisory Board on Respiratory Care

October 3, 2006 - 1 p.m. -- Open Meeting
Department of Health Professions, 6603 West Broad Street, 5th Floor, Board Room 4, Richmond, Virginia.

A meeting to consider issues related to the regulations of respiratory care. Public comment on agenda items will be received at the beginning of the meeting.

Contact: William L. Harp, M.D., Executive Director, Board of Medicine, Alcoa Bldg., 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9908, FAX (804) 662-9943, (804) 662-7197/TTY , email william.harp@dhp.virginia.gov.

DEPARTMENT OF MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES

October 3, 2006 - 10 a.m. -- Public Hearing
Mount Rogers Community Services Board, 770 West Ridge Road, Wytheville, Virginia.

October 23, 2006 - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the State Board of Mental Health, Mental Retardation and Substance Abuse Services intends to amend regulations entitled 12 VAC 35-105, Rules and Regulations for the Licensing of Providers of Mental Health, Mental Retardation and Substance Abuse Services. The purpose of the proposed action is to add standards for new providers of services for the treatment of opioid addiction.

Statutory Authority: § 37.2-203 and Chapter 7 of the 2005 Acts of Assembly.

Public comments may be submitted until October 23, 2006.
Calendar of Events

Contact: Leslie Anderson, Director, Office of Licensing, Department of Mental Health, Mental Retardation and Substance Abuse Services, P.O Box 1797, Richmond, VA 23218-1797, telephone (804) 371-6885, FAX (804) 692-0066 or email leslie.anderson@co.dmhmrsas.virginia.gov.

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October 11, 2006 - 4 p.m. -- Public Hearing
Valley Community Services Board, 85 Sanger's Lane, Staunton, Virginia (Interpreter for the deaf provided upon request)

October 17, 2006 - 4 p.m. -- Public Hearing
Mount Rogers Community Mental Health and Mental Retardation Services, 770 West Ridge Road, Wytheville, Virginia (Interpreter for the deaf provided upon request)

October 19, 2006 - 4 p.m. -- Public Hearing
Southern Virginia Mental Health Center, 328 Taylor Drive, Danville, Virginia (Interpreter for the deaf provided upon request)

† October 23, 2006 - 7 p.m. -- Public Hearing
Stambaugh Building, 3033 Wilson Boulevard, Conference Rooms 7 E and 7 F, Arlington, Virginia (Interpreter for the deaf provided upon request)

October 24, 2006 - 4 p.m. -- Public Hearing
Hospitality Center, Norfolk CSB, 6401 Tidewater Drive, Norfolk, Virginia (Interpreter for the deaf provided upon request)

November 8, 2006 - 4 p.m. -- Public Hearing
Henrico Area Mental Health and Mental Retardation Services, 10299 Woodman Road, Conference Room C, Richmond, Virginia (Interpreter for the deaf provided upon request)

November 9, 2006 - 6 p.m. -- Public Hearing
Fairfax County Government Center, 12000 Government Center Parkway, Fairfax, Virginia (Interpreter for the deaf provided upon request)

November 17, 2006 - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the State Board of Mental Health, Mental Retardation and Substance Abuse Services intends to amend regulations entitled 12 VAC 35-115, Rules and Regulations to Assure the Rights of Individuals Receiving Services from Providers of Mental Health, Mental Retardation and Substance Abuse Services. The purpose of the proposed action is to clarify terminology and procedures and align outdated provisions with applicable federal and state laws.

Statutory Authority: §§ 32.2-203 and 37.2-400 of the Code of Virginia.

Contact: Margaret Walsh, Director of the Office of Human Rights, State Mental Health, Mental Retardation and Substance Abuse Services Board, Jefferson Bldg., 1220 Bank St., P.O. Box 1797, Richmond, VA 23218-1797, telephone (804) 786-3988, FAX (804) 371-2308, email margaret.walsh@co.dmhmrsas.virginia.gov.

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October 23, 2006 - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the State Board of Mental Health, Mental Retardation and Substance Abuse Services intends to amend regulations entitled 12 VAC 35-45, Regulations for Providers for Mental Health, Mental Retardation and Substance Abuse Residential Services for Children. The purpose of the proposed action is to add provisions for issuing an order of summary suspension of the license to operate a group home or residential facility for children. In addition to any other comments, the department on behalf of the board is seeking comments on the costs and benefits of the proposal and the potential impacts of this regulatory proposal. Also, the board is seeking information on impacts on small businesses as defined in § 2.2-4007.1 of the Code of Virginia. Information may include (i) projected reporting, recordkeeping and other administrative costs; (ii) probable effect of the regulation on affected small businesses; and (iii) description of less intrusive or costly alternative methods of achieving the purpose of the regulation.

Anyone wishing to submit written comments may do so by mail, email or fax to the contact person named below. Written comments must include the name and address of the commenter. In order to be considered comments must be received by the last date of the public comment period.

Statutory Authority: §§ 37.2-203, 37.2-408 and 37.2-418 of the Code of Virginia.

Public comments may be submitted until October 23, 2006.

Contact: Leslie Anderson, Director, Office of Licensing, Department of Mental Health, Mental Retardation and Substance Abuse Services, P.O Box 1797, Richmond, VA 23218-1797, telephone (804) 371-6885, FAX (804) 692-0066 or email leslie.anderson@co.dmhmrsas.virginia.gov.

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October 23, 2006 - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the State Board of Mental Health, Mental Retardation and Substance Abuse Services intends to amend regulations entitled 12 VAC 35-45, Regulations
for Providers for Mental Health, Mental Retardation, Substance Abuse, and Brain Injury Residential Services for Children. The purpose of the proposed action is to add provisions for licensing providers of brain injury services.

Statutory Authority: § 37.2-203 and Chapter 725 of the 2005 Acts of Assembly.

Public comments may be submitted until October 23, 2006.

Contact: Leslie Anderson, Director, Office of Licensing, Department of Mental Health, Mental Retardation and Substance Abuse Services, P.O. Box 1797, Richmond, VA 23218-1797, telephone (804) 371-6885, FAX (804) 692-0066 or email leslie.anderson@co.dmhmrsas.virginia.gov.

October 23, 2006 - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the State Board of Mental Health, Mental Retardation and Substance Abuse Services intends to adopt regulations entitled 12 VAC 35-210, Regulations to Govern Temporary Leave from State Mental Health and State Mental Retardation Facilities. The purpose of the proposed action is to promulgate a new regulation to govern practices related to trial or home visits from state mental health and state mental retardation facilities under § 37.2-837 B of the Code of Virginia.

Statutory Authority: §§ 37.2-203 and 37.2-837 of the Code of Virginia.

Public comments may be submitted until October 23, 2006.

Contact: Marion Greenfield, Office of Quality Management, Department of Mental Health, Mental Retardation and Substance Abuse Services, P.O. Box 1797, Richmond, VA 23218-1797, telephone (804) 786-4516, FAX (804) 786-8623 or email marion.greenfield@co.dmhmrsas.virginia.gov.

Virginia Mental Health Planning Council

December 6, 2006 - 10 a.m. -- Open Meeting
Henrico CSB, 10299 Woodman Road, Conference Room C, Glen Allen, Virginia (Interpreter for the deaf provided upon request)

A meeting to review MHBG plan, review MHBG Implementation Report, develop plan for 2006 issues, and monitor and evaluate mental health programs.

Contact: Will Ferriss, LCSW, Director, Planning and Evaluation, Office of Mental Health, Department of Mental Health, Mental Retardation and Substance Abuse Services, 1220 Bank St., Richmond, VA 23218, telephone (804) 371-0363, FAX (804) 371-0091, email will.ferriss@co.dmhmrsas.virginia.gov.

DEPARTMENT OF MINES, MINERALS AND ENERGY

November 3, 2006 - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Department of Mines, Minerals and Energy intends to amend regulations entitled 4 VAC 25-130, Coal Surface Mining Reclamation Regulations. The purpose of the proposed action is to revise references to sections in the Virginia Administrative Process Act to reflect the renumbering that became effective October 1, 2001; provide direction as to where requests for formal administrative review and notices of judicial appeal shall be filed; maintain consistency with corresponding federal
amendments regarding survey requirements and the rebuttable presumption of subsidence determinations; maintain consistency with federal regulations regarding thick overburden; and increase the civil penalties for violations of the Virginia Coal Surface Mining Control and Reclamation Act that result in personal injury or fatality.

Statutory Authority: §§ 45.1-161.3 and 45.1-230 of the Code of Virginia.

Public comments may be submitted until 5 p.m. on November 3, 2006.

Contact: Gavin Bledsoe, Legal Services Officer, Department of Mines, Minerals and Energy, P.O. Drawer 900, Big Stone Gap, VA 24219-0900, telephone (276) 523-8157, FAX (276) 523-8163, or email gavin.bledsoe@dmme.virginia.gov.

DEPARTMENT OF MOTOR VEHICLES

October 6, 2006 - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Department of Motor Vehicles intends to repeal regulations entitled 24 VAC 20-120, Commercial Driver Training School Regulations, and adopt regulations entitled 24 VAC 20-121, Virginia Driver Training School Regulations. The purpose of the proposed action is to ensure that graduates of commercial vehicle and passenger vehicle driver training schools licensed by DMV are adequately prepared to safely and independently operate motor vehicles on the public roadways. The overall goals to are to (i) strengthen DMV training school standards and develop additional standards to ensure that the instruction provided is uniform and meets all established requirements; (ii) strengthen DMV's oversight process to ensure that reviews of training documentation are consistent, evaluation of school curriculums are expanded, and school audits are more comprehensive and less burdensome on driver training course providers; and (iii) implement additional changes intended to ensure that consistently high quality instruction is provided across the driver training school system and that the learning environment for younger students is safe, secure and peer-oriented.

Statutory Authority: §§ 46.2-203 and 46.2-1703 of the Code of Virginia.

Contact: Marc Copeland, Senior Policy Analyst, Department of Motor Vehicles, P.O. Box 27412, Room 724, Richmond, VA 23269-0001, telephone (804) 367-1875, FAX (804) 367-6631, toll-free 1-866-368-5463 or email marc.copeland@dmv.virginia.gov.

Motorcycle Advisory Council

† October 10, 2006 - 10 a.m. -- Open Meeting
Department of Motor Vehicles, 2300 West Broad Street, Room 702, Richmond, Virginia

A regular meeting.

Contact: Audrey Odum, Management Analyst, Department of Motor Vehicles, P.O. Box 27412, Richmond, VA 23269-0001, telephone (804) 367-8140, FAX (804) 367-6339, (800) 272-9268/TTY, email audrey.odum@dmv.virginia.gov.

Board of Transportation Safety

† October 18, 2006 - 10 a.m. -- Open Meeting
Department of Motor Vehicles, 2300 West Broad Street, Room 133, Richmond, Virginia

A quarterly meeting.

Contact: Audrey Odum, Management Analyst, Department of Motor Vehicles, P.O. Box 27412 Richmond, VA 23269-0001, telephone (804) 367-8140, FAX (804) 367-6339, (800) 272-9268/TTY, email audrey.odum@dmv.virginia.gov.

VIRGINIA MUSEUM OF FINE ARTS

October 3, 2006 - 8 a.m. -- Open Meeting
November 7, 2006 - 8 a.m. -- Open Meeting
December 5, 2006 - 8 a.m. -- Open Meeting
† January 2, 2007 - 8 a.m. -- Open Meeting
Virginia Museum of Fine Arts, The Pauley Center, 200 North Boulevard, Dining Room, Richmond, Virginia

A meeting for staff to update the Executive Committee. Public comment will not be received.

Contact: Suzanne Broyles, Secretary of the Museum, Virginia Museum of Fine Arts, 200 N. Boulevard, Richmond, VA 23220, telephone (804) 340-1503, FAX (804) 340-1502, (804) 340-1401/TTY, email suzanne.broyles@vmfa.museum.

October 12, 2006 - 2 p.m. -- Open Meeting
Virginia Museum of Fine Arts, 201 North Boulevard, Conference Room, Richmond, Virginia

A meeting of the Partnership for Virginia Task Force for staff to update the committee in closed session. Public comment will not be received.

Contact: Suzanne Broyles, Secretary of the Museum, Virginia Museum of Fine Arts, 200 N. Boulevard, Richmond, VA 23220, telephone (804) 340-1503, FAX (804) 340-1502, toll-free (800) 943-8632, (804) 340-1401/TTY, email suzanne.broyles@vmfa.museum.
FOUNDATION FOR VIRGINIA'S NATURAL RESOURCES

October 11, 2006 - 10 a.m. -- Open Meeting
Department of Forestry, 900 Natural Resources Drive, Charlottesville, Virginia. (Interpreter for the deaf provided upon request)

A business meeting of the Board of Trustees.

Contact: Brenda Taylor, Administrative Staff Specialist, Foundation for Virginia's Natural Resources, 900 Natural Resources Dr., Charlottesville, VA 22903, telephone (434) 977-6555, FAX (434) 977-7749, email brenda.taylor@dof.virginia.gov.

BOARD OF NURSING

† October 2, 2006 - 2 p.m. -- Open Meeting
Department of Health Professions, 6603 West Broad Street, 5th Floor, Board Room 3, Richmond, Virginia.

A meeting of the Medication Aide Advisory Group for review of public comment received.

Contact: Jay P. Douglas, R.N., Executive Director, Board of Nursing, Alcoa Bldg., 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9949, FAX (804) 662-9512, (804) 662-7197/TTY, email nursebd@dhp.virginia.gov.

November 3, 2006 - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Boards of Nursing and Medicine intend to amend regulations entitled 18 VAC 90-30, Regulations Governing the Licensure of Nurse Practitioners. The purpose of the proposed action is to clarify the duration of a provisional license granted to an applicant for licensure as a nurse practitioner pending the results of the required national certifying examination for consistency with the current practice of electronic testing. Copies of the board's regulation may be found on the board's website at http://dhp.virginia.gov/nursing/.


Public comments may be submitted until 5 p.m. on November 3, 2006, to Jay P. Douglas, R.N., Executive Director, Board of Nursing, Alcoa Bldg., 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712.

Contact: Elaine J. Yeatts, Regulatory Coordinator, Department of Health Professions, 6603 W. Broad St., Richmond, VA 23230, telephone (804) 662-9918, FAX (804) 662-9114 or email elaine.yeatts@dhp.virginia.gov.

November 13, 2006 - 9 a.m. -- Open Meeting
November 15, 2006 - 9 a.m. -- Open Meeting
November 16, 2006 - 9 a.m. -- Open Meeting

A panel of the board will conduct formal hearings with licensees and/or certificate holders. Public comment will not be received.

Contact: Jay P. Douglas, R.N., M.S.M., C.S.A.C., Executive Director, Board of Nursing, 6603 W. Broad St., 5th Floor, Richmond, VA 23230, telephone (804) 662-9909, FAX (804) 662-9512, (804) 662-7197/TTY, email nursebd@dhp.virginia.gov.

November 14, 2006 - 9 a.m. -- Open Meeting

A meeting to conduct general business including receipt of committee reports and consideration of regulatory action and discipline case decisions as presented on the agenda. Public comment will be received at 11 a.m.

Contact: Jay P. Douglas, R.N., Executive Director, Board of Nursing, Alcoa Bldg., 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9909, FAX (804) 662-9512, (804) 662-7197/TTY, email jay.douglas@dhp.virginia.gov.
**JOINT BOARDS OF NURSING AND MEDICINE**

October 18, 2006 - 9 a.m. -- Open Meeting

December 6, 2006 - 9 a.m. -- Open Meeting

Department of Health Professions, 6603 West Broad Street, 5th Floor, Richmond, Virginia.

A regular meeting.

**Contact:** Jay P. Douglas, R.N., Executive Director, Board of Nursing, Alcoa Bldg., 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9909, FAX (804) 662-9512, (804) 662-7197/TTY, email jay.douglas@dhp.virginia.gov.

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**OLD DOMINION UNIVERSITY**

October 16, 2006 - Noon -- Open Meeting

November 20, 2006 - Noon -- Open Meeting

Old Dominion University, Webb University Center, Old Norfolk, Virginia.

A quarterly meeting of the governing board of the institution to discuss business of the board and the institution as determined by the rector and the president. Public comment will not be received by the board.

**Contact:** Donna Meeks, Executive Secretary to the Board of Visitors, Old Dominion University, 204 Koch Hall, Old Dominion University, Norfolk, VA 23529, telephone (757) 683-3072, FAX (757) 683-5679, email dmeeks@odu.edu.

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**BOARD FOR OPTICIANS**

December 8, 2006 - 9:30 a.m. -- Open Meeting

Department of Professional and Occupational Regulation, 3600 West Broad Street, 4th Floor, Richmond, Virginia.

A general business meeting including consideration of regulatory issues as may be presented on the agenda. The meeting is open to the public; however, a portion of the board's business may be discussed in closed session. Public comment will be heard at the beginning of the meeting. Person desiring to participate in the meeting and requiring special accommodations or interpretive services should contact the department at least 10 days prior to the meeting so that suitable arrangements can be made. The department fully complies with the Americans with Disabilities Act.

**Contact:** William H. Ferguson, II, Executive Director, Board for Opticians, 3600 W. Broad St., Richmond, VA 23230-4917, telephone (804) 367-8590, FAX (804) 367-6295, (804) 367-9753/TTY, email opticians@dpor.virginia.gov.

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**VIRGINIA OUTDOORS FOUNDATION**

November 15, 2006 - 1 p.m. -- Open Meeting

November 16, 2006 - 9 a.m. -- Open Meeting

Location to be announced; Charlottesville, Virginia area.

A meeting for policy and easement consideration. Public comment will be received.

**Contact:** Trisha Cleary, Administrative Assistant, Department of Conservation and Recreation, 101 N. 14th St., 17th Floor, Richmond, VA 23219, telephone (804) 225-2147, FAX (804) 371-4810, email tcleary@vofonline.org.

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**PESTICIDE CONTROL BOARD**

† October 19, 2006 - 9 a.m. -- Open Meeting

Alson H. Smith Research Center, 595 Laurel Grove Road, Winchester, Virginia.

On October 18, 2006, at 2 p.m., the Virginia Pesticide Control Board will tour Marker-Miller Orchard, 3035 Cedar Creek Grade, Winchester, Virginia, to observe pesticide management practices. The board will conduct its normal quarterly meeting on October 19, 2006, at 9 a.m. The board will discuss general business matters requiring board action. However, portions of the meeting may be held in closed session, pursuant to § 2.2-3711 of the Code of Virginia. The board will entertain public comment at the beginning of the meeting on all other business for a period not to exceed 30 minutes. Any person who needs any accommodations in order to participate in the meeting should contact the person identified in this notice at least five days before the meeting date.

**Contact:** Dr. W. Wayne Surles, Program Manager, Office of Pesticide Services, Department of Agriculture and Consumer Services, 102 Governor St., P.O. Box 1163, Richmond, VA 23218, telephone (804) 371-6559, FAX (804) 786-9149, toll-free (800) 552-9963, email wayne.surles@vdacs.virginia.gov.

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**BOARD OF PHARMACY**

October 7, 2006 - Public comments may be submitted until 5 p.m. on this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Board of Pharmacy intends to amend regulations entitled 18 VAC 110-20, Regulations Governing the Practice of Pharmacy. The purpose of the proposed action is to add the Internet-based TOEFL
examination in lieu of the current TOEFL and TSE as an alternative for graduates in foreign schools of pharmacies.


Contact: Elizabeth Scott Russell, Executive Director, Board of Pharmacy, 6603 W. Broad St., 5th Floor, Richmond, VA 23230, telephone (804) 662-9911, FAX (804) 662-9313 or email scotti.russell@dhp.virginia.gov.

† October 11, 2006 - 9 a.m. -- Open Meeting
Department of Health Professions, 6603 West Broad Street, 5th Floor, Conference Room 4, Richmond, Virginia.

A meeting of the Special Conference Committee to discuss disciplinary matters. Public comment will not be received.

Contact: Elizabeth Scott Russell, RPh, Executive Director, Board of Pharmacy, Alcoa Bldg., 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9911, FAX (804) 662-9313, (804) 662-7197/TTY, email scotti.russell@dhp.virginia.gov.

December 13, 2006 - 9 a.m. -- Open Meeting
Department of Health Professions, 6603 West Broad Street, 5th Floor, Conference Room 2, Richmond, Virginia.

A meeting to consider such regulatory and disciplinary matters as may be presented on the agenda. Public comment will be received at the beginning of the meeting.

Contact: Elizabeth Scott Russell, RPh, Executive Director, Board of Pharmacy, Alcoa Bldg., 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9911, FAX (804) 662-9313, (804) 662-7197/TTY, email scotti.russell@dhp.virginia.gov.

POLYGRAPH EXAMINERS ADVISORY BOARD

October 6, 2006 - Public comment may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Board of Professional and Occupational Regulation intends to amend regulations entitled 18 VAC 120-30, Regulations Governing Polygraph Examiners. The purpose of the proposed action is to amend current regulations to reflect statutory changes, industry changes, and changes suggested by licensees and the public.


Contact: Kevin Hoeft, Regulatory Boards Administrator, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-2785, FAX (804) 367-0674, (804) 367-9753/TTY, email kevin.hoeft@dpor.virginia.gov.

October 26, 2006 - 11 a.m. -- Open Meeting
December 7, 2006 - 11 a.m. -- Open Meeting
Department of Professional and Occupational Regulation, 3600 West Broad Street, 4th Floor, Richmond, Virginia.

A meeting to conduct board business. The meeting is open to the public; however, a portion of the board's business may be discussed in closed session. Public comment will be heard at the beginning of the meeting. Person desiring to participate in the meeting and requiring special accommodations or interpretive services should contact the department at least 10 days prior to the meeting so that suitable arrangements can be made. The department fully complies with the Americans with Disabilities Act.

Contact: Kevin Hoeft, Regulatory Boards Administrator, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-2785, FAX (804) 367-0674, (804) 367-9753/TTY, email kevin.hoeft@dpor.virginia.gov.

DEPARTMENT OF PROFESSIONAL AND OCCUPATIONAL REGULATION

November 3, 2006 - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Department of Professional and Occupational Regulation intends to amend regulations entitled 18 VAC 120-40, Virginia Professional Boxing and Wrestling Events Regulations. The purpose of the proposed action is to restructure the regulations to better distinguish between boxing and wrestling; incorporate general industry standards; and make other changes resulting from the department's review.


Contact: Karen W. O'Neal, Deputy Director for Licensing and Regulation, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8537, FAX (804) 367-2475 or email karen.oneal@dpor.virginia.gov.

BOARD FOR PROFESSIONAL AND OCCUPATIONAL REGULATION

November 13, 2006 - 10 a.m. -- Open Meeting
Department of Professional and Occupational Regulation, 3600 West Broad Street, 5th Floor Conference Room, Richmond, Virginia.

A quarterly meeting.

Contact: Mark Courtney, Executive Director, Board for Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8514, FAX (804) 367-2475, email mark.courtney@dpor.virginia.gov.
BOARD OF PSYCHOLOGY

October 10, 2006 - 9:30 a.m. -- Open Meeting
Department of Health Professions, 6603 West Broad Street, 5th Floor, Richmond, Virginia.

A meeting to include reports from standing committees and any regulatory and disciplinary matters as may be presented on the agenda. Public comment will be received at the beginning of the meeting.

Contact: Evelyn B. Brown, Executive Director, Board of Psychology, Alcoa Bldg., 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9913, FAX (804) 662-9943, (804) 662-7197/TTY, email evelyn.brown@dhp.virginia.gov.

VIRGINIA PUBLIC GUARDIAN AND CONSERVATOR ADVISORY BOARD

December 7, 2006 - 10 a.m. -- Open Meeting
Department for the Aging, 1610 Forest Avenue, Suite 100, Richmond, Virginia.

A quarterly meeting.

Contact: Janet Dingle Brown, Esq., Public Guardianship Coordinator and Legal Services Developer, Department for the Aging, 1610 Forest Ave., Suite 100, Richmond, VA 23229, telephone (804) 662-7049, FAX (804) 662-9354, (800) 552-3402, (804) 662-9333/TTY, email janet.brown@vda.virginia.gov.

VIRGINIA RACING COMMISSION

October 20, 2006 - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Virginia Racing Commission intends to amend regulations entitled 11 VAC 10-70, Regulations Pertaining to Horse Racing With Pari-Mutuel Wagering-Stewards. The purpose of the proposed action is to clarify the authority of the stewards appointed by the Virginia Racing Commission to enforce and interpret the commission’s regulations. The definition of “participant” has been added, which provides that certain individuals associated with a horse that is entered to run in Virginia shall be considered as participants and come under the jurisdiction of the commission. Additionally, the amendments authorize the commission to take disciplinary actions through stewards or at a meeting at which a quorum is present. These amendments are made to conform to the regulation changes that were made to the Code of Virginia on July 1, 2005, as provided for in SB 1270.


Public comments may be submitted until 5 p.m. on October 20, 2006.

Contact: David S. Lermond, Jr., Regulatory Coordinator, 10700 Horsemen's Lane, New Kent, VA 23024, telephone (804) 966-7404, FAX (804) 966-7418 or email david.lermond@vrc.virginia.gov.

REAL ESTATE APPRAISER BOARD

† October 31, 2006 - 1 p.m. -- Open Meeting
† November 1, 2006 - 10:30 a.m. -- Open Meeting
† November 7, 2006 - 1 p.m. -- Open Meeting
Department of Professional and Occupational Regulation, 3600 West Broad Street, 4th Floor, Richmond, Virginia.

Informal fact-finding conferences.

Contact: Christine Martine, Executive Director, Real Estate Appraiser Board, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8552, FAX (804) 367-6946, (804) 367-9753/TTY, email reboard@dpor.virginia.gov.

REAL ESTATE BOARD

October 11, 2006 - 10:30 a.m. -- Open Meeting
October 12, 2006 - 9 a.m. -- Open Meeting
Department of Professional and Occupational Regulation, 3600 West Broad Street, 4th Floor, Room 453, Richmond, Virginia.

Informal fact-finding conferences.

Contact: Christine Martine, Executive Director, Real Estate Board, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8552, FAX (804) 367-6946, (804) 367-9753/TTY, email reboard@dpor.virginia.gov.

December 4, 2006 - 3 p.m. -- Open Meeting
Department of Professional and Occupational Regulation, 3600 West Broad Street, 5th Floor, Richmond, Virginia.

A meeting of the Education Committee.

Contact: Christine Martine, Executive Director, Real Estate Board, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8552, FAX (804) 367-6946, (804) 367-9753/TTY, email reboard@dpor.virginia.gov.
December 5, 2006 - 8:30 a.m. -- Open Meeting
Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia.

A meeting to discuss fair housing cases.

Contact: Christine Martine, Executive Director, Real Estate Board, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8552, FAX (804) 367-6946, (804) 367-9753/TTY, email reboard@dpor.virginia.gov.

December 5, 2006 - 9 a.m. -- Open Meeting
Department of Professional and Occupational Regulation, 3600 West Broad Street, 4th Floor, Richmond, Virginia.

A meeting to discuss board business.

Contact: Christine Martine, Executive Director, Real Estate Appraiser Board, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8552, FAX (804) 367-6946, (804) 367-9753/TTY, email reappraisers@dpor.virginia.gov.

DEPARTMENT OF REHABILITATIVE SERVICES

October 10, 2006 - 9:30 a.m. -- Open Meeting
Department of Rehabilitative Service, 8004 Franklin Farms Drive, Richmond, Virginia.

Meetings of the ESOAC/LTESS Steering Committee to discuss rehabilitation issues that impact employment service organizations in providing employment services and long-term follow-along funding to consumers.

Contact: Tim Olive, Program Administrative Specialist, Department of Rehabilitative Services, 8004 Franklin Farms Dr., P.O. Box K-300, Richmond, VA 23229, telephone (804) 662-7127, FAX (804) 662-9140, toll-free (800) 552-5019, (804) 662-9040/TTY, email tim.olive@drs.virginia.gov.

October 27, 2006 - 1 p.m. -- Open Meeting
Department of Rehabilitative Service, 8004 Franklin Farms Drive, Richmond, Virginia.

A quarterly meeting of the Virginia Brain Injury Council. Public comments will be received at approximately 1:15 p.m.

Contact: Kristie Chamberlain, BI/SCI Services Unit, Department of Rehabilitative Services, 8004 Franklin Farms Dr., P.O. Box K-300, Richmond, VA 23229, telephone (804) 662-7154, FAX (804) 662-7663, toll-free (800) 552-5019, (800) 464-9950/TTY, email kristie.chamberlain@drs.virginia.gov.

VIRGINIA RESEARCH AND TECHNOLOGY ADVISORY COMMISSION

November 14, 2006 - 11 a.m. -- Open Meeting
Williamsburg, Virginia.

A quarterly meeting.

Contact: Nancy Vorona, VP Research Investment, Virginia Research and Technology Advisory Commission, 2214 Rock Hill Rd., Suite 600, Herndon, VA 20170, telephone (703) 689-3043, FAX (703) 464-1720, email nvorona@cit.org.

SAFETY AND HEALTH CODES BOARD

November 18, 2006 - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Safety and Health Codes Board intends to adopt regulations entitled 16 VAC 25-75, General Industry Standard for Telecommunications, General, Approach Distances, and amend regulations entitled 16 VAC 25-90-1910.268, Federal Identical General Industry Standards. The purpose of the proposed action is to provide telecommunications employees with protection from any live electrical part in the area where such employees are working.

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

Contact: John Crisanti, Policy Analyst Senior, Powers-Taylor Bldg., 13 S. 13th St., Richmond, VA 23219, telephone (804) 786-4300, FAX (804) 786-8418 or (866) 248-8814, email john.crisanti@doli.virginia.gov.

VIRGINIA SMALL BUSINESS FINANCING AUTHORITY

† October 18, 2006 - Noon -- Open Meeting
Department of Business Assistance, 707 East Main Street, 3rd Floor Board Room, Richmond, Virginia.

A meeting to review applications for loans submitted to the authority for approval and to conduct general business of the board. The meeting time is subject to change depending upon the board's agenda.

Contact: Scott E. Parsons, Executive Director, Department of Business Assistance, P.O. Box 446, Richmond, VA 23218-0446, telephone (804) 371-8256, FAX (804) 225-3384, toll-free (866) 248-8814, email scott.parsons@dba.virginia.gov.

STATE BOARD OF SOCIAL SERVICES

October 6, 2006 - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the State Board of Social Services intends to repeal regulations entitled 22 VAC 40-71, Standards and Regulations for Licensed Assisted Living Facilities. The purpose of the proposed action is to promulgate a comprehensive revision of the assisted living facility standards and replace an emergency regulation. The proposed action includes additional requirements for care and services to residents; staff qualifications, training and
Calendar of Events

responsible; management of the facility, physical plant features; coordination with mental health systems; disclosure of information; and emergency preparedness.

Statutory Authority: §§ 63.2-217 and 63.2-1732 of the Code of Virginia.

Contact: Judith McGreal, Program Development Consultant, Department of Social Services, 7 N. 8th St. Richmond, VA 23219, telephone (804) 726-7157, FAX (804) 726-7132, (800) 828-1120/TTY, email judith.mcgreal@dss.virginia.gov.

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October 6, 2006 - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the State Board of Social Services intends to adopt regulations entitled 22 VAC 40-72, Standards for Licensed Assisted Living Facilities. The purpose of the proposed action is to promulgate a comprehensive revision of the assisted living facility standards and replace an emergency regulation. The proposed action includes additional requirements for care and services to residents; staff qualifications, training and responsibilities; management of the facility, physical plant features; coordination with mental health systems; disclosure of information; and emergency preparedness.

Statutory Authority: §§ 63.2-217 and 63.2-1732 of the Code of Virginia.

Contact: Judith McGreal, Program Development Consultant, Department of Social Services, 7 N. 8th St. Richmond, VA 23219, telephone (804) 726-7157, FAX (804) 726-7132, (800) 828-1120/TTY, email judith.mcgreal@dss.virginia.gov.

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October 6, 2006 - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the State Board of Social Services intends to amend regulations entitled 22 VAC 40-80, General Procedures and Information for Licensure. The purpose of the proposed action is to conform the regulation with legislative changes to the provisions for terms of license, administrative sanctions, and hearings procedures.

Public comment can also be submitted at the Department of Social Services website at http://www.dss.state.va.us. Persons wishing to speak at public hearings may begin registering at 5:30 p.m.

Statutory Authority: §§ 63.2-217 and 63.2-1732, 63.2-1733 and 63.2-1734 of the Code of Virginia.

Contact: Kathryn Thomas, Program Development Consultant, Department of Social Services, 7 N. 8th St., Richmond, VA 23219, telephone (804) 726-7158, FAX (804) 726-7132, (800) 828-1120/TTY, email kathryn.thomas@dss.virginia.gov.

October 18, 2006 - 9 a.m. -- Open Meeting Radford University, Radford, Virginia.

A regular meeting. A Poverty Committee meeting is scheduled for 4 p.m.

Contact: Pat Rengnerth, Board Liaison, Department of Social Services, Office of Legislative and Regulatory Affairs, 7 N. 8th St., Room 5214, Richmond, VA 23219, telephone (804) 726-7905, FAX (804) 726-7906, (800) 828-1120/TTY, email patricia.rengnerth@dss.virginia.gov.

October 19, 2006 - 9 a.m. -- Open Meeting Radford University, Radford, Virginia.

A regular meeting.

Contact: Pat Rengnerth, Board Liaison, Department of Social Services, Office of Legislative and Regulatory Affairs, 7 N. 8th St., Room 5214, Richmond, VA 23219, telephone (804) 726-7905, FAX (804) 726-7906, (800) 828-1120/TTY, email patricia.rengnerth@dss.virginia.gov.

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November 3, 2006 - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the State Board of Social Services intends to repeal regulations entitled 22 VAC 40-20, Food Stamp Program - Income Conversion Method. The purpose of the proposed action is to repeal the regulation that requires the use of income conversion to calculate weekly or biweekly income amounts to monthly amounts for the Food Stamp Program. The provision will be included in a new comprehensive Food Stamp Regulation, 22 VAC 40-601.

Statutory Authority: § 63.2-217 of the Code of Virginia.

Contact: Celestine Jackson, Program Consultant, Division of Benefit Program, Department of Social Services, 7 N. 8th St., Richmond, VA 23219, telephone (804) 726-7376, FAX (804) 726-7356 or email celestine.jackson@dss.virginia.gov.

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November 3, 2006 - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the State Board of Social Services intends to amend regulations entitled 22 VAC 40-25, Auxiliary Grants Program. The purpose of the proposed
action is to update the regulation and establish guidelines regarding requirements to participate in the Auxiliary Grants Program, minimum services to be provided, reimbursable rates and reporting requirements.

Statutory Authority: §§ 63.2-217 and 63.2-800 of the Code of Virginia.

Contact: Sandra Coffey, Regional Adult Services Consultant, Department of Social Services, 1604 Santa Rosa Rd., Suite 130, Richmond, VA 23229, telephone (804) 662-9784, FAX (804) 662-7023 or email sandra.coffey@dss.virginia.gov.

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November 3, 2006 - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the State Board of Social Services intends to amend regulations entitled 22 VAC 40-600, Food Stamp Program - Administrative Disqualification Hearings. The purpose of the proposed action is to repeal the regulation that establishes an administrative process to determine if an individual has committed an intentional act against the Food Stamp Program. The provisions of this regulation will be included as part of a new comprehensive Food Stamp Regulation, 22 VAC 40-601.

Statutory Authority: § 63.2-217 of the Code of Virginia.

Contact: Celestine Jackson, Program Consultant, Division of Benefit Program, Department of Social Services, 7 N. 8th St., Richmond, VA 23219, telephone (804) 726-7376, FAX (804) 726-7356 or email celestine.jackson@dss.virginia.gov.

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November 3, 2006 - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the State Board of Social Services intends to repeal regulations entitled 22 VAC 40-880, Child Support Enforcement Program. The purpose of

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the proposed action is to update the current child support regulation impacted by 2003 and 2004 state legislation, and to amplify selected sections of the existing regulation. The current regulation encompasses all functions of the child support enforcement program including application, eligibility for services, location, paternity establishment, order establishment, enforcement, collection, distribution and case closure.

Statutory Authority: § 63.2-217 of the Code of Virginia.

Contact: Cynthia Holdren, Program Manager, Division of Child Support Enforcement, Department of Social Services, 7 N. 8th St., 1st Floor, Richmond, VA 23219, telephone (804) 726-7474, FAX (804) 726-7482 or email cynthia.holdren@dss.virginia.gov.

BOARD OF SOCIAL WORK

† October 12, 2006 - 10 a.m. -- Public Hearing Department of Health Professions, 6603 West Broad Street, 5th Floor, Conference Room 1, Richmond, Virginia.

A public hearing to accept comments and information from relevant stakeholders in regard to a study of social work practice pursuant to House Bill 1146 (2006).

Contact: Evelyn B. Brown, Executive Director, Board of Social Work, Alcoa Bldg., 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9967, FAX (804) 662-7250, (804) 662-7197/TTY, email evelyn.brown@dhp.virginia.gov.

October 13, 2006 - 10 a.m. -- Open Meeting Department of Health Professions, 6603 West Broad Street, Fifth Floor, Richmond, Virginia.

A regular business meeting.

Contact: Evelyn B. Brown, Executive Director, Board of Social Work, Alcoa Bldg., 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9967, FAX (804) 662-7250, (804) 662-7197/TTY, email evelyn.brown@dhp.virginia.gov.

BOARD FOR SOIL SCIENTISTS AND WETLAND PROFESSIONALS

October 11, 2006 - 9 a.m. -- Open Meeting Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia.

A meeting of the Soil Scientists and Wetland Delineators Board to conduct board business. The meeting is open to the public; however, a portion of the board's business may be discussed in closed session. Persons desiring to participate in the meeting and requiring special accommodations or interpretive services should contact the department at least 10 days prior to the meeting so that suitable arrangements can be made. The department fully complies with the Americans with Disabilities Act.

Contact: Mark N. Courtney, Executive Director, Board for Professional Soil Scientists and Wetland Professionals, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8514, FAX (804) 367-2475, (804) 367-9753/TTY, email soilscientist@dpor.virginia.gov.

DEPARTMENT OF TRANSPORTATION

October 18, 2006 - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Department of Transportation intends to adopt regulations entitled 24 VAC 30-155, Traffic Impact Analysis Regulations. The purpose of the proposed action is to publish a proposed APA-exempt regulation to satisfy the provisions of Chapter 527 of the 2006 Acts of Assembly. The regulation establishes procedures by which localities submit proposals that will affect the state-controlled transportation network to the Virginia Department of Transportation for review and comment to improve the manner in which land use and transportation planning decisions are coordinated and executed throughout the Commonwealth.


Contact: Robert W. Hofrichter, Assistant Director for Land Use, Department of Transportation, 1401 E. Broad St., Richmond, VA 23219, telephone (804) 662-9612, FAX (804) 662-9405, or email chapter527@vdot.virginia.gov.

TREASURY BOARD

October 18, 2006 - 9 a.m. -- Open Meeting

November 15, 2006 - 9 a.m. -- Open Meeting 101 North 14th Street, 3rd Floor, Richmond, Virginia.

A regular meeting.

Contact: J. Braxton Powell, Treasurer, Department of the Treasury, 101 N. 14th St., 3rd Floor, Richmond, VA 23218, telephone (225) 225-2142, FAX (225) 225-3187, email braxton.powell@trs.virginia.gov.

DEPARTMENT OF VETERANS SERVICES

October 18, 2006 - 11 a.m. -- Open Meeting McGuire VA Medical Center - Building 507-A2, 1221 Broad Rock Road, Richmond, Virginia.

A meeting of the Veterans Care Center Advisory Committee. Public comment will be heard at the conclusion of the meeting.
Joint Leadership Council of Veterans Service Organizations

October 11, 2006 - 10 a.m. -- Open Meeting
American Legion Department of Virginia Building, 1708 Commonwealth Avenue, Richmond, Virginia.

A regular meeting. Public comment will be heard at approximately 10:15 a.m. and also at the conclusion of the meeting.

Contact: Roz J. Trent, Coordinator of the JLC, VCCAC and VSF Program Operations, Department of Veterans Services, 900 E. Main St., Richmond, VA 23219, telephone (804) 786-0220, FAX (804) 786-0302, email roz.trent@dvs.virginia.gov.

Veterans Services Foundation

October 4, 2006 - 11 a.m. -- Open Meeting
American Legion Department of Virginia Building, 1708 Commonwealth Avenue, Richmond, Virginia.

A meeting of the Board of Trustees. Public comment will be heard at the conclusion of the meeting.

Contact: Roz J. Trent, Coordinator of Board Operations, Department of Veterans Services, 900 E. Main St., Richmond, VA 23219, telephone (804) 786-0220, FAX (804) 786-0302, email roz.trent@dvs.virginia.gov.

STATE WATER CONTROL BOARD

October 3, 2006 - 7 p.m. -- Open Meeting
Department of Environmental Quality, Valley Regional Office, 4411 Early Road, Harrisonburg, Virginia.

A public hearing to receive comments on the proposed reissuance of a discharge permit for Merck and Co., Inc. located in Elkton. In addition to the public hearing, an informational briefing will be held at the same location beginning at 6:30 p.m. The public comment period ends on October 18, 2006.

Contact: Eric Aschenbach, State Water Control Board, P.O. Box 3000, Harrisonburg, VA 22801, telephone (540) 574-7879, FAX (540) 574-7878, email etaschenbach@deq.virginia.gov.

October 4, 2006 - 9:30 a.m. -- Open Meeting
Department of Environmental Quality, Piedmont Regional Office, 4949-A Cox Road, Glen Allen, Virginia.

A meeting of the advisory committee assisting in the development of implementation guidance for nonpoint source nutrient reductions, which are intended to offset new and expanded point source discharges of total nitrogen and total phosphorus in the Chesapeake Bay Watershed.

Contact: Kyle Winter, State Water Control Board, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4182, FAX (804) 698-4032, email kiwinter@deq.virginia.gov.
October 23, 2006 - 1 p.m. -- Open Meeting
Department of Environmental Quality, Piedmont Regional Office, 4949-A Cox Road, Glen Allen, Virginia.

The Department of Environmental Quality (DEQ) has scheduled a meeting for invited stakeholders and other interested public to provide a briefing on the efforts of agency staff and the Academic Advisory Committee on Freshwater Nutrient Criteria and to consult with the stakeholders on these efforts. The primary focus of this meeting will be on development of criteria to protect the designated uses of streams and rivers from the impacts of nutrients, but staff will also provide an update on the status of the rulemaking on nutrient criteria for lakes and reservoirs. Presentations will be made by DEQ staff and representatives from the Academic Advisory Committee and Virginia Association of Municipal Wastewater Agencies.

Contact: Jean W. Gregory, State Water Control Board, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4113, email jwgregory@deq.virginia.gov.

October 26, 2006 - 9 a.m. -- Open Meeting
Department of Environmental Quality, Piedmont Regional Office, 4949-A Cox Road, Glen Allen, Virginia.

This is a joint meeting of the VWP – Water Permitting and the WP5 – Minor Surface Water Withdrawal Technical Advisory Committees to discuss proposed revisions/additions to the proposed VWP Amendments that incorporate the key components of the proposed General Permit (WP5) for Minor Surface Water Withdrawals. Please note that the location of this meeting may change.

Contact: William K. Norris, State Water Control Board, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4022, FAX (804) 698-4347, email wknorris@deq.virginia.gov.

December 1, 2006 - 10 a.m. -- Open Meeting
Department of Environmental Quality, Piedmont Regional Office, 4949-A Cox Road, Glen Allen, Virginia.

A meeting of the advisory committee to be established to assist in the development of amendments to the water quality standards. The notice of intent appears in the Virginia Register of Regulations on September 18, 2006.

Contact: Elleanore M. Daub, State Water Control Board, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4111, FAX (804) 698-4116, email emdaub@deq.virginia.gov.

Board for Waterworks and Wastewater Works Operators

November 3, 2006 - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Board for Waterworks and Wastewater Works Operators intends to amend regulations entitled 18 VAC 160-20, Board for Waterworks and Wastewater Works Operators Regulations. The purpose of the proposed action is to delete current language providing for a paper and pencil examination and add language that provides for a computer-administered examination as well as language enabling applicants to apply directly to the examination vendor rather than to the board to sit for the examination. The vendor will, in consultation with board staff, determine applicant eligibility to sit for the examination. Those passing the examination must apply to the board for licensure. The amendments will replace the current single application to sit for the examination and become licensed with a separate application to sit for the examination and a separate application for license. Under the proposed amendments, applicants will be able to quality to sit for the examination and become licensed in a much shorter period of time.


Contact: David E. Dick, Executive Director, Board for Waterworks and Wastewater Works Operators, 3600 W. Broad St., Richmond, VA 23230-4917, telephone (804) 367-2648, FAX (804) 367-6128 or email waterwasteoper@dpor.virginia.gov.

December 6, 2006 - 8:30 a.m. -- Open Meeting
Department of Professional and Occupational Regulation, 3600 West Board Street, Richmond, Virginia.

A meeting to conduct board business. The meeting is open to the public; however, a portion of the board's business may be discussed in closed session. Persons desiring to participate in the meeting and requiring special accommodations or interpretive services should contact the department at least 10 days prior to the meeting so that suitable arrangements can be made. The department fully complies with the Americans with Disabilities Act.

Contact: David E. Dick, Executive Director, Board for Waterworks and Wastewater Works Operators, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8595, FAX (804) 367-2475, (804) 367-9753/TTY, email waterwasteoper@dpor.virginia.gov.
INDEPENDENT

STATE LOTTERY BOARD

October 18, 2006 - 9:30 a.m. -- Open Meeting
State Lottery Department, 900 East Main Street, 13th Floor, Richmond, Virginia.

A regular meeting. There will be an opportunity for public comment shortly after the meeting is convened.

Contact: Frank S. Ferguson, Director, Legislative and Regulatory Affairs, State Lottery Department, 900 E. Main St., Richmond, VA 23219, telephone (804) 692-7901, FAX (804) 692-7905, email fferguson@valottery.com.

October 20, 2006 - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the State Lottery Board intends to amend regulations entitled 11 VAC 5-20, Administration Regulations. The purpose of the proposed action is to require the department to follow the procedures contained in Virginia Lottery Purchasing Manual when purchasing goods or services.


Contact: Betty K. Hill, Legislative & Regulatory Coordinator, State Lottery Department, 900 E. Main St., Richmond, VA 23219, telephone (804) 692-7904, FAX (804-692-7603) or email bhill@valottery.com.

VIRGINIA OFFICE FOR PROTECTION AND ADVOCACY

† December 13, 2006 - 10 a.m. -- Open Meeting
Virginia Office for Protection and Advocacy, Byrd Building, 1910 Byrd Avenue, Suite 5, Richmond, Virginia.

(Interpreter for the deaf provided upon request)

A regular meeting of the Disabilities Advisory Council. Public comment is welcome and will be received at the beginning of the meeting. If interpreter services or other accommodations are required, please contact Ms. Shehi no later than November 2, 2006.

Contact: Lisa Shehi, Administrative Assistant, Virginia Office for Protection and Advocacy, 1910 Byrd Ave., Suite 5, Richmond, VA 23230, telephone (804) 662-7213, FAX (804) 662-7431, toll-free (800) 552-3962, (804) 225-2042, email lisa.shehi@vopa.virginia.gov.

VIRGINIA RETIREMENT SYSTEM

October 11, 2006 - 1:30 p.m. -- Open Meeting
November 8, 2006 - 1:30 p.m. -- Open Meeting
December 13, 2006 - 1:30 p.m. -- Open Meeting
Virginia Retirement System, 1200 East Main Street, Richmond, Virginia.

A meeting of the Benefits and Actuarial Committee. No public comment will be received at the meeting.

Contact: LaShaunda King, Executive Assistant, Virginia Retirement System, 1200 E. Main St., Richmond, VA 23219, telephone (804) 344-3124, FAX (804) 786-1541, toll-free (888) 827-3847, (804) 344-3190/TTY, email lking@varetire.org.

October 12, 2006 - 1 p.m. -- Open Meeting
November 9, 2006 - 1 p.m. -- Open Meeting
December 14, 2006 - 1 p.m. -- Open Meeting
Virginia Retirement System, 1111 East Main Street, 3rd Floor Conference Room, Richmond, Virginia.

A regular meeting of the Board of Trustees. No public comment will be received at the meeting.

Contact: LaShaunda King, Executive Assistant, Virginia Retirement System, 1200 E. Main St., Richmond, VA 23219, telephone (804) 344-3124, FAX (804) 786-1541, toll-free (888) 827-3847, (804) 344-3190/TTY, email lking@varetire.org.

November 8, 2006 - 3 p.m. -- Open Meeting
Virginia Retirement System, 1200 East Main Street, Richmond, Virginia.

A meeting of the Audit and Compliance Committee.

Contact: LaShaunda King, Executive Assistant, Virginia Retirement System, 1200 E. Main St., Richmond, VA 23219, telephone (804) 344-3124, FAX (804) 786-1541, toll-free (888) 827-3847, (804) 344-3190/TTY, email lking@varetire.org.
November 9, 2006 - 9 a.m. -- Open Meeting
December 14, 2006 - 9 a.m. -- Open Meeting
Virginia Retirement System, 1111 East Main Street, 3rd Floor Conference Room, Richmond, Virginia. A

A regular meeting of the Investment Advisory Committee. No public comment will be received at the meeting.

Contact: Linda Ritchey, Executive Assistant, Virginia Retirement System, 1111 E. Main St., Richmond, VA 23219, telephone (804) 697-6673, FAX (804) 786-1541, toll-free (888) 827-3847, (804) 344-3190/TTY, email lritchey@varetire.org.

December 12, 2006 - Noon -- Open Meeting
Virginia Retirement System, 1200 East Main Street, Richmond, Virginia. A

A regular meeting of the Optional Retirement Plan for Higher Education Committee. No public comment will be received at the meeting.

Contact: Patty Atkins-Smith, Legislative Liaison and Policy Analyst, Virginia Retirement System, 1200 E. Main St., Richmond, VA 23219, telephone (804) 344-3123, FAX (804) 786-1541, toll-free (888) 827-3847, (804) 344-3190/TTY, email psmith@varetire.org.

LEGISLATIVE

JOINT COMMISSION ON ADMINISTRATIVE RULES

October 4, 2006 - 10 a.m. -- Open Meeting
General Assembly Building, 9th and Broad Streets, Senate Room A, Richmond, Virginia. A

A regular meeting. For questions regarding the meeting agenda, contact Elizabeth Palen, Division of Legislative Services, (804) 786-3591. Individuals requiring interpreter services or other accommodations should telephone Senate Committee Operations at (804) 698-7450, (804) 698-7419/TTY, or write to Senate Committee Operations, P.O. Box 396, Richmond, VA 23218, at least seven days prior to the meeting.

Contact: Hobie Lehman, Senate Committee Operations, General Assembly Bldg., 910 Capitol St., Richmond, VA 23219, telephone (804) 698-7410.

VIRGINIA FREEDOM OF INFORMATION ADVISORY COUNCIL

† October 11, 2006 - 10 a.m. -- Open Meeting
General Assembly Building, 910 Capitol Street, Speaker's Conference Room, 6th Floor, Richmond, Virginia. A

The third meeting of the Electronic Meetings Subcommittee in 2006.

Contact: Maria J.K. Everett, Executive Director, Virginia Freedom of Information Advisory Council, General Assembly Bldg., 910 Capitol St., 2nd Floor, Richmond, VA 23219, telephone (804) 225-3056, FAX (804) 371-8705, toll-free (866) 448-4100, email foiacouncil@leg.state.va.us.

† October 11, 2006 - 1:30 p.m. -- Open Meeting
General Assembly Building, 910 Capitol Street, House Room C, Richmond, Virginia. A

The second meeting of the FOIA Council in 2006.

Contact: Maria J.K. Everett, Executive Director, Virginia Freedom of Information Advisory Council, General Assembly Bldg., 910 Capitol St., 2nd Floor, Richmond, VA 23219, telephone (804) 225-3056, FAX (804) 371-8705, toll-free (866) 448-4100, email foiacouncil@leg.state.va.us.

HOUSE APPROPRIATIONS COMMITTEE

October 16, 2006 - 9:30 a.m. -- Open Meeting
November 13, 2006 - TBA - Open Meeting
November 14, 2006 - TBA - Open Meeting
General Assembly Building, 9th and Broad Streets, 9th Floor, Richmond, Virginia. A

A regular meeting.

Contact: Barbara L. Teague, House Committee Operations, 910 Capitol St., Richmond, VA 23219, telephone (804) 698-1540.

VIRGINIA CODE COMMISSION

October 18, 2006 - 1 p.m. -- Open Meeting
LexisNexis, 701 East Water Street, Charlottesville, Virginia.

The Commission will tour the LexisNexis facility in Charlottesville.

Contact: Jane Chaffin, Registrar of Regulations, Virginia Code Commission, General Assembly Bldg., 2nd Floor, 910 Capitol St., Richmond, VA 23219, telephone (804) 786-3591, FAX (804) 692-0625, email jchaffin@leg.state.va.us.

NOTE: CHANGE IN MEETING LOCATION
October 19, 2006 - 9 a.m. -- Open Meeting
Courtyard Marriott at UVA, Charlottesville, Virginia.

A general business meeting.

Contact: Jane Chaffin, Registrar of Regulations, General Assembly Bldg., 2nd Floor, 910 Capitol St., Richmond, VA 23219, telephone (804) 698-7410, FAX (804) 786-3591, email jchaffin@leg.state.va.us.
November 9, 2006 - 10 a.m. -- Open Meeting
General Assembly Building, 9th and Broad Streets, 6th Floor,
Speaker's Conference Room, Richmond, Virginia.

A regularly scheduled meeting.  

Contact: Jane D. Chaffin, Registrar of Regulations, 910 Capitol St., 2nd Floor, Richmond, VA 23219, telephone (804) 786-3591, FAX (804) 692-0625, email jchaffin@leg.state.va.us.

HOUSE COMMITTEE ON COMMERCE AND LABOR
October 3, 2006 - 10 a.m. -- Open Meeting
General Assembly Building, 9th and Broad Streets, House Room D, Richmond, Virginia.

A regular meeting. For questions regarding the meeting agenda contact Frank Munyan, Division of Legislative Services, (804) 786-3591.

Contact: Barbara L. Teague, House Committee Operations, 910 Capitol St., Richmond, VA 23219, telephone (804) 698-1540.

HOUSE HEALTH, WELFARE AND INSTITUTIONS COMMITTEE
October 25, 2006 - 2 p.m. -- Open Meeting
General Assembly Building, 9th and Broad Streets, House Room C, Richmond, Virginia.

A meeting of the COPN Task Force.

Contact: Lori L. Maynard, House Committee Operations, 910 Capitol St., Richmond, VA 23219, telephone (804) 698-1540.

JOINT SUBCOMMITTEE STUDYING OPEN SPACE FARMLAND PRESERVATION
October 10, 2006 - 12:30 p.m. -- Open Meeting
Barrier Islands Center, Machipongo, Virginia.

A regular meeting. For questions regarding the meeting agenda contact Mark Vucci, Division of Legislative Services, (804) 786-3591.

Contact: Pam Burham, House Committee Operations, 910 Capitol St., Richmond, VA 23219, telephone (804) 698-1540.

JOINT SUBCOMMITTEE STUDYING THE COMMONWEALTH’S PROGRAM FOR PRISONER REENTRY TO SOCIETY
October 26, 2006 - 10 a.m. -- Open Meeting
November 14, 2006 - 2 p.m. -- Open Meeting
General Assembly Building, 9th and Broad Streets, Senate Room B, Richmond, Virginia.

A regular meeting. For questions regarding the meeting agenda, please contact Ellen Weston, Division of Legislative Services at (804) 786-3591. Individuals requiring interpreter services or other accommodations should telephone Senate Committee Operations at (804) 698-7450, (804) 698-7419/TTY, or write to Senate Committee Operations, P.O. Box 396, Richmond, VA 23218, at least seven days prior to the meeting.

Contact: Rich Fiorella, Senate Committee Operations, General Assembly Bldg., 910 Capitol St., Richmond, VA 23219, telephone (804) 698-7410.

JOINT SUBCOMMITTEE STUDYING SCIENCE, MATH AND TECHNOLOGY EDUCATION
† October 10, 2006 - 12:30 p.m. -- Open Meeting
General Assembly Building, 9th and Broad Streets, House Room C, Richmond, Virginia.

† October 25, 2006 - 1 p.m. -- Open Meeting
Thomas Jefferson High School, 6560 Braddock Road, Alexandria, Virginia.

A regular meeting. For questions regarding the meeting agenda contact Patrick Cushing or Nicole Seeds, Division of Legislative Services, (804) 786-3591.

Contact: Pam Burham, House Committee Operations, 910 Capitol St., Richmond, VA 23219, telephone (804) 698-1540.

SMALL BUSINESS COMMISSION
October 27, 2006 - 10 a.m. -- Open Meeting
Roanoke Higher Education Center, Roanoke, Virginia.

A regular meeting. Individuals requiring interpreter services or other accommodations should telephone Senate Committee Operations at (804) 698-7450, (804) 698-7419/TTY, or write to Senate Committee Operations, P.O. Box 396, Richmond, VA 23218, at least seven days prior to the meeting.

Contact: Hobie Lehman, Senate Committee Operations, General Assembly Bldg., 910 Capitol St., Richmond, VA 23219, telephone (804) 698-7410.
JOINT COMMISSION ON TECHNOLOGY AND SCIENCE

October 3, 2006 - 1 p.m. -- Open Meeting
General Assembly Building, 9th and Broad Streets, Richmond, Virginia.

A meeting of JCOTS Nanotechnology Manufacturing and Research and Development Advisory Committees.

Contact: Patrick Cushing, Staff Attorney, Joint Commission on Technology and Science, General Assembly Bldg., 910 Capitol St., 2nd Floor, Richmond, VA 23219, telephone (804) 786-3591, email pcushing@leg.state.va.us.

October 4, 2006 - 10 a.m. -- Open Meeting
Patrick Henry Building, 1111 East Broad Street, House Room 1, Richmond, Virginia.

A meeting of the JCOTS Electronic Balloting Advisory Committee.

Contact: Patrick Cushing, Staff Attorney, Joint Commission on Technology and Science, General Assembly Bldg., 910 Capitol St., 2nd Floor, Richmond, VA 23219, telephone (804) 786-3591, email pcushing@leg.state.va.us.

October 10, 2006 - 2 p.m. -- Open Meeting
General Assembly Building, 9th and Broad Streets, Speaker's Conference Room, Richmond, Virginia.

A meeting of JCOTS Cybercrimes Advisory Committee.

Contact: Patrick Cushing, Staff Attorney, Joint Commission on Technology and Science, General Assembly Bldg., 910 Capitol St., 2nd Floor, Richmond, VA 23219, telephone (804) 786-3591, email pcushing@leg.state.va.us.

October 11, 2006 - 1 p.m. -- Open Meeting
General Assembly Building, 9th and Broad Streets, House Room D, Richmond, Virginia.

A regular meeting of the commission.

Contact: Patrick Cushing, Staff Attorney, Joint Commission on Technology and Science, General Assembly Bldg., 910 Capitol St., 2nd Floor, Richmond, VA 23219, telephone (804) 786-3591, email pcushing@leg.state.va.us.

November 30, 2006 - 10 a.m. -- Open Meeting
General Assembly Building, 9th and Broad Streets, House Room D, Richmond, Virginia.

A regular meeting. Teleconferenced site: 510 Cumberland Street, Suite 308, Bristol, Virginia. In case of technical difficulties during the meeting, contact Lisa Wallmeyer at 804-786-3591.

Contact: Lisa Wallmeyer, Executive Director, Joint Commission on Technology and Science, General Assembly Bldg., 910 Capitol St., 2nd Floor, Richmond, VA 23219, telephone (804) 786-3591.

VIRGINIA UNEMPLOYMENT COMPENSATION COMMISSION

† October 30, 2006 - 2 p.m. -- Open Meeting
November 14, 2006 - 2 p.m. -- Open Meeting
General Assembly Building, 9th and Broad Streets, Senate Room A, Richmond, Virginia.

A regular meeting. For questions regarding the meeting agenda, please contact Frank Munyan, Division of Legislative Services at (804) 786-3591.

Contact: Hobie Lehman, Senate Committee Operations, General Assembly Bldg., 910 Capitol St., Richmond, VA 23219, telephone (804) 698-7410.

CHRONOLOGICAL LIST

OPEN MEETINGS

October 2
Alcoholic Beverage Control Board
† Nursing, Board of

October 3
† Accountancy, Board of
Arts, Virginia Commission for the
Commerce and Labor, House Committee on
Conservation and Recreation, Department of
Contractors, Board for
† Health, Department of
Medicine, Board of
- Advisory Board on Occupational Therapy
- Advisory Board on Respiratory Care
Museum of Fine Arts, Virginia
Nursing, Board of
Technology and Science, Joint Commission on
Water Control Board, State

October 4
Administrative Rules, Joint Commission on
† Blind and Vision Impaired, Department for the
Education, Secretary of
† Environmental Quality, Department of
Health Professions, Department of
Medicine, Board of
- Advisory Board on Acupuncture
- Advisory Board on Radiologic Technology
Technology and Science, Joint Commission on
Veterans Services, Department of
- Veterans Services Foundation
Water Control Board, State

October 5
† Assistive Technology Loan Fund Authority
Auctioneers Board
† Blind and Vision Impaired, Department for the
Conservation and Recreation, Department of
- Virginia Scenic River Advisory Board
Medicine, Board of
- Advisory Board on Athletic Training
- Advisory Board on Physician Assistants

**October 6**
- Art and Architectural Review Board
- Advisory Board on Midwifery

**October 10**
- Accountancy, Board of
- Medical Assistance Services, Department of
- Motor Vehicles, Department of

**October 11**
- Conservation and Recreation, Department of
- Environmental Quality, Department of
- Fire Services Board, Virginia
- Freedom of Information Advisory Council, Virginia
- Funeral Directors and Embalmers, Board of
- Health, Department of
- Higher Education Tuition Trust Fund, Virginia
- Natural Resources, Foundation for Virginia's
- Pharmacy, Board of
- Real Estate Board
- Retirement System, Virginia
- Soil Scientists and Wetland Professionals, Board for Professional
- Technology and Science, Joint Commission on
- Veterans Services, Department of

**October 12**
- Contractors, Board for
- Fire Services Board, Virginia
- Museum of Fine Arts, Virginia
- Nursing, Board of
- Real Estate Board
- Retirement System, Virginia
- Water Control Board, State

**October 13**
- Dentistry, Board of
- Fire Services Board, Virginia
- Social Work, Board of

**October 16**
- Alcoholic Beverage Control Board
- Appropriations Committee, House
- Conservation and Recreation, Department of
- Nursing, Board of
- Old Dominion University

**October 17**
- Cemetery Board
- Contractors, Board for
- Environmental Quality, Department of
- Governor, Office of
  - Olmstead Community Integration Implementation Team
- Health, Department of
- Higher Education for Virginia, State Council of
- Water Control Board, State

**October 18**
- Blind and Vision Impaired, Department for the
- Code Commission, Virginia
- Compensation Board
- Conservation and Recreation, Department of
- Education, Board of
- Environmental Quality, Department of
- Geology, Board for
- Health Professions, Department of
- Lottery Board, State
- Medical Assistance Services, Department of
- Motor Vehicles, Department of
- - Board of Transportation Safety
- Nursing, Board of
  - Joint Boards of Nursing and Medicine
- Small Business Financing Authority, Virginia
- Social Services, State Board of
- Treasury Board
- Veterans Services, Department of

**October 19**
- Arts, Virginia Commission for the
- Code Commission, Virginia
- Conservation and Recreation, Department of
- Design-Build/Construction Management Review Board
- Education, Board of
- Jamestown-Yorktown Foundation
- Medicine, Board of
- Pesticide Control Board
- Social Services, State Board of

**October 20**
- Education, Board of
- Water Control Board, State

**October 21**
- Blind and Vision Impaired, Department for the

**October 23**
- Medical Assistance Services, Department of
- Water Control Board, State

**October 24**
- Accountancy, Board of
- Contractors, Board for
- Marine Resources Commission
- Nursing, Board of
Calendar of Events

October 25
Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects, Board for Education, Board of Health, Welfare and Institutions Committee, House † Science, Math and Technology Education, Joint Subcommittee Studying

October 26
Conservation and Recreation, Department of Polygraph Examiners Advisory Board Prisoner Reentry to Society, Joint Subcommittee the Commonwealth's Program for † Water Control Board, State

October 27
† Accountancy, Board of † Blind and Vision and Impaired, Department for the Rehabilitation Services, Department of † Small Business Commission

October 30
† Unemployment Compensation Commission

October 31
Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects, Board for Chesapeake Bay Local Assistance Board † Conservation and Recreation, Department of † Contractors, Board for Long-Term Care Administrators, Board for † Real Estate Appraiser Board

November 1
Asbestos, Lead, and Home Inspectors, Board for Branch Pilots, Board for † Health, Department of † Real Estate Appraiser Board

November 2
Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects, Board for † Health, Department of † Medicine, Board of

November 3
Art and Architectural Review Board

November 6
Alcoholic Beverage Control Board Barbers and Cosmetology, Board for Emergency Planning Committee, Local - City of Winchester

November 7
† Medicine, Board of Museum of Fine Arts, Virginia Real Estate Appraiser Board † Water Control Board, State

November 8

November 9
Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects, Board for Code Commission, Virginia Conservation and Recreation, Department of Medical Assistance Services, Department of Retirement System, Virginia

November 13
Appropriations Committee, House Library Board Nursing, Board of Professional and Occupational Regulation, Board for

November 14
Appropriations Committee, House Corrections, Board of Nursing, Board of Prisoner Reentry to Society, Joint Subcommittee the Commonwealth's Program for Research and Technology Advisory Commission, Virginia † Unemployment Compensation Commission, Virginia

November 15
Corrections, Board of Education, Secretary of Hearing Aid Specialists, Board for † Medicine, Board of Nursing, Board of Outdoors Foundation, Virginia Treasury Board

November 16
Conservation and Recreation, Department of - Virginia Soil and Water Conservation Board Design-Build/Construction Management Review Board Health, Department of Nursing, Board of Outdoors Foundation, Virginia Protection and Advocacy, Virginia Office for - PAIMI Advisory Council

November 17
Child Fatality Review Team, State Dentistry, Board of

November 20
Alcoholic Beverage Control Board Jamestown-Yorktown Foundation Old Dominion University

November 21
Conservation and Recreation, Department of Jamestown-Yorktown Foundation
**Calendar of Events**

- **November 28**  
  Contractors, Board for  
  † Marine Resources Commission

- **November 29**  
  Education, Board of  
  † Medicine, Board of

- **November 30**  
  Nursing, Board of  
  Technology and Science, Joint Commission on

- **December 1**  
  Art and Architectural Review Board  
  Nursing, Board of  
  Water Control Board, State

- **December 4**  
  Alcoholic Beverage Control Board  
  Branch Pilots, Board for  
  Nursing, Board of  
  Real Estate Board

- **December 5**  
  Branch Pilots, Board for  
  Charitable Gaming Board  
  Museum of Fine Arts, Virginia  
  Nursing, Board of  
  Real Estate Board

- **December 6**  
  George Mason University  
  Jamestown-Yorktown Foundation  
  Mental Health, Mental Retardation and Substance Abuse Services, Department of  
  Nursing and Medicine, Joint Boards of  
  Waterworks and Wastewater Works Operators, Board for

- **December 7**  
  Dentistry, Board of  
  Nursing, Board of  
  Polygraph Examiners Advisory Board  
  Public Guardian and Conservator Advisory Board

- **December 8**  
  Dentistry, Board of  
  Health, Department of  
  Medicine, Board of  
  Old Dominion University  
  Opticians, Board for

- **December 10**  
  † Health, Department of

- **December 11**  
  Branch Pilots, Board for  
  Chesapeake Bay Local Assistance Board

- **December 12**  
  Medical Assistance Services, Board of  
  Nursing, Board of  
  Retirement System, Virginia

- **December 13**  
  Nursing, Board of  
  Pharmacy, Board of  
  † Protection and Advocacy, Virginia Office for  
  Retirement System, Virginia

- **December 14**  
  Conservation and Recreation, Department of  
  Human Resources, Virginia Council on  
  Labor and Industry, Department of  
  - Virginia Apprenticeship Council  
  Retirement System, Virginia

- **December 15**  
  Asbestos, Lead, and Home Inspectors, Virginia Board for  
  Dentistry, Board of

- **December 18**  
  Alcoholic Beverage Control Board

- **December 19**  
  † Contractors, Board for  
  Governor, Office of  
  - Olmstead Community Integration Implementation Team  
  † Marine Resources Commission

- **December 21**  
  † Design-Build/Construction Management Review Board

- **January 2, 2007**  
  † Museum of Fine Arts, Virginia

**PUBLIC HEARINGS**

- **October 3**  
  Mental Health, Mental Retardation and Substance Abuse Services, State Board of

- **October 4**  
  Health, Board of

- **October 5**  
  Auctioneers Board

- **October 6**  
  Environmental Quality, Department of

- **October 10**  
  Health, Board of  
  Mental Health, Mental Retardation and Substance Abuse Services, State Board of

- **October 12**  
  Air Pollution Control Board, State  
  † Social Work, Board of

- **October 17**  
  Cemetery Board  
  Mental Health, Mental Retardation and Substance Abuse Services, State Board of  
  † Water Control Board, State

- **October 18**  
  Environmental Quality, Department of  
  Medical Assistance Services, Department of

- **October 19**  
  Mental Health, Mental Retardation and Substance Abuse Services, State Board of

- **October 23**  
  † Mental Health, Mental Retardation and Substance Abuse Services, State Board of
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<thead>
<tr>
<th>Date</th>
<th>Event</th>
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<tbody>
<tr>
<td>October 24</td>
<td>Mental Health, Mental Retardation and Substance Abuse Services, State Board of</td>
</tr>
<tr>
<td>October 25</td>
<td>† Air Pollution Control Board</td>
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<td></td>
<td>† Water Control Board, State</td>
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<tr>
<td>November 8</td>
<td>Mental Health, Mental Retardation and Substance Abuse Services, State Board of</td>
</tr>
<tr>
<td>November 9</td>
<td>Mental Health, Mental Retardation and Substance Abuse Services, State Board of</td>
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