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# CUMULATIVE TABLE OF VIRGINIA ADMINISTRATIVE CODE SECTIONS ADOPTED, AMENDED, OR REPEALED

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printed below lists regulation sections, by Virginia Administrative Code (VAC) title, that have been amended, added or repealed in the *Virginia Register* since the regulations were originally published or last supplemented in VAC (the Fall 2004 VAC Supplement includes final regulations published through *Virginia Register* Volume 20, Issue 24, dated August 9, 2004). 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.

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
<b>Title 1. Administration</b>			
1 VAC 75-40-10 through 1 VAC 75-40-60	Added	20:25 VA.R. 3082	9/22/04
<b>Title 2. Agriculture</b>			
2 VAC 5-500	Repealed	21:8 VA.R. 861	1/26/05
2 VAC 5-501-10 through 2 VAC 5-501-110	Added	21:8 VA.R. 861-869	1/26/05
2 VAC 5-530	Repealed	21:8 VA.R. 869	1/26/05
2 VAC 5-531-10 through 2 VAC 5-531-140	Added	21:8 VA.R. 869-908	1/26/05
2 VAC 20-30 (Forms)	Erratum	20:25 VA.R. 3111	--
<b>Title 3. Alcoholic Beverages</b>			
3 VAC 5-50-60	Amended	21:7 VA.R. 803	2/26/05
<b>Title 4. Conservation and Natural Resources</b>			
4 VAC 3-20-10 through 4 VAC 3-20-351	Repealed	21:3 VA.R. 317	1/29/05
4 VAC 15-20-100	Amended	21:3 VA.R. 318	10/1/04
4 VAC 15-40-280	Amended	21:1 VA.R. 24	10/20/04
4 VAC 15-260-10	Amended	20:25 VA.R. 3082	7/28/04
4 VAC 15-320-100	Amended	21:1 VA.R. 24	9/20/04
4 VAC 20-25-10 through 4 VAC 20-25-40	Added	21:8 VA.R. 908-909	12/1/04
4 VAC 20-252-50	Amended	21:13 VA.R. 1824	2/2/05
4 VAC 20-252-55	Amended	21:13 VA.R. 1824	2/2/05
4 VAC 20-252-130	Amended	21:13 VA.R. 1825	2/2/05
4 VAC 20-252-150	Amended	21:13 VA.R. 1825	2/2/05
4 VAC 20-252-160	Amended	21:13 VA.R. 1826	2/2/05
4 VAC 20-270-30	Amended	20:26 VA.R. 3191	8/6/04
4 VAC 20-320-10	Amended	20:26 VA.R. 3191	8/6/04
4 VAC 20-320-70	Amended	20:26 VA.R. 3192	8/6/04
4 VAC 20-320-80	Amended	20:26 VA.R. 3192	8/6/04
4 VAC 20-450-30	Amended	21:13 VA.R. 1827	2/2/05
4 VAC 20-564-10 through 4 VAC 20-564-50 emer	Added	20:25 VA.R. 3096	8/16/04-9/3/04
4 VAC 20-620-40	Amended	21:10 VA.R. 1231	1/1/05
4 VAC 20-650-20	Amended	21:8 VA.R. 909	12/1/04
4 VAC 20-720-10 emer	Amended	21:12 VA.R. 1563	2/1/05-2/28/05
4 VAC 20-720-20 emer	Amended	21:12 VA.R. 1563	2/1/05-2/28/05
4 VAC 20-720-20	Amended	21:4 VA.R. 408	10/1/04
4 VAC 20-720-20	Amended	21:8 VA.R. 910	12/1/04
4 VAC 20-720-40 emer	Amended	21:12 VA.R. 1564	2/1/05-2/28/05
4 VAC 20-720-40 through 4 VAC 20-720-100	Amended	21:4 VA.R. 409-411	10/1/04
4 VAC 20-720-40 through 4 VAC 20-720-90	Amended	21:8 VA.R. 911-913	12/1/04
4 VAC 20-720-50 emer	Amended	21:12 VA.R. 1564	2/1/05-2/28/05
4 VAC 20-720-60 emer	Amended	21:12 VA.R. 1565	2/1/05-2/28/05
4 VAC 20-720-75	Added	21:8 VA.R. 912	12/1/04
4 VAC 20-720-110 emer	Amended	21:12 VA.R. 1565	2/1/05-2/28/05
4 VAC 20-910-45 emer	Amended	21:5 VA.R. 499	11/1/04-11/30/04
4 VAC 20-910-45	Amended	21:8 VA.R. 913	12/1/04
4 VAC 20-910-45 emer	Amended	21:10 VA.R. 1234	1/1/05-1/30/05

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

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
4 VAC 20-910-45	Amended	21:13 VA.R. 1827	2/2/05
4 VAC 20-920-45	Added	21:8 VA.R. 914	12/1/04
4 VAC 20-950-47	Amended	21:5 VA.R. 497	10/29/04
4 VAC 20-950-48 emer	Amended	21:3 VA.R. 334	9/29/04-10/30/04
4 VAC 20-950-48	Amended	21:5 VA.R. 497	10/29/04
4 VAC 20-950-48	Amended	21:13 VA.R. 1828	2/2/05
4 VAC 20-950-48.1	Added	21:5 VA.R. 497	10/29/04
4 VAC 20-1045-10	Added	21:4 VA.R. 412	10/1/04
4 VAC 20-1045-20	Added	21:4 VA.R. 412	10/1/04
4 VAC 20-1045-30	Added	21:4 VA.R. 412	10/1/04
4 VAC 20-1065-10 through 4 VAC 20-1065-40	Added	21:12 VA.R. 1523	2/1/05
4 VAC 25-31 (Forms)	Amended	21:1 VA.R. 28	--
4 VAC 25-130 (Forms)	Amended	21:2 VA.R. 225	--
4 VAC 50-60-10 through 4 VAC 50-60-1240	Added	21:3 VA.R. 317	1/29/05
<b>Title 6. Criminal Justice and Corrections</b>			
6 VAC 20-190-10	Amended	21:2 VA.R. 127	11/3/04
6 VAC 20-190-50	Amended	21:2 VA.R. 127	11/3/04
6 VAC 20-190-150	Amended	21:2 VA.R. 127	11/3/04
6 VAC 20-190-160	Amended	21:2 VA.R. 128	11/3/04
6 VAC 20-240-10 through 6 VAC 20-240-140 emer	Added	20:25 VA.R. 3097-3102	8/23/04-8/22/05
6 VAC 35-170-10 through 6 VAC 35-170-230	Added	21:9 VA.R. 1073	2/9/05
<b>Title 8. Education</b>			
8 VAC 20-140-10	Repealed	21:3 VA.R. 332	1/1/05
8 VAC 20-200-10	Repealed	21:7 VA.R. 804	3/1/05
8 VAC 20-210-10	Erratum	21:13 VA.R. 1941	--
8 VAC 20-210-10	Amended	21:4 VA.R. 413	1/1/05
8 VAC 20-260-10 through 8 VAC 20-260-60	Repealed	21:7 VA.R. 805-806	3/1/05
8 VAC 20-360-10	Amended	21:8 VA.R. 1011	3/15/05
8 VAC 20-360-20	Amended	21:8 VA.R. 1012	3/15/05
8 VAC 20-360-30	Repealed	21:8 VA.R. 1012	3/15/05
8 VAC 20-380-10 through 8 VAC 20-380-40	Repealed	21:7 VA.R. 806-807	3/1/05
8 VAC 20-400-10 through 8 VAC 20-400-50	Repealed	21:7 VA.R. 807-808	3/1/05
8 VAC 20-430-10 through 8 VAC 20-430-50	Repealed	21:7 VA.R. 808-809	3/1/05
8 VAC 20-470-10	Repealed	21:4 VA.R. 423	3/1/05
8 VAC 20-480-10	Repealed	21:7 VA.R. 809	3/1/05
8 VAC 20-680-10	Added	21:12 VA.R. 1559	5/9/05
8 VAC 20-680-20	Added	21:12 VA.R. 1559	5/9/05
8 VAC 20-690-10 through 8 VAC 20-690-50	Added	21:12 VA.R. 1525	3/29/05
8 VAC 20-700-10 through 8 VAC 20-700-50 (emer)	Added	21:13 VA.R. 1928-1929	2/16/05-2/15/06
8 VAC 40-30 emer	Repealed	21:6 VA.R. 684	11/8/04-11/7/05
8 VAC 40-31-10 through 8 VAC 40-31-320 emer	Added	21:6 VA.R. 684-698	11/8/04-11/7/05
<b>Title 9. Environment</b>			
9 VAC 5-20-21	Amended	21:11 VA.R. 1360	3/9/05
9 VAC 25-720-50	Erratum	21:11 VA.R. 1425	--
9 VAC 5-20-204	Erratum	20:26 VA.R. 3210-3211	--
9 VAC 5-20-204	Amended	21:7 VA.R. 790	1/12/05
9 VAC 5-20-205	Erratum	20:26 VA.R. 3210-3211	--
9 VAC 5-40-7240 through 9 VAC 5-40-7360	Added	21:11 VA.R. 1364-1389	3/9/05
9 VAC 5-40-7260	Erratum	21:13 VA.R. 1941	--
9 VAC 5-40-7270	Erratum	21:13 VA.R. 1941	--
9 VAC 5-50-400	Amended	21:7 VA.R. 791	1/12/05
9 VAC 5-60-60	Amended	21:7 VA.R. 791	1/12/05
9 VAC 5-60-90	Amended	21:7 VA.R. 791	1/12/05
9 VAC 5-60-91	Repealed	21:7 VA.R. 791	1/12/05
9 VAC 5-60-100	Amended	21:7 VA.R. 791	1/12/05

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

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9 VAC 5-80-2000	Amended	21:4 VA.R. 413	12/1/04
9 VAC 5-80-2010	Amended	21:4 VA.R. 414	12/1/04
9 VAC 5-80-2250	Amended	21:4 VA.R. 419	12/1/04
9 VAC 20-80 (Forms)	Amended	21:13 VA.R. 1930	--
9 VAC 20-130 (Forms)	Amended	21:11 VA.R. 1417	--
9 VAC 20-130 (Forms)	Amended	21:13 VA.R. 1930	--
9 VAC 25-31-10	Amended	21:2 VA.R. 128	11/3/04
9 VAC 25-31-10	Amended	21:9 VA.R. 1073	2/9/05
9 VAC 25-31-10	Amended	21:10 VA.R. 1233	2/9/05
9 VAC 25-31-10	Erratum	21:13 VA.R. 1941	--
9 VAC 25-31-30	Amended	21:2 VA.R. 139	11/3/04
9 VAC 25-31-100	Amended	21:2 VA.R. 140	11/3/04
9 VAC 25-31-100	Amended	21:9 VA.R. 1084	2/9/05
9 VAC 25-31-100	Amended	21:10 VA.R. 1233	2/9/05
9 VAC 25-31-120	Amended	21:9 VA.R. 1100	2/9/05
9 VAC 25-31-120	Amended	21:10 VA.R. 1233	2/9/05
9 VAC 25-31-120	Erratum	21:13 VA.R. 1941	--
9 VAC 25-31-121	Repealed	21:9 VA.R. 1111	2/9/05
9 VAC 25-31-121	Repealed	21:10 VA.R. 1233	2/9/05
9 VAC 25-31-130	Amended	21:2 VA.R. 158	11/3/04
9 VAC 25-31-130	Amended	21:9 VA.R. 1117	2/9/05
9 VAC 25-31-130	Amended	21:10 VA.R. 1233	2/9/05
9 VAC 25-31-170	Amended	21:2 VA.R. 160	11/3/04
9 VAC 25-31-170	Amended	21:9 VA.R. 1119	2/9/05
9 VAC 25-31-170	Amended	21:10 VA.R. 1233	2/9/05
9 VAC 25-31-200	Amended	21:2 VA.R. 162	11/3/04
9 VAC 25-31-200	Amended	21:9 VA.R. 1121	2/9/05
9 VAC 25-31-200	Amended	21:10 VA.R. 1233	2/9/05
9 VAC 25-31-220	Amended	21:9 VA.R. 1123	2/9/05
9 VAC 25-31-220	Amended	21:10 VA.R. 1233	2/9/05
9 VAC 25-31-390	Amended	21:9 VA.R. 1128	2/9/05
9 VAC 25-31-390	Amended	21:10 VA.R. 1233	2/9/05
9 VAC 25-71-10	Amended	21:2 VA.R. 165	11/3/04
9 VAC 25-71-60	Amended	21:2 VA.R. 166	11/3/04
9 VAC 25-101-30	Amended	21:2 VA.R. 166	11/3/04
9 VAC 25-101-35	Added	21:2 VA.R. 167	11/3/04
9 VAC 25-101-40	Amended	21:2 VA.R. 167	11/3/04
9 VAC 25-101-45	Added	21:2 VA.R. 170	11/3/04
9 VAC 25-101-50	Amended	21:2 VA.R. 170	11/3/04
9 VAC 25-101-60	Amended	21:2 VA.R. 172	11/3/04
9 VAC 25-101-70	Amended	21:2 VA.R. 172	11/3/04
9 VAC 25-151-140	Amended	21:2 VA.R. 173	11/3/04
9 VAC 25-151-150	Amended	21:2 VA.R. 175	11/3/04
9 VAC 25-151-160	Amended	21:2 VA.R. 179	11/3/04
9 VAC 25-151-180	Amended	21:2 VA.R. 179	11/3/04
9 VAC 25-151-230	Amended	21:2 VA.R. 181	11/3/04
9 VAC 25-151-280	Amended	21:2 VA.R. 182	11/3/04
9 VAC 25-191-50	Erratum	21:9 VA.R. 1170	--
9 VAC 25-191-50	Erratum	21:11 VA.R. 1425	--
9 VAC 25-191-10 through 9 VAC 25-191-50	Added	21:2 VA.R. 183-198	11/3/04
9 VAC 25-192-10	Amended	21:2 VA.R. 199	11/3/04
9 VAC 25-192-20	Amended	21:2 VA.R. 200	11/3/04
9 VAC 25-192-30	Repealed	21:2 VA.R. 200	11/3/04
9 VAC 25-192-40	Repealed	21:2 VA.R. 200	11/3/04
9 VAC 25-192-50	Amended	21:2 VA.R. 200	11/3/04
9 VAC 25-192-60	Amended	21:2 VA.R. 201	11/3/04

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

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
9 VAC 25-192-70	Amended	21:2 VA.R. 202	11/3/04
9 VAC 25-260-30 Bottom Creek	Amended	21:11 VA.R. 1389	*
9 VAC 25-260-30 Lake Drummond	Amended	21:11 VA.R. 1390	*
9 VAC 25-260-30 Little Stony Creek	Amended	21:11 VA.R. 1390	*
9 VAC 25-260-30 Ragged Island	Amended	21:11 VA.R. 1390	*
9 VAC 25-400-10	Repealed	20:25 VA.R. 3083	9/22/04
9 VAC 25-401-10 through 9 VAC 25-401-50	Added	20:25 VA.R. 3083	9/22/04
9 VAC 25-590-10 through 9 VAC 25-590-100	Amended	21:8 VA.R. 915-919	1/26/05
9 VAC 25-590-120	Amended	21:8 VA.R. 919	1/26/05
9 VAC 25-590-120	Repealed	21:8 VA.R. 919	1/26/05
9 VAC 25-590-140 through 9 VAC 25-590-210	Amended	21:8 VA.R. 919-923	1/26/05
9 VAC 25-590-260	Amended	21:8 VA.R. 924	1/26/05
9 VAC 25-630 (Forms)	Erratum	21:9 VA.R. 1170	--
9 VAC 25-630-10	Amended	21:2 VA.R. 211	11/3/04
9 VAC 25-630-20	Amended	21:2 VA.R. 212	11/3/04
9 VAC 25-630-30	Amended	21:2 VA.R. 212	11/3/04
9 VAC 25-630-50	Amended	21:2 VA.R. 212	11/3/04
9 VAC 25-660-10 through 9 VAC 25-660-100	Amended	21:8 VA.R. 929-940	1/26/05
9 VAC 25-670-10 through 9 VAC 25-670-100	Amended	21:8 VA.R. 940-957	1/26/05
9 VAC 25-680-10 through 9 VAC 25-680-100	Amended	21:8 VA.R. 957-976	1/26/05
9 VAC 25-690-10 through 9 VAC 25-690-100	Amended	21:8 VA.R. 976-997	1/26/05
9 VAC 25-720-50	Amended	21:9 VA.R. 1130	--
9 VAC 25-720-50	Amended	21:12 VA.R. 1526	3/23/05
9 VAC 25-720-60	Amended	21:9 VA.R. 1136	2/9/05
9 VAC 25-720-80	Amended	21:9 VA.R. 1143	2/9/05
9 VAC 25-720-80	Amended	21:12 VA.R. 1527	3/23/05
9 VAC 25-720-90	Amended	21:9 VA.R. 1152	2/9/05
9 VAC 25-720-90	Amended	21:12 VA.R. 1527	3/23/05
9 VAC 25-720-130	Amended	21:12 VA.R. 1528	3/23/05
<b>Title 10. Finance and Financial Institutions</b>			
10 VAC 5-100-10	Repealed	21:6 VA.R. 630	6/30/05
10 VAC 5-100-20	Repealed	21:6 VA.R. 630	6/30/05
10 VAC 5-100-30	Repealed	21:6 VA.R. 630	6/30/05
10 VAC 5-110-10	Added	21:6 VA.R. 631	11/15/04
10 VAC 5-110-20	Added	21:6 VA.R. 631	11/15/04
<b>Title 11. Gaming</b>			
11 VAC 10-20-200	Amended	20:25 VA.R. 3083	9/23/04
11 VAC 10-20-240 emer	Amended	20:25 VA.R. 3102	7/28/04-7/27/05
11 VAC 10-45 (Forms)	Erratum	20:25 VA.R. 3112	--
<b>Title 12. Health</b>			
12 VAC 5-90-10 emer	Amended	21:6 VA.R. 699	11/5/04-11/4/05
12 VAC 5-90-40 emer	Amended	21:6 VA.R. 702	11/5/04-11/4/05
12 VAC 5-90-90 emer	Amended	21:6 VA.R. 703	11/5/04-11/4/05
12 VAC 5-90-100 emer	Amended	21:6 VA.R. 705	11/5/04-11/4/05
12 VAC 5-90-105 emer	Added	21:6 VA.R. 705	11/5/04-11/4/05
12 VAC 5-90-110 emer	Amended	21:6 VA.R. 706	11/5/04-11/4/05
12 VAC 5-90-120 emer	Added	21:6 VA.R. 708	11/5/04-11/4/05
12 VAC 5-220-10	Amended	20:26 VA.R. 3193	9/27/04
12 VAC 5-220-160	Amended	20:26 VA.R. 3196	9/27/04
12 VAC 5-220-230	Amended	20:26 VA.R. 3197	9/27/04
12 VAC 5-220-385	Amended	20:26 VA.R. 3198	9/27/04
12 VAC 5-371-110	Amended	20:26 VA.R. 3200	9/27/04
12 VAC 5-410-10	Amended	21:12 VA.R. 1561	5/9/05

\* 30 days after publication of notice of EPA approval.

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

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
12 VAC 5-410-440	Erratum	21:8 VA.R. 1016	--
12 VAC 5-410-440	Amended	21:6 VA.R. 665	2/14/05
12 VAC 5-410-441 through 12 VAC 5-410-447	Added	21:6 VA.R. 666-681	2/14/05
12 VAC 5-590-10	Amended	21:13 VA.R. 1829	4/6/05
12 VAC 5-590-370	Amended	21:13 VA.R. 1835	4/6/05
12 VAC 5-590-410	Amended	21:13 VA.R. 1860	4/6/05
12 VAC 5-590-420	Amended	21:13 VA.R. 1863	4/6/05
12 VAC 5-590-500	Amended	21:13 VA.R. 1879	4/6/05
12 VAC 5-590-505 emer	Added	21:9 VA.R. 1165	12/21/04-12/20/05
12 VAC 5-590-530	Amended	21:13 VA.R. 1880	4/6/05
12 VAC 5-590-540	Amended	21:13 VA.R. 1886	4/6/05
12 VAC 5-590-550	Amended	21:13 VA.R. 1890	4/6/05
12 VAC 5-590, Appendix L	Amended	21:13 VA.R. 1891	4/6/05
12 VAC 5-590, Appendix M	Amended	21:13 VA.R. 1897	4/6/05
12 VAC 5-590, Appendix O	Amended	21:13 VA.R. 1901	4/6/05
12 VAC 30-10-650	Amended	21:6 VA.R. 631	1/3/05
12 VAC 30-50-210	Amended	21:6 VA.R. 632	1/3/05
12 VAC 30-50-490 emer	Amended	21:12 VA.R. 1566	2/1/05-1/31/06
12 VAC 30-70-331	Amended	21:6 VA.R. 683	7/1/05
12 VAC 30-80-30	Amended	21:7 VA.R. 797	1/12/05
12 VAC 30-80-40	Amended	21:6 VA.R. 632	1/3/05
12 VAC 30-80-40 emer	Amended	21:6 VA.R. 709	12/1/04-11/30/05
12 VAC 30-80-190 emer	Amended	20:26 VA.R. 3203	9/1/04-8/31/05
12 VAC 30-80-190 emer	Amended	20:26 VA.R. 3204	9/1/04-8/31/05
12 VAC 30-80-190	Amended	21:7 VA.R. 800	1/12/05
12 VAC 30-90-29	Amended	21:2 VA.R. 223	11/3/04
12 VAC 30-120-10 through 12 VAC 30-120-60 emer	Repealed	21:12 VA.R. 1601	2/1/05-1/31/06
12 VAC 30-120-211 emer	Amended	21:6 VA.R. 711	12/1/04-11/30/05
12 VAC 30-120-213 emer	Amended	21:6 VA.R. 714	12/1/04-11/30/05
12 VAC 30-120-215 emer	Amended	21:6 VA.R. 715	12/1/04-11/30/05
12 VAC 30-120-219 emer	Amended	21:6 VA.R. 718	12/1/04-11/30/05
12 VAC 30-120-223 emer	Amended	21:6 VA.R. 719	12/1/04-11/30/05
12 VAC 30-120-225 emer	Amended	21:6 VA.R. 720	12/1/04-11/30/05
12 VAC 30-120-227 emer	Amended	21:6 VA.R. 724	12/1/04-11/30/05
12 VAC 30-120-229 emer	Amended	21:6 VA.R. 725	12/1/04-11/30/05
12 VAC 30-120-233 emer	Amended	21:6 VA.R. 726	12/1/04-11/30/05
12 VAC 30-120-237 emer	Amended	21:6 VA.R. 728	12/1/04-11/30/05
12 VAC 30-120-241 emer	Amended	21:6 VA.R. 729	12/1/04-11/30/05
12 VAC 30-120-243 emer	Amended	21:6 VA.R. 730	12/1/04-11/30/05
12 VAC 30-120-245 emer	Amended	21:6 VA.R. 732	12/1/04-11/30/05
12 VAC 30-120-247 emer	Amended	21:6 VA.R. 733	12/1/04-11/30/05
12 VAC 30-120-249 emer	Amended	21:6 VA.R. 734	12/1/04-11/30/05
12 VAC 30-120-260	Amended	21:11 VA.R. 1391	3/10/05
12 VAC 30-120-280	Amended	21:11 VA.R. 1392	3/10/05
12 VAC 30-120-290	Amended	21:11 VA.R. 1394	3/10/05
12 VAC 30-120-310	Amended	21:11 VA.R. 1395	3/10/05
12 VAC 30-120-320	Amended	21:11 VA.R. 1395	3/10/05
12 VAC 30-120-350	Amended	21:11 VA.R. 1395	3/10/05
12 VAC 30-120-360	Amended	21:11 VA.R. 1396	3/10/05
12 VAC 30-120-370	Amended	21:11 VA.R. 1398	3/10/05
12 VAC 30-120-380	Amended	21:11 VA.R. 1400	3/10/05
12 VAC 30-120-400	Amended	21:11 VA.R. 1401	3/10/05
12 VAC 30-120-410	Amended	21:11 VA.R. 1401	3/10/05
12 VAC 30-120-420	Amended	21:11 VA.R. 1402	3/10/05
12 VAC 30-120-490 through 12 VAC 30-120-550 emer	Repealed	21:12 VA.R. 1601	2/1/05-1/31/06
12 VAC 30-120-700 emer	Amended	21:12 VA.R. 1568	2/1/05-1/31/06

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

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
12 VAC 30-120-710 emer	Amended	21:12 VA.R. 1572	2/1/05-1/31/06
12 VAC 30-120-720 emer	Amended	21:12 VA.R. 1572	2/1/05-1/31/06
12 VAC 30-120-730 emer	Amended	21:12 VA.R. 1576	2/1/05-1/31/06
12 VAC 30-120-740 emer	Amended	21:12 VA.R. 1578	2/1/05-1/31/06
12 VAC 30-120-750 emer	Amended	21:12 VA.R. 1579	2/1/05-1/31/06
12 VAC 30-120-752 emer	Amended	21:12 VA.R. 1580	2/1/05-1/31/06
12 VAC 30-120-753 emer	Amended	21:12 VA.R. 1582	2/1/05-1/31/06
12 VAC 30-120-754 emer	Amended	21:12 VA.R. 1583	2/1/05-1/31/06
12 VAC 30-120-756 emer	Amended	21:12 VA.R. 1584	2/1/05-1/31/06
12 VAC 30-120-758 emer	Amended	21:12 VA.R. 1585	2/1/05-1/31/06
12 VAC 30-120-760 emer	Amended	21:12 VA.R. 1586	2/1/05-1/31/06
12 VAC 30-120-762 emer	Amended	21:12 VA.R. 1586	2/1/05-1/31/06
12 VAC 30-120-764 emer	Amended	21:12 VA.R. 1587	2/1/05-1/31/06
12 VAC 30-120-766 emer	Amended	21:12 VA.R. 1588	2/1/05-1/31/06
12 VAC 30-120-768 emer	Amended	21:12 VA.R. 1590	2/1/05-1/31/06
12 VAC 30-120-770 emer	Amended	21:12 VA.R. 1592	2/1/05-1/31/06
12 VAC 30-120-772 emer	Amended	21:12 VA.R. 1596	2/1/05-1/31/06
12 VAC 30-120-774 emer	Amended	21:12 VA.R. 1597	2/1/05-1/31/06
12 VAC 30-120-776 emer	Amended	21:12 VA.R. 1598	2/1/05-1/31/06
12 VAC 30-120-780 emer	Repealed	21:12 VA.R. 1600	2/1/05-1/31/06
12 VAC 30-120-790 emer	Repealed	21:12 VA.R. 1601	2/1/05-1/31/06
12 VAC 30-120-900 through 12 VAC 30-120-990 emer	Added	21:12 VA.R. 1601-1619	2/1/05-1/31/06
12 VAC 30-130-290	Amended	21:6 VA.R. 631	1/3/05
12 VAC 30-130-310	Amended	21:6 VA.R. 631	1/3/05
12 VAC 30-130-320	Amended	21:6 VA.R. 631	1/3/05
12 VAC 30-130-330	Amended	21:6 VA.R. 631	1/3/05
12 VAC 30-130-335	Added	21:6 VA.R. 631	1/3/05
12 VAC 30-130-400	Amended	21:6 VA.R. 631	1/3/05
12 VAC 30-130-1000	Added	21:6 VA.R. 633	1/3/05
<b>Title 13. Housing</b>			
13 VAC 5-62-260	Amended	20:25 VA.R. 3084	9/8/04
13 VAC 10-180-10	Amended	21:11 VA.R. 1403	1/14/05
13 VAC 10-180-50	Amended	21:11 VA.R. 1403	1/14/05
13 VAC 10-180-60	Amended	21:11 VA.R. 1403	1/14/05
13 VAC 10-180-90	Amended	21:11 VA.R. 1412	1/14/05
13 VAC 10-180-110	Added	21:11 VA.R. 1412	1/14/05
<b>Title 14. Insurance</b>			
14 VAC 5-90-10 through 14 VAC 5-90-50	Amended	20:25 VA.R. 3090-3091	8/4/04
14 VAC 5-90-55	Added	20:25 VA.R. 3091	8/4/04
14 VAC 5-90-60 through 14 VAC 5-90-180	Amended	20:25 VA.R. 3092	8/4/04
14 VAC 5-90 (Forms)	Amended	20:25 VA.R. 3092	8/4/04
<b>Title 16. Labor and Employment</b>			
16 VAC 25-40-10	Amended	20:26 VA.R. 3201	10/15/04
16 VAC 25-40-20	Amended	20:26 VA.R. 3201	10/15/04
16 VAC 25-40-50	Amended	20:26 VA.R. 3202	10/15/04
16 VAC 25-90-1910	Erratum	21:1 VA.R. 44	--
16 VAC 25-90-1910.103	Amended	20:26 VA.R. 3202	10/15/04
16 VAC 25-90-1910.134	Amended	21:11 VA.R. 1412	3/15/05
16 VAC 25-90-1910.217	Amended	20:26 VA.R. 3202	10/15/04
16 VAC 25-90-1910.219	Amended	20:26 VA.R. 3202	10/15/04
16 VAC 25-90-1910.268	Amended	20:26 VA.R. 3202	10/15/04
16 VAC 25-90-1926.307	Amended	20:26 VA.R. 3202	10/15/04
16 VAC 25-100-1915.5	Amended	21:11 VA.R. 1413	3/15/05
16 VAC 25-100-1915.501 through 16 VAC 25-100-1915.509	Added	21:11 VA.R. 1413-1414	3/15/05
16 VAC 25-155-10	Added	21:6 VA.R. 634	1/1/05

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

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
16 VAC 25-175-1926	Erratum	21:1 VA.R. 44	--
16 VAC 25-175-1926.950(c)(1)	Repealed	21:6 VA.R. 634	1/1/05
<b>Title 18. Professional and Occupational Licensing</b>			
18 VAC 5-30-10 through 18 VAC 5-30-110	Repealed	21:3 VA.R. 318	11/3/04
18 VAC 10-20-60	Amended	21:3 VA.R. 318	12/1/04
18 VAC 10-20-90	Amended	21:3 VA.R. 318	12/1/04
18 VAC 10-20-170	Amended	21:3 VA.R. 318	12/1/04
18 VAC 10-20-280	Amended	21:3 VA.R. 318	12/1/04
18 VAC 10-20-400	Amended	21:3 VA.R. 318	12/1/04
18 VAC 10-20-520	Amended	21:3 VA.R. 318	12/1/04
18 VAC 10-20-565	Amended	21:3 VA.R. 318	12/1/04
18 VAC 10-20-580	Amended	21:3 VA.R. 318	12/1/04
18 VAC 10-20-625	Amended	21:3 VA.R. 318	12/1/04
18 VAC 10-20-630	Amended	21:3 VA.R. 318	12/1/04
18 VAC 10-20-665	Amended	21:3 VA.R. 318	12/1/04
18 VAC 45-10-10 through 18 VAC 45-10-40	Amended	20:25 VA.R. 3093-3094	11/8/04
18 VAC 45-10-60 through 18 VAC 45-10-90	Amended	20:25 VA.R. 3094-3095	11/8/04
18 VAC 62-20-60	Erratum	21:1 VA.R. 44	--
18 VAC 62-20-40 emer	Added	20:25 VA.R. 3104	7/23/04-2/1/05
18 VAC 62-20-90 emer	Added	20:25 VA.R. 3104	7/23/04-2/1/05
18 VAC 85-15-10	Added	21:1 VA.R. 26	9/1/04-8/31/05
18 VAC 85-15-20	Added	21:1 VA.R. 26	9/1/04-8/31/05
18 VAC 85-15-30	Added	21:1 VA.R. 26	9/1/04-8/31/05
18 VAC 85-80-61 emer	Added	20:25 VA.R. 3105	7/27/04-7/26/05
18 VAC 90-15-10	Added	21:1 VA.R. 27	9/1/04-8/31/05
18 VAC 90-15-20	Added	21:1 VA.R. 27	9/1/04-8/31/05
18 VAC 90-15-30	Added	21:1 VA.R. 27	9/1/04-8/31/05
18 VAC 90-20-361 through 18 VAC 90-20-364	Repealed	21:9 VA.R. 1156-1157	3/26/05
18 VAC 90-25-15	Added	21:9 VA.R. 1157	3/26/05
18 VAC 90-25-100	Amended	21:9 VA.R. 1158	3/26/05
18 VAC 90-25-110 through 18 VAC 90-25-140	Added	21:9 VA.R. 1158-1160	3/26/05
18 VAC 90-30-10	Amended	21:11 VA.R. 1414	3/9/05
18 VAC 90-30-60 through 18 VAC 90-30-90	Amended	21:11 VA.R. 1415-1416	3/9/05
18 VAC 90-30-85	Added	21:11 VA.R. 1415	3/9/05
18 VAC 95-20-471 emer	Added	20:25 VA.R. 3105	7/28/04-7/27/05
18 VAC 105-20-5 emer	Added	21:6 VA.R. 735	12/8/04-12/7/05
18 VAC 105-20-10 emer	Amended	21:6 VA.R. 736	12/8/04-12/7/05
18 VAC 105-20-15 emer	Amended	21:6 VA.R. 736	12/8/04-12/7/05
18 VAC 105-20-16 emer	Added	21:6 VA.R. 736	12/8/04-12/7/05
18 VAC 105-20-20 emer	Amended	21:6 VA.R. 736	12/8/04-12/7/05
18 VAC 105-20-46	Added	21:8 VA.R. 998	12/8/04
18 VAC 105-20-47	Added	21:8 VA.R. 998	12/8/04
18 VAC 105-20-70 emer	Amended	21:6 VA.R. 737	12/8/04-12/7/05
18 VAC 105-30 emer	Repealed	21:6 VA.R. 735	12/8/04-12/7/05
18 VAC 125-15-10 emer	Added	20:25 VA.R. 3106	7/28/04-7/27/05
18 VAC 125-15-20 emer	Added	20:25 VA.R. 3106	7/28/04-7/27/05
18 VAC 125-15-30 emer	Added	20:25 VA.R. 3106	7/28/04-7/27/05
18 VAC 145-20-151	Amended	21:3 VA.R. 319	12/1/04
18 VAC 160-20-102	Amended	21:3 VA.R. 319	12/1/04
<b>Title 19. Public Safety</b>			
19 VAC 30-70-1	Amended	21:4 VA.R. 420	9/22/04
19 VAC 30-70-2	Amended	21:4 VA.R. 420	9/22/04
19 VAC 30-70-6	Amended	21:4 VA.R. 420	9/22/04
19 VAC 30-70-7	Amended	21:4 VA.R. 420	9/22/04
19 VAC 30-70-8	Amended	21:4 VA.R. 420	9/22/04
19 VAC 30-70-9	Added	21:4 VA.R. 420	9/22/04

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

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
19 VAC 30-70-10	Amended	21:4 VA.R. 420	9/22/04
19 VAC 30-70-30 through 19 VAC 30-70-110	Amended	21:4 VA.R. 420	9/22/04
19 VAC 30-70-130 through 19 VAC 30-70-170	Amended	21:4 VA.R. 420	9/22/04
19 VAC 30-70-190 through 19 VAC 30-70-230	Amended	21:4 VA.R. 420	9/22/04
19 VAC 30-70-250 through 19 VAC 30-70-300	Amended	21:4 VA.R. 420	9/22/04
19 VAC 30-70-340	Amended	21:4 VA.R. 420	9/22/04
19 VAC 30-70-350	Amended	21:4 VA.R. 420	9/22/04
19 VAC 30-70-360	Amended	21:4 VA.R. 420	9/22/04
19 VAC 30-70-400	Amended	21:4 VA.R. 420	9/22/04
19 VAC 30-70-430 through 19 VAC 30-70-560	Amended	21:4 VA.R. 420	9/22/04
19 VAC 30-70-580	Amended	21:4 VA.R. 420	9/22/04
19 VAC 30-70-600	Amended	21:4 VA.R. 420	9/22/04
19 VAC 30-70-650	Amended	21:4 VA.R. 420	9/22/04
<b>Title 22. Social Services</b>			
22 VAC 15-30-10	Amended	21:12 VA.R. 1528	6/1/05
22 VAC 15-30-30	Amended	21:12 VA.R. 1532	6/1/05
22 VAC 15-30-50	Amended	21:12 VA.R. 1532	6/1/05
22 VAC 15-30-70	Amended	21:12 VA.R. 1533	6/1/05
22 VAC 15-30-80	Amended	21:12 VA.R. 1533	6/1/05
22 VAC 15-30-90	Amended	21:12 VA.R. 1533	6/1/05
22 VAC 15-30-110	Amended	21:12 VA.R. 1534	6/1/05
22 VAC 15-30-140	Amended	21:12 VA.R. 1534	6/1/05
22 VAC 15-30-150	Amended	21:12 VA.R. 1534	6/1/05
22 VAC 15-30-160	Amended	21:12 VA.R. 1534	6/1/05
22 VAC 15-30-180	Amended	21:12 VA.R. 1535	6/1/05
22 VAC 15-30-190	Amended	21:12 VA.R. 1535	6/1/05
22 VAC 15-30-200	Amended	21:12 VA.R. 1536	6/1/05
22 VAC 15-30-200	Erratum	21:13 VA.R. 1941	--
22 VAC 15-30-230	Amended	21:12 VA.R. 1536	6/1/05
22 VAC 15-30-250	Amended	21:12 VA.R. 1537	6/1/05
22 VAC 15-30-260	Amended	21:12 VA.R. 1537	6/1/05
22 VAC 15-30-290	Amended	21:12 VA.R. 1538	6/1/05
22 VAC 15-30-310 through 22 VAC 15-30-390	Amended	21:12 VA.R. 1538-1542	6/1/05
22 VAC 15-30-410	Amended	21:12 VA.R. 1542	6/1/05
22 VAC 15-30-430	Amended	21:12 VA.R. 1543	6/1/05
22 VAC 15-30-440	Amended	21:12 VA.R. 1543	6/1/05
22 VAC 15-30-451	Amended	21:12 VA.R. 1545	6/1/05
22 VAC 15-30-461	Amended	21:12 VA.R. 1545	6/1/05
22 VAC 15-30-471	Amended	21:12 VA.R. 1545	6/1/05
22 VAC 15-30-490	Amended	21:12 VA.R. 1546	6/1/05
22 VAC 15-30-500	Amended	21:12 VA.R. 1547	6/1/05
22 VAC 15-30-510	Amended	21:12 VA.R. 1547	6/1/05
22 VAC 15-30-520	Amended	21:12 VA.R. 1548	6/1/05
22 VAC 15-30-540 through 22 VAC 15-30-670	Amended	21:12 VA.R. 1548-1556	6/1/05
22 VAC 15-30-575	Erratum	21:13 VA.R. 1941	--
22 VAC 15-30-585	Added	21:12 VA.R. 1550	6/1/05
22 VAC 40-141-10 through 22 VAC 40-141-40	Amended	21:6 VA.R. 635	2/1/05
22 VAC 40-141-60 through 22 VAC 40-141-130	Amended	21:6 VA.R. 635	2/1/05
22 VAC 40-141-87	Added	21:6 VA.R. 634	2/1/05
22 VAC 40-141-150	Amended	21:6 VA.R. 636	2/1/05
22 VAC 40-141-170 through 22 VAC 40-141-210	Amended	21:6 VA.R. 636-638	2/1/05
22 VAC 40-705-30	Amended	21:4 VA.R. 421	12/1/04
<b>Title 24. Transportation and Motor Vehicles</b>			
24 VAC 20-70-10 through 24 VAC 20-70-50	Repealed	20:25 VA.R. 3092	9/22/04
24 VAC 30-41-30	Amended	21:13 VA.R. 1911	4/6/05
24 VAC 30-41-50	Amended	21:13 VA.R. 1913	4/6/05

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

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
24 VAC 30-41-110	Amended	21:13 VA.R. 1913	4/6/05
24 VAC 30-41-190	Amended	21:13 VA.R. 1914	4/6/05
24 VAC 30-41-210	Amended	21:13 VA.R. 1915	4/6/05
24 VAC 30-41-220	Amended	21:13 VA.R. 1916	4/6/05
24 VAC 30-41-230	Amended	21:13 VA.R. 1916	4/6/05
24 VAC 30-41-250	Amended	21:13 VA.R. 1917	4/6/05
24 VAC 30-41-280	Amended	21:13 VA.R. 1917	4/6/05
24 VAC 30-41-290	Amended	21:13 VA.R. 1918	4/6/05
24 VAC 30-41-300	Amended	21:13 VA.R. 1918	4/6/05
24 VAC 30-41-310	Amended	21:13 VA.R. 1918	4/6/05
24 VAC 30-41-320	Amended	21:13 VA.R. 1919	4/6/05
24 VAC 30-41-350	Amended	21:13 VA.R. 1920	4/6/05
24 VAC 30-41-430	Amended	21:13 VA.R. 1920	4/6/05
24 VAC 30-41-500	Amended	21:13 VA.R. 1921	4/6/05
24 VAC 30-41-510	Amended	21:13 VA.R. 1921	4/6/05
24 VAC 30-41-520	Amended	21:13 VA.R. 1921	4/6/05
24 VAC 30-41-530	Amended	21:13 VA.R. 1922	4/6/05
24 VAC 30-41-580	Amended	21:13 VA.R. 1922	4/6/05
24 VAC 30-41-650	Amended	21:13 VA.R. 1923	4/6/05
24 VAC 30-41-660	Amended	21:13 VA.R. 1923	4/6/05
24 VAC 30-41-680	Amended	21:13 VA.R. 1923	4/6/05
24 VAC 30-90-10 through 24 VAC 30-90-380	Repealed	21:6 VA.R. 643	1/1/05
24 VAC 30-91-10	Erratum	21:12 VA.R. 1776	--
24 VAC 30-91-110	Erratum	21:12 VA.R. 1776	--
24 VAC 30-91-130	Erratum	21:12 VA.R. 1776	--
24 VAC 30-91-10 through 24 VAC 30-91-160	Added	21:6 VA.R. 643-663	1/1/05
24 VAC 30-120-170	Amended	21:3 VA.R. 330	11/17/04

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# NOTICES OF INTENDED REGULATORY ACTION

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## Symbol Key

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

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## TITLE 8. EDUCATION

2403, FAX (804) 225-2524 or e-mail  
anne.wescott@doe.virginia.gov.

VA.R. Doc. No. R05-142; Filed March 1, 2005, 2:37 p.m.

## STATE BOARD OF EDUCATION

### † 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 Education intends to consider amending regulations entitled **8 VAC 20-21, Licensure Regulations for School Personnel**. The purpose of the proposed action is to revise the regulations based on federal and state legislation as well as to address recommendations to clarify and change requirements for licensure.

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

Statutory Authority: §§ 22.1-16 and 22.1-298 of the Code of Virginia.

Public comments may be submitted until April 20, 2005.

**Contact:** Dr. Margaret N. Roberts, Office of Policy and Communications, Department of Education, P.O. Box 2120, Richmond, VA 23218-2120, telephone (804) 225-2540, FAX (804) 225-2524 or e-mail margaret.roberts@doe.virginia.gov.

VA.R. Doc. No. R05-141; Filed March 1, 2005, 2:37 p.m.

### † 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 Education intends to consider amending regulations entitled **8 VAC 20-131, Regulations Establishing Standards for Accrediting Public Schools in Virginia**. The purpose of the proposed action is to conduct a comprehensive review of the regulations to determine if there are changes that might be needed now that most Virginia schools are fully accredited, and the first high school class required to earn verified units of credit has graduated from high school. Section 22.1-253.13:3 of the Code of Virginia requires the Board of Education to establish standards for accreditation. The regulations were last amended in 2000. Since that time, public schools in Virginia have implemented more rigorous requirements for accountability both at the school level and the student level.

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

Statutory Authority: § 22.1-253.13:3 of the Code of Virginia.

Public comments may be submitted until April 20, 2005.

**Contact:** Anne Wescott, Assistant Superintendent, Office of Policy and Communications, Department of Education, P.O. Box 2120, Richmond, VA 23218-2120, telephone (804) 225-

### † 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 Education intends to consider amending regulations entitled **8 VAC 20-520, Regulations Governing Reduction of State Aid When Length of School Term Below 180 School Days**. The purpose of the proposed action is to conform the regulations to state law. The 2004 Virginia General Assembly passed HB 575, HB 1256 and SB 452 that amended § 22.1-98 of the Code and made the changes effective from passage of the bills. HB 1256 and SB 452 clarify the schedule of makeup days and circumstances in which approval may be granted so that state basic aid funding will not be reduced because of school closings due to severe weather conditions or other emergency situations. HB 575 permits the Board of Education to waive the requirement that school divisions compensate for school closings resulting from a declared state of emergency.

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

Statutory Authority: §§ 22.1-16 and 22.1-98 of the Code of Virginia.

Public comments may be submitted until April 25, 2005.

**Contact:** Dr. Margaret N. Roberts, Office of Policy and Communications, Department of Education, P.O. Box 2120, Richmond, VA 23218-2120, telephone (804) 225-2540, FAX (804) 225-2524 or e-mail margaret.roberts@doe.virginia.gov.

VA.R. Doc. No. R05-144; Filed March 1, 2005, 2:41 p.m.

### † 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 Education intends to consider amending regulations entitled **8 VAC 20-541, Regulations Governing Approved Programs for Virginia Institutions of Higher Education**. The purpose of the proposed action is to include a review of endorsement programs and competencies set forth by the licensure regulations, clarify that institutions must provide evidence that demonstrates that the competencies are met, and make any needed revisions to the procedures as the review process is implemented and participating individuals and organizations provide feedback.

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

Statutory Authority: §§ 22.1-16 and 22.1-298 of the Code of Virginia.

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# Notices of Intended Regulatory Action

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Public comments may be submitted until April 25, 2005.

**Contact:** Dr. Margaret N. Roberts, Office of Policy and Communications, Department of Education, P.O. Box 2120, Richmond, VA 23218-2120, telephone (804) 225-2540, FAX (804) 225-2524 or e-mail [margaret.roberts@doe.virginia.gov](mailto:margaret.roberts@doe.virginia.gov).

VA.R. Doc. No. R05-143; Filed March 1, 2005, 2:38 p.m.

## 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 Education intends to consider adopting regulations entitled **8 VAC 20-700, Regulations for Conducting Division-Level Academic Reviews**. The purpose of the regulation is to outline the process and procedures for conducting the division-level academic review and submitting the corrective action plan to the Board of Education. The criteria for selection for the division-level academic review, the structure of the division-level academic review, and the requirements for the division improvement plans and corrective actions will be addressed. In addition, provision for reviews to be conducted by agencies or organizations other than the Department of Education when appropriate will be addressed.

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

Statutory Authority: § 22.1-253.13:3 of the Code of Virginia.

Public comments may be submitted until April 6, 2005.

**Contact:** Dr. Margaret N. Roberts, Executive Assistant, Department of Education, P.O. Box 2120, Richmond, VA 23218-2120, telephone (804) 225-2924, FAX (804) 225-2524 or e-mail [margaret.roberts@doe.virginia.gov](mailto:margaret.roberts@doe.virginia.gov).

VA.R. Doc. No. R05-135; Filed February 16, 2005, 11:19 a.m.

## 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 Education intends to consider adopting regulations entitled **8 VAC 20-710, Regulations Governing the Process for Submitting Proposals to Consolidate School Divisions**. The purpose of the proposed action is to provide for a process whereby school divisions may submit proposals for the consolidation of school divisions. The mandate to promulgate regulations is the result of Chapter 917 of the 2004 Acts of Assembly.

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

Statutory Authority: § 22.1-25 of the Code of Virginia.

Public comments may be submitted until March 24, 2005.

**Contact:** Dr. Margaret N. Roberts, Executive Assistant, Department of Education, P.O. Box 2120, Richmond, VA 23218-2120, telephone (804) 225-2924, FAX (804) 225-2524 or e-mail [margaret.roberts@doe.virginia.gov](mailto:margaret.roberts@doe.virginia.gov).

VA.R. Doc. No. R05-124; Filed February 2, 2005, 10:03 a.m.



## 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 include new numerical and narrative criteria to protect designated uses of lakes and reservoirs from the impacts of nutrients. The rulemaking may also include new or revised use designations for certain categories of lakes and reservoirs.

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

Statutory Authority: § 62.1-44.15 of the Code of Virginia; Clean Water Act (33 USC § 1251 et seq.); 40 CFR Part 131.

Public comments may be submitted until April 8, 2005.

**Contact:** Jean W. Gregory, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4113, FAX (804) 698-4522 or e-mail [jwgregory@deq.virginia.gov](mailto:jwgregory@deq.virginia.gov).

VA.R. Doc. No. R05-113; Filed January 26, 2005, 3:07 p.m.



## TITLE 12. HEALTH

### DEPARTMENT OF MEDICAL ASSISTANCE SERVICES

#### 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 30-50, Amount, Duration, and Scope of Medical and Remedial Care Services**, and **12 VAC 30-120, Waivered Services**. The purpose of the proposed action is to incorporate the changes recommended by the 2003 IFDDS Waiver Task Force to better meet the needs of individuals receiving individual and family developmental disabilities support services through the waiver.

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

Statutory Authority: §§ 32.1-324 and 32.1-325 of the Code of Virginia.

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# Notices of Intended Regulatory Action

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Public comments may be submitted until March 23, 2005, to Suzanne Klaas, Division of Long-Term Care and Quality Assurance, Department of Medical Assistance Services, 600 East Broad Street, Suite 1300, Richmond, VA 23219.

**Contact:** Brian McCormick, Regulatory Coordinator, Department of Medical Assistance Services, 600 E. Broad St., Suite 1300, Richmond, VA 23219, telephone (804) 371-8856, FAX (804) 786-1680 or e-mail brian.mccormick@dmas.virginia.gov.

VA.R. Doc. No. R05-119; Filed January 27, 2005, 4:36 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 combine the elderly and disabled waiver with the consumer-directed waiver.

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

Statutory Authority: §§ 32.1-324 and 32.1-325 of the Code of Virginia.

Public comments may be submitted until March 23, 2005, to Vivian Horn, Division of Long-Term Care and Quality Assurance, Department of Medical Assistance Services, 600 East Broad Street, Suite 1300, Richmond, VA 23219.

**Contact:** Brian McCormick, Regulatory Coordinator, Department of Medical Assistance Services, 600 E. Broad St., Suite 1300, Richmond, VA 23219, telephone (804) 371-8856, FAX (804) 786-1680 or e-mail brian.mccormick@dmas.virginia.gov.

VA.R. Doc. No. R05-117; Filed January 27, 2005, 4:31 p.m.

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

### † Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the State Mental Health, Mental Retardation and Substance Abuse Services Board intends to consider amending 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 various procedures in order to improve the human rights protections provided by the regulations. The action will also align provisions with applicable federal and state laws and regulations, including federal regulations for health information pursuant to the Health Insurance Portability and Accountability Act of 1996.

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

Statutory Authority: § 37.1-84.1 of the Code of Virginia.

Public comments may be submitted until April 22, 2005.

**Contact:** Margaret Walsh, Director, Office of Human Rights, Department of Mental Health, Mental Retardation and Substance Abuse Services, Jefferson Bldg., 1220 Bank St., 13th Floor, Richmond, VA 23219, telephone 804-786-2008, FAX 804-371-2308, or e-mail margaret.walsh@co.dmhmrsas.virginia.gov.

VA.R. Doc. No. R05-146; Filed March 2, 2005, 9:52 a.m.

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## 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 repealing regulations entitled **22 VAC 40-71, Standards and Regulations for Licensed Assisted Living Facilities** and adopting **22 VAC 40-72, Standards for Licensed Assisted Living Facilities**. The purpose of the proposed action is to repeal the existing assisted living facility licensing regulation and adopt revisions to the assisted living facility licensing requirements to provide increased protection for the health, safety and welfare of aged, infirm or disabled persons who reside in such facilities. Because of the probable extent of the changes to this regulation in both content and format, it is proposed that the current regulation, 22 VAC 40-71 be repealed and a new regulation, 22 VAC 40-72 be adopted. The proposed action to adopt a new regulation would include a comprehensive examination of the current regulation and revisions based on implementation experience, changes in populations served in the facilities, legislative mandates, revisions to related regulations, current practices and research findings. The new regulation would also include technical amendments and clarifications.

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

Statutory Authority: §§ 63.2-217 63.2-1732, 63.2-1802, 63.2-1803, 63.2-1805 and 63.2-1808 of the Code of Virginia.

Public comments may be submitted until April 6, 2005.

**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 or e-mail judith.mcgregal@dss.virginia.gov.

VA.R. Doc. No. R05-134; Filed February 16, 2005, 10:20 a.m.

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# PROPOSED REGULATIONS

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For information concerning Proposed Regulations, see Information Page.

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## Symbol Key

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

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## TITLE 9. ENVIRONMENT

### STATE AIR POLLUTION CONTROL BOARD

**REGISTRAR'S NOTICE:** The State Air Pollution Control Board is claiming exemptions from §§ 2.2-4007, 2.2-4013, 2.2-4014 and 2.2-4015 of the Administrative Process Act. Sections 2.2-4007 M, 2.2-4013 E, 2.2-4014 D and 2.2-4015 C of the Administrative Process Act provide that these sections shall not apply to the issuance by the State Air Pollution Control Board of variances to its regulations.

**Title of Regulation:** 9 VAC 5-230. Variance for International Paper Franklin Paper Mill (adding 9 VAC 5-230-10 through 9 VAC 5-230-120).

**Statutory Authority:** § 10.1-1307 of the Code of Virginia.

**Public Hearing Date:** April 20, 2005 - 6:30 p.m.

Public comments may be submitted until 5 p.m. on May 5, 2005.

(See Calendar of Events section for additional information)

**Agency Contact:** Robert Mann, Director, Office of Air Regulatory Development, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4419, FAX (804) 698-4510, or e-mail ramann@deq.virginia.gov.

#### Summary:

The regulation grants a variance that allows the International Paper Company to comply with the variance and an associated federally enforceable state operating permit as an alternate demonstration of compliance with provisions of the regulations of the board pertaining to new source review and new source control technology review for the Franklin Paper Mill. The variance establishes emission caps that limit the sitewide emissions of the Franklin Paper Mill for the duration of the variance. The localities particularly affected are the Cities of Franklin and Suffolk and the County of Isle of Wight.

#### CHAPTER 230.

#### VARIANCE FOR INTERNATIONAL PAPER FRANKLIN PAPER MILL.

#### 9 VAC 5-230-10. Applicability and designation of affected facility.

The affected facility to which the provisions of this chapter apply is the International Paper Franklin Paper Mill.

#### 9 VAC 5-230-20. Definitions.

A. For the purpose of applying this chapter in the context of the Regulations for the Control and Abatement of Air Pollution

and related uses, the words or terms shall have the meanings given them in subsection C of this section.

B. As used in this chapter, all terms not defined herein shall have the meanings given them in 9 VAC 5 Chapter 10 (9 VAC 5-10), Article 6 (9 VAC 5-80-1100 et seq.), Article 8 (9 VAC 5-80-1700 et seq.) or Article 9 (9 VAC 5-80-2000 et seq.) of Part II of 9 VAC 5-80, or commonly ascribed to them by recognized authorities, in that order of priority.

C. Terms defined.

"Control technology application" means a document that includes such information as may be required by the department to determine the effect of the proposed physical or operational change on the ambient air quality and to determine compliance with the emission standards that are applicable. The information required shall include, but is not limited to, the following:

1. Company name and address (or plant name and address if different from the company name), owner's name and agent, and telephone number and name of plant site manager or contact or both.
2. A description of the source's processes and products (by Standard Industrial Classification Code).
3. All emissions of regulated air pollutants.
  - a. An application shall describe all emissions of regulated air pollutants emitted from any emissions unit or group of emissions units to be covered by the control technology approval.
  - b. Emissions shall be calculated as required in a manner acceptable to the department.
  - c. Fugitive emissions shall be included in the application to the extent quantifiable.
4. Emissions rates in tons per year and in such terms as are necessary to establish compliance consistent with the applicable standard reference test method.
5. Information needed to determine or regulate emissions as follows: fuels, fuel use, raw materials, production rates, loading rates, and operating schedules.
6. Identification and description of air pollution control equipment and compliance monitoring devices or activities.
7. Limitations on source operation affecting emissions or any work practice standards, where applicable, for all regulated air pollutants at the source.
8. Calculations on which the information in subdivisions 3 through 7 of this subsection are based. Any calculations shall include sufficient detail to allow assessment of the validity of such calculations.

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# Proposed Regulations

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9. Any additional information or documentation that the department deems necessary to review and analyze the air pollution aspects of the physical or operational change, including the submission of measured air quality data at the proposed site prior to construction of the physical or operational change. Such measurements shall be accomplished using procedures acceptable to the department.

"Department" means the Department of Environmental Quality, an agency of the Commonwealth described in § 10.1-1183 of the Code of Virginia.

"Emissions caps" means the sitewide limitations on the rate of emissions of air pollutants established and identified as emissions caps in 9 VAC 5-230-40 A. This limitation on the annual emissions of a pollutant, expressed in tons per year, is derived from emissions factors and quantification methods believed to be accurate at the time of adoption of this chapter. Emissions attributed to the emissions caps shall include fugitive emissions to the extent quantifiable, and emissions resulting from startup, shutdown and malfunction conditions.

"EPA" means the United States Environmental Protection Agency.

"International Paper" refers to International Paper Company, Inc., a New York corporation authorized to conduct business in Virginia and the owner and operator of a plant (the Franklin Paper Mill) located at 34040 Union Camp Drive in Franklin, Virginia.

"Order" means the order granting this variance.

"FESOP" means the federally enforceable state operating permit issued under the authority of the Order, which meets the requirements of Article 5 (9 VAC 5-80-800 et seq.) of Part II of 9 VAC 5 Chapter 80 to International Paper Company, Inc., Franklin Paper Mill.

"Major new source review (major NSR) program" means a program for the preconstruction review and permitting of new major stationary sources or major modifications (physical changes or changes in the method of operation) which are subject to review in accordance with Article 8 (9 VAC 5-80-1700 et seq.) or Article 9 (9 VAC 5-80-2000 et seq.) of Part II of 9 VAC 5 Chapter 80.

"Minor new source review (minor NSR) program" means a program for the preconstruction review and permitting of new stationary sources or modifications (physical changes or changes in the method of operation) which are subject to review in accordance with Article 6 (9 VAC 5-80-1100 et seq.) of Part II of 9 VAC 5 Chapter 80 and which do not qualify as new major stationary sources or major modifications under the major NSR program.

"Physical or operational change" means any physical or operational change at the affected facility that involves the addition of a new emissions unit.

"SAPCB Regulations" means 9 VAC 5 Chapters 10 through 80.

"Site" and "Facility" and "Franklin Paper Mill" mean the contiguous property at 34040 Union Camp Drive, Franklin,

Virginia, under common control by International Paper Company, Inc., and its successors in ownership.

"VAC" or "9 VAC" means Title 9 of the Virginia Administrative Code. This title comprises the environmental regulations for the Commonwealth of Virginia, including the regulations of the board.

"Variance" means this chapter.

## **9 VAC 5-230-30. Authority to operate under this chapter and FESOP.**

A. International Paper may operate under the provisions of this chapter and the FESOP:

1. Provided that International Paper has not administratively appealed the FESOP or filed a notice of appeal for judicial review during the period within which such appeals must be filed; and

2. International Paper has (i) provided written notification to the department that it accepts and will operate under the provisions of this chapter and the FESOP and (ii) received written confirmation of receipt by the department.

B. In no case may International Paper operate under the provisions of this chapter and the FESOP prior to [ the initial effective date of this chapter ].

## **9 VAC 5-230-40. Sitewide emissions caps.**

A. On or after the date that International Paper is granted authority to operate under the provisions of this chapter and the FESOP, no owner or other person shall cause or permit to be discharged into the atmosphere from the affected facility any emissions in excess of the sitewide emissions caps set forth in subdivisions 1 through 10 of this subsection.

1. For particulate matter (PM), the emissions cap shall be 1166 tpy.

2. For particulate matter (PM<sub>10</sub>), the emissions cap shall be 804 tpy.

3. For sulfur dioxide (SO<sub>2</sub>), the emissions cap shall be 7900 tpy.

4. For oxides of nitrogen (NO<sub>x</sub>), the emissions cap shall be 3000 tpy.

5. For carbon monoxide (CO), the emissions cap shall be 2574 tpy.

6. For volatile organic compounds (VOCs), the emissions cap shall be 694 tpy.

7. For total reduced sulfur (TRS), the emissions cap shall be 223 tpy.

8. For lead, the emissions cap shall be 0.135 tpy.

9. For sulfuric acid mist (H<sub>2</sub>SO<sub>4</sub>), the emissions cap shall be 100 tpy.

10. For fluorides, the emissions cap shall be 20.4 tpy.

B. Compliance with the emission caps set forth in subsection A of this section shall be based on a 12 month rolling sum.

C. If International Paper becomes subject to future regulations, International Paper may not use the emissions credits obtained from the associated emissions reductions to comply with the emissions caps.

**9 VAC 5-230-50. New Source Review Program and registration requirements.**

A. This section applies in lieu of certain regulatory requirements for the pollutants for which an emissions cap is established. This section is not intended to provide an alternate method of compliance for any future regulatory requirements, including those that are designed to address particulate matter with aerodynamic diameter less than or equal to a nominal 2.5 microns (PM<sub>2.5</sub>) or ozone or both.

B. For the pollutants for which an emissions cap is established, compliance with this chapter and the FESOP shall constitute compliance with the following provisions of the SAPCB regulations:

1. 9 VAC 5 Chapter 50, Part II, Article 4 (9 VAC 5-50-240 et seq.).
2. 9 VAC 5 Chapter 80, Part II, Article 6 (9 VAC 5-80-1100 et seq.).
3. 9 VAC 5 Chapter 80, Part II, Article 8 (9 VAC 5-80-1700 et seq.).
4. 9 VAC 5 Chapter 80, Part II, Article 9 (9 VAC 5-80-2000 et seq.).

C. For any modifications that would otherwise be subject to the minor NSR program and result in an increase in hazardous air pollutant emissions, International Paper will calculate and maintain records demonstrating that the emissions will not exceed the significant ambient air concentration for that pollutant as defined in Articles 4 (9 VAC 5-60-200 et seq.) and 5 (9 VAC 5-60-300 et seq.) of 9 VAC 5 Chapter 60.

D. For any physical or operational change that would otherwise be subject to the major NSR program, International Paper shall submit a control technology application to and shall obtain approval thereof from the department that the control technology to be installed meets the applicable requirements of Article 4 (9 VAC 5-50-240 et seq.) of Part II of 9 VAC 5 Chapter 50. International Paper shall install emission controls that are consistent with the approval. International Paper may begin and complete actual construction of the physical or operational change prior to receiving approval from the department if each of the following conditions is met:

1. International Paper has submitted an approvable control technology application for the physical or operational change with a notice of intent to begin actual construction of the physical or operational change.
2. International Paper has submitted a certification that it (i) freely assumes all financial and other risks associated with beginning actual construction of the physical or operational change prior to receiving the control technology approval and (ii) acknowledges that the department, in evaluating the application, may not consider any consequences to the

applicant of beginning actual construction prior to receiving the control technology approval.

3. The department has not, within 30 days of receipt of the application, issued a written notice to International Paper, based on concerns about air quality impacts or emissions control technology, requiring the termination of construction as soon as practicable but no later than five business days after receipt of the notice.

4. International Paper constructs the physical or operational change as described in the control technology application.

5. International Paper does not commence operation of the physical or operational change until the control technology approval has been granted.

E. If the department has not, within 60 days of receipt of the control technology application submitted in accordance with subsection D of this section, issued a written notice to International Paper either approving or objecting to the construction of the physical or operational change, the control technology application may be deemed granted.

F. All new source review permit program permits that have been issued to the affected facility prior to [ the effective date of this chapter ] are rescinded. All terms and conditions not related to the unit-specific emission limitations that were established to limit the potential to emit for the affected units in order to avoid otherwise applicable requirements are included in the FESOP. The permits that are rescinded include, but are not limited to, the following:

1. Power boilers permit dated 8/3/2003 and amended on 7/6/2004;
2. Digesters, Evaporators, Bleach Plant and Recovery Boiler permit dated 5/11/2004;
3. Lime Kiln permit dated 3/16/2004;
4. Paper Machine permit dated 7/5/2001; and
5. Starch Silo permit dated 5/11/1993.

**9 VAC 5-230-60. Other regulatory requirements.**

A. Compliance with other regulations shall be as follows:

1. International Paper shall comply with the requirements of 40 CFR Part 63 except where alternative requirements have been established as provided in 40 CFR 63.99 (a) (46) (iii) (69 FR 19943, April 15, 2004), in which case International Paper shall comply with the permit terms and conditions setting forth the alternative requirements.

2. International Paper shall comply with all other regulations of the board except as provided in this chapter.

3. Compliance with this chapter and the terms and conditions of the FESOP shall not relieve International Paper of its obligation to comply with applicable local, state or federal laws and regulations not addressed in this chapter.

B. International Paper may not engage in any emissions trading beyond that allowed under a program approved by the board. No emissions credits obtained from emissions

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# Proposed Regulations

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reductions external to the affected facility may be used to comply with the emissions caps.

## **9 VAC 5-230-70. Federal operating permits.**

A. International Paper shall be subject to the provisions of 9 VAC 5 Chapter 80, Part II, Article 1 (9 VAC 5-80-50 et seq.) except that the FESOP and documentation submitted in obtaining the FESOP are deemed sufficient for the permit application requirements pertaining to the applicable requirements in the FESOP. For applicable requirements outside of the FESOP, International Paper shall submit information on standard forms provided by the department, or in accordance with instructions accompanying those forms, or as otherwise acceptable to the department.

B. International Paper shall be subject to the provisions of 9 VAC 5 Chapter 80, Part II, Article 2 (9 VAC 5-80-310 et seq.) and shall provide the department with emissions inventory update information sufficient to allow the department to assess permit program fees.

## **9 VAC 5-230-80. FESOP issuance and amendments.**

A. The department may issue a FESOP under the provisions of Article 5 (9 VAC 5-80-800 et seq.) of Part II of 9 VAC 5 Chapter 80 to implement the provisions of this chapter. The FESOP shall include terms and conditions concerning monitoring, recordkeeping and reporting as may be necessary to ensure compliance with the emissions caps and may include such other terms and conditions as the department may determine are necessary to implement the provisions of this chapter.

B. The department shall issue the initial FESOP in accordance with the procedures set forth in the order. The department shall amend the FESOP in accordance with the procedures set forth in subsections C through E of this section. The department shall specify within the FESOP the conditions under which the FESOP may be amended.

C. The department shall provide for public participation prior to issuing the FESOP. At a minimum, the department shall:

1. Make available for public inspection in at least one location in the area of the site the information submitted by International Paper, the department's analysis of the effect on air quality including the preliminary determination, and a copy or summary of any other materials considered in making the preliminary determination;

2. Notify the public, by advertisement in a newspaper of general circulation in the area of the site of the application, of the location of the information available for public inspection as specified in subdivision 1 of this subsection, and of the opportunity for comment at a public hearing as well as written public comment;

3. Provide a 30-day period for submittal of public comment;

4. Send a copy of the notice of public comment to the following: the EPA Administrator, through the appropriate regional office; any affected other state or local air pollution control agency; the chief executives of the city and county where the site is located; any state, federal land manager,

or other governing body whose lands may be affected by emissions from the site; and

5. Provide opportunity for a public hearing for interested persons to appear and submit written or oral comments on the air quality impact of the site, the control technology required, and other appropriate considerations.

D. Upon request of the department, the public notice required under subdivision C 2 of this section shall be placed by International Paper in at least one newspaper of general circulation in the area of the site of the application. The notice shall be approved by the department and shall include information as the department deems appropriate.

E. For any change that does not meet the criteria for an administrative permit amendment established in subdivision F 1 of this section, the department shall provide an opportunity for public participation consistent with the provisions of subsection C of this section prior to processing the permit amendment.

F. The following provisions govern administrative permit amendments:

1. An administrative permit amendment is a permit revision that:

- a. Corrects typographical errors;

- b. Identifies a change in the name, address, or phone number of any person identified in the FESOP, or provides a similar minor administrative change at the site;

- c. Requires more frequent monitoring, recordkeeping, or reporting by the permittee;

- d. Allows for a change in ownership or operational control of a source where the department determines that no other change in the permit is necessary, provided that a written agreement containing a specific date for transfer of permit responsibility, coverage, and liability between the current and new permittee has been submitted to the department;

- e. Changes the monitoring, recordkeeping, or reporting requirements for equipment that has been shutdown or is no longer in service; or

- f. Any other change that is stipulated in the FESOP as qualifying as an administrative permit amendment, provided that the permit condition that includes such stipulation has already undergone public participation in accordance with subsection C of this section.

2. The department may make an administrative permit amendment consistent with the following procedures:

- a. The department shall take final action on any request for an administrative permit amendment within 60 days from receipt of the request, and may incorporate such changes without providing notice to the public, provided that the department designates any such permit revisions as having been made pursuant to this subdivision.

- b. The department shall submit a copy of the revised permit to the EPA Administrator.

c. *International Paper* may implement the changes addressed in the request for an administrative permit amendment immediately upon submittal of the request to the department.

**9 VAC 5-230-90. Transfer of ownership.**

A. The terms of this chapter and the FESOP are transferable to a new owner upon a change of ownership of the site in accordance with provisions specified by the FESOP.

B. In the case of a transfer of ownership of the site, the new owner shall comply with this chapter and the FESOP. The new owner shall notify the department of the change in ownership within 30 days of the transfer and shall request an administrative amendment to the FESOP as provided in 9 VAC 5-230-80 F.

C. In the case of a name change of the site, the owner shall comply with this chapter and the FESOP. The owner shall notify the department of the change in source name within 30 days of the name change and shall request an administrative amendment to the FESOP as provided in 9 VAC 5-230-80 F.

**9 VAC 5-230-100. Applicability of future regulation amendments.**

Subsequent amendments to the SAPCB regulations cited in 9 VAC 5-230-50 to which this chapter provides relief shall not apply to the Franklin Paper Mill unless and until the board amends this chapter to specifically address the applicability of the regulatory amendments to the facility.

**9 VAC 5-230-110. Termination of authority to operate under this chapter and FESOP.**

A. Authority to operate under this chapter and the FESOP may be terminated as provided below upon written notice for any of the following reasons:

1. If the department determines that continuation of the permit is an imminent and substantial endangerment to the public health or welfare or the environment.
2. If *International Paper* knowingly falsifies emissions data.
3. If any of the emissions caps are exceeded.
4. For any other reasons not specified here for which the department has legal authority to terminate the authority to operate under this chapter and the FESOP.

B. Notifications of termination will be provided as follows:

1. If the department finds cause to terminate the authority to operate under this chapter or the FESOP, the department will submit notification to *International Paper* in writing.
2. Within 30 days of receiving this notification *International Paper* may take corrective action to remedy the cause of the termination. If this remedy is deemed acceptable by the department, the action to terminate the authority to operate under this chapter and the FESOP shall be withdrawn. Otherwise the authority to operate under this chapter and the FESOP shall be terminated.
3. If the authority to operate under this chapter and the FESOP is terminated for any reason, *International Paper*

shall submit an appropriate application for applicable new source review program permits and a new application for a federal operating permit. During the interim period, *International Paper* shall comply with the requirements of this chapter, the FESOP and the current federal operating permit until the new permit is issued.

**9 VAC 5-230-120. Review and confirmation of this chapter by board.**

A. Within four years of the effective date of this chapter, the department shall perform an analysis of this chapter and provide the board with a report on the results. The analysis shall include any recommendations for amendment to or repeal of this chapter based on (i) the needs of the Commonwealth's overall air quality management strategy; (ii) current state and federal statutory and regulatory requirements; (iii) an assessment of the effectiveness of this chapter; (iv) a reevaluation of the appropriateness of the emissions caps, including the need for increasing or decreasing the emission caps; and (v) any other factors the department may determine are necessary to include for consideration in review of this chapter. The department shall also include a recommendation for reappointment of emissions in the event of the repeal of this chapter.

B. Upon review of the department's analysis, the board shall confirm the need to (i) continue this chapter without amendment, (ii) repeal this chapter, or (iii) amend this chapter. If the board's decision is to repeal or amend this chapter, the board shall authorize the department to initiate the applicable regulatory process to carry out the decision of the board.

C. The authority of *International Paper* to operate under the provisions of this chapter and the FESOP shall be terminated upon the effective date of the repeal of this chapter.

D. For purposes of applying subsequent amendments to, or the repeal of, the provisions of this chapter, the effective date of any subsequent amendments adopted by the board shall be the date 30 days after the date on which a notice is published in the *Virginia Register* acknowledging that the administrator has approved the amendments adopted by the board following the requirements of 40 CFR Part 51 (Requirements for Preparation, Adoption, and Submittal of Implementation Plans).

VA.R. Doc. No. R05-137; Filed March 1, 2005, 10:57 a.m.



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# FINAL REGULATIONS

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For information concerning Final Regulations, see Information Page.

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## Symbol Key

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

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## TITLE 4. CONSERVATION AND NATURAL RESOURCES

### MARINE RESOURCES COMMISSION

**REGISTRAR'S NOTICE:** The following regulations filed by the Marine Resources Commission are exempt from the Administrative Process Act in accordance with § 2.2-4006 A 12 of the Code of Virginia; however, the commission is required to publish the full text of final regulations.

**Title of Regulation:** 4 VAC 20-620. Pertaining to Summer Flounder (amending 4 VAC 20-620-40, 4 VAC 20-620-50, 4 VAC 20-620-60, and 4 VAC 20-620-70).

**Statutory Authority:** §§ 28.2-201 and 28.2-204.1 of the Code of Virginia.

**Effective Date:** March 1, 2005.

**Agency Contact:** Deborah Cawthon, Agency Regulatory Coordinator, Marine Resources Commission, 2600 Washington Avenue, 3rd Floor, Newport News, VA 23607, telephone (757) 247-2248, FAX (757) 247-2002 or e-mail [debbie.cawthon@mrc.virginia.gov](mailto:debbie.cawthon@mrc.virginia.gov).

#### Summary:

*The amendments (i) specify that only vessels approved for safe harbor may possess more than the possession limit of summer flounder and specify that buyers may only purchase or accept summer flounder from these vessels if the commissioner approves a transfer of quota from another jurisdiction; (ii) allow the jurisdiction licensing the vessel requesting safe harbor to transfer flounder quota to Virginia in the amount that corresponds to that vessel's possession limit with the approval of the commissioner to accept that transfer of quota; (iii) change the minimum size limit of the recreational summer flounder from 17 inches to 16-1/2 inches for all Virginia waters except the Potomac River tributaries to Virginia, wherein the minimum size limit shall correspond to that limit set by the Potomac River Fisheries Commission for the mainstem Potomac River; (iv) establish the possession limit for the Potomac River tributaries to correspond with the limit set by the Potomac River Fisheries Commission for the mainstem Potomac River; and (v) eliminate the closed period of January 1 through March 28 and establish a year-round recreational fishing season.*

#### **4 VAC 20-620-40. Commercial vessel possession limitations.**

A. From January 1 through the day preceding the fourth Monday in January, it shall be unlawful for any person harvesting Summer Flounder outside of Virginia's waters to possess aboard any vessel in Virginia any amount of Summer

Flounder in excess of 10% by weight of all other landed species on board the vessel.

B. From the fourth Monday in January through March 31 of each year, it shall be unlawful for any person harvesting Summer Flounder outside of Virginia waters to do any of the following:

1. Possess aboard any vessel in Virginia waters an amount of Summer Flounder in excess of 12,500 pounds.
2. Land Summer Flounder in Virginia for commercial purposes more than twice within each consecutive 10-day period, with the first 10-day period beginning on the fourth Monday in January.
3. Land in Virginia more than a total of 12,500 pounds of Summer Flounder during each consecutive 10-day period, with the first 10-day period beginning on the fourth Monday in January.

C. When it is projected and announced that 85% of the quota for the period from the first Monday in January through March 31 has been taken, it shall be unlawful for any person harvesting Summer Flounder outside of Virginia's waters to possess aboard any vessel in Virginia any amount of Summer Flounder in excess of 10% by weight of all other landed species on board the vessel.

D. During the period of April 1 through June 30 of each calendar year, it shall be unlawful for any person harvesting Summer Flounder outside of Virginia's waters to possess aboard any vessel in Virginia any amount of Summer Flounder in excess of 5,000 pounds, except that when it is projected and announced that 85% of the quota for this period has been taken, it shall be unlawful for any person harvesting Summer Flounder outside of Virginia's waters to possess aboard any vessel in Virginia any amount of Summer Flounder in excess of 10% by weight of all other landed species on board the vessel.

E. From July 1 through the day preceding the last Monday in October of each calendar year, it shall be unlawful for any person harvesting Summer Flounder outside of Virginia's waters to possess aboard any vessel in Virginia any amount of Summer Flounder in excess of 10% by weight of all other landed species on board the vessel.

F. From the last Monday in October through December 31 of each year, it shall be unlawful for any person harvesting Summer Flounder outside of Virginia waters to do any of the following:

1. Possess aboard any vessel in Virginia waters an amount of Summer Flounder in excess of 10,000 pounds.
2. Land Summer Flounder in Virginia for commercial purposes more than twice within each consecutive 10-day period, with the first 10-day period beginning on the last Monday in October.

3. Land in Virginia more than a total of 10,000 pounds of Summer Flounder during each consecutive 10-day period, with the first 10-day period beginning on the last Monday in October.

G. For each of the time periods set forth in subsections A, B, C, D, E and F of this section, the Marine Resources Commission will give timely notice of any changes in possession limits.

H. Each possession limit described in subsections A, B, C, D, E and F of this section shall be determined by the net weight of Summer Flounder as customarily packed, boxed and weighed by the seafood buyer or processor. The net weight of any Summer Flounder found in excess of this possession limit described in subsections A, B, C, D, E and F of this section shall be prima facie evidence of violation of this chapter. Persons in possession of Summer Flounder, aboard any vessel, in excess of the possession limit shall be in violation of this chapter, *unless that vessel has requested and been granted safe harbor*. Any buyer or processor offloading or accepting any quantity of Summer Flounder from any vessel in excess of the possession limit shall be in violation of this chapter, *except as described by subsection K of this section*. *A buyer or processor may accept or buy Summer Flounder from a vessel that has secured safe harbor, provided that vessel has satisfied the requirements described in subsection K of this section*.

I. If a person violates the possession limits described in this section, the entire amount of Summer Flounder in that person's possession shall be confiscated. Any confiscated Summer Flounder shall be considered as a removal from the appropriate commercial harvest or landings quota. Upon confiscation, the marine patrol officer shall inventory the confiscated Summer Flounder and, at a minimum, secure two bids for purchase of the confiscated Summer Flounder from approved and licensed seafood buyers. The confiscated fish will be sold to the highest bidder and all funds derived from such sale shall be deposited for the Commonwealth pending court resolution of the charge of violating the possession limits established by this chapter. All of the collected funds will be returned to the accused upon a finding of innocence or forfeited to the Commonwealth upon a finding of guilty.

J. It shall be unlawful for a licensed seafood buyer or federally permitted seafood buyer to fail to contact the Marine Resources Commission Operation Station prior to a vessel offloading Summer Flounder harvested outside of Virginia. The buyer shall provide to the Marine Resources Commission the name of the vessel and its captain and the anticipated or approximate offloading time. Once offloading of any vessel is complete and the weight of the landed Summer Flounder has been determined, the buyer shall contact the Marine Resources Commission Operations Station and report the vessel name and corresponding weight of Summer Flounder landed. It shall be unlawful for any person to offload from a boat or vessel for commercial purposes any Summer Flounder during the period of 10 p.m. to 7 a.m.

K. Any boat or vessel ~~possessing more than the lawful limit of Summer Flounder~~ that has entered Virginia waters for safe harbor shall ~~not offload any Summer Flounder~~ *only offload*

*Summer Flounder when the state that licenses that vessel requests to transfer quota to Virginia, in the amount that corresponds to that vessel's possession limit, and the commissioner agrees to accept that transfer of quota.*

L. After any commercial harvest or landing quota as described in 4 VAC 20-620-30 has been attained and announced as such, any boat or vessel possessing Summer Flounder on board may enter Virginia waters for safe harbor but shall contact the Marine Resources Commission Operation Center in advance of such entry into Virginia waters.

#### **4 VAC 20-620-50. Minimum size limits.**

A. The minimum size for Summer Flounder harvested by commercial fishing gear shall be 14 inches, total length.

B. The minimum size of Summer Flounder harvested by recreational fishing gear, including but not limited to hook and line, rod and reel, spear and gig, shall be ~~17~~ 16-1/2 inches, total length, except that the minimum size of Summer Flounder harvested in the Potomac River tributaries shall be ~~16 inches total length~~ *the same as established by the Potomac River Fisheries Commission for the mainstem Potomac River*.

C. Length shall be measured in a straight line from tip of nose to tip of tail.

D. It shall be unlawful for any person to possess any Summer Flounder smaller than the designated minimum size limit.

E. Nothing in this chapter shall prohibit the landing of Summer Flounder in Virginia that were legally harvested in the Potomac River.

#### **4 VAC 20-620-60. Possession limit.**

A. It shall be unlawful for any person fishing in any tidal waters of Virginia, except the Potomac River tributaries, with recreational hook and line, rod and reel, spear, gig or other recreational gear to possess more than six Summer Flounder. When fishing is from a boat or vessel where the entire catch is held in a common hold or container, the possession limit shall be for the boat or vessel and shall be equal to the number of persons on board legally eligible to fish multiplied by six. The captain or operator of the boat or vessel shall be responsible for any boat or vessel possession limit. Any Summer Flounder taken after the possession limit has been reached shall be returned to the water immediately.

B. It shall be unlawful for any person fishing in the Potomac River tributaries with recreational hook and line, rod and reel, spear, gig or other recreational gear to possess more ~~than~~ ~~three~~ Summer Flounder *than the possession limit established by the Potomac River Fisheries Commission for the mainstem Potomac River*. When fishing is from a boat or vessel where the entire catch is held in a common hold or container, the possession limit shall be for the boat or vessel and shall be equal to the number of persons on board legally eligible to fish multiplied by ~~three~~ *the possession limit established by the Potomac River Fisheries Commission for the mainstem Potomac River*. The captain or operator of the boat or vessel shall be responsible for any boat or vessel possession limit. Any Summer Flounder taken after the possession limit has been reached shall be returned to the water immediately.

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C. Possession of any quantity of Summer Flounder that exceeds the possession limit described in subsections A and B of this section shall be presumed to be for commercial purposes.

#### 4 VAC 20-620-70. Recreational fishing season.

A. The recreational fishing season for the Chesapeake Bay and its tributaries shall be ~~closed from January 1 through March 28~~ open year-round.

B. The recreational fishing season for the Potomac River tributaries shall be ~~open year-round the same as established by the Potomac River Fisheries Commission for the mainstem Potomac River.~~

C. It shall be unlawful for any person fishing recreationally to take, catch, or possess any Summer Flounder during any closed recreational fishing season.

D. Nothing in this chapter shall prohibit the landing of Summer Flounder in Virginia that were legally harvested in the Potomac River.

VA.R. Doc. No. R05-140; Filed March 1, 2005, 2:14 p.m.

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**Title of Regulation: 4 VAC 20-720. Pertaining to Restrictions on Oyster Harvest (amending 4 VAC 20-720-20, 4 VAC 20-720-40 and 4 VAC 20-720-50).**

**Statutory Authority:** §§ 28.2-201 and 28.2-507 of the Code of Virginia.

**Effective Date:** March 1, 2005.

**Agency Contact:** Kathy Leonard, Administrative and Program Specialist, Marine Resources Commission, 2600 Washington Avenue, 3rd Floor, Newport News, VA 23607, telephone (757) 247-2120, FAX (757) 247-8101, e-mail kathy.leonard@mrc.virginia.gov.

#### Summary:

*The amendments (i) establish the boundary line at the mouth of the Nansemond River for the James River Hand Scrape Area; (ii) eliminate the three-inch spacing of the teeth for the standard oyster dredge; and (iii) extend the public oyster harvest season for the Rappahannock River Hand Scrape Area, Rappahannock River Drumming Ground Hand Scrape Area, Rappahannock River Temples Bay Hand Scrape Area, and Thomas Rock Hand Scrape Area through March 31, 2005.*

#### 4 VAC 20-720-20. Definitions.

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

"Blackberry Hangs Hand Scrape Area" means the area in Public Ground No. 118 in the Upper Chesapeake Bay, south from the Smith Point Light to the Great Wicomico Light.

"Deep Rock Patent Tong Area" means the area described as follows: starting at Cherry Point, Gwynns Island, thence northeast to G"1P" along the south side of the channel to

Piankatank River; thence east-southeast to G"1R"; thence southwest to Sandy Point, Gwynns Island, North of Hole-in-the-Wall (see map).

"Deep Water Shoal State Replenishment Seed Area (DWS)" in the James River (574.66 Acres) means the areas beginning at a point approximately 530 feet west of Deep Water Shoal Light, said point being Corner 1 as located by Virginia State Plane Coordinates, South Zone, NAD 1927, north 302,280.00, east 2,542,360.00; thence north azimuth 30°49'59", 4,506.99 feet to Corner 2, north 306,150.00, east 2,544,670.00; thence north azimuth 135°08'57", 5,430.60 feet to Corner 3, north 302,300.00, east 2,548,500.00; thence north azimuth 212°13'54", 3,487.42 feet to Corner 4, north 299,350.00, east 2,546,640.00; thence north azimuth 269°10'16", 2,765.29 feet to Corner 5, north 299,310.00, east 2,543,875.00; thence north azimuth 332°58'26", 3,334.09 feet to Corner 1, being the point of beginning.

"Great Wicomico River Hand Scrape Area" means that area of a line drawn from Sandy Point to Cockrell Point.

"Hand scrape" means any device or instrument with a catching bar having an inside measurement of no more than 22 inches, which is used or usable for the purpose of extracting or removing shellfish from a water bottom or the bed of a body of water.

"James River Hand Scrape Area" means ~~that area those~~ *public oyster grounds* of the James River west of the Monitor and Merrimac Bridge Tunnel *and northeast of the Mills E. Godwin/Nansemond River Bridge (Route 17)* to the James River Bridge (Route 17).

"Pocomoke and Tangier Sounds Management Area (PTSMA)" means the area as defined in § 28.2-524 of the Code of Virginia.

"Pocomoke Sound" means that area northeast from a line from Beach Island Light to the house on the Great Fox Island.

"Public oyster ground" means all those grounds defined in § 28.2-551 of the Code of Virginia, all ground set aside as public oyster ground by court order, and all ground set aside as public oyster ground by order of the Marine Resources Commission.

"Rappahannock River Drumming Ground Hand Scrape Area" means that portion of the Rappahannock and Corrotoman River, west of the Route 3 bridge (Norris Bridge), and north of a line from the center of the Route 3 bridge (Norris Bridge) following westward along the channel to Towles Point at Buoy "R6," excluding the Corrotoman River north of a line from Balls Point to Corrotoman Point. (See map.)

"Rappahannock River Hand Scrape Area" means that area including all public grounds between a line extending from the eastern-most point of Long Point thence in an easterly direction to flashing red buoy #8; thence due east to Rogue Point, upriver to a line extending from Tarpley Point; thence in a southwesterly direction to flashing green buoy #13; thence south-southwesterly to Jones Point. (See map.)

"Rappahannock River Temples Bay Hand Scrape Area" means that area in the Rappahannock River, west of the Route 3 bridge (Norris Bridge) and south of a line drawn from

the center of the Route 3 bridge (Norris Bridge) upriver to Towles Point continuing the line upriver to red buoy #8; thence across to the southside of the river to Long Point, thence back to the Route 3 bridge (Norris Bridge) along the southern shoreline. (See map.)

"Standard oyster dredge" means any device or instrument having a maximum weight of 150 pounds with attachments, maximum width of 50 inches, and maximum tooth length of four inches, ~~and minimum teeth spacing of three inches.~~

"Tangier Sound" means that area from Tangier Light North to the Maryland-Virginia line (red buoy #6).

"Tangier Sound Hand Tong Area" means that area in the PTSMA south and west of a line from Fishbone Island thence southeast to bell buoy #5, thence south southwest to buoy #3 (such area to include all of Public Ground 3 and Flat Rock) and shall be a hand tong area only (see map) and Cod Harbor (approximately 1,124 acres) beginning at a point of East Point Marsh, said point having the Virginia state coordinates, south section, coordinates of north 555,414.89, east 2,730,388.85; thence south 79°59', east 2,260 feet to a line designating the western extent of the PTSMA as described in § 28.2-524 of the Code of Virginia; thence south 10°16', west 2,800 feet; thence south 28°46', west 8,500 feet to a point on Sand Spit, position north 545,131.78, east, 2,728,014.94; thence along the mean low water line of Cod Harbor in a west, north and northeast direction crossing Canton Creek and Mailboat Harbor from headland to headland to the point of beginning. (See map.)

"Thomas Rock Hand Scrape Area" means an area in the James River with an eastern boundary being the James River, Route 17 bridge and a western boundary being a line drawn from the south side of the river at Rainbow Farm Point; thence to the channel buoy green #5; and thence to Blunt Point on the north side of the river.

"Unassigned ground" means all grounds other than public oyster ground as defined by this chapter and which have not been set aside or assigned by lease, permit, or easement by the Marine Resources Commission.

"York River Hand Scrape Area" means an area above the Route 17 or Coleman Bridge in Public Ground No. 30, along the north side of the river, to just above Aberdeen Creek.

#### **4 VAC 20-720-40. Open season and areas.**

The lawful seasons and areas for the harvest of oysters from the public oyster grounds and unassigned grounds are as follows:

1. James River Seed Area, including the Deep Water Shoal State Replenishment Seed Area and James River Jail Island and Point of Shoals Clean Cull Areas: October 1, 2004, through April 30, 2005.
2. Seaside of Eastern Shore: for clean cull oysters only, November 1, 2004, through January 31, 2005.
3. The Rappahannock River Hand Scrape Area; the Rappahannock River Drumming Ground Hand Scrape Area; the Rappahannock River Temples Bay Hand Scrape Area:

October 15, 2004, through January 15, 2005, and February 1, 2005, through March 31, 2005.

4. That area of the Rappahannock River, west of the line drawn from Tarpley Point to green buoy #13 to Jones Point and the area of the Corrotoman River, north of the line drawn from Balls Point to Corrotoman Point; that area of the Nomini and Lower Machodoc Rivers to the Virginia-Maryland state line (PRV6A to PRV6B; and PRV5A to PRV5C, respectively); that area of the Coan River to the Virginia-Maryland state line (PRV1A to PRV1B), except for that area above a line from Walnut Point (Survey Station Walnut) to Stephens Point (Survey Station Arthur); that area of the Yeocomico River inside Public Grounds 102, 104, 107, 112 and 113; that area of the Piankatank River, west of the Route 3 bridge; and Little Wicomico River: October 15, 2004, through January 15, 2005.

5. The following areas of the PTSMA in Tangier Sound, from Tangier Light north to the Maryland-Virginia Line (red buoy #6) and in the Pocomoke Sound, northeast from a line from Beach Island Light to the house on the Great Fox Island, excluding the Tangier Sound Hand Tong Areas: December 1, 2004, through February 28, 2005.

6. Great Wicomico River Hand Scrape Area and James River Hand Scrape Area: February 1, 2005, through March 31, 2005.

7. ~~Thomas Rock Hand Scrape Area;~~ Upper Chesapeake Bay, Blackberry Hangs Hand Scrape Area and in the York River Hand Scrape Area: December 1, 2004, through January 31, 2005. *Thomas Rock Hand Scrape Area: December 1, 2004, through March 31, 2005.*

8. Lower Chesapeake Bay, Deep Rock Patent Tong Area: February 1, 2005, through March 31, 2005.

#### **4 VAC 20-720-50. Closed harvest season and areas.**

It shall be unlawful for any person to harvest oysters from the following areas during the specified periods:

1. All public oyster grounds and unassigned grounds in the Chesapeake Bay and its tributaries, including the tributaries of the Potomac River, except those areas listed in 4 VAC 20-720-40, are closed: October 1, 2004, through September 30, 2005.
2. James River Seed Area, including the Deep Water Shoal State Replenishment Seed Area and the James River Jail Island and Point of Shoals Clean Cull Areas: May 1, 2005, through September 30, 2005.
3. All public oyster grounds and unassigned grounds on the Seaside of Eastern Shore: for clean cull oysters, October 1, 2004, through October 31, 2004, and February 1, 2005, through September 30, 2005, and for seed oysters, all year. Oyster harvest from leased oyster ground and fee simple oyster ground shall require a permit from the Marine Resources Commission as set forth in 4 VAC 20-720-90.
4. That area of the Rappahannock River west of the line drawn from Tarpley Point to green buoy #13 to Jones Point; the area of the Corrotoman River, north of the line drawn from Balls Point to Corrotoman Point; ~~the Rappahannock~~

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~~River Hand Scrape; the Rappahannock River Drumming Ground Handscrape Area; the Rappahannock River Temples Bay Hand Scrape Area;~~ that area of the Nomini and Lower Machodoc Rivers to the Virginia-Maryland state line; that area of the Coan River to the Virginia-Maryland state line, except for above a line from Walnut Point to Stephens Point; that area of the Piankatank River west of the Route 3 bridge; and that area of the Yeocomico River inside Public Grounds 102, 104, 107, 112 and 113; and Little Wicomico River: October 1, 2004, through October 14, 2004, and January 16, 2005, through September 30, 2005. *The Rappahannock River Hand Scrape Area, the Rappahannock River Temples Bay Hand Scrape Area, and the Rappahannock River Drumming Ground Hand Scrape Area: October 1, 2004, through October 14, 2004, and January 16, 2005, through January 31, 2005, and April 1, 2005, through September 30, 2005.*

5. The following areas of the PTSMA: in Tangier, from Tangier Light north to the Maryland-Virginia line, and in the area of the PTSMA in the Pocomoke Sound, northeast from a line from Beach Island Light to the house on the Great Fox Island: October 1, 2004, through November 30, 2004, and March 1, 2005, through September 30, 2005.

6. Great Wicomico River Hand Scrape Area and the James River Hand Scrape Area: October 1, 2004, through January 31, 2005, and April 1, 2005, through September 30, 2005.

7. ~~The Thomas Rock Hand Scrape Area;~~ Upper Chesapeake Bay, Blackberry Hangs Hand Scrape Area and the York River Hand Scrape Area: October 1, 2004, through November 30, 2004, and February 1, 2005, through September 30, 2005. *The Thomas Rock Hand Scrape Area: October 1, 2004, through November 30, 2004, and April 1, 2005, through September 30, 2005.*

8. Lower Chesapeake Bay, Deep Rock Patent Tong Area: October 1, 2004, through January 31, 2005, and April 1, 2005, through September 30, 2005.

VA.R. Doc. No. R05-138; Filed March 1, 2005, 10:50 a.m.

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## TITLE 6. CRIMINAL JUSTICE AND CORRECTIONS

### CRIMINAL JUSTICE SERVICES BOARD

Title of Regulation: **6 VAC 20-180. Crime Prevention Specialists (amending 6 VAC 20-180-10 through 6 VAC 20-180-50, adding 6 VAC 20-180-60).**

Statutory Authority: §§ 9.1-102 and 9.1-161 of the Code of Virginia.

Effective Date: April 20, 2005.

Agency Contact: Tami Wyrick, Program Analyst and Grants Coordinator, Department of Criminal Justice Services, 805 East Broad Street, Richmond, VA 23219, telephone (804)

786-5664, FAX (804) 692-0948, or e-mail [tami.wyrick@dcjs.virginia.gov](mailto:tami.wyrick@dcjs.virginia.gov).

#### Summary:

*The amendments allow the agency administrator of any local, state or federal government agency or any college or university to designate staff who serve in a law-enforcement, crime prevention or criminal justice capacity to become certified as crime prevention specialists. The amendments (i) update training requirements for certification and recertification; (ii) require nonlaw-enforcement applicants to obtain permission from the law-enforcement agency having jurisdiction where the crime prevention specialist shall serve; and (iii) provide for revocation of certification in cases of misrepresentation of qualifications or conviction of a crime.*

#### **6 VAC 20-180-10. Definitions.**

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

"Agency administrator" means any chief of police, sheriff, or any agency head of [a] local or, state, [or] federal [government] law-enforcement [agency and college or university law-enforcement agencies sworn under § 23-232.1 of the Code of Virginia ].

"Crime prevention services" means providing for the anticipation, recognition, and appraisal of a crime risk and the initiation of an activity to remove or reduce the opportunity for crime.

"Department" means the Department of Criminal Justice Services.

"Employee" means any sworn or civilian individual, including auxiliaries, reserve-deputies, and volunteers employed by a local or, state law-enforcement, or federal government agency [, or college or university in the Commonwealth of Virginia ].

"General law-enforcement instructor" means an individual who has complied with all of the applicable standards for certification or recertification, whichever applies, contained in 6 VAC 20-80-10, and is eligible to instruct, teach or lecture approved or mandated training.

~~Law-enforcement~~ "Local, state or federal government agency" means any government agency political unit or identifiable subunit [through ] which an individual or body that governs, exercises its authority, performs its functions, and which has as its principal duty or duties the prevention, detection, and investigation of crime; the apprehension, detection, and prosecution of alleged offenders administration of public policy.

#### **6 VAC 20-180-20. Duties of a crime prevention specialist.**

The duties of [a] crime prevention [specialist specialists] are:

1. To provide citizens within [his their] jurisdiction information concerning personal safety and the security of

property, and other matters relating to the reduction of criminal opportunity.

2. To provide business establishments within [ ~~his~~ *their* ] jurisdiction information concerning business and employee security, and other matters relating to the reduction of criminal activity, *including but not limited to, internal and external theft, environmental design, and computer security.*

3. To provide citizens ~~and~~ or businesses within [ ~~his~~ *their* ] jurisdiction assistance in forming and maintaining neighborhood ~~and~~ or business watch groups ~~and~~ or other community-based crime prevention programs.

4. To provide assistance to other units of government within [ ~~his~~ *their* ] jurisdiction in developing plans and procedures related to the reduction of criminal activity ~~within~~ in government and the community.

5. To promote the reduction and prevention of crime within [ ~~his~~ *their* ] jurisdiction and the Commonwealth.

## 6 VAC 20-180-30. Eligibility.

A. Any employee (*sworn, nonsworn, or volunteer*) of a local ~~or~~ , state law enforcement agency, ~~or auxiliary officer or deputy,~~ or federal government agency who serves in a law-enforcement, crime prevention, or criminal justice capacity is eligible to be trained and certified as a crime prevention specialist.

B. The agency administrator of any local ~~or~~ , state law enforcement or federal government agency [ *or college or university* ] may designate one or more employees in his department or office who serve in a law-enforcement, crime prevention, or criminal justice capacity to be trained and certified as a crime prevention specialist ~~specialists~~. Applicants for recertification shall be recommended by the agency administrator or his designee. Application shall be made on the Crime Prevention Specialist Certification Application-Form A.

C. [ *All crime prevention specialist applicants provided for in this chapter shall be approved only upon recommendation of a law-enforcement agency having jurisdiction where the crime prevention specialist shall serve.*

D. ] This chapter ~~de~~ does not limit or prohibit the chief executive of any local ~~or~~ , state law enforcement or federal government agency from assigning personnel to crime prevention tasks who are not certified as crime prevention specialists.

## 6 VAC 20-180-40. Crime prevention specialist certification requirements.

A. The following requirements must be [ ~~met~~ *achieved* ] to be certified as a crime prevention specialist. The applicant shall have:

1. Been certified as a general law-enforcement instructor within the past five years, or successfully completed a comparable instructor development course approved by the department.

2. Received 40 hours of approved introductory crime prevention training. Completion of the following compulsory

minimum training topics is required for designation as a crime prevention specialist:

a. Theory and Practice of Crime Prevention

b. Neighborhood Watch

c. Home and Business Security

d. Security Liability

e. Security Hardware (locks, lighting, and alarms)

f. Personal Safety

g. Crime ~~Analysis~~ *Prevention Through Environmental Design*

h. *Security Assessments*

3. Received 80 hours of additional crime prevention training within the past five years of the date of application. This additional training must address at least ~~two~~ *four* of any of the following topics:

a. Crime Prevention Through Environmental Design

b. Community Crime Prevention Planning ~~-Policing~~

c. ~~Advanced Data Collection and~~ Crime Analysis

d. School Safety and Security

e. Security Lighting

f. Computer Security

g. Managing Volunteers

h. Grant and Proposal Writing

i. Legislation, Ordinance and Regulation Development

j. Prevention of Youth Violence

k. Prevention of Family Violence

l. Drug Abuse Prevention

m. Public Speaking

n. Media Relations

o. *Homeland Security/Terrorism Prevention*

p. *White Collar Crime*

q. *Identity Theft*

r. *Victim Witness Services*

s. *Crime Prevention for Seniors*

t. *Code Enforcement/Nuisance Abatement*

u. Other topics approved by the department

4. At least three years experience in a *law-enforcement, crime prevention, or criminal justice government* agency.

5. At least one year experience, within the past five years of the date of application, in providing crime prevention services. Such experience shall have included:

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- a. Developing and maintaining Neighborhood or Business Watch groups.
- b. Conducting security assessments of homes and businesses.
- c. Making public presentations on home or business security and personal safety.
- d. Distributing crime prevention information to the public.
- e. Other experience approved by the department.

B. The department ~~retains the right to~~ *may* waive all or part of the prescribed training requirements ~~when~~ *upon review of* relevant crime prevention certifications awarded by recognized criminal justice or security organizations or by other state criminal justice agencies ~~are provided~~. *These certifications will be reviewed on a case-by-case basis.*

Crime prevention specialist certifications awarded by organizations or other states will be reviewed on a case-by-case basis.

## **6 VAC 20-180-50. Recertification.**

- A. Recertification is required every three years.
- B. Applicants for recertification shall be recommended by the agency administrator or his designee. Application shall be made on the Crime Prevention Specialist Recertification Application-Form B.
- C. Applicants for recertification must complete 40 hours of additional crime prevention training [~~since~~ *after*] initial designation as a crime prevention specialist. This additional training must address at least ~~one~~ *two* of the following topics:

1. Crime Prevention Through Environmental Design
2. Community ~~Crime Prevention Planning~~ *-Policing*
3. ~~Advanced Data Collection and~~ *Crime Analysis*
4. School Safety and Security
5. Security Lighting
6. Computer Security
7. Managing Volunteers
8. Grant and Proposal Writing
9. Legislation, Ordinance and Regulation Development
10. Prevention of Youth Violence
11. Prevention of Family Violence
12. Drug Abuse Prevention
13. Public Speaking
14. Media Relations
15. *Homeland Security/Terrorism Prevention*
16. *White Collar Crime*
17. *Identity Theft*
18. *Victim Witness Services*

19. *Crime Prevention for Seniors*
20. *Code Enforcement/Nuisance Abatement*
21. Other topics approved by the department

D. Individuals whose certification expires shall comply with the requirements set forth in 6 VAC 20-180-40 and meet any certification requirements in effect at that time.

E. The department [~~retains the right to~~ *may*] grant an extension of the recertification time limit and requirements under the following conditions:

1. Illness or injury
2. Military service
3. Special duty required and performed in the public interest
4. Leave without pay or suspension pending investigation or adjudication of a crime
5. Any other reason documented by the agency administrator

F. Requests for extensions of the time limit must be requested prior to certification expiration.

## **6 VAC 20-180-60. Decertification.**

A. *The department may revoke crime prevention specialist certification at any time based on misrepresentation of qualifications or conviction of a crime.*

B. *When the holder of a crime prevention specialist certification is no longer employed by [ or volunteering for ] a local, state, or federal government agency [ or college or university ] in a law-enforcement, crime prevention, or criminal justice capacity, the certification is no longer valid.*

VA.R. Doc. No. R03-232; Filed February 11, 2005, 9:17 a.m.



**TITLE 8. EDUCATION**

**STATE BOARD OF EDUCATION**

**REGISTRAR'S NOTICE:** The State Board of Education is claiming an exemption from the Administrative Process Act in accordance with (i) § 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 where no agency discretion is involved, and (ii) § 2.2-4006 A 3 of the Code of Virginia, which excludes regulations that consist only of changes in style or form or corrections of technical errors. The State Board of Education will receive, consider and respond to petitions by any interested person at any time with respect to reconsideration or revision.

**Title of Regulation:** 8 VAC 20-90. Procedure for Adjusting Grievances (amending 8 VAC 20-90-10, 8 VAC 20-90-30, 8 VAC 20-90-40 and 8 VAC 20-90-70).

**Statutory Authority:** §§ 22.1-16 and 22.1-308 of the Code of Virginia.

**Effective Date:** May 2, 2005.

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

**Summary:**

*The amendments define "business day" and clarify the term throughout the regulation. Also amended are (i) roles of the principal, superintendent, and school board; (ii) selection process of impartial third members; (iii) procedures for hearings and fact-finding; (iv) timeline for and production of evidence during the hearings; and (v) requirements for recording proceedings.*

**8 VAC 20-90-10. Definitions.**

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

*"Business day" means, in accordance with § 22.1-312 of the Code of Virginia, any day that the relevant school board office is open.*

"Days" means calendar days unless a different meaning is clearly expressed in this procedure. Whenever any period of time fixed by this procedure shall expire on a Saturday, Sunday, or legal holiday, the period of time for taking action under this procedure shall be extended to the next day if it is not a Saturday, Sunday, or legal holiday.

"Dismissal" means the dismissal of any teacher within the term of such teacher's contract and the nonrenewal of a contract of a teacher on a continuing contract.

"Grievance" means, for the purpose of Part II (8 VAC 20-90-20 et seq.), a complaint or a dispute by a teacher relating to his employment, including but not necessarily limited to the

application or interpretation of personnel policies, rules and regulations, ordinances, and statutes; acts of reprisal as a result of discrimination on the basis of race, color, creed, political affiliation, handicap, age, national origin, or sex. "Grievance" means, for the purposes of Part III (8 VAC 20-90-60 et seq.), a complaint or a dispute involving a teacher relating to his employment involving dismissal or placing on probation. The term "grievance" shall not include a complaint or dispute by a teacher relating to the establishment and revision of wages or salaries, position classifications or general benefits; suspension of a teacher or nonrenewal of the contract of a teacher who has not achieved continuing contract status; the establishment or contents of ordinances, statutes or personnel policies, procedures, rules and regulations; failure to promote; or discharge, layoff, or suspension from duties because of decrease in enrollment, decrease in a particular subject, abolition of a particular subject, insufficient funding; hiring, transfer, assignment and retention of teachers within the school division; suspension from duties in emergencies; or the methods, means and personnel by which the school division's operations are to be carried on. While these management rights are reserved to the school board, failure to apply, where applicable, these rules, regulations, policies, or procedures as written or established by the school board is grievable.

"Personnel file" means, for the purposes of Part III (8 VAC 20-90-60 et seq.), any and all memoranda, entries or other documents included in the teacher's file as maintained in the central school administration office or in any file ~~on~~ regarding the teacher maintained within a school in which the teacher serves.

"Probation" means a period not to exceed one year during which time it shall be the duty of the teacher to remedy those deficiencies which give rise to the probationary status.

"Teacher" or "teachers" means, for the purposes of Part II (8 VAC 20-90-20 et seq.), all employees of the school division involved in classroom instruction and all other full-time employees of the school division except those employees classified as supervising employees. "Teacher" means, for the purposes of Part III (8 VAC 20-90-60 et seq.), all regularly certified professional public school personnel employed under a written contract as provided by § 22.1-302 of the Code of Virginia, by any school division as a teacher or supervisor of classroom teachers but excluding all superintendents.

"Shall file," "shall respond in writing," or "shall serve written notice" means the document is either delivered personally to the grievant or office of the proper school board representative or is mailed by registered or certified mail, return receipt requested, and postmarked within the time limits prescribed by this procedure.

"Supervisory employee" means any person having authority in the interest of the board (i) to hire, transfer, suspend, layoff, recall, promote, discharge, assign, reward, or discipline other employees; and (ii) to direct other employees; or (iii) to adjust the grievance of other employees; or (iv) to recommend any action set forth in *clause* (i), (ii), or (iii) above; provided that the authority to act as set forth in *clause* (i), (ii), (iii), or (iv)

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requires the exercise of independent judgment and is not merely routine and clerical in nature.

"Written grievance appeal" means a written or typed statement describing the event or action complained of, or the date of the event or action, and a concise description of those policies, procedures, regulations, ordinances or statutes upon which the teacher bases his claim. The grievant shall specify what he expects to obtain through use of the grievance procedure. A statement shall be written upon forms prescribed by the Board of Education and supplied by the local school board.

## 8 VAC 20-90-30. Grievance procedure.

Recognizing that grievances should be begun and settled promptly, a grievance must be initiated within 15 ~~working~~ *business* days following either the event giving rise to the grievance, or within 15 ~~working~~ *business* days following the time when the employee knew or reasonably should have known of its occurrence. Grievances shall be processed as follows:

1. Step 1 - Informal. The first step shall be an informal conference between the teacher and his immediate supervisor (which may be the principal). The teacher shall state the nature of the grievance, and the immediate supervisor shall attempt to adjust the grievance. It is mandatory that the teacher present the grievance informally prior to proceeding to Step 2.

2. Step 2 - Principal. If for any reason the grievance is not resolved informally in Step 1 to the satisfaction of the teacher, the teacher must perfect his grievance by filing said grievance in writing within 15 ~~working~~ *business* days following the event giving rise to the grievance, or within 15 ~~working~~ *business* days following the time when the employee knew or reasonably should have known of its occurrence, specifying on the form the specific relief expected. Regardless of the outcome of Step 1, if a written grievance is not, without just cause, filed within the specified time, the grievance will be barred.

A meeting shall be held between the principal (or his designee or both) and the teacher (or his designee or both) within five ~~working~~ *business* days of the receipt by the principal of the written grievance. At such meeting the teacher or other party involved, or both, shall be entitled to present appropriate witnesses and to be accompanied by a representative other than an attorney. The principal (or his designee or both) shall respond in writing within five ~~working~~ *business* days following such meeting.

The principal may forward to the teacher within five days from the receipt of the written grievance a written request for more specific information regarding the grievance. The teacher shall file an answer ~~to that~~ *thereto* within 10 ~~working~~ *business* days, and the meeting must then be held within five ~~business~~ *business* days ~~after that~~ *after*.

3. Step 3 - Superintendent. If the grievance is not settled to the teacher's satisfaction in Step 2, the teacher can proceed to Step 3 by filing a written notice of appeal with the superintendent, accompanied by the original grievance appeal form within five ~~working~~ *business* days after receipt

of the Step 2 answer (or the due date of such answer). A meeting shall then be held between the superintendent (or his designee or both) and the teacher (or his designee or both) at a mutually agreeable time within five ~~working~~ *business* days. At such meeting both the superintendent and the teacher shall be entitled to present witnesses and to be accompanied by a representative who may be an attorney. A representative may examine, cross-examine, question, and present evidence on behalf of a grievant or the superintendent without violating the provisions of § 54.1-3904 of the Code of Virginia. If no settlement can be reached in said meeting, the superintendent (or his designee) shall respond in writing within five ~~working~~ *business* days following such meeting. The superintendent or designee may make a written request for more specific information from the teacher, but only if such was not requested in Step 2. Such request shall be answered within 10 ~~working~~ *business* days, and the meeting shall be held within five ~~working~~ *business* days of the date on which the answer was received. If the grievance is not resolved to the satisfaction of the teacher in Step 3, the teacher may elect to have a hearing by a fact-finding panel, as provided in Step 4, or after giving proper notice may request a decision by the school board pursuant to Step 5.

4. Step 4 - Fact-finding panel. In the event the grievance is not settled upon completion of Step 3, either the teacher or the school board may elect to have a hearing by a fact-finding panel prior to a decision by the school board, as provided in Step 4. If the teacher elects to proceed to Step 4, he must notify the superintendent in writing of the intention to request a fact-finding panel and enclose a copy of the original grievance form within five ~~working~~ *business* days after receipt of a Step 3 answer (or the due date of such answer). If the school board elects to proceed to a fact-finding panel, the superintendent must serve written notice of the board's intention upon the grievant within 15 ~~working~~ *business* days after the answer provided by Step 3.

a. Panel. Within five ~~working~~ *business* days after the receipt by the division superintendent of the request for a fact-finding panel, the teacher and the division superintendent shall each select one panel member from among the employees of the school division other than an individual involved in any previous phase of the grievance procedure as a supervisor, witness, or representative. The two panel members so selected shall within five ~~working~~ *business* days of their selection select a third impartial panel member.

b. Selection of impartial third member. In the event that both panel members are unable to agree upon a third panel member within five ~~working~~ *business* days, both members of the panel shall request the chief judge of the circuit court having jurisdiction of the school division to furnish a list of five qualified and impartial individuals from which one individual shall be selected by the two members of the panel to serve as the third member. The individuals named by the chief judge may reside either within or outside the jurisdiction of the circuit court, be residents of the Commonwealth of Virginia, and *in all cases shall* possess some knowledge and expertise in public education and education law and shall be deemed

by the judge capable of presiding over an administrative hearing. Within five *business* days after receipt by the two panel members of the list of fact finders nominated by the chief judge, the panel members shall meet to select the third panel member. Selection shall be made by alternately deleting names from the list until only one remains. The panel member selected by the teacher shall make the first deletion. The third impartial panel member shall chair the panel. No elected official shall serve as a panel member. *Panel members shall not be parties to, or witnesses to, the matter grieved. With the agreement of the teacher's and division superintendent's panel members, the impartial panel member shall have the authority to conduct the hearing and make recommendations as set forth herein while acting as a hearing officer.*

*The Attorney General shall represent personally or through one of his assistants any third impartial panel member who shall be made a defendant in any civil action arising out of any matter connected with his duties as a panel member. If, in the opinion of the Attorney General, it is impracticable or uneconomical for such legal representation to be rendered by him or one of his assistants, he may employ special counsel for this purpose, whose compensation shall be fixed by the Attorney General and be paid out of the funds appropriated for the administration of the Department of Education.*

c. Holding of hearing. The hearing shall be held by the panel within 30 ~~calendar~~ *business* days from the date of the selection of the final panel member. The panel shall set the date, place, and time for the hearing and shall so notify the division superintendent and the teacher. The teacher and the division superintendent each may have present at the hearing and be represented at all stages by a representative or legal counsel.

d. Procedure for fact-finding panel.

(1) The panel shall determine the propriety of attendance at the hearing of persons not having a direct interest in the hearing, provided that, at the request of the teacher, the hearing shall be private.

(2) The panel may ask, *at the beginning of the hearing*, for statements from the division superintendent and the teacher clarifying the issues involved ~~at the beginning of the hearing and at the discretion of the panel may allow closing statements.~~

(3) The parties shall then present their claims ~~in~~ *and* evidence. Witnesses may be questioned by the panel members, ~~or by~~ the teacher and the division superintendent, ~~or their representative.~~ The panel *may*, ~~in~~ *at its discretion, may* vary this procedure, but shall afford a full *and* equal opportunity ~~for~~ to all parties to present any material or relevant evidence and shall afford the parties the right of cross-examination.

(4) The parties shall produce such additional evidence as the panel may deem necessary to an understanding and determination of the dispute. The panel ~~may~~ *shall*

be the judge of the relevancy and materiality of the evidence offered. All evidence shall be taken in the presence of the panel and of the parties.

(5) Exhibits offered by the teacher of the division superintendent may be received in evidence by the panel and, when so received, shall be marked and made a part of the record.

(6) ~~The finding of facts found and recommendations made by the panel shall be based exclusively upon the evidence presented at the hearing and the panel's recommendations shall be arrived at by a majority vote of the panel members.~~

(7) ~~On its own motion or upon application of the teacher or division superintendent,~~ The hearing may be reopened by the panel, *on its own motion or upon application of the teacher or the division superintendent*, for good cause shown, ~~at any time to hear after-discovered evidence at any time before its final the panel's report is delivered made.~~

(8) The panel shall make a written report which shall include its findings of fact and recommendations, and shall file it with the members of the school board, the division superintendent, and the teacher, not later than 30 *business* days after the completion of the hearing.

(9) A stenographic record or tape recording ~~of the proceedings shall be taken of the proceedings.~~ *However, in proceedings concerning grievances not related to dismissal or probation, the recording may be dispensed with entirely by mutual consent of the parties. In such proceedings, if the recording is not dispensed with the two parties shall share equally the cost of the recording. If either party requests a transcript, that party shall bear the expense involved in preparing it of its preparation.*

*In cases of dismissal or probation, a record or recording of the proceedings shall be made and preserved for a period of six months. If either the teacher or the school board requests that a transcript of the record or recording be made at any time prior to expiration of the six-month period, it shall be made and copies shall be furnished to both parties. The school board shall bear the expense of the recording and the transcription.*

(10) *The recommendations and findings of fact of the panel submitted to the school board shall be based exclusively upon the evidence presented to the panel at the hearing. No panel member shall conduct an independent investigation involving the matter grieved.*

e. Expenses.

(1) The teacher shall bear his own expenses. The school board shall bear the expenses of the division superintendent. The expenses of the panel shall be borne one half by the school board and one half by the teacher.

(2) The parties shall set the per diem rate of the panel. If the parties are unable to agree on the per diem, it

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shall be fixed by the chief judge of the circuit court. No employee of the school division shall receive such per diem for service on a panel during his normal ~~working~~ *business* hours if he receives his normal salary for the period of such service.

(3) Witnesses who are employees of the school board shall be granted release time if the hearing is held during the school day. The hearing shall be held at the school in which most witnesses work, if feasible.

f. Right to further hearings. Following a hearing by a fact-finding panel, the teacher shall not have the right to a further hearing by the school board as provided in subdivision ~~E-3 5 c~~ of this section. The school board shall have the right to require a further hearing in any grievance proceeding as provided in subdivision ~~E-3 5 c~~ of this section.

## 5. Step 5 - Decision by the school board.

a. If a teacher elects to proceed directly to a determination before the school board as provided for in Step 5, he must notify the superintendent in writing of the intention to appeal directly to the board, of the grievance alleged, and the relief sought within five ~~working~~ *business* days after receipt of the answer as required in Step 3 or the due date thereof. Upon receipt of such notice, the school board may elect to have a hearing before a fact-finding panel, as indicated in Step 4, by filing a written notice of such intention with the teacher within 10 ~~working~~ *business* days of the deadline for the teacher's request for a determination by the school board.

b. In the case of a hearing before a fact-finding panel, the school board shall give the grievant its written decision within 30 days after the school board receives both the transcript of such hearing, if any, and the panel's finding of fact and recommendations unless the school board proceeds to a hearing under subdivision 5 c of this section. The decision of the school board shall be reached after considering the transcript, if any; the findings of fact and recommendations of the panel; and such further evidence as the school board may receive at any further hearing which the school board elects to conduct.

c. In any case in which a hearing before a fact-finding panel is held in accordance with Step 4, the local school board may conduct a further hearing before such school board.

(1) The local school board shall initiate such hearing by sending written notice of its intention to the teacher and the division superintendent within 10 days after receipt by the board of the findings of fact and recommendations of the fact-finding panel and any transcript of the panel hearing. Such notice shall be provided upon forms to be prescribed by the Board of Education and shall specify each matter to be inquired into by the school board.

(2) In any case where such further hearing is held by a school board after a hearing before the fact-finding panel, the school board shall consider at such further

hearing the transcript, if any; the findings and recommendations of the fact-finding panel; and such further evidence including, but not limited to, the testimony of those witnesses who have previously testified before the fact-finding panel as the school board deems may be appropriate or as may be offered on behalf of the grievant or the administration.

(3) The further hearing before the school board shall be set within 30 days of the initiation of such hearing, and the teacher must be given at least 15 days written notice of the date, place, and time of the hearing. The teacher and the division superintendent may be represented by legal counsel or other representatives. The hearing before the school board shall be private, unless the teacher requests a public hearing. The school board shall establish the rules for the conduct of any hearing before it. Such rules shall include the opportunity for the teacher and the division superintendent to make an opening statement and to present all material or relevant evidence, including the testimony of witnesses and the right of all parties or their representatives to cross-examine the witnesses. Witnesses may be questioned by the school board.

The school board's attorney, assistants, or representative, if he, or they, represented a participant in the prior proceedings, the grievant, the grievant's attorney, or representative and, notwithstanding the provisions of § 22.1-69 of the Code of Virginia, the superintendent shall be excluded from any executive session of the school board which has as its purpose reaching a decision on the grievance. However, immediately after a decision has been made and publicly announced, as in favor of or not in favor of the grievant, the school board's attorney or representative, and the superintendent, may join the school board in executive session to assist in the writing of the decision.

A stenographic record or tape recording of the proceedings shall be taken. However, *in proceedings concerning grievances not related to dismissal or probation*, the recording may be dispensed with entirely by mutual consent of the parties. *In such proceedings, if the recording is not dispensed with, the two parties shall share the cost of the recording equally, and if either party requests a transcript, that party shall bear the expense of its preparation.*

*In the case of dismissal or probation, a record or recording of the proceedings shall be made and preserved for a period of six months. If either the teacher or the school board requests that a transcript of the record or recording be made at any time prior to the expiration of the six-month period, it shall be made and copies shall be furnished to both parties. The school board shall bear the expense of the recording and the transcription.*

(4) The decision of the school board shall be based solely on the transcript, if any; the findings of fact and recommendations of the fact-finding panel; and any

evidence relevant to the issues of the original grievance procedure at the school board hearing in the presence of each party. The school board shall give the grievant its written decision within 30 days after the completion of the hearing before the school board. In the event the school board's decision is at variance with the recommendations of the fact-finding panel, the school board's written decision shall include the rationale for the decision.

d. In any case where a hearing before a fact-finding panel is not held, the board may hold a separate hearing or may make its determination on the basis of the written evidence presented by the teacher and the recommendation of the superintendent.

e. The school board shall retain its exclusive final authority over matters concerning employment and the supervision of its personnel.

## 8 VAC 20-90-40. Grievability.

A. Initial determination of grievability. Decisions regarding whether a matter is grievable shall be made by the school board at the request of the division superintendent or grievant. ~~Such~~ *The school board shall reach its decision only after allowing the division superintendent and the grievant opportunity to present written or oral arguments regarding grievability. The decision as to whether the arguments shall be written or oral shall be at the discretion of the school board.* Decisions shall be made within 10 *business* days of such request. Such determination of grievability shall be made subsequent to the reduction of the grievance to writing ~~and~~ *but* prior to any panel or board hearing ~~of~~ *or* the right to such determination shall be deemed to have been waived. Failure of the school board to make such a determination within such a prescribed 10-*business*-day period shall entitle the grievant to advance to the next step as if the matter were grievable.

B. Appeal of determination on grievability.

1. Decisions of the school board may be appealed to the circuit court having jurisdiction in the school division for a hearing on the issue of grievability.

a. Proceedings for a review of the decision of the school board shall be instituted by filing a notice of appeal with the school board within 10 *business* days after the date of the decision and giving a copy ~~of that~~ *thereof* to all other parties.

b. Within 10 *business* days thereafter, the school board shall transmit to the clerk of the court to which the appeal is taken, a copy of its decision, a copy of the notice of appeal, and the exhibits. The failure of the school board to transmit the record within the time allowed shall not prejudice the rights of the grievant. The court may, on motion of the grievant, issue a writ of certiorari requiring the school board to transmit the records on or before a certain date.

c. Within 10 *business* days of receipt by the clerk of such record, the court, sitting without a jury, shall hear the appeal on the record transmitted by the school board and such additional evidence as may be necessary to resolve

any controversy as to the correctness of the record. The court may, in its discretion, receive such other evidence as the ends of justice require.

d. The court may affirm the decision of the school board or may reverse or modify the decision. The decision of the court shall be rendered not later than 15 days from the date of the conclusion of the court's hearing.

## 8 VAC 20-90-70. Procedure for dismissals or placing on probation.

A. Notice to teacher of recommendation for dismissal or placing on probation.

1. In the event a division superintendent determines to recommend dismissal of any teacher, or the placing on probation of a teacher on continuing contract, written notice shall be sent to the teacher on forms to be prescribed by the Board of Education notifying him of the proposed dismissal, or placing on probation, and informing the teacher that within 15 days after receiving the notice, the teacher may request a hearing before the school board, or before a fact-finding panel as hereinafter set forth.

2. During such 15-day period and thereafter until a hearing is held in accordance with the provisions herein, if one is requested by the teacher, the merits of the recommendation of the division superintendent shall not be considered, discussed, or acted upon by the school board except as provided for herein.

3. At the request of the teacher, the superintendent shall provide the reasons for the recommendation in writing or, if the teacher prefers, in a personal interview. In the event a teacher requests a hearing pursuant to § 22.1-311 or § 22.1-312 of the Code of Virginia, the division superintendent shall provide, within 10 days of the request, the teacher, or his representative, with the opportunity to inspect and copy his personnel file and all other documents relied upon in reaching the decision to recommend dismissal or probation. Within 10 days of the request of the division superintendent, the teacher, or his representative, shall provide the division superintendent with the opportunity to inspect and copy the documents to be offered in rebuttal to the decision to recommend dismissal or probation. *The division superintendent and the teacher or his representative shall be under a continuing duty to disclose and produce any additional documents identified later that may be used in the respective parties' cases-in-chief.* The cost of copying such documents shall be paid by the requesting party.

B. Fact-finding panel. Within 15 days after the teacher receives the notice referred to in subdivision A 1 of this section, either the teacher, or the school board, by written notice to the other party upon a form to be prescribed by the Board of Education, may elect to have a hearing before a fact-finding panel prior to any decision by the school board.

1. Panel. Within five ~~working~~ *business* days after the receipt by the division superintendent of the request for a fact-finding panel, the teacher and the division superintendent shall each select one panel member from among the employees of the school division other than an individual involved in the recommendation of dismissal or placing on

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probation as a supervisor, witness, or representative. The two panel members so selected shall within five ~~working~~ *business* days of their selection, select a third impartial panel member.

2. Selection of impartial third member. In the event that both panel members are unable to agree upon a third panel member within five ~~working~~ *business* days, both members of the panel shall request the chief judge of the circuit court having jurisdiction of the school division to furnish a list of five qualified and impartial individuals from which list one individual shall be selected by the two members of the panel as the third member. The individuals named by the chief judge may reside either within or without the jurisdiction of the circuit court, be residents of the Commonwealth of Virginia, and in all cases shall possess some knowledge and expertise in public education and education law, and shall be deemed by the judge capable of presiding over an administrative hearing. Within five *business* days after receipt by the two panel members of the list of fact finders nominated by the chief judge, the panel members shall meet to select the third panel member. Selection shall be made by the panel members alternately deleting names from the list until only one remains with the panel member selected by the teacher to make the first deletion. The third impartial panel member shall chair the panel. No elected official shall serve as a panel member. *Panel members shall not be parties to, or witnesses to, the matter grieved. With the agreement of the teacher's and division superintendent's panel members, the impartial panel member shall have the authority to conduct the hearing and make recommendations as set forth herein while acting as a hearing officer.*

*The Attorney General shall represent personally or through one of his assistants any third impartial panel member who shall be made a defendant in any civil action arising out of any matter connected with his duties as a panel member. If, in the opinion of the Attorney General, it is impracticable or uneconomical for such legal representation to be rendered by him or one of his assistants, he may employ special counsel for this purpose, whose compensation shall be fixed by the Attorney General and be paid out of the funds appropriated for the administration of the Department of Education.*

3. Holding of hearing. The hearing shall be held by the panel within 30 calendar days from the date of the selection of the final panel member. The panel shall set the date, place, and time for the hearing and shall so notify the division superintendent and the teacher. The teacher and the division superintendent each may have present at the hearing and be represented at all stages by a ~~representative or legal counsel or another representative.~~

4. Procedure for fact-finding panel.

a. The panel shall determine the propriety of attendance at the hearing of persons not having a direct interest in the hearing, provided that, at the request of the teacher, the hearing shall be private.

b. The panel may ask, *at the beginning of the hearing*, for statements from the division superintendent and the

teacher (or their representative) clarifying the issues involved ~~at the beginning of the hearing and, at the discretion of the panel, may allow closing statements.~~

c. The parties shall then present their claims ~~in~~ *and* evidence. Witnesses may be questioned by the panel members, ~~and by the teacher and the division superintendent, or their representative.~~ However, the panel may, at its discretion, vary this procedure but shall afford full and equal opportunity to all parties for presentation of any material or relevant evidence and shall afford the parties the right of cross-examination.

d. The parties shall produce such additional evidence as the panel may deem necessary to an understanding and determination of the dispute. The panel shall be the judge of relevancy and materiality of the evidence offered. All evidence shall be taken in the presence of the panel and of the parties.

e. Exhibits offered by the teacher or the division superintendent may be received in evidence by the panel and, when so received, shall be marked and made a part of the record.

*f. The facts found and recommendations made by the panel shall be arrived at by a majority vote of the panel members.*

~~f. g. The facts found and recommendations made by and findings of fact of the panel shall be based exclusively upon the evidence presented to the panel at the hearing and such facts found and recommendations made shall be arrived at by a majority vote of the panel members. No panel member shall conduct an independent investigation involving the matter grieved.~~

~~g. h.~~ The hearing may be reopened by the panel at any time before the panel's report is made upon its own motion or upon application of the teacher or the division superintendent for good cause shown to hear after-discovered evidence.

~~h. i.~~ The panel shall make a written report which shall include its findings of fact and recommendations and shall file it with the members of the school board, the division superintendent and the teacher, not later than 30 days after the completion of the hearing.

~~i. j.~~ A stenographic record or tape recording of the proceedings shall be taken. *However, in proceedings concerning grievances not related to dismissal or probation, the recording may be dispensed with entirely by mutual consent of the parties. In such proceedings, if the recording is not dispensed with, the two parties shall share the cost of the recording equally; if either party requests a transcript, that party shall bear the expense of its preparation.*

In cases of dismissal or probation, a record or recording of the proceedings shall be made and preserved for a period of six months. If either the teacher or the school board requests that a transcript of the record or recording be made at any time prior to expiration of the six-month period, it shall be made and copies shall be furnished to

both parties. The school board shall bear the expense of the recording and the transcription.

## 5. Expenses.

a. The teacher shall bear his own expenses. The school board shall bear the expenses of the division superintendent. The expenses of the panel shall be borne one half by the school board and one half by the teacher.

b. The parties shall set the per diem rate of the panel. If the parties are unable to agree on the per diem, it shall be fixed by the chief judge of the circuit court. No employee of the school division shall receive such per diem for service on a panel during his normal ~~working~~ *business* hours if he receives his normal salary for the period of such service.

6. Right to further hearing. If the school board elects to have a hearing by a fact-finding panel on the dismissal or placing on probation of a teacher, the teacher shall have the right to a further hearing by the school board as provided in subsection C of this section. The school board shall have the right to require a further hearing as provided in subsection C also.

7. Witnesses. Witnesses who are employees of the school board shall be granted release time if the hearing is held during the school day. The hearing shall be held at the school in which most witnesses work, if feasible.

## C. Hearing by school board.

1. After receipt of the notice of pending dismissal or placing on probation described in subdivision A 1 of this section, the teacher may request a hearing before the school board by delivering written notice to the division superintendent within 15 days from the receipt of notice from the superintendent. Subsequent to the hearing by a fact-finding panel under subsection B of this section, the teacher, as permitted by subdivision B 7 6 of this section, or the school board may request a school board hearing by written notice to the opposing party and the division superintendent within 10 *business* days after the receipt by the party initiating such hearing of the findings of fact and recommendations made by the fact-finding panel and the transcript of the panel hearing. Such notice shall be provided upon a form to be prescribed by the Board of Education and shall specify each matter to be inquired into by the school board.

2. In any case in which a further hearing is held by a school board after a hearing before the fact-finding panel, the school board shall consider at such further hearing the record, or transcript, if any, the findings of fact and recommendations made by the fact-finding panel and such further evidence, including, but not limited to, the testimony of those witnesses who have previously testified before the fact-finding panel as the school board deems may be appropriate or as may be offered on behalf of the teacher or the superintendent.

3. The school board hearing shall be set and conducted within 30 days of the receipt of the teacher's notice or the giving by the school board of its notice. The teacher shall be given at least 15 days written notice of the date, place, and

time of the hearing and such notice shall also be provided to the division superintendent.

4. The teacher and the division superintendent may be represented by legal counsel or other representatives. The hearing before the school board shall be private, unless the teacher requests a public hearing. The school board shall establish the rules for the conduct of any hearing before it, and such rules shall include the opportunity for the teacher and the division superintendent to make an opening statement and to present all material or relevant evidence including the testimony of witnesses and the right of all parties to cross-examine the witnesses. Witnesses may be questioned by the school board. *The school board may hear a recommendation for dismissal and make a determination whether to make a recommendation to the Board of Education regarding the teacher's license at the same hearing or hold a separate hearing for each action.*

5. A record or recording of the proceedings shall be made and preserved for a period of six months. If either the teacher or the school board requests that a transcript of the record or recording be made at any time prior to expiration of the six-month period, it shall be made and copies shall be furnished to both parties. The board shall bear the expense of the recording and the transcription.

6. The school board shall give the teacher its written decision within 30 days after the completion of the hearing before the school board.

7. The decision by the school board shall be based on the transcript, the findings of the fact and recommendations made by the fact-finding panel, and any evidence relevant to the issues of the original grievance produced at the school board hearing in the presence of each party.

The school board's attorney, assistants, or representative, if he or they represented a participant in the prior proceedings, the grievant, the grievant's attorney, or representative and, notwithstanding the provisions of § 22.1-69 of the Code of Virginia, the superintendent shall be excluded from any executive session of the school board which has as its purpose reaching a decision on a grievance. However, immediately after a decision has been made and publicly announced, as in favor of or not in favor of the grievant, the school board's attorney or representative and the superintendent may join the school board in executive session to assist in the writing of the decision.

## D. School board determination.

1. In any case in which a hearing is held before a fact-finding panel but no further hearing before the school board is requested by either party, the school board shall give the teacher its written decision within 30 days after the school board receives both the transcript of such hearing and the panel's findings of the fact and recommendation. The decision of the school board shall be reached after considering the transcript, the findings of fact, and the recommendations made by the panel.

2. The school board may dismiss, suspend, or place on probation a teacher upon a majority vote of a quorum of the

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## Final Regulations

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school board. In the event the school board's decision is at variance with the recommendation of the fact-finding panel, the school board's written decision shall include the rationale for the decision. The school board shall be required to conduct an additional hearing, which shall be public unless the teacher requests a private one. However, if the fact-finding hearing was held in private, the additional hearing shall be held in private. The hearing shall be conducted by the school board pursuant to subdivisions C 1 and 2 of this section, except that the grievant and the division superintendent shall be allowed to appear, to be represented, and to give testimony. However, the additional hearing shall not include examination and cross-examination of any other witnesses. The school board's written decision shall include the rationale for the decision.

### FORMS

**NOTICE:** The forms used in administering 8 VAC 20-90, Procedure for Adjusting Grievances, are listed below. Any amended or added forms are reflected in the listing and are published following the listing.

*Statement of Grievance, eff. 2/05.*

*Principal's Decision, eff. 2/05.*

*Superintendent's Level, eff. 2/05.*

*Request for Hearing (Decision to be Presented to Grievant), eff. 2/05.*

*Notice of Proposed Dismissal or Proposed Placing on Probation, eff. 2/05.*

*Request for Hearing (to be submitted to Superintendent), eff. 2/05.*

Forms: Procedure for Adjusting Grievances: 8VAC 20-90-10 et. seq.

\_\_\_\_\_ Public Schools

**STATEMENT OF GRIEVANCE**

**STEP 2 – TO BE PRESENTED TO PRINCIPAL**

Name of grievant	Date filed
School/department of assignment	Subject area or grade
Immediate superior and/or principal	Grievant's representative

Policy, procedure, regulation, ordinance, statute being grieved, and date you knew of reasonably should have known of its occurrence:

\_\_\_\_\_

Statement of grievance:

\_\_\_\_\_

Specific relief requested:

Grievant's signature	Representative's signature
Date	Date

Date: February 2005

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Forms: Procedure for Adjusting Grievances: 8VAC 20-90-10 et. seq.

## PRINCIPAL'S DECISION

### STEP 2 – DECISION TO BE PRESENTED TO GRIEVANT

Name of grievant	Date grievance received
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Decision of principal or designee:

I lack the authority to grant the relief requested.

Signature of principal or designee	Date
Is the above decision acceptable to grievant?	<u>Check one box</u> Yes      No   

I hereby appeal this decision to Step 3, Superintendent's Level.

Grievant's signature	Date
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Date: February 2005

Forms: Procedure for Adjusting Grievances: 8VAC 20-90-10 et. seq.

**SUPERINTENDENT'S LEVEL**

**STEP 3 – DECISION TO BE PRESENTED TO GRIEVANT**

Name of grievant	Date appeal received
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Decision of superintendent or designee:

Signature of principal or designee	Date
Is the above decision acceptable to the grievant?	<u>Check one box</u> Yes      No   

\_\_\_ I hereby appeal this decision.

Grievant's signature	Date
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Date: February 2005

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Forms: Procedure for Adjusting Grievances: 8VAC 20-90-10 et. seq.

## REQUEST FOR HEARING

### STEP 5 – DECISION TO BE PRESENTED TO GRIEVANT

Name of grievant	Date grievance filed
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(Check one)

I hereby petition the attached grievance be submitted to an advisory fact-finding hearing.

\_\_\_\_\_ Panel Designee

I hereby waive my right to an advisory fact-finding hearing and petition that the following grievance be submitted to the board.

Grievant's signature	Representative's signature
Date	Date

Date: February 2005

Forms: Procedure for Adjusting Grievances: 8VAC 20-90-10 et. seq.

\_\_\_\_\_ PUBLIC SCHOOLS

**NOTIFICATION: NOTICE OF PROPOSED DISMISSAL OR PROPOSED PLACING  
ON PROBATION**

\_\_\_\_\_  
Date

\_\_\_\_\_  
Name of teacher

\_\_\_\_\_  
School/department of assignment

(Check one)

\_\_\_ The Division Superintendent will recommend to the School Board that you be placed on probation for the period:

\_\_\_\_\_ to \_\_\_\_\_  
(date) (date)

At your request reasons for this recommendation will be provided to you in writing or in a personal interview.

\_\_\_ The Division Superintendent will recommend to the School Board that you be dismissed from your position as:

\_\_\_\_\_  
(position)

At your request reasons for this recommendation will be provided to you in writing or in a personal interview.

You have 15 days from receipt of this form to request, in writing, a hearing before the School Board or an advisory fact-finding panel as provided in the procedure. Please advise me as soon as possible whether you wish to have such a hearing (see attached form). Enclosed, for your information, is a copy of the procedure.

\_\_\_\_\_  
Signature of Superintendent

Date: February 2005

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# Final Regulations

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Forms: Procedure for Adjusting Grievances: 8VAC 20-90-10 et. seq.

## REQUEST FOR HEARING

### TO BE SUBMITTED TO SUPERINTENDENT

Name of teacher	Superintendent's proposed action  ___ Dismissal  ___ Probation
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(Check one)

\_\_\_ I hereby request that I be afforded an advisory fact-finding hearing on the above referenced matter.

\_\_\_\_\_ Panel Designee

\_\_\_ I hereby waive my right to an advisory fact-finding hearing and request that I be afforded a hearing before the School Board on the above referenced matter.

Teacher's signature	Representative's signature
Date	Date

Date: February 2005

VA.R. Doc. No. R05-123; Filed February 1, 2005, 3:08 p.m.



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# FAST-TRACK REGULATIONS

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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.

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## TITLE 12. HEALTH

### DEPARTMENT OF MEDICAL ASSISTANCE SERVICES

**Title of Regulation:** 12 VAC 30-70. Methods and Standards for Establishing Payment Rates; Inpatient Hospital Care (amending 12 VAC 30-70-301).

**Statutory Authority:** §§ 32.1-324 and 32.1-325 of the Code of Virginia.

**Public Hearing Date:** N/A -- Public comments may be submitted until May 20, 2005.

(See Calendar of Events section for additional information)

**Effective Date:** June 6, 2005.

**Agency Contact:** William Lessard, Provider Reimbursement Division, Department of Medical Assistance Services, 600 East Broad Street, Suite 1300, Richmond, VA 23219, telephone (804) 225-4593, FAX (804) 786-1680, or e-mail William.Lessard@dmass.virginia.gov.

**Basis:** Medicaid is authorized to make additional payments to hospitals with a disproportionate share of uncompensated care. In the 1993 OBRA statute, Congress limited DSH payments to a hospital's uncompensated care costs from serving Medicaid and uninsured patients. State regulations mirror this limit. Beginning in 2000, Congress passed the Benefits Improvement and Protection Act (BIPA), which now permits states to temporarily increase the DSH limit to 175% of uncompensated care costs for state fiscal years 2004 and 2005. DMAS proposes to make this change for state fiscal year 2005.

**Purpose:** Where feasible, DMAS intends to make an extra DSH payment to UVA and/or VCU Health Systems to maximize federal revenue to the Commonwealth. VCU Health Systems and UVA are Type 1 hospitals that have a more generous DSH formula and thus could take advantage of this higher DSH limit. DMAS may not be able to make the increased payment at the desired level without an increase in the DSH limit. Making this extra DSH payment will not jeopardize DMAS' ability to make DSH payments that it would otherwise make to public and private hospitals now or in the future. Making this extra DSH payment protects the health, safety and welfare of the citizens by maintaining access to health care for Medicaid and uninsured patients.

**Rationale for Using Fast-Track Process:** This regulatory action will allow DMAS to make the largest possible extra DSH payment in FY 2005 so as to maximize federal revenue. The temporary increase in the DSH limit authorized by Congress will expire at the end of FY 2005. This initiative to maximize federal revenue will not otherwise affect payments that would normally be made to either public or private providers either now or in the future. There is no emergency regulatory

authority for this change, but it is not expected to be controversial.

**Substance:** The section of the State Plan for Medical Assistance affected by this action is 4.19-A (Methods and Standards for Establishing Payment Rates - Inpatient Services) (12 VAC 30-70-301). Federal law permits states to pay hospitals that serve a disproportionately higher Medicaid and uninsured population up to 100% of their uncompensated costs. This limit is reflected in the Virginia Administrative Code, 12 VAC 30-70-301 D, which states, "No DSH payments shall exceed any applicable limitations upon such payments established by federal law or regulations and OBRA 1993 § 13621." This regulatory action modifies 12 VAC 30-70-301 by adding an exception to the general rule in subsection D that applies only to FY 2005. In FY 2005, the limit on DSH payments will be 175% of the amount calculated under the general rule.

**Issues:** Section 1902(a)(13) of the Social Security Act (the Act) provides that states "take into account the situation of hospitals that serve a disproportionate number of low-income patients with special needs." These hospitals, classified as Disproportionate Share Hospitals (DSH), sustain financial losses due to the lower overall payments they receive in serving a large number of Medicaid and uninsured patients. As a result such hospitals require additional state payments in order to maintain their fiscal integrity. Section 1923 of the Act requires states to provide additional Medicaid payments to hospitals that serve larger Medicaid and uninsured populations. These additional payments are made in the form of lump sum payments, referred to as DSH payments. DSH payments are essential to maintaining access to health care for medically vulnerable populations.

Since 1993 the Act has prohibited states from paying more than 100% of the uncompensated costs of disproportionate share hospitals. Beginning in 2000, however, the Benefits Improvement and Protection Act (BIPA) permitted states to raise DSH payment levels up to 175% of uncompensated care costs for two fiscal years after 2002. This current regulatory change accomplishes this goal. Increasing the DSH limit allows the Commonwealth to maximize federal revenue received as a result of DSH payments. The temporary increase in the federal DSH limit authorized by BIPA was intended to assist states to finance their Medicaid programs. The higher limit allows states, on a temporary basis, to make higher DSH payments than it would otherwise.

The state teaching hospitals rely on Medicaid payments, including DSH, to cover the costs of providing services to Medicaid and indigent patients (indigent care needs). Based upon a recent increase in the federal DSH allotment and increases in Medicaid operating payments, DMAS has calculated that it can make additional DSH payments in FY 2005 without jeopardizing its commitment to cover the indigent care costs at the state teaching hospitals now and in the future.

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# Fast-Track Regulations

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## Department of Planning and Budget's Economic Impact

**Analysis:** The Department of Planning and Budget (DPB) has analyzed the economic impact of this proposed regulation in accordance with § 2.2-4007 H of the Administrative Process Act and Executive Order Number 21 (02). Section 2.2-4007 H requires that such economic impact analyses include, but need not be limited to, the projected number of businesses or other entities to whom the regulation would apply, the identity of any localities and types of businesses or other entities particularly affected, the projected number of persons and employment positions to be affected, the projected costs to affected businesses or entities to implement or comply with the regulation, and the impact on the use and value of private property. The analysis presented below represents DPB's best estimate of these economic impacts.

Summary of the proposed regulation. The proposed regulation will temporarily increase the disproportionate share hospital payment limit for hospitals from 100% of actual uncompensated Medicaid and uninsured costs to 175% for fiscal year 2005. The increased payments will be used to claim federal matching funds to supplement the Medicaid operating budget.

Estimated economic impact. Hospitals receive disproportionate share hospital (DSH) payments from Medicaid for serving a high percentage of Medicaid and uninsured patients. DSH payments help hospitals cover their uncompensated care costs. Under the 1993 Omnibus Budget Reconciliation Act, the amount of DSH payments a hospital can receive is limited to 100% of uncompensated costs. However, in 2000, the federal government allowed states through the Benefits Improvement and Protection Act to temporarily increase the DSH payment limit up to 175% of the uncompensated care costs for public hospitals for fiscal years 2004 and 2005.

The proposed regulations will take advantage of this option and will temporarily increase the DSH payment limit for public hospitals to 175% of the uncompensated care costs for fiscal year 2005. The purpose of these regulations is to claim an additional \$20 million in federal matching funds for the Medicaid program.

The Department of Medical Assistance Services (the department) plans to receive approximately \$40 million from the Virginia Commonwealth University (VCU) health system as an intergovernmental transfer. When this happens, the department will make a \$40 million additional DSH payment and claim \$20 million matching funds from the federal government. Thus the main impact of the proposed change is to maximize federal matching funds by \$20 million and supplement the Medicaid operating budget.

The net economic impact on Virginia's economy will likely be positive. The additional \$20 million in federal match will be a net injection into the state's economy without any offsetting effects on Virginia's economy. This increase in Medicaid operating budget may spill over to some or all of about 230,000 Medicaid recipients by maintaining or enhancing some services that would not otherwise be available. Improved services could also improve the overall health status of Medicaid recipients and produce some long-term cost savings.

Businesses and entities affected. The proposed changes could affect some or all of the 230,000 Medicaid recipients and Medicaid providers, depending on how the federal matching funds are spent.

Localities particularly affected. The proposed changes are unlikely to affect any one locality more than others.

Projected impact on employment. The proposed increase in DSH payment limit will likely have an expansionary effect on the state economy. To the extent that increased federal funding is directed toward purchase of goods and services within the state, there could be a positive effect on demand for labor.

Effects on the use and value of private property. Improving the current level of Medicaid federal funding could improve provider revenues and future profit streams, and consequently their asset values.

## Agency's Response to the Department of Planning and Budget's Economic Impact Analysis:

The agency has reviewed the economic impact analysis prepared by the Department of Planning and Budget regarding the regulations concerning Methods and Standards for Establishing Payment Rates-Inpatient Hospital Care: Increase in DSH Limit for FY 2005 (12 VAC 30-70-301). The agency concurs with the economic impact analysis prepared by the Department of Planning and Budget regarding this regulation.

### Summary:

*This amendment temporarily increases the disproportionate share hospital (DSH) supplemental payment limit for Medicaid hospitals. Federal law limits such payments to 100% of a hospital's actual uncompensated costs associated with services provided to Medicaid and uninsured patients. Due to a change in federal law, DMAS is permitted to make DSH payments of up to 175% of uncompensated costs in FY 2005. This regulatory change implements the increase permitted by federal statute.*

### **12 VAC 30-70-301. Payment to disproportionate share hospitals.**

A. Payments to disproportionate share hospitals (DSH) shall be prospectively determined in advance of the state fiscal year to which they apply. The payments shall be made on a quarterly basis, shall be final, and shall not be subject to settlement except when necessary due to the limit in subsection D of this section.

B. Hospitals qualifying under the 15% inpatient Medicaid utilization percentage shall receive a DSH payment based on the hospital's type and the hospital's Medicaid utilization percentage.

1. Type One hospitals shall receive a DSH payment equal to:

- a. The sum of (i) the hospital's Medicaid utilization percentage in excess of 10.5%, times 17, times the hospital's Medicaid operating reimbursement, times 1.4433 and (ii) the hospital's Medicaid utilization percentage in excess of 21%, times 17, times the

hospital's Medicaid operating reimbursement, times 1.4433,

b. Multiplied by the Type One hospital DSH Factor.

The Type One hospital DSH factor shall equal a percentage that when applied to the DSH payment calculation yields a DSH payment equal to the total calculated using the methodology outlined in subdivision 1 a of this subsection using an adjustment factor of one in the calculation of operating payments rather than the adjustment factor specified in subdivision B 1 of 12 VAC 30-70-331.

2. Type Two hospitals shall receive a DSH payment equal to the sum of (i) the hospital's Medicaid utilization percentage in excess of 10.5%, times the hospital's Medicaid operating reimbursement, times 1.2074 and (ii) the hospital's Medicaid utilization percentage in excess of 21%, times the hospital's Medicaid operating reimbursement, times 1.2074.

C. Hospitals qualifying under the 25% low-income patient utilization rate shall receive a DSH payment based on the hospital's type and the hospital's low-income utilization rate.

1. Type One hospitals shall receive a DSH payment equal to the product of the hospital's low-income utilization in excess of 25%, times 17, times the hospital's Medicaid operating reimbursement.

2. Type Two hospitals shall receive a DSH payment equal to the product of the hospital's low-income utilization in excess of 25%, times the hospital's Medicaid operating reimbursement.

3. Calculation of a hospital's low-income patient utilization percentage is defined in 42 USC § 1396r-4(b)(3).

D. No DSH payments shall exceed any applicable limitations upon such payments established by federal law or regulations and OBRA 1993 §13621. *For fiscal year 2005, a DSH payment shall not exceed 175% of the amount in this subsection as permitted by the Benefits Improvement and Protection Act (PL 106-554) § 701(c).* A DSH payment during a fiscal year shall not exceed the sum of:

1. Medicaid allowable costs incurred during the year less Medicaid payments, net of disproportionate share payment adjustments, for services provided during the year. Costs and payments for Medicaid recipients enrolled in capitated managed care programs shall be considered Medicaid costs and payments for the purposes of this section.

2. Costs incurred in serving persons who have no insurance less payments received from those patients or from a third party on behalf of those patients. Payments made by any unit of the Commonwealth or local government to a hospital for services provided to indigent patients shall not be considered to be a source of third party payment.

E. Each hospital's eligibility for DSH payment and the amount of the DSH payment shall be calculated at the time of each rebasing using the most recent reliable utilization data and projected operating reimbursement data available. The utilization data used to determine eligibility for DSH payment

and the amount of the DSH payment shall include days for Medicaid recipients enrolled in capitated managed care programs. In years when DSH payments are not rebased in the way described above, the previous year's amounts shall be adjusted for inflation.

1. Each hospital with a Medicaid-recognized Neonatal Intensive Care Unit (NICU), a unit having had a unique NICU operating cost limit under subdivision 6 of 12 VAC 30-70-50, shall have its DSH payment calculated separately for the NICU and for the remainder of the hospital as if the two were separate and distinct providers. This calculation shall follow the methodology provided in this section.

2. For freestanding psychiatric facilities licensed as hospitals, DSH payment shall be based on the most recently settled Medicare cost report available before the beginning of the state fiscal year for which a payment is being calculated.

VA.R. Doc. No. R05-147; Filed March 2, 2005, 11:52 a.m.



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# EMERGENCY REGULATIONS

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## TITLE 4. CONSERVATION AND NATURAL RESOURCES

### MARINE RESOURCES COMMISSION

Title of Regulation: **4 VAC 20-720. Pertaining to Restrictions on Oyster Harvest (adding 4 VAC 20-720-49).**

Statutory Authority: §§ 28.2-201, 28.2-210 and 28.2-507 of the Code of Virginia.

Effective Dates: March 1, 2005, through March 9, 2005.

Agency Contact: Kathy Leonard, Administrative and Program Specialist, Marine Resources Commission, 2600 Washington Avenue, 3rd Floor, Newport News, VA 23607, telephone (757) 247-2120, FAX (757) 247-8101 or e-mail kathy.leonard@mrc.virginia.gov.

Preamble:

*This emergency chapter is promulgated pursuant to §§ 28.2-210 and 28.2-507 of the Code of Virginia and extends the public oyster harvest season for the Pocomoke and Tangier Sounds Dredge areas in 4 VAC 20-720-20, "Definitions." This emergency action was taken by the commission in an effort to allow the watermen to continue harvesting clean cull size oysters to meet the demands of the market and allow for loss of work days due to bad weather. The effective date of this emergency regulation is March 1, 2005. This emergency regulation shall terminate on March 10, 2005 at 12:00 a.m.*

**4 VAC 20-720-49. Extension of the public oyster harvest season for the Pocomoke and Tangier Sounds dredge areas.**

A. The season for the harvesting of oysters from this area shall be extended through March 9, 2005.

B. All other applicable laws and regulations for harvesting oysters from public oyster grounds shall apply during this extended season.

VA.R. Doc. No. R05-139; Filed March 1, 2005, 10:50 a.m.

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## TITLE 8. EDUCATION

### STATE BOARD OF EDUCATION

Title of Regulation: **8 VAC 20-520. Regulations Governing Reduction of State Aid When Length of School Term Below 180 School Days or 990 Teaching Hours (adding 8 VAC 20-520-5 and 8 VAC 20-520-20 through 8 VAC 20-520-60; repealing 8 VAC 20-520-10).**

Statutory Authority: §§ 22.1-16 and 22.1-98 of the Code of Virginia.

Effective Dates: March 1, 2005, through February 28, 2006.

Agency Contact: Dr. Margaret N. Roberts, Office of Policy and Communications, Department of Education, Post Office Box 2120, 101 North 14th Street, 25th Floor, Richmond, VA 23219, telephone (804) 225-2540, FAX (804) 225-2524, or e-mail margaret.roberts@doe.virginia.gov.

Preamble:

*The Board of Education promulgated the Regulations Governing Reduction of State Aid When Length of School Term Below 180 School Days, 8 VAC 20-520, in response to § 22.1-98 of the Code of Virginia. The most recent amendments to the regulations were effective in 1980. The 2004 Virginia General Assembly passed three bills that amended this section of the Code and made the changes effective from passage of the bills. The bills were HB 1256 (Van Landingham), SB 452 (Whipple), and HB 575 (Hamilton). HB 1256 and SB 452 clarify the schedule of makeup days and circumstances in which approval may be granted so that state basic aid funding will not be reduced because of school closings due to severe weather conditions or other emergency situations. HB 575 permits the Board of Education to waive the requirement that school divisions compensate for school closings resulting from a declared state of emergency.*

*HB 575 and SB 452 have emergency enactment clauses and are effective upon passage. HB 1256 and SB 452 require the Board of Education to promulgate regulations to implement the provisions to be effective within 280 days of enactment. Therefore, this emergency regulation is required by changes to the Code of Virginia.*

*The purpose of the emergency regulations and the subsequent permanent regulations is to clarify the schedule of makeup days and circumstances in which a waiver may be granted by the Board of Education so that state basic aid funding will be reduced because of school closings due to severe weather conditions or other emergency situations. The proposed actions also implement the legislation that permits the Board of Education to waive the requirement that school divisions compensate for school closings resulting from a declared state of emergency.*

#### CHAPTER 520.

#### REGULATIONS GOVERNING REDUCTION OF STATE AID WHEN LENGTH OF SCHOOL TERM BELOW 180 TEACHING DAYS OR 990 TEACHING HOURS.

#### **8 VAC 20-520-5. Definitions.**

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

*"Declared state of emergency" means the declaration of an emergency before or after an event, by the Governor or by officials in a locality, that requires the closure of any or all schools within a school division.*

*"Instructional time" means the period that students are in school on a daily or annual basis as defined in the Regulations Establishing Standards for Accrediting Public Schools in Virginia, 8 VAC 20-131.*

"Severe weather conditions or other emergency situations" means those circumstances presenting a threat to the health or safety of students that result from severe weather conditions or other emergencies, including, but not limited to, natural and man-made disasters, energy shortages or power failures.

"Teaching days" means days when instruction is provided.

"Teaching hours" means hours when instruction is provided.

## **8 VAC 20-520-10. Length of school term. (Repealed.)**

~~School divisions which are forced to close more than 15 days during the school term because of severe weather, energy shortages, or power failure may be eligible for a waiver of the 180-day requirement.~~

~~Waiver of days lost beyond the first 15 is not automatic. A request must be made and evidence must be presented to indicate that every reasonable effort has been made to reschedule as many days as possible. Before approving a waiver, the state Board of Education must be satisfied that the lost time cannot be made up.~~

~~The state Board of Education will expect school divisions to exhaust every possibility for making up lost days before requesting a waiver of the 180 day requirement.~~

~~The request for waiver shall be forwarded to the Superintendent of Public Instruction after it has been approved by the local school board.~~

~~Make up days should be the regular length, except as provided in the regulations on the length of the school day. (One day a week may be shortened to no less than four hours, exclusive of lunch, if the total number of days average at least 5 ½ hours in length.)~~

~~The first 15 days lost cannot be made up by extending the length of the school day.~~

~~Applications for waiver to be considered by the state Board of Education at its May meeting must be received by April 30 of the school year for which the waiver is requested.~~

## **8 VAC 20-520-20. Length of school term.**

A. The length of every school's term in every school division shall be a minimum of 180 teaching days or 990 teaching hours in any school year.

B. Nothing in these regulations shall prohibit a school division from exceeding the 180 teaching day or 990 teaching hour requirement in any of its schools.

## **8 VAC 20-520-30. Completion of teaching hours.**

A. When severe weather conditions or other emergency situations have resulted in the closing of a school or schools in a school division for fewer than five days, the school or schools shall make up all missed days by adding teaching days to the school calendar or extending the length of the teaching day.

B. When severe weather conditions or other emergency situations have resulted in the closing of a school or schools in a school division for five or more days, the school or schools

shall make up the missed days in accordance with § 22.1-98 of the Code of Virginia by adding teaching days to the school calendar or extending the length of the teaching day.

C. Nothing in these regulations shall preclude a school division from making up missed teaching days by providing students with additional teaching hours equivalent to such missed teaching days.

## **8 VAC 20-520-40. Waivers for a Declared State of Emergency.**

A. The Board of Education may waive the requirement that school divisions provide additional teaching days or teaching hours to compensate for closings resulting from a declared state of emergency.

B. If the local school board desires a waiver for days missed as the result of a declared state of emergency, it shall submit a request for a waiver to the Board of Education. The request shall include evidence of efforts that have been made by the school division to reschedule as many days as possible.

C. The division superintendent and the chair of the local school board shall certify that every reasonable effort for making up lost teaching days or teaching hours was exhausted before requesting a waiver of the requirement.

D. The Board of Education authorizes the Superintendent of Public Instruction to approve, in compliance with these regulations, reductions in the school term for a school or the schools in a school division.

E. If the waiver is denied, the school division shall make up the missed instructional time in accordance with 8 VAC 20-520-30 of these regulations and § 22.1-98 of the Code of Virginia.

## **8 VAC 20-520-50. Funding.**

A. There shall be no proportionate reduction in the amount paid by the Commonwealth from the Basic School Aid Fund if a local school division:

1. Completes instructional time in accordance with 8 VAC 20-520-30 and § 22.1-98 of the Code of Virginia; or
2. Obtains a waiver for closings resulting from a declared state of emergency in accordance with 8 VAC 20-520-40.

B. The local appropriations for educational purposes necessary to fund 180 teaching days or 990 teaching hours shall not be proportionally reduced by any local governing body due to a reduction in the length of the term of any school, if the missed days are made up in accordance with 8 VAC 20-520-30, or the schools in a school division have been granted a waiver in accordance with 8 VAC 20-520-40.

## **8 VAC 20-520-60. Administration.**

A. The Virginia Department of Education shall annually notify local school divisions of the provisions of these regulations and the Virginia Code regarding reductions in the length of the school term.

B. Local school division superintendents shall certify by April 15 of each school year that they have read and complied with these provisions and are implementing a plan for making up

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# Emergency Regulations

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*missed time that has not been waived in accordance with these regulations.*

/s/ Mark R. Warner  
Governor

Date: February 21, 2005

VA.R. Doc. No. R05-145; Filed March 1, 2005, 2:41 p.m.



# GENERAL NOTICES/ERRATA

## DEPARTMENT OF CRIMINAL JUSTICE SERVICES

### Edward J. Byrne Memorial Justice Assistance Grant (JAG) Program

The Department of Criminal Justice Services intends to submit an application to the Bureau of Justice Assistance of the U.S. Department of Justice to obtain federal fiscal year 2005 funding available through the Edward J. Byrne Memorial Justice Assistance Grant (JAG) Program. The application, which will be submitted no later than March 31, 2005, will request a total of \$6,388,473 in federal funds, the amount we have been advised is allocated to the department in accord with the distribution formula governing the JAG program.

The department will use these funds to make grants to support local and state agency law enforcement, prosecution and judicial programs; crime prevention and education programs; corrections and community corrections programs; drug treatment programs; and planning, evaluation and technology improvement programs. Specific guidelines and instructions for agencies interested in submitting grant proposals will be issued at a later date.

The application will be available for public review at the department's offices at 805 East Broad Street, Richmond, VA 23219, and comments from the public are welcome. Inquiries should be directed to Joe Marshall at (804) 786-1577 or by e-mail to [joe.marshall@dcjs.virginia.gov](mailto:joe.marshall@dcjs.virginia.gov).

## DEPARTMENT OF ENVIRONMENTAL QUALITY

### Total Maximum Daily Loads (TMDLs) for Broad Run, South Run, Kettle Run, Occoquan River (below Lake Jackson), Little Bull Run, Bull Run, and Popes Head Creek

The Department of Environmental Quality (DEQ) and the Department of Conservation and Recreation (DCR) seek written and oral comments from interested persons on the development of Total Maximum Daily Loads (TMDLs) to address impairments in the following seven watersheds: Broad Run, South Run, Kettle Run, Occoquan River (below Lake Jackson), Little Bull Run, Bull Run, and Popes Head Creek. The subject stream segments, all in the Occoquan Basin, are identified in Virginia's 2004 305(b)/303(d) Report on Impaired Waters as impaired due to exceedances of the State's water quality criterion for fecal coliform bacteria. South Run, Bull Run, and Popes Head Creek are also listed as impaired due to violations of the general standard for state waters.

Section 303(d) of the Clean Water Act and § 62.1-44.19:7 C of the Code of Virginia require DEQ to develop TMDLs for pollutants responsible for each impaired water contained in Virginia's 303(d) list.

The impaired stream segments are located in Fairfax, Fauquier, and Prince William counties, and their location is set forth in the table below.

Stream	County/City	Length (mi.)	Impairment	Upstream	Downstream	Road Crossing
Broad Run	Prince William	7.26	Bacteria	Confluence of Rocky Branch	Confluence of Cannon Branch	Rte. 28
Broad Run	Prince William	1.51	Bacteria	Confluence of an unnamed tributary to Broad Run	Start of Lake Manassas	Rte. 29/211
Broad Run	Prince William	1.06	Bacteria	Confluence with Mill Run	Confluence with Trapp Run	Rte. 628
Kettle Run	Prince William	7.59	Bacteria	Confluence of an unnamed tributary to Kettle Run	Confluence with Broad Run	Rte. 619
South Run	Fauquier, Prince William	2.34	Bacteria, benthic	Downstream of Lake Brittle	Confluence with Lake Manassas	Rte. 215
Occoquan River	Prince William	1.61	Bacteria	Downstream of Lake Jackson	Confluence of Purcell Branch	Rte. 234
Little Bull Run	Prince William	3.03	Bacteria	Confluence with Catharpin Creek	Confluence with Lick Branch	Rte. 705
Bull Run	Prince William, Fairfax	4.8	Bacteria, benthic	Confluence of Cub Run to Bull Run	Confluence with Popes Head Creek	Rte. 28
Popes Head Creek	Fairfax	4.92	Bacteria, benthic	Confluence of Piney Branch	Confluence with Bull Run	Rte. 645

The first public meetings on the development of the Occoquan Basin Streams TMDLs will be held on Wednesday, March 30, 2005, at 7 p.m. at Sully District Governmental Center, 4900 Stonecroft Blvd., Chantilly, VA; and on Tuesday, April 5, 2005, at 7 p.m. at Pennington School, 9305 Stonewall Road, Manassas, VA.

The public comment period for this first phase of the TMDL study will begin on March 30, 2005, and end on April 28, 2005. Fact sheets on the development of the TMDLs for the impairments referenced above are available upon request, or

at <http://www.deq.virginia.gov/tmdl/>. Questions or information requests should be addressed to Kimberly Davis. Written comments should include the name, address, and telephone number of the person submitting the comments and should be sent to Ms. Kimberly Davis, Department of Environmental Quality Northern Regional Office, 13901 Crown Court, Woodbridge, VA 22193, telephone (703) 583-3937, FAX (703) 583-3841, or e-mail [kvdavis@deq.virginia.gov](mailto:kvdavis@deq.virginia.gov).

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## General Notices/Errata

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### **Total Maximum Daily Loads (TMDLs) for Carter Run, Deep Run, Great Run and Thumb Run**

The Department of Environmental Quality (DEQ) and the Department of Conservation and Recreation (DCR) seek written and oral comments from interested persons on the development of an Implementation Plan (IP) for Bacteria Total Maximum Daily Loads (TMDLs) on a 3.55 mile segment of Carter Run, 4.83 mile segment of Deep Run, 2.76 mile segment of Great Run, and 6.91 mile segment of Thumb Run. TMDLs for the Carter Run and Great Run bacteria impairments were submitted to EPA in January 2005, drafts of which can be found on DEQ's website at [http://gisweb.deq.virginia.gov/tmdlapp/tmdl\\_draft\\_reports.cfm](http://gisweb.deq.virginia.gov/tmdlapp/tmdl_draft_reports.cfm), and their approval is pending. TMDL for the Deep Run and Thumb Run bacteria impairments were approved by EPA on 5/26/04 and 5/31/02, respectively, and can be found on DEQ's website at

[http://gisweb.deq.virginia.gov/tmdlapp/tmdl\\_report\\_search.cfm](http://gisweb.deq.virginia.gov/tmdlapp/tmdl_report_search.cfm).

The Carter Run, Deep Run and Great Run impairments are located in Fauquier County. The Deep Run impairment is located in Fauquier and Stafford County.

Section 62.1-44.19:7 C of the Code of Virginia requires the development of an IP for approved TMDLs. The IP should provide measurable goals and the date of expected achievement of water quality objectives. The IP should also include the corrective actions needed and their associated costs, benefits and environmental impacts.

The first public meeting on the development of the IP for the Catocin Creek fecal coliform bacteria TMDL will be held on Tuesday, April 12, 2005, at 7 p.m. in the Warrenton

Community Center, located at 430 East Shirley Avenue in Warrenton, VA.

The public comment period will end on May 12, 2004. A fact sheet on the development of an IP for the TMDL for fecal coliform bacteria on Catocin Creek is available upon request. Questions or information requests should be addressed to Bryant Thomas. Written comments and inquiries should include the name, address, and telephone number of the person submitting the comments and should be sent to Mr. Bryant Thomas, Department of Environmental Quality, 13901 Crown Court, Woodbridge, VA 22193, telephone (703) 583-3843, FAX (703) 583-3841, or e-mail [bhthomas@deq.virginia.gov](mailto:bhthomas@deq.virginia.gov).

### **DEPARTMENT OF TRANSPORTATION**

#### **Notice of Periodic Review of Regulation Pursuant to Executive Order 21 (02)**

Pursuant to Executive Order Number 21 (02), the Virginia Department of Transportation has scheduled the regulation listed below for review. The purpose of the review is to determine whether the regulation should be amended or retained as written. If any changes are deemed necessary, VDOT will file the appropriate documentation as required by

the Administrative Process Act (§ 2.2-4007 et seq. of the Code of Virginia).

VDOT seeks public comment regarding the following questions:

1. Does the regulation meet the following goals?

- Provide a fair process for the promulgation of regulations;
- Ensure that the public is informed of any new regulations or amendments to existing regulations and has opportunity to participate in the regulatory process;
- Comply with statutory and procedural requirements concerning public participation; and
- Protect the public's health, safety, and welfare with the least possible cost and intrusiveness to the citizens and businesses of the Commonwealth.

2. Is the regulation clearly written and understandable?

Regulation Title: Public Participation Guidelines

Subject: Establishes the manner in which VDOT will solicit public input in the development of regulations promulgated under the Administrative Process Act.

APA Exemption: None

VAC Number: 24 VAC 30-10

Contact: Wendy E. Thomas, Senior Policy Analyst, Policy Division, Room 1106, Virginia Department of Transportation, 1401 E. Broad Street, Richmond, VA 23219, telephone (804) 786-3885, FAX (804) 225-4700, or e-mail [wendy.thomas@vdot.virginia.gov](mailto:wendy.thomas@vdot.virginia.gov).

Comments may be submitted from March 22, 2005, to April 11, 2005, to the contact referenced above.

### **STATE WATER CONTROL BOARD**

#### **Proposed Special Order for Concrete Precast Systems, Inc. and DuBrook Concrete, Inc. d.b.a. Adaptive Concrete Solutions**

The State Water Control Board (board) proposes to issue a Consent Special Order (order) to Concrete Precast Systems, Inc. and DuBrook Concrete, Inc., d.b.a. Adaptive Concrete Solutions.

The order requires, among other things, that Adaptive Concrete Solutions (ACS) manage and store the recycled concrete appropriately, implement and maintain best management practices and comply with other requirements and special conditions of the Permit. Concrete Precast Systems, Inc. and DuBrook Concrete, Inc., d.b.a. ACS have agreed to payment of a civil charge.

On behalf of the board, the Department of Environmental Quality's Northern Virginia Regional Office will receive written comments relating to the order through April 20, 2005. Please address comments to Susan A. Oakes, Northern Virginia Regional Office, Department of Environmental Quality, 13901 Crown Court, Woodbridge, VA 22193. Please address

comments sent via e-mail to [saoakes@deq.virginia.gov](mailto:saoakes@deq.virginia.gov). In order to be considered, comments provided by e-mail must include the commenter's name, address, and telephone number. In order to examine or to obtain a copy of the order, visit the DEQ website at [www.deq.virginia.gov](http://www.deq.virginia.gov). In addition you may also write, visit the Woodbridge address, or call (703) 583-3863 to obtain a copy of the order.

## **Proposed Consent Special Order for DuBrook Concrete, Inc.**

The State Water Control Board (board) proposes to issue a Consent Special Order (order) to DuBrook Concrete, Inc. located in Chantilly, Virginia.

The purpose of the order is to resolve violations of the State Water Control Law and Regulations and to ensure compliance with the VPDES General Permit for Ready-Mixed Concrete Plants. Under the terms of the order, DuBrook has agreed to complete repairs and upgrades to its wastewater treatment system and to pay a civil penalty of \$3,100.

On behalf of the Board, the Department of Environmental Quality's Northern Virginia Regional Office will receive comments relating to the order until April 20, 2005. Please address comments to Jack Welsch, Northern Virginia Regional Office, Department of Environmental Quality, 13901 Crown Court, Woodbridge, VA 22193. Comments may be sent via e-mail to [jwelsch@deq.virginia.gov](mailto:jwelsch@deq.virginia.gov). In order to be considered, comments must include the commenter's name, address, and telephone number. The proposed order is available at: <http://www.deq.virginia.gov/enforcement/notices.html>. A copy of the proposed order can also be obtained by contacting Mr. Welsch at the above address or calling (703) 583-3854.

## **Proposed Special Order for Rowe Concrete, L.L.C. - King George, Stafford, Spotsylvania Plants**

The State Water Control Board (board) proposes to issue a Consent Special Order (order) to Rowe Concrete, L.L.C. (permittee) regarding the King George, Stafford, and Spotsylvania Plants located in King George, Stafford, and Spotsylvania Counties, Virginia.

The order requires, among other things, that the permittee comply with the monitoring and inspection plan requirements for each respective plant in accordance with the terms of the Permit and install settling basins and a pH treatment system at the King George Plant. The permittee has agreed to payment of a civil charge.

On behalf of the board, the Department of Environmental Quality's Northern Virginia Regional Office will receive written comments relating to the order through April 20, 2005. Please address comments to Susan A. Oakes, Northern Virginia Regional Office, Department of Environmental Quality, 13901 Crown Court, Woodbridge, VA 22193. Please address comments sent via e-mail to [saoakes@deq.virginia.gov](mailto:saoakes@deq.virginia.gov). In order to be considered, comments provided by e-mail must include the commenter's name, address, and telephone number. In order to examine or to obtain a copy of the order, visit the DEQ website at [www.deq.virginia.gov](http://www.deq.virginia.gov). In addition

you may also write, visit the Woodbridge address, or call (703) 583-3863 to obtain a copy of the order.

## **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

## **ERRATA**

### **BOARD OF HOUSING AND COMMUNITY DEVELOPMENT**

Titles of Regulations: **13 VAC 5-62. Virginia Uniform Statewide Building Code (USBC).**

**13 VAC 5-63. Virginia Uniform Statewide Building Code.**

Publication: 21:11 VA.R. 1292-1337 February 7, 2005.

Correction to Proposed Regulation:

Page 1308, in 13 VAC 5-63-110 B, lines 4 and 5, change "ASTM E329-03" to "ASTM E329-02"

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## General Notices/Errata

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### STATE WATER CONTROL BOARD

Title of Regulation: **9 VAC 25-31. Virginia Pollutant Discharge Elimination System (VPDES) Permit Regulation.**

Publication: 21:9 VA.R. 1073-1129 January 10, 2005.

Corrections to Final Regulation:

Page 1086, in 9 VAC 25-31-100 G 7 b, line 18, change the reference from "9 VAC 25-31-120 D" to "9 VAC 25-31-120 C"

Page 1086, in 9 VAC 25-31-100 G 7 b, line 32, change the reference from "9 VAC 25-31-120 C 1" to "9 VAC 25-31-120 B 1"

Page 1094, in 9 VAC 25-31-100 K, line 7, change the reference from "9 VAC 25-31-120 C 1" to 9 VAC 25-31-120 B 1"

Page 1094, in 9 VAC 25-31-100 K, line 8, delete "(except as provided by 9 VAC 25-31-120 C 1 b"

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# CALENDAR OF EVENTS

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## Symbol Key

- † Indicates entries since last publication of the *Virginia Register*  
♿ Location accessible to persons with disabilities  
☎ Teletype (TTY)/Voice Designation

## NOTICE

Only those meetings which are filed with the Registrar of Regulations by the filing deadline noted at the beginning of this publication are listed. Since some meetings are called on short notice, please be aware that this listing of meetings may be incomplete. Also, all meetings are subject to cancellation and the *Virginia Register* deadline may preclude a notice of such cancellation. If you are unable to find a meeting notice for an organization in which you are interested, please check the Commonwealth Calendar at [www.vipnet.org](http://www.vipnet.org) or contact the organization directly.

For additional information on open meetings and public hearings held by the standing committees of the legislature during the interim, please call Legislative Information at (804) 698-1500 or Senate Information and Constituent Services at (804) 698-7410 or (804) 698-7419/TTY☎, or visit the General Assembly web site's Legislative Information System (<http://leg1.state.va.us/lis.htm>) and select "Meetings."

VIRGINIA CODE COMMISSION

## EXECUTIVE

### BOARD OF ACCOUNTANCY

**April 22, 2005 - 9 a.m.** -- Public Hearing

Department of Professional and Occupational Regulation,  
3600 West Broad Street, Room 395, Richmond, Virginia.

**May 8, 2005** - 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 Accountancy intends to amend regulations entitled **18 VAC 5-21, Board of Accountancy Regulations**. The purpose of the proposed action is to revise and clarify (i) qualifications for licensure including new language about the current computer based CPA exam and (ii) continuing professional education (CPE) requirements for initial applicants and regulants in ethics.

Statutory Authority: §§ 54.1-4402 and 54.1-4410 of the Code of Virginia.

**Contact:** Nancy Taylor Feldman, Executive Director, Board of Accountancy, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8505, FAX (804) 367-2174 or e-mail [boa@boa.virginia.gov](mailto:boa@boa.virginia.gov).

**April 22, 2005 - 10 a.m.** -- Open Meeting

Department of Professional and Occupational Regulation,  
3600 West Broad Street, Room 395, Richmond, Virginia.♿  
(Interpreter for the deaf provided upon request)

A meeting to discuss general business matters. A public comment period will be held at the beginning of the meeting. All meetings are subject to cancellation. The time of the meeting is subject to change. 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:** Nancy Taylor Feldman, Executive Director, Board of Accountancy, 3600 W. Broad St., Suite 378, Richmond, VA 23230, telephone (804) 367-8505, FAX (804) 367-2174, (804) 367-9753/TTY☎, e-mail [boa@boa.virginia.gov](mailto:boa@boa.virginia.gov).

### COMMONWEALTH COUNCIL ON AGING

† **May 19, 2005 - 10 a.m.** -- Open Meeting

Virginia Department for the Aging, 1610 Forest Avenue, Suite 100, Richmond, Virginia.♿ (Interpreter for the deaf provided upon request)

A regular business meeting. Public comments are welcome.

**Contact:** Marsha Mucha, Virginia Department for the Aging, 1610 Forest Ave., Suite 100, Richmond, VA 23229, telephone (804) 662-9312.

### DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

#### Virginia Horse Industry Board

**April 5, 2005 - 9:30 a.m.** -- Open Meeting

Department of Forestry, 900 Natural Resources Drive, 2nd Floor Meeting Room, Charlottesville, Virginia.♿

A meeting to (i) review the minutes of the last meeting; (ii) review the current budget; (iii) review ongoing and potential marketing projects; and (iv) review grant proposals submitted for FY 2005-2006. The board will entertain public comment at the conclusion of all other business for a period not to exceed 30 minutes. Any person who needs any accommodation in order to participate at the meeting should contact Andrea S. Heid at least five days before the meeting date so that suitable arrangements can be made.

**Contact:** Andrea S. Heid, Equine Marketing Specialist/Program Manager, Department of Agriculture and Consumer Services, 1100 Bank St., 9th Floor, Richmond, VA 23219, telephone (804) 786-5842, FAX (804) 786-3122, e-mail [Andrea.Heid@vdacs.virginia.gov](mailto:Andrea.Heid@vdacs.virginia.gov).

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# Calendar of Events

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## Virginia Marine Products Board

† **April 20, 2005 - 6 p.m.** -- Open Meeting  
Bill's Seafood House, Corner of Denbigh Boulevard and Route 17, Grafton, Virginia. 

A meeting to (i) read and approve the minutes of the previous board meeting; (ii) report on finance, trade shows, festivals, industry tours, and calendar sales; and (iii) discuss cooperative programs with the Virginia Department of Agriculture and Consumer Services and croaker exports. The board will entertain public comment at the conclusion of all other business for a period not to exceed 30 minutes. Any person who needs any accommodation in order to participate at the meeting should contact Shirley Estes at least five days before the meeting date so that suitable arrangements can be made.

**Contact:** Shirley Estes, Executive Director, Department of Agriculture and Consumer Services, 554 Denbigh Blvd., Suite B, Newport News, VA 23608, telephone (757) 874-3474, FAX (757) 886-0671, e-mail Shirley.Estes@vdacs.virginia.gov.

## STATE AIR POLLUTION CONTROL BOARD

† **April 20, 2005 - 6:30 p.m.** -- Public Hearing  
Paul D. Camp Community College Regional Workforce Development Center, 100 North College Drive, Franklin, Virginia.

† **May 5, 2005** - 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 Air Pollution Control Board intends to adopt regulations entitled **9 VAC 5-230, Variance for International Paper Franklin Paper Mill**. The purpose of the proposed action is to provide relief for the IP Franklin Paper Mill from the state regulations governing new source review and to establish sitewide emission caps for particulate matter (PM and PM<sub>10</sub>), sulfur dioxide, oxides of nitrogen, carbon monoxide, volatile organic compounds, total reduced sulfur, lead, sulfuric acid mists and fluorides. The sitewide emission caps would be used as alternative means of compliance with state regulations governing new source reviews (Article 4 of Chapter 50, and Articles 6, 8 and 9 of Chapter 80).

Statutory Authority: § 10.1-1307 of the Code of Virginia.

**Contact:** Robert Mann, Director of Air Regulatory Development, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4419, FAX (804) 698-4510, toll-free 1-800-592-5482 or e-mail ramann@deq.virginia.gov.

## ALCOHOLIC BEVERAGE CONTROL BOARD

**March 28, 2005 - 9 a.m.** -- Open Meeting  
**April 11, 2005 - 9 a.m.** -- Open Meeting  
**April 25, 2005 - 9 a.m.** -- Open Meeting  
**May 9, 2005 - 9 a.m.** -- Open Meeting  
**May 23, 2005 - 9 a.m.** -- Open Meeting  
**June 6, 2005 - 9 a.m.** -- Open Meeting  
† **June 20, 2005 - 9 a.m.** -- Open Meeting  
Department of Alcoholic Beverage Control, 2901 Hermitage Road, Richmond, Virginia. 

A 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 , e-mail wccolen@abc.state.va.us.

## ALZHEIMER'S DISEASE AND RELATED DISORDERS COMMISSION

**March 22, 2005 - 10 a.m.** -- Open Meeting  
**June 7, 2005 - 10 a.m.** -- Open Meeting  
Department for the Aging, 1610 Forest Avenue, Suite 100, Richmond, Virginia. 

A quarterly meeting.

**Contact:** Janet L. Honeycutt, Director of Grant Operations, Department for the Aging, 1610 Forest Ave., Suite 100, Richmond, VA 23229, telephone (804) 662-9333, FAX (804) 662-9354, toll-free (800) 552-3402, (804) 662-9333/TTY , e-mail janet.honeycutt@vda.virginia.gov.

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

† **March 23, 2005 - 10 a.m.** -- Open Meeting  
Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia. 

An informal fact-finding conference.

**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, telephone (804) 367-8514, FAX (804) 367-2475, (804) 367-9753/TTY , e-mail APELSCIDLA@dpor.virginia.gov.

† **May 4, 2005 - 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. 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:** 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, telephone (804) 367-8514, FAX (804) 367-2475, (804) 367-9753/TTY ☎, e-mail [APELSCIDLA@dpor.virginia.gov](mailto:APELSCIDLA@dpor.virginia.gov).

**† May 10, 2005 - 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. 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:** 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, telephone (804) 367-8514, FAX (804) 367-2475, (804) 367-9753/TTY ☎, e-mail [APELSCIDLA@dpor.virginia.gov](mailto:APELSCIDLA@dpor.virginia.gov).

**† May 12, 2005 - 9 a.m.** -- Open Meeting  
Department of Professional and Occupational Regulation,  
3600 West Broad Street, Richmond, Virginia. ♿

A meeting of the Landscape Architects Section 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:** 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, telephone (804) 367-8514, FAX (804) 367-2475, (804) 367-9753/TTY ☎, e-mail [APELSCIDLA@dpor.virginia.gov](mailto:APELSCIDLA@dpor.virginia.gov).

**† May 17, 2005 - 9 a.m.** -- Open Meeting  
Department of Professional and Occupational Regulation,  
3600 West Broad Street, Richmond, Virginia. ♿

A meeting of the Land Surveyors Section 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:** 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, telephone (804) 367-8514, FAX (804) 367-2475, (804) 367-9753/TTY ☎, e-mail [APELSCIDLA@dpor.virginia.gov](mailto:APELSCIDLA@dpor.virginia.gov).

**† May 19, 2005 - 9 a.m.** -- Open Meeting  
Department of Professional and Occupational Regulation,  
3600 West Broad Street, Richmond, Virginia. ♿

A meeting of the Certified Interior Designers Section 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:** 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, telephone (804) 367-8514, FAX (804) 367-2475, (804) 367-9753/TTY ☎, e-mail [APELSCIDLA@dpor.virginia.gov](mailto:APELSCIDLA@dpor.virginia.gov).

**† June 16, 2005 - 9 a.m.** -- Open Meeting  
Department of Professional and Occupational Regulation,  
3600 West Broad Street, Richmond, Virginia. ♿

A meeting of the full 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 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:** 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, telephone (804) 367-8514, FAX (804) 367-2475, (804) 367-9753/TTY ☎, e-mail [APELSCIDLA@dpor.virginia.gov](mailto:APELSCIDLA@dpor.virginia.gov).

## ART AND ARCHITECTURAL REVIEW BOARD

**April 1, 2005 - 10 a.m.** -- Open Meeting

**May 6, 2005 - 10 a.m.** -- Open Meeting

**June 3, 2005 - 10 a.m.** -- Open Meeting  
Science Museum of Virginia, 2500 West Broad Street,  
Richmond, Virginia. ♿

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.state.va.us](http://www.dgs.state.va.us).

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# Calendar of Events

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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:** Richard L. Ford, AIA Chairman, Art and Architectural Review Board, 101 Shockoe Slip, 3rd Floor, Richmond, VA 23219, telephone (804) 648-5040, FAX (804) 225-0329, (804) 786-6152/TTY ☎, or e-mail rford@comarchs.com.

## VIRGINIA COMMISSION FOR THE ARTS

**March 31, 2005 - 9 a.m.** -- Open Meeting

Location to be determined. ♿

A quarterly meeting.

**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 ☎, e-mail peggy.baggett@arts.virginia.gov.

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

**May 18, 2005 - 9 a.m.** -- Open Meeting

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

A meeting to conduct board business.

**Contact:** David E. Dick, Executive Director, Virginia Board for Asbestos, Lead, and Home Inspectors, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8507, FAX (804) 367-6128, (804) 367-9753/TTY ☎, e-mail alhi@dpor.virginia.gov.

## AUCTIONEERS BOARD

† **April 14, 2005 - 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, Regulatory Board Administrator, Auctioneers Board, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8514, FAX (804) 367-2475, (804) 367-9753/TTY ☎, e-mail Auctioneers@dpor.virginia.gov.

## BOARD OF AUDIOLOGY AND SPEECH-LANGUAGE PATHOLOGY

**May 19, 2005 - 9:30 a.m.** -- Open Meeting

Department of Health Professions, 6603 West Broad Street, 5th Floor, Room 3, Richmond, Virginia. ♿

A meeting to discuss issues and matters related to board business.

**Contact:** Elizabeth Young, Executive Director, Board of Audiology and Speech-Language Pathology, Alcoa Building, 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9907, FAX (804) 662-9523, (804) 662-7197/TTY ☎, e-mail elizabeth.young@dhp.virginia.gov.

## BOARD FOR BARBERS AND COSMETOLOGY

**April 4, 2005 - 9 a.m.** -- Open Meeting

Department of Professional and Occupational Regulation, 3600 West Broad Street, 4th Floor, Conference Room 4W, Richmond, Virginia. ♿

A general business meeting to consider 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 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:** William H. Ferguson, II, Executive Director, Board for Barbers and Cosmetology, 3600 W. Broad St., Richmond, VA 23230-4917, telephone (804) 367-8590, FAX (804) 367-6295, (804) 367-9753/TTY ☎, e-mail barbercosmo@dpor.virginia.gov.

† **April 21, 2005 - 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.

**Contact:** William H. Ferguson, II, Assistant Director, Board for Barbers and Cosmetology, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8575, FAX (804) 367-2474, (804) 367-9753/TTY ☎, e-mail barbercosmo@dpor.virginia.gov.

## BOARD FOR THE BLIND AND VISION IMPAIRED

**April 12, 2005 - 1 p.m.** -- Open Meeting

Department for the Blind and Vision Impaired, Administrative Headquarters, 397 Azalea Avenue, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A quarterly meeting to receive information regarding department activities and operations, review expenditures from the board's endowment fund, and discuss other issues raised before the board.

**Contact:** Katherine C. Proffitt, Administrative Assistant, Department for the Blind and Vision Impaired, 397 Azalea Ave., Richmond, VA 23227, telephone (804) 371-3145, FAX (804) 371-3157, toll-free (800) 622-2155, (804) 371-3140/TTY ☎, e-mail kathy.proffitt@dbvi.virginia.gov.

## BOARD FOR BRANCH PILOTS

† **May 2, 2005 - 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:** 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 ☎, e-mail branchpilots@dpor.virginia.gov.

## CEMETERY BOARD

† **June 8, 2005 - 9 a.m.** -- Open Meeting  
Department of Professional and Occupational Regulation, 3600 West Broad Street, 4 West Conference Room, Richmond, Virginia. ♿

A meeting to discuss any and all board business.

**Contact:** Karen W. O'Neal, Regulatory Programs Coordinator, Cemetery Board, 3600 West Broad Street, Richmond, VA 23230, telephone (804) 367-8537, FAX (804) 367-2475, (804) 367-9753/TTY ☎, e-mail oneal@dpor.virginia.gov.

## CHARITABLE GAMING BOARD

**June 7, 2005 - 10 a.m.** -- Open Meeting  
Science Museum of Virginia, 2500 West Broad Street, Discovery Room, Richmond, Virginia. ♿

A regular quarterly meeting.

**Contact:** Clyde E. Cristman, Director, Department of Charitable Gaming, James Monroe Bldg., 101 N. 14th St., 17th Floor, Richmond, VA 23219, telephone (804) 786-1681, FAX (804) 786-1079, e-mail clyde.cristman@dpg.virginia.gov.

## CHESAPEAKE BAY LOCAL ASSISTANCE BOARD

**March 21, 2005 - 10 a.m.** -- Open Meeting  
Science Museum of Virginia, 2500 West Broad Street, Richmond, Virginia.

A regular business meeting to review local programs.

**Contact:** David C. Dowling, Policy and Planning Manager, Department of Conservation and Recreation, 203 Governor

St., Suite 302, Richmond, VA 23219, telephone (804) 786-2291, FAX (804) 786-6141, e-mail david.dowling@dcr.virginia.gov.

## STATE CHILD FATALITY REVIEW TEAM

**May 13, 2005 - 10 a.m.** -- Open Meeting  
Office of the Chief Medical Examiner, 400 East Jackson Street, Richmond, Virginia. ♿

The business portion of the meeting is open to the public. At the conclusion of the open meeting, the team will go into closed session for confidential case review.

**Contact:** Angela Myrick, Coordinator, Department of Health, 400 E. Jackson St., Richmond, VA 23219, telephone (804) 786-1047, FAX (804) 371-8595, toll-free (800) 447-1708, e-mail Angela.Myrick@vdh.virginia.gov.

## STATE BOARD FOR COMMUNITY COLLEGES

**May 18, 2005 - 1:30 p.m.** -- Open Meeting  
Virginia Community College System, James Monroe Building, 101 North 14th Street, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

Meetings of the Academic Committee, Student Affairs and Workforce Development Committee, and Budget and Finance Committee begins at 1:30 p.m. The Facilities Committee and the Audit Committee will meet at 3 p.m. The Personnel Committee will meet at 3:30 p.m. The Executive Committee will meet at 5 p.m.

**Contact:** D. Susan Hayden, Director of Public Affairs, Virginia Community College System, 101 N. 14th St., Richmond, VA 23219, telephone (804) 819-4961, FAX (804) 819-4768, (804) 371-8504/TTY ☎

**May 19, 2005 - 8:30 a.m.** -- Open Meeting  
James Monroe Building, 101 North 14th Street, Godwin-Hamel Board Room, 15th Floor, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A meeting of the full board. Public comment may be received at the beginning of the meeting upon notification at least five working days prior to the meeting.

**Contact:** D. Susan Hayden, Director of Public Affairs, Virginia Community College System, 15th Floor, 101 N. 14th St., Richmond, VA 23219, telephone (804) 819-4961, FAX (804) 819-4768, (804) 371-8504/TTY ☎

## COMPENSATION BOARD

**March 23, 2005 - 11 a.m.** -- Open Meeting  
202 North 9th Street, 10th Floor, Richmond, Virginia. ♿

A monthly board meeting.

**Contact:** Cindy Waddell, Compensation Board, P.O. Box 710, Richmond, VA 23218, telephone (804) 786-0786, FAX (804) 371-0235, e-mail cindy.waddell@scb.virginia.gov.

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# Calendar of Events

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## BOARD FOR CONTRACTORS

**March 22, 2005 - 9 a.m.** -- Open Meeting

**March 24, 2005 - 9 a.m.** -- Open Meeting

† **March 29, 2005 - 9 a.m.** -- Open Meeting

† **March 31, 2005 - 9 a.m.** -- Open Meeting

**April 5, 2005 - 9 a.m.** -- Open Meeting

**April 7, 2005 - 9 a.m.** -- Open Meeting

† **April 14, 2005 - 9 a.m.** -- Open Meeting

**April 21, 2005 - 9 a.m.** -- Open Meeting

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

Informal fact-finding conferences.

**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 , e-mail [contractors@dpor.virginia.gov](mailto:contractors@dpor.virginia.gov).

**April 19, 2005 - 9 a.m.** -- Open Meeting

**June 7, 2005 - 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 (804) 367-2785 at least 10 days prior to this meeting so that suitable arrangements can be made for an appropriate accommodation. 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 , e-mail [contractors@dpor.virginia.gov](mailto:contractors@dpor.virginia.gov).

**May 25, 2005 - 10 a.m.** -- Open Meeting

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

A meeting of the Tradesman and Education Committee to conduct committee business. 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 , e-mail [contractors@dpor.virginia.gov](mailto:contractors@dpor.virginia.gov).

## BOARD OF CORRECTIONS

**May 17, 2005 - 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, e-mail [woodhousebl@vadoc.state.va.us](mailto:woodhousebl@vadoc.state.va.us).

**May 17, 2005 - 1 p.m.** -- Open Meeting

Department of Corrections, 6900 Atmore Drive, 3rd Floor, Room 3054, 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, e-mail [woodhousebl@vadoc.state.va.us](mailto:woodhousebl@vadoc.state.va.us).

**May 18, 2005 - 9:30 a.m.** -- Open Meeting

Department of Corrections, 6900 Atmore Drive, 3rd Floor Board Room, 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, e-mail [woodhousebl@vadoc.state.va.us](mailto:woodhousebl@vadoc.state.va.us).

**May 18, 2005 - 10 a.m.** -- Open Meeting

Department of Corrections, 6900 Atmore Drive, 3rd Floor Board Room, Richmond, Virginia. 

A regular meeting to discuss 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, e-mail [woodhousebl@vadoc.state.va.us](mailto:woodhousebl@vadoc.state.va.us).

## BOARD OF COUNSELING

**June 2, 2005 - 9 a.m.** -- Open Meeting

Department of Health Professions, 6603 West Broad Street, 5th Floor, Conference Room 3, Richmond, Virginia.

A meeting of the Credentials Review Committee to review files of licensee applicants.

**Contact:** Evelyn B. Brown, Executive Director, Board of Counseling, Alcoa Bldg., 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9912, FAX (804) 662-9943, (804) 662-7197/TTY , e-mail [evelyn.brown@dhp.virginia.gov](mailto:evelyn.brown@dhp.virginia.gov).

**June 3, 2005 - 10 a.m.** -- Open Meeting

Department of Health Professions, 6603 West Broad Street, 5th Floor, Conference Room 3, Richmond, Virginia.

A quarterly meeting to conduct board business.

**Contact:** Evelyn B. Brown, Executive Director, Board of Counseling, Alcoa Bldg., 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9912, FAX (804) 662-9943, (804) 662-7197/TTY , e-mail [evelyn.brown@dhp.virginia.gov](mailto:evelyn.brown@dhp.virginia.gov).

## CRIMINAL JUSTICE SERVICES BOARD

**May 12, 2005 - 11 a.m.** -- Open Meeting  
† **June 9, 2005 - 11 a.m.** -- Open Meeting  
General Assembly Building, 9th and Broad Streets, House Room D, Richmond, Virginia.

A general business meeting.

**Contact:** Leon D. Baker, Jr., Division Director, Department of Criminal Justice Services, Eighth Street Office Bldg., 805 E. Broad St., 10th Floor, Richmond, VA 23219, telephone (804) 225-4086, FAX (804) 786-0588, e-mail lbaker@dcjs.state.va.us.

NOTE: CHANGE IN MEETING DATE

† **June 9, 2005 - 9 a.m.** -- Open Meeting  
General Assembly Building, 9th and Broad Streets, House Room D, Richmond, Virginia.

A meeting of the Committee on Training.

**Contact:** Leon D. Baker, Jr., Division Director, Department of Criminal Justice Services, Eighth Street Office Bldg., 805 E. Broad St., 10th Floor, Richmond, VA 23219, telephone (804) 225-4086, FAX (804) 786-0588, e-mail lbaker@dcjs.state.va.us.

## Private Security Services Advisory Board

**March 22, 2005 - 10 a.m.** -- Open Meeting  
The Patrick Henry Hotel, 617 South Jefferson Street, Roanoke, Virginia.

A general meeting.

**Contact:** Leon D. Baker, Jr., Division Director, Department of Criminal Justice Services, Eighth Street Office Bldg., 805 E. Broad St., 10th Floor Richmond, VA 23219, telephone (804) 225-4086, FAX (804) 786-0588, e-mail lbaker@dcjs.state.va.us.

## DEPARTMENT FOR THE DEAF AND HARD-OF-HEARING

**May 4, 2005 - 10 a.m.** -- Open Meeting  
1602 Rolling Hills Drive, 2nd Floor Conference Room, Richmond, Virginia. (Interpreter for the deaf provided upon request)

A regular quarterly meeting of the advisory board.

**Contact:** Leslie Hutcheson Prince, Policy and Planning Manager, Department for the Deaf and Hard-of-Hearing, 1602 Rolling Hills Dr., Suite 203, Richmond, VA 23235, telephone (804) 662-9703, toll-free (800) 552-7917, (804) 662-9703/TTY, e-mail leslie.prince@vddhh.virginia.gov.

## BOARD OF DENTISTRY

**March 25, 2005 - 9 a.m.** -- Open Meeting  
† **April 8, 2005 - 9 a.m.** -- Open Meeting  
† **May 13, 2005 - 9 a.m.** -- Open Meeting  
† **May 20, 2005 - 9 a.m.** -- Open Meeting  
Department of Health Professions, 6603 West Broad Street, 5th Floor, Richmond, Virginia.

A Special Conference Committee will hold informal conferences. There will not be a public comment period.

**Contact:** Cheri Emma-Leigh, Operations Manager, Department of Health Professions, 6603 W. Broad St., 5th Floor, Richmond, VA 23230, telephone (804) 662-9906, FAX (804) 662-7246, (804) 662-7197/TTY, e-mail Cheri.Emma-Leigh@dhp.virginia.gov.

† **April 13, 2005 - 6:30 p.m.** -- Open Meeting  
Department of Health Professions, 6603 West Broad Street, 5th Floor, Richmond, Virginia.

A meeting of the Regulatory/Legislative Committee to discuss regulatory/legislative issues. There will be a public comment period at the beginning of the meeting.

**Contact:** Sandra Reen, Executive Director, Board of Dentistry, Alcoa Bldg., 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9906, FAX (804) 662-9943, (804) 662-7197/TTY, e-mail sandra.reen@dhp.virginia.gov.

† **April 14, 2005 - 9 a.m.** -- Open Meeting  
† **April 15, 2005 - 1:30 p.m.** -- Open Meeting  
Department of Health Professions, 6603 West Broad Street, 5th Floor, Richmond, Virginia.

A formal hearing. There will not be a public comment period.

**Contact:** Cheri Emma-Leigh, Operations Manager, Board of Dentistry, 6603 W. Broad St., 5th Floor, Richmond, VA 23230, telephone (804) 662-9906, FAX (804) 662-7246, (804) 662-7197/TTY, e-mail Cheri.Emma-Leigh@dhp.virginia.gov.

**April 15, 2005 - 9 a.m.** -- Open Meeting  
Department of Health Professions, 6603 West Broad Street, 5th Floor, Richmond, Virginia.

A regular business meeting. There will be a public comment period at the beginning of the meeting.

**Contact:** Sandra Reen, Executive Director, Board of Dentistry, Alcoa Building, 6603 West Broad Street, 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9906, FAX (804) 662-9943, (804) 662-7197/TTY, or e-mail sandra.reen@dhp.virginia.gov.

## DESIGN-BUILD/CONSTRUCTION MANAGEMENT REVIEW BOARD

**April 21, 2005 - 11 a.m.** -- Open Meeting  
**May 19, 2005 - 11 a.m.** -- Open Meeting  
† **June 16, 2005 - 11 a.m.** -- Open Meeting  
Department of General Services, Eighth Street Office Building, 805 East Broad Street, 3rd Floor, Richmond, Virginia. (Interpreter for the deaf provided upon request)

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# Calendar of Events

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A monthly meeting to review requests submitted by localities to use design-build or construction-management-type contracts. Contact the Division of Engineering and Building to confirm the meeting.

**Contact:** Rhonda M. Bishton, Administrative Assistant, Department of General Services, 805 E. Broad Street, Room 101, Richmond, VA 23219, telephone (804) 786-3263, FAX (804) 371-7934, (804) 786-6152/TTY, or e-mail rhonda.bishton@dgs.virginia.gov.

## BOARD OF EDUCATION

**March 23, 2005 - 9 a.m.** -- Open Meeting

**April 20, 2005 - 9 a.m.** -- Open Meeting

**April 21, 2005 - 9 a.m.** -- Open Meeting

**May 25, 2005 - 9 a.m.** -- Open Meeting

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

A regular business meeting of the board. 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, e-mail [margaret.roberts@doe.virginia.gov](mailto:margaret.roberts@doe.virginia.gov).

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**April 22, 2005** - 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 Education intends to adopt regulations entitled **8 VAC 20-680, Regulations Governing the General Achievement Diploma**. The regulation establishes an individual's eligibility and the course/credit/assessment requirements for the diploma. It replaces emergency regulations effective from November 4, 2003, through November 4, 2004, with very minor changes except in format.

Statutory Authority: §§ 22.1-253.13.4 and 22.1-254.2 of the Code of Virginia.

**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, e-mail [margaret.roberts@doe.virginia.gov](mailto:margaret.roberts@doe.virginia.gov).

## DEPARTMENT OF EDUCATION

**April 14, 2005 - 8:45 a.m.** -- Open Meeting

**April 15, 2005 - 8:45 a.m.** -- Open Meeting

Tidewater region; location to be announced.

A meeting of the State Special Education Advisory Committee. Agenda to be determined.

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

## Advisory Board on Teacher Education and Licensure

**March 21, 2005 - 8:45 a.m.** -- Open Meeting

**April 18, 2005 - 8:45 a.m.** -- Open Meeting

Location to be announced.

A regular meeting. 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. Please note that persons requesting the services of an interpreter for the deaf are asked to do so at least 72 hours in advance so that the appropriate arrangements may be made.

**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, e-mail [margaret.roberts@doe.virginia.gov](mailto:margaret.roberts@doe.virginia.gov).

## DEPARTMENT OF ENVIRONMENTAL QUALITY

**March 21, 2005 - 3 p.m.** -- Open Meeting

Department of Environmental Quality, West Central Regional Office, 3019 Peters Creek Road, Roanoke, Virginia. 

The first meeting of the advisory committee assisting in the development of a PCB TMDL for the Roanoke River located in Montgomery, Roanoke, Bedford, Pittsylvania and Franklin counties and the cities of Roanoke and Salem. The public notice on the TMDL development will appear in the Virginia Register of Regulations on March 7, 2005.

**Contact:** Jason R. Hill, Department of Environmental Quality, 3019 Peters Creek Rd., Roanoke, VA 24019, telephone (540) 562-6724, FAX (540) 562-6725, e-mail [jrhill@deq.virginia.gov](mailto:jrhill@deq.virginia.gov).

**March 21, 2005 - 7 p.m.** -- Open Meeting

Department of Environmental Quality, West Central Regional Office, 3019 Peters Creek Road, Roanoke, Virginia. 

The first public meeting on the development of the Roanoke River Basin PCB TMDL. The TMDL will address PCB impairment for 28 miles of the Roanoke River, 2.5 miles of Peter's Creek, 6.5 miles of Tinker Creek, and all of Smith

Mountain Lake. These impairments are located in Montgomery County, Roanoke County, Salem City, Roanoke City, Bedford County, Pittsylvania County, and Franklin County. The public notice will appear in the Virginia Register of Regulations on March 7, 2005.

**Contact:** Jason R. Hill, Department of Environmental Quality, 3019 Peters Creek Rd., Roanoke, VA 24019, telephone (540) 562-6724, FAX (540) 562-6725, e-mail jrhill@deq.virginia.gov.

**March 22, 2005 - 1:30 p.m.** -- Open Meeting  
Patrick Henry Memorial Library, 204 Lynchburg Avenue, Brookneal, Virginia. ♿

The first advisory committee meeting for the Roanoke River PCB TMDL for 88.39 miles of the Roanoke River, located in Pittsylvania, Campbell, Halifax, and Charlotte Counties. The public notice will appear in the Virginia Register of Regulations on March 7, 2005.

**Contact:** Kelly J. Wills, Department of Environmental Quality, 7705 Timberlake Rd., Lynchburg, VA 24502, telephone (434) 582-5120, FAX (434) 582-5125, e-mail kjwills@deq.virginia.gov.

**March 22, 2005 - 7 p.m.** -- Open Meeting  
Brookneal Elementary School, 1330 Charlotte Street, Brookneal, Virginia. ♿

The first public meeting on the development of the Roanoke River PCB TMDL for 88.39 miles of the Roanoke River, located in Pittsylvania, Campbell, Halifax, and Charlotte counties. The public notice will appear in the Virginia Register of Regulations on March 7, 2005.

**Contact:** Kelly J. Wills, Department of Environmental Quality, 7705 Timberlake Rd., Lynchburg, VA 24502, telephone (434) 582-5120, FAX (434) 582-5125, e-mail kjwills@deq.virginia.gov.

**† March 28, 2005 - 7 p.m.** -- Public Hearing  
Martinsville Public Library, 310 East Church Street, Martinsville, Virginia. ♿

A public hearing to receive comments concerning the technical aspects of the Martinsville Sanitary Landfill's proposed groundwater corrective action plan. The public comment period closes on April 12, 2005.

**Contact:** Geoff Christe, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4283, e-mail gxchriste@deq.virginia.gov.

**† March 29, 2005 - 7 p.m.** -- Public Hearing  
Department of Environmental Quality, South Central Regional Office, 7705 Timberlake Road, Lynchburg, Virginia. ♿

A public hearing to receive comments concerning the technical aspects of the Lynchburg Sanitary Landfill's proposed groundwater corrective action plan. The public comment period closes on April 13, 2005.

**Contact:** Geoff Christe, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4283, e-mail gxchriste@deq.virginia.gov.

**† March 30, 2005 - 7 p.m.** -- Public Hearing  
Buchanan County Administrator's Office, Poe Town Road, Grundy, Virginia. ♿

A public hearing to receive comments concerning the technical aspects of the County of Buchanan Sanitary Landfill's updated groundwater monitoring plan. The public comment period closes on April 14, 2005.

**Contact:** Geoff Christe, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4283, e-mail gxchriste@deq.virginia.gov.

**† March 30, 2005 - 7 p.m.** -- Public Hearing  
Blackstone Public Library, 415 South Main Street, Blackstone, Virginia. ♿

A public hearing on the draft permit amendment for the Fort Pickett Landfill, Phase II Area (Permit #333), located in Nottoway County. The public comment period closes on April 15, 2005.

**Contact:** Larry Syverson, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4271, e-mail lwsyverson@deq.virginia.gov.

**† March 31, 2005 - 7 p.m.** -- Public Hearing  
Cumberland County Library, 1539 Anderson Highway, Cumberland, Virginia. ♿

A public hearing to receive comments concerning the technical aspects of the Cumberland County Sanitary Landfill's proposed corrective action plan. The public comment period closes on April 15, 2005.

**Contact:** Geoff Christe, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4283, e-mail gxchriste@deq.virginia.gov.

**† March 31, 2005 - 7 p.m.** -- Public Hearing  
Disputanta Public Library, 10010 County Drive, Disputanta, Virginia. ♿

A public hearing to receive comment regarding the technical merits of the permit amendment to incorporate a groundwater monitoring plan for the Prince George County Landfill located in Prince George County. The public comment period closes on April 15, 2005.

**Contact:** Larry Syverson, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4271, e-mail lwsyverson@deq.virginia.gov.

**April 8, 2005 - 10 a.m.** -- Open Meeting

**April 28, 2005 - 10 a.m.** -- Open Meeting

**May 24, 2005 - 10 a.m.** -- Open Meeting  
Department of Environmental Quality, Piedmont Regional Office, 4949-A Cox Road, Glen Allen, Virginia. ♿

Meetings of the stream mitigation workgroup will be held to discuss and advise the DEQ in the development of guidance for assessing stream impacts and compensation requirements related to impacts permitted under the Virginia Water Protection Permit Program. Workgroup members have already been selected and invited. The public is welcome to attend and is requested to RSVP so that space is available.

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## Calendar of Events

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**Contact:** Catherine M. Harold, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4047, FAX (804) 698-4032, e-mail cmharold@deq.virginia.gov.

† **April 12, 2005 - 7 p.m.** -- Open Meeting  
Warrenton Community Center, 430 East Shirley Avenue, Warrenton, Virginia. 

The first public meeting on the development of the implementation plan for the bacteria TMDLs for Carter, Deep, Great and Thumb Runs located in Fauquier County and Stafford County (Deep Run). The public comment period closes on May 12, 2005. The public notice appears in the March 21, 2005, issue of the Virginia Register of Regulations.

**Contact:** Kimberly Davis, Department of Environmental Quality, 13901 Crown Court, Woodbridge, VA 22193, telephone (703) 583-3937, FAX (703) 583-3841, e-mail kvdavis@deq.virginia.gov.

### BOARD OF FORESTRY

**April 11, 2005 - 1 p.m.** -- Open Meeting  
Virginia Military Institute, Lexington, Virginia.  (Interpreter for the deaf provided upon request)

A business meeting.

**Contact:** Donna S. Hoy, Administrative Staff Specialist, Department of Forestry, 900 Natural Resources Dr., Suite 800, Charlottesville, VA 22903, telephone (434) 977-6555, FAX (434) 977-7749, e-mail donna.hoy@dof.virginia.gov.

### BOARD OF FUNERAL DIRECTORS AND EMBALMERS

**March 25, 2005** - 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 Funeral Directors and Embalmers intends to amend regulations entitled **18 VAC 65-20, Regulations of the Board of Funeral Directors and Embalmers**. The purpose of the proposed action is to establish criteria for delegation of certain informal fact finding to an agency subordinate.

Statutory Authority: § 54.1-2400 of the Code of Virginia.

Public comments may be submitted until March 25, 2005, to Elizabeth Young, Executive Director, Board of Funeral Directors and Embalmers, Alcoa Building, 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712.

**Contact:** Elaine J. Yeatts, Regulatory Coordinator, Department of Health Professions, Alcoa Bldg., 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9918, FAX (804) 662-9114, (804) 662-7197/TTY , e-mail elaine.yeatts@dhp.virginia.gov.

**April 12, 2005 - 9 a.m.** -- Open Meeting

**May 10, 2005 - 9 a.m.** -- Open Meeting

Department of Health Professions, 6603 West Broad Street, 5th Floor, Richmond, Virginia. 

A meeting of the Legislative/Regulatory Committee to review and amend any of the regulations of the board.

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

**May 3, 2005 - 9 a.m.** -- Open Meeting  
Department of Health Professions, 6603 West Broad Street, 5th Floor, Richmond, Virginia. 

A meeting of the Continuing Education Committee to discuss issues related to continuing education requirements.

**Contact:** Elizabeth Young, Executive Director, Board of Funeral Directors and Embalmers, Alcoa Building, 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9111, FAX (804) 662-9523, (804) 662-7197/TTY , e-mail elizabeth.young@dhp.virginia.gov.

**June 7, 2005 - 9 a.m.** -- Open Meeting  
Department of Health Professions, 6603 West Broad Street, 5th Floor, Richmond, Virginia. 

A meeting to discuss issues and matters as they relate to the board.

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

### BOARD OF GAME AND INLAND FISHERIES

**March 24, 2005 - 9 a.m.** -- Open Meeting  
Department of Game and Inland Fisheries, 4000 West Broad Street, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A meeting to hear department staff's presentation of preliminary recommendations for amendments to all department-administered regulations, including those governing game wildlife, hunting, trapping, wildlife diversity, fish, fishing, and boating. This comprehensive regulatory review will occur over three board meetings, of March 24, August 18, and October 27, 2005. At the March 24 meeting, Department of Game and Inland Fisheries' staff will present preliminary recommendations for regulatory amendments and the board will solicit and hear comments from the public. A public comment period on staff preliminary recommendations will be offered from April 21 through August 1, 2005. At the August 18, 2005, board meeting, Department of Game and Inland Fisheries' staff will present proposal-stage recommendations for regulatory amendments, the board will solicit and hear comments from the public in a public hearing, and the board then intends to propose regulations or regulation amendments. Any proposed regulatory actions will be published in the Virginia Register of Regulations, posted on the internet at

www.dgif.state.va.us, and summaries advertised in newspapers. A public comment period on any proposed regulations will occur between August and early October 2005. Adoption of any regulations or regulation amendments as final will take place at the October 27, 2005, board meeting. The board is required by § 2.2-4031 to publish all proposed and final regulations. The regulations' effective date will be July 1, 2006. At the March 24 meeting the board also will hear a report of the Procurement Review Committee; and the board also may: discuss general and administrative issues, hold a closed session at some time during the March 24 meeting, and elect to hold a dinner Wednesday evening, March 23, 2005, at a location and time to be determined.

**Contact:** Phil Smith, Policy Analyst, Department of Game and Inland Fisheries, 4016 W. Broad St., Richmond VA 23230, telephone (804) 367-1000, FAX (804) 367-0488, e-mail DGIFRegs@dgif.virginia.gov.

## BOARD FOR GEOLOGY

**April 20, 2005 - 9 a.m.** -- Open Meeting  
Department of Professional and Occupational Regulation,  
3600 West Broad Street, Richmond, Virginia. ☎

A meeting to conduct board business.

**Contact:** David E. Dick, Executive Director, Board for Geology, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8507, FAX (804) 367-6128, (804) 367-9753/TTY ☎, e-mail geology@dpor.virginia.gov.

## STATE BOARD OF HEALTH

**April 12, 2005 - 10 a.m.** -- Public Hearing  
3600 Centre, 3600 West Broad Street, 3rd Floor, Conference Room, Richmond, Virginia.

**April 22, 2005** - 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 5-380, Regulations for the Licensure of Home Health Agencies**, and **adopt** regulations entitled **12 VAC 5-381, Regulations for the Licensure of Home Care Organizations**. The purpose of the proposed action is to update criteria and standards for the licensure of home care organizations to reflect current national and health care industry standards and to remove archaic language and ambiguities.

Statutory Authority: §§ 32.1-12 and 32.1-162.12 of the Code of Virginia.

**Contact:** Carrie Eddy, Senior Policy Analyst, Department of Health, Center for Quality Health Care Services and Consumer Protection, 3600 West Broad Street, Suite 216, Richmond, VA 23230, telephone (804) 367-2157, FAX (804) 367-2149 or e-mail carrie.eddy@vdh.virginia.gov.

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**April 22, 2005** - 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 5-410, Regulations for the Licensure of Hospitals in Virginia**. The purpose of the proposed action is to prevent federal classification of rural areas as metropolitan statistical areas from affecting hospitals reimbursement.

Statutory Authority: §§ 32.1-12 and 32.1-127 of the Code of Virginia.

**Contact:** Rene Cabral Daniels, Director, Division of General Environmental Services, Department of Health, 109 Governor St., Richmond, VA 23219, telephone (804) 864-7425 or e-mail rene.cabraldaniels@vdh.virginia.gov.

## DEPARTMENT OF HEALTH

† **March 25, 2005 - 10 a.m.** -- Open Meeting  
Virginia Association of Volunteer Rescue Squads, Oilville, Virginia. ☎

A meeting of the Regulation and Policy Committee and the Governor's EMS Advisory Board to review and prepare action items for EMS Advisory Board based on 2004 JLARC report regarding EMS (specific recommendations), work session.

**Contact:** Michael D. Berg, Manager, Regulation and Compliance, Department of Health, 109 Governor St., Richmond, VA 23219, telephone (804) 864-7615, FAX (804) 864-7580, toll-free (800) 523-6019, e-mail michael.berg@vdh.virginia.gov.

† **June 10, 2005 - 10:30 a.m.** -- Open Meeting  
Virginia Hospital and Healthcare Association, 4200 Inslake Drive, Glen Allen, Virginia. ☎

A meeting of the Advisory Committee on the Virginia Early Hearing Detection and Intervention Program. The advisory committee will meet four times a year.

**Contact:** Pat T. Dewey, Program Manager, Department of Health, 109 Governor St., DCAH 8th Floor, Richmond, VA 23219, telephone (804) 864-7713, FAX (804) 864-7721, toll-free (866) 493-1090, (804) 828-1120/TTY ☎, e-mail pat.dewey@vdh.virginia.gov.

## DEPARTMENT OF HEALTH PROFESSIONS

**March 22, 2005 - 11 a.m.** -- Open Meeting  
Virginia State Forensic Science Building, 6600 Northside High School Road, Roanoke, Virginia. ☎

A working meeting of the Prescription Monitoring Program Advisory Committee for the purpose of reviewing data collected for the program evaluation workplan. Public comments will be received during the meeting.

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# Calendar of Events

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**Contact:** Ralph Orr, Program Manager, Department of Health Professions, 6603 W. Broad St., 5th Floor, Richmond, VA 23230, telephone (804) 662-9129, FAX (804) 622-9240.

† **June 17, 2005 - 9 a.m.** -- Open Meeting  
Department of Health Professions, 6603 West Broad Street, Board Room 3, Richmond, Virginia. 

A meeting of the Health Practitioners' Intervention Program Committee.

**Contact:** Peggy W. Call, Intervention Program Manager, Department of Health Professions, 6603 W. Broad St., 5th Floor, telephone (804) 662-9424, FAX (804) 662-7358, e-mail [peggy.call@dhp.virginia.gov](mailto:peggy.call@dhp.virginia.gov).

## BOARD FOR HEARING AID SPECIALISTS

**March 21, 2005 - 9 a.m.** -- Open Meeting  
Department of Professional and Occupational Regulation, 3600 West Broad Street, 4th Floor, Richmond, Virginia. 

A general business meeting to consider 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 804-367-8590 at least 10 days prior to this meeting so that suitable arrangements can be made for an appropriate accommodation. 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 , e-mail [hearingaidspec@dpor.virginia.gov](mailto:hearingaidspec@dpor.virginia.gov).

## VIRGINIA HIGHER EDUCATION TUITION TRUST FUND

### Virginia College Savings Plan Board

**March 23, 2005 - 10 a.m.** -- Open Meeting  
James Monroe Building, 101 North 14th Street, 5th Floor, Richmond, Virginia. 

A board meeting.

**Contact:** Lee Hall, Special Projects Assistant, Virginia Higher Education Tuition Trust Fund, James Monroe Building, 101 N. 14th St., Richmond, Virginia, telephone (804) 786-0719, FAX (804) 786-2453, toll-free (888) 567-0540, (804) 786-2766/TTY , e-mail [vcspinfo@Virginia529.com](mailto:vcspinfo@Virginia529.com).

## BOARD OF HOUSING AND COMMUNITY DEVELOPMENT

**April 11, 2005** - 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 amend regulations entitled **13 VAC 5-21, Virginia Certification Standards**. The purpose of the proposed action is to update regulations to the 2003 ICC model codes.

Statutory Authority: § 36-137 of the Code of Virginia.

**Contact:** Steve Calhoun, Regulatory Coordinator, Department of Housing and Community Development, 501 N. 2nd St., Richmond, VA 23219, telephone (804) 371-7015, FAX (804) 371-7090 or e-mail [steve.calhoun@dhcd.virginia.gov](mailto:steve.calhoun@dhcd.virginia.gov).

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**April 11, 2005** - 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 amend regulations entitled **13 VAC 5-31, Virginia Amusement Device Regulations**. The purpose of the proposed action is to update regulations to the 2003 ICC model codes.

Statutory Authority: § 36-98.3 of the Code of Virginia.

**Contact:** Steve Calhoun, Regulatory Coordinator, Department of Housing and Community Development, 501 N. 2nd St., Richmond, VA 23219, telephone (804) 371-7015, FAX (804) 371-7090 or e-mail [steve.calhoun@dhcd.virginia.gov](mailto:steve.calhoun@dhcd.virginia.gov).

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**April 11, 2005** - 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 amend regulations entitled **13 VAC 5-51, Virginia Statewide Fire Prevention Code**. The purpose of the proposed action is to update regulations to the 2003 ICC model codes.

Statutory Authority: § 27-97 of the Code of Virginia.

**Contact:** Steve Calhoun, Regulatory Coordinator, Department of Housing and Community Development, 501 N. 2nd St., Richmond, VA 23219, telephone (804) 371-7015, FAX (804) 371-7090 or e-mail [steve.calhoun@dhcd.virginia.gov](mailto:steve.calhoun@dhcd.virginia.gov).

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**April 11, 2005** - 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 5-62, Virginia Uniform Statewide Building Code (USBC)**

and adopt regulations entitled **13 VAC 5-63, Virginia Uniform Statewide Building Code**. The purpose of the proposed action is to repeal 13 VAC 5-62 and adopt 13 VAC 5-63 to update regulations to the 2003 ICC model codes.

Statutory Authority: § 36-98 of the Code of Virginia.

**Contact:** Steve Calhoun, Regulatory Coordinator, Department of Housing and Community Development, 501 N. 2nd St., Richmond, VA 23219, telephone (804) 371-7015, FAX (804) 371-7090 or e-mail [steve.calhoun@dhcd.virginia.gov](mailto:steve.calhoun@dhcd.virginia.gov).

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**April 11, 2005** - 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 amend regulations entitled **13 VAC 5-91, Virginia Industrialized Building Safety Regulations**. The purpose of the proposed action is to update regulations to the 2003 ICC model codes.

Statutory Authority: § 36-73 of the Code of Virginia.

**Contact:** Steve Calhoun, Regulatory Coordinator, Department of Housing and Community Development, 501 N. 2nd St., Richmond, VA 23219, telephone (804) 371-7015, FAX (804) 371-7090 or e-mail [steve.calhoun@dhcd.virginia.gov](mailto:steve.calhoun@dhcd.virginia.gov).

## VIRGINIA INDIGENT DEFENSE COMMISSION

† **March 24, 2005 - 10 a.m.** -- Open Meeting  
Virginia Indigent Defense Commission, 701 East Franklin Street, Suite 1416, Richmond, Virginia. 

A meeting to discuss commission business.

**Contact:** Danita Pryor, Office Manager, Virginia Indigent Defense Commission, 701 E. Franklin St., Suite 1416, Richmond, VA 23219, telephone (804) 225-3297, FAX (804) 371-8326, e-mail [dpryor@idc.virginia.gov](mailto:dpryor@idc.virginia.gov).

## JAMESTOWN-YORKTOWN FOUNDATION

**March 23, 2005 - Noon** -- Open Meeting  
**May 4, 2005 - 2 p.m.** -- Open Meeting  
**June 8, 2005 - Noon** -- Open Meeting  
Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A regular meeting of the Executive Committee of the Jamestown 2007 Steering Committee. Call contact below for specific meeting location.

**Contact:** Judith Leonard, Administrative Office Manager, Jamestown-Yorktown Foundation, 410 W. Francis St., Williamsburg, VA 23185, telephone (757) 253-4253, FAX (757) 253-4950, (757) 253-5110/TTY , e-mail [judith.leonard@jyf.virginia.gov](mailto:judith.leonard@jyf.virginia.gov).

**May 19, 2005 - 10 a.m.** -- Open Meeting

**May 20, 2005 - 8 a.m.** -- Open Meeting

Williamsburg Hospitality House, 415 Richmond Road, Williamsburg, Virginia.  (Interpreter for the deaf provided upon request)

A semiannual two-day meeting of the Board of Trustees and the board's standing committees. The time listed above is approximate as a detailed schedule is yet to be determined. An opportunity for public comment will be included on the May 20 business meeting agenda.

**Contact:** Laura W. Bailey, Executive Assistant to the Board, Jamestown-Yorktown Foundation, P.O. Box 1607, Williamsburg, VA 23187, telephone (757) 253-7285, FAX (757) 253-5299, toll-free (888) 593-4682, (757) 253-5110/TTY , e-mail [laura.bailey@jyf.virginia.gov](mailto:laura.bailey@jyf.virginia.gov).

## DEPARTMENT OF LABOR AND INDUSTRY

### Virginia Apprenticeship Council

† **June 16, 2005 - 10 a.m.** -- Open Meeting  
Location to be announced.  (Interpreter for the deaf provided upon request)

A meeting to conduct general business.

**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 , e-mail [bgd@doli.state.va.us](mailto:bgd@doli.state.va.us).

## STATE LIBRARY BOARD

† **June 13, 2005 - 8:15 a.m.** -- Open Meeting  
The Library of Virginia, 800 East Broad Street, Richmond, Virginia. 

Meetings of the board to discuss matters pertaining to the Library of Virginia and the board. Committees of the board will meet as follows:

8:15 a.m. - Public Library Development Committee, Orientation Room  
Publications and Educational Services Committee, Conference Room B  
Records Management Committee, Conference Room C

9:30 a.m. - Archival and Information Services Committee, Orientation Room  
Collection Management Services Committee, Conference Room B  
Legislative and Finance Committee, Conference Room C

10:30 a.m. - Library Board, Conference Room, 2M

**Contact:** Jean H. Taylor, Executive Secretary to the Librarian, The Library of Virginia, 800 E. Broad St., Richmond, VA 23219-8000, telephone (804) 692-3535, FAX (804) 692-3594, (804) 692-3976/TTY , e-mail [jtaylor@lva.lib.va.us](mailto:jtaylor@lva.lib.va.us).

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# Calendar of Events

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## LONGWOOD UNIVERSITY

† **April 1, 2005 - 8:45 a.m.** -- Open Meeting  
Longwood University, Lancaster Hall 102, 201 High Street,  
Farmville, Virginia. ☎

Meetings of the following committees to conduct routine  
committee business:

8:45 a.m. - University Advancement Committee  
10:30 a.m. - Administration, Finance and Facilities  
Committee  
1 p.m. - Audit Committee  
1:30 p.m. - Academic and Student Affairs Committee

**Contact:** Jeanne Hayden, Longwood University, Office of the  
President, Longwood University, 201 High St., Farmville, VA  
23909, telephone (434) 395-2004, e-mail  
haydenjs@longwood.edu.

† **April 2, 2005 - 9 a.m.** -- Open Meeting  
Longwood University, Lancaster Hall 102, 201 High Street,  
Farmville, Virginia. ☎

A meeting of the Board of Visitors to conduct routine  
business.

**Contact:** Jeanne Hayden, Longwood University, Office of the  
President, Longwood University, 201 High St., Farmville, VA  
23909, telephone (434) 395-2004, e-mail  
haydenjs@longwood.edu.

## VIRGINIA MANUFACTURED HOUSING BOARD

† **April 21, 2005 - 10 a.m.** -- Open Meeting  
The Jackson Center, 501 North Second Street, Richmond,  
Virginia. ☎ (Interpreter for the deaf provided upon request)

A regular meeting to address complaints and claims against  
licensees and carry out administrative functions under the  
Virginia Manufactured Housing Licensing and Transaction  
Recovery Fund Regulations.

**Contact:** Curtis L. McIver, State Building Code Administrator,  
Virginia Manufactured Housing Board, State Building Code  
Administrative Office, 501 N. 2nd St., Richmond, VA 23219,  
telephone (804) 371-7160, FAX (804) 371-7092, (804) 371-  
7089/TTY ☎, e-mail Curtis.McIver@dhcd.virginia.gov.

## MARINE RESOURCES COMMISSION

**March 22, 2005 - 9:30 a.m.** -- Open Meeting  
† **April 26, 2005 - 9:30 a.m.** -- Open Meeting  
† **May 24, 2005 - 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 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  
☎, e-mail jane.mccroskey@mrc.virginia.gov.

## BOARD OF MEDICAL ASSISTANCE SERVICES

† **June 14, 2005 - 10 a.m.** -- Open Meeting  
Department of Medical Assistance Services, 600 East Broad  
Street, 13th Floor Conf. Room, Richmond, Virginia. ☎

A quarterly meeting.

**Contact:** Nancy Malczewski, 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 ☎, e-mail  
nancy.malczewski@dmas.virginia.gov.

## DEPARTMENT OF MEDICAL ASSISTANCE SERVICES

**March 23, 2005 - 9 a.m.** -- Open Meeting  
Department of Medical Assistance Services, 600 East Broad  
Street, 13th Floor, Richmond, Virginia. ☎

A meeting of the Pharmacy and Therapeutics Committee to  
conduct its annual review of PDL Phase II and III Drug  
Classes.

**Contact:** Katina Goodwyn, Pharmacy Contract Manager,  
Department of Medical Assistance Services, 600 E. Broad St.,  
Suite 1300, Richmond, VA 23219, telephone (804) 371-0428,  
FAX (804) 786-0973, (800) 343-0634/TTY ☎, e-mail  
katina.goodwyn@dmas.virginia.gov.

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**April 22, 2005** - 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-  
70, Methods and Standards for Establishing Payment  
Rates Inpatient Hospital Services**. The purpose of the  
proposed action is to eliminate a separate DSH payment  
calculation for Medicaid-recognized NICU programs and to  
modify indirect medical education payments. This action  
also proposes to exclude freestanding psychiatric hospitals  
from the standard rebasing action conducted for other types  
of hospitals' reimbursement.

Statutory Authority: §§ 32.1-324 and 32.1-325 of the Code of  
Virginia; Items 326 (OO) and 326 (NN) of Chapter 4 of the  
2004 Acts of Assembly, Special Session I.

**Contact:** Steve Ford, Provider Reimbursement Division,  
Department of Medical Assistance Services, 600 E. Broad St.,  
Suite 1300, Richmond, VA 23219, telephone (804) 786-7355,  
FAX (804) 786-1680 or e-mail Steve.Ford@dmas.virginia.gov.

**April 22, 2005 - 11 a.m.** -- Open Meeting  
Department of Medical Assistance Services, 600 East Broad  
Street, 13th Floor Board Room, Richmond, Virginia. ☎

A meeting of the Dental Advisory Committee to streamline  
administrative processes and procedures that are  
impediments to dental provider participation in Medicaid.

**Contact:** Stephen Riggs, DDS, Dental Consultant, Department of Medical Assistance Services, 600 E. Broad St., Richmond, VA 23219, telephone (804) 786-6635, FAX (804) 786-0414, (800) 343-0634/TTY ☎, e-mail va.smiles@dmas.virginia.gov.

**May 18, 2005 - 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 issues and concerns about Medicaid transportation issues with the committee and the community.

**Contact:** Peter Lubinkas, Transportation Manager, Department of Medical Assistance Services, 600 E. Broad St., Suite 1300, Richmond, VA 23219, telephone (804) 786-8855, FAX (804) 371-6035, (800) 343-0634/TTY ☎, e-mail peter.lubinkas@dmas.virginia.gov.

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† **May 20, 2005** - 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 30-70, Methods and Standards for Establishing Payment Rates Inpatient Hospital Care**. The purpose of the proposed action is to permit DMAS to make DSH payments of up to 175% of uncompensated costs in FY 2005 as permitted under federal law.

Statutory Authority: §§ 32.1-324 and 32.1-325 of the Code of Virginia.

**Contact:** William Lessard, Provider Reimbursement Division, Department of Medical Assistance Services, 600 E. Broad St., Suite 1300, Richmond, VA 23219, telephone (804) 225-4593, FAX (804) 786-1680 or e-mail William.Lessard@dmas.virginia.gov.

## BOARD OF MEDICINE

**March 23, 2005 - 9:15 a.m.** -- Open Meeting  
† **April 20, 2005 - 8:45 a.m.** -- Open Meeting  
Williamsburg Marriott, 50 Kingsmill Road, Williamsburg, Virginia ☎

† **March 29, 2005 - 8:45 a.m.** -- Open Meeting  
† **April 6, 2005 - 8:30 a.m.** -- Open Meeting  
Department of Health Professions, 6603 West Broad Street, 5th Floor, Richmond, Virginia.

† **April 12, 2005 - 8:45 a.m.** -- Open Meeting  
Holiday Inn Select, 2801 Plank Road, Fredericksburg, Virginia. ☎

A Special Conference Committee of the board will convene informal conferences to inquire into allegations that certain practitioners may have violated certain laws and regulations governing the practice of medicine and other healing arts. Further, the board may review cases with staff for case

disposition including consideration of consent orders for settlement for matters pending before the board. The board will meet in open and closed sessions pursuant to the Code of Virginia. Public comment will not be received.

**Contact:** Renee S. Dixon, Discipline Case Manager, Board of Medicine, 6603 W. Broad St., 5th Floor, Richmond, Virginia, telephone (804) 662-7002, FAX (804) 662-9517, (804) 662-7197/TTY ☎, e-mail renee.dixon@dhp.virginia.gov.

**April 22, 2005 - 8:30 a.m.** -- Open Meeting  
Department of Health Professions, 6603 West Broad Street, 5th Floor, Board Room 2, Richmond, Virginia.

A meeting of the Legislative Committee to consider regulatory 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 ☎, e-mail william.harp@dhp.virginia.gov.

**May 20, 2005 - 8 a.m.** -- Open Meeting  
Department of Health Professions, 6603 West Broad Street, 5th Floor, Board Room 2, Richmond, Virginia.

A meeting of the Executive Committee 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 ☎, e-mail william.harp@dhp.virginia.gov.

## Advisory Board on Acupuncture

**April 6, 2005 - 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 regulation of acupuncture. Public comment 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 ☎, e-mail william.harp@dhp.virginia.gov.

## Advisory Board on Athletic Training

**April 7, 2005 - 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 regulation of athletic training. Public comment will be received at the beginning of the meeting.

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# Calendar of Events

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**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 ☎, e-mail [william.harp@dhp.virginia.gov](mailto:william.harp@dhp.virginia.gov).

## Advisory Board of Occupational Therapy

**April 5, 2005 - 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 regulation of occupational therapy. Public comment 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 ☎, e-mail [william.harp@dhp.virginia.gov](mailto:william.harp@dhp.virginia.gov).

## Advisory Board on Physician Assistants

**April 7, 2005 - 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 regulation of physician assistants. Public comment 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 ☎, e-mail [william.harp@dhp.virginia.gov](mailto:william.harp@dhp.virginia.gov).

## Advisory Board on Radiologic Technology

**April 6, 2005 - 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 regulation of radiologic technologists and radiologic technologists-limited. Public comment 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 ☎, e-mail [william.harp@dhp.virginia.gov](mailto:william.harp@dhp.virginia.gov).

## Advisory Board on Respiratory Care

**April 5, 2005 - 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 regulation of respiratory care. Public comment 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 ☎, e-mail [william.harp@dhp.virginia.gov](mailto:william.harp@dhp.virginia.gov).

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

**† April 13, 2005 - 2:30 p.m.** -- Open Meeting  
Holiday Inn Central, 3207 North Boulevard, Richmond, Virginia ☎

A regular meeting.

**Contact:** Marlene A. Butler, Executive Secretary, State Mental Health, Mental Retardation and Substance Abuse Services Board, Jefferson Bldg., 1220 Bank St., 13th Floor Richmond, VA 23219, telephone (804) 786-7945, FAX (804) 371-2308, e-mail [marlene.butler@co.dmhmrsas.virginia.gov](mailto:marlene.butler@co.dmhmrsas.virginia.gov).

## VIRGINIA COMMISSION ON MILITARY BASES

**April 14, 2005 - 10 a.m.** -- Open Meeting  
University of Mary Washington, Jepson Alumni Executive Center, 1119 Hanover Street, Fredericksburg, Virginia ☎

A quarterly meeting.

**Contact:** Valerie Hubbard, Communications Manager, Virginia Economic Development Partnership, P.O. Box 798, Richmond, VA 23218, telephone (804) 225-3743, FAX (804) 786-1121, e-mail [vhubbard@yesvirginia.org](mailto:vhubbard@yesvirginia.org).

## STATE MILK COMMISSION

**† May 25, 2005 - 10:45 a.m.** -- Open Meeting  
Department of Forestry, 900 Natural Resources Drive, Room 2063, Charlottesville, Virginia ☎

A regular meeting to consider industry distributor licensing, base transfers and reports from staff. The commission offers anyone in attendance an opportunity to speak at the conclusion of the agenda. Those persons requiring special accommodations should notify Edward C. Wilson, Jr., at least five working days prior to the meeting date so that suitable arrangements can be made.

**Contact:** Edward C. Wilson, Jr., Deputy Administrator, State Milk Commission, Washington Bldg., 1100 Bank St., Suite 1019, Richmond, VA 23218, telephone (804) 786-2013, FAX (804) 786-3779, e-mail [Edward.Wilson@vdacs.virginia.gov](mailto:Edward.Wilson@vdacs.virginia.gov).

## DEPARTMENT OF MOTOR VEHICLES

### Medical Advisory Board

**† April 13, 2005 - 8 a.m.** -- Open Meeting  
Department of Motor Vehicles, 2300 West Broad Street, Richmond, Virginia ☎ (Interpreter for the deaf provided upon request)

A general business meeting.

**Contact:** J.C. Branche, R.N., Division Manager, Department of Motor Vehicles, 2300 W. Broad St., Richmond VA 23220, telephone (804) 497-7188, FAX (804) 367-1604, toll-free (800) 435-5137, (804) 272-9268/TTY ☎, e-mail jacquelin.branche@dmv.virginia.gov.

## VIRGINIA MUSEUM OF FINE ARTS

† **March 22, 2005 - 9 a.m.** -- Open Meeting  
**April 5, 2005 - 8 a.m.** -- Open Meeting  
**May 3, 2005 - 8 a.m.** -- Open Meeting  
 Virginia Museum of Fine Arts, Main Lobby Conference Room, 200 North Boulevard, 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 23220-4007, telephone (804) 340-1503, FAX (804) 340-1502, (804) 340-1401/TTY ☎, e-mail sbroyles@vmfa.state.va.us.

† **June 16, 2005 - 9 a.m.** -- Open Meeting  
 Virginia Museum of Fine Arts, CEO Parlor, 200 North Boulevard, Richmond, Virginia. ♿

A joint meeting of the Executive and Financial Oversight Committees for staff to update the committees. Public comment will not be received.

**Contact:** Suzanne Broyles, Secretary of the Museum, Virginia Museum of Fine Arts, 200 N. Boulevard, Richmond, VA 23220-4007, telephone (804) 340-1503, FAX (804) 340-1502, (804) 340-1401/TTY ☎, e-mail sbroyles@vmfa.state.va.us.

## BOARD OF NURSING

**March 25, 2005** - 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 Nursing intends to amend regulations entitled **18 VAC 90-15, Regulations Governing Delegation to an Agency Subordinate**. The purpose of the proposed action is to establish criteria for delegation of certain informal fact finding to an agency subordinate.

Statutory Authority: § 54.1-2400 of the Code of Virginia.

Public comments may be submitted until March 25, 2005, to Jay Douglas, R.N., Executive Director, Board of Nursing, 6603 West Broad Street, Richmond, VA 23230.

**Contact:** Elaine J. Yeatts, Regulatory Coordinator, Department of Health Professions, Alcoa Bldg., 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9918, FAX (804) 662-9114, (804) 662-7197/TTY ☎, e-mail elaine.yeatts@dhp.virginia.gov.

† **March 29, 2005 - 10 a.m.** -- Open Meeting  
**April 5, 2005 - 9 a.m.** -- Open Meeting  
**April 6, 2005 - 9 a.m.** -- Open Meeting  
**April 11, 2005 - 9 a.m.** -- Open Meeting  
**April 12, 2005 - 9 a.m.** -- Open Meeting  
**April 19, 2005 - 9 a.m.** -- Open Meeting  
**June 7, 2005 - 9 a.m.** -- Open Meeting  
**June 8, 2005 - 9 a.m.** -- Open Meeting  
 † **June 13, 2005 - 9 a.m.** -- Open Meeting  
 † **June 14, 2005 - 9 a.m.** -- Open Meeting  
 Department of Health Professions, 6603 West Broad Street, 5th Floor, Richmond, Virginia. ♿

A Special Conference Committee, comprised of two members of the Virginia Board of Nursing or agency subordinate, will conduct informal conferences with licensees and 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 West Broad Street, 5th Floor, Richmond, VA 23230, telephone (804) 662-9909, FAX (804) 662-9512, (804) 662-7197/TTY ☎, e-mail nursebd@dhp.virginia.gov.

**May 16, 2005 - 9 a.m.** -- Open Meeting  
**May 18, 2005 - 9 a.m.** -- Open Meeting  
**May 19, 2005 - 9 a.m.** -- Open Meeting  
 Department of Health Professions, 6603 West Broad Street, 5th Floor, Board Room 2, Richmond, Virginia. ♿

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 ☎, e-mail nursebd@dhp.virginia.gov.

**May 17, 2005 - 9 a.m.** -- Open Meeting  
 Department of Health Professions, 6603 West Broad Street, 5th Floor, Board Room 2, Richmond, Virginia. ♿

A general business meeting including committee reports, 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 ☎, e-mail jay.douglas@dhp.virginia.gov.

## JOINT BOARDS OF NURSING AND MEDICINE

**March 25, 2005** - 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 Nursing intends to amend regulations entitled **18 VAC 90-30, Regulations Governing the Licensure of Nurse Practitioners**. The purpose of the proposed action is to establish the required content of the

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# Calendar of Events

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written protocol authorizing nurse practitioners to sign a certain document in lieu of the supervising physician.

Statutory Authority: §§ 54.1-2400 and 54.1-2957 of the Code of Virginia.

Public comments may be submitted until March 25, 2005, to Jay Douglas, R.N., Executive Director, Board of Nursing, 6603 West Broad Street, Richmond, VA 23230.

**Contact:** Elaine J. Yeatts, Regulatory Coordinator, Department of Health Professions, Alcoa Bldg., 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9918, FAX (804) 662-9114, (804) 662-7197/TTY ☎, e-mail [elaine.yeatts@dhp.virginia.gov](mailto:elaine.yeatts@dhp.virginia.gov).

**April 13, 2005 - 9 a.m.** -- Open Meeting  
Department of Health Professions, 6603 West Broad Street, 5th Floor, Board Room 4, Richmond, Virginia. ♿

A meeting of the Joint Boards of Nursing and Medicine.

**Contact:** Jay P. Douglas, RN, MSM, CSAC, 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 ☎, e-mail [nursebd@dhp.virginia.gov](mailto:nursebd@dhp.virginia.gov).

## BOARD OF NURSING HOME ADMINISTRATORS

**April 20, 2005 - 9 a.m.** -- Open Meeting  
Department of Health Professions, 6603 West Broad Street, 5th Floor, Richmond, Virginia. ♿

A meeting to discuss general board business. There will be a public comment period during the first 15 minutes of the meeting.

**Contact:** Sandra Reen, Executive Director, Board of Nursing Home 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 ☎, e-mail [sandra.reen@dhp.virginia.gov](mailto:sandra.reen@dhp.virginia.gov).

## OLD DOMINION UNIVERSITY

**March 21, 2004 - 3 p.m.** -- Open Meeting  
**May 16, 2005 - 3 p.m.** -- Open Meeting  
Old Dominion University, Webb University Center, Norfolk, Virginia. ♿

A regular meeting of the Board of Visitors' Executive Committee to discuss business of the board and the institution as determined by the rector and the president.

**Contact:** Donna Meeks, Executive Secretary to the Board of Visitors, Old Dominion University, 204 Koch Hall, Norfolk, VA 23529, telephone (757) 683-3072, FAX (757) 683-5679, e-mail [dmeeks@odu.edu](mailto:dmeeks@odu.edu).

NOTE: CHANGE IN MEETING DATE

**April 4, 2005 - 1 p.m.** -- Open Meeting  
† **June 14, 2005 - 1 p.m.** -- Open Meeting  
Old Dominion University, Webb University Center, 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.

**Contact:** Donna Meeks, Executive Secretary to the Board of Visitors, Old Dominion University, 204 Koch Hall, Norfolk, VA 23529, telephone (757) 683-3072, FAX (757) 683-5679, e-mail [dmeeks@odu.edu](mailto:dmeeks@odu.edu).

## BOARD FOR OPTICIANS

**April 15, 2005 - 9:30 a.m.** -- Open Meeting  
Department of Professional and Occupational Regulation, 3600 West Broad Street, 4th Floor, Richmond, Virginia. ♿

A general business meeting to consider 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 ☎, e-mail [opticians@dpor.virginia.gov](mailto:opticians@dpor.virginia.gov).

## VIRGINIA OUTDOORS FOUNDATION

**April 7, 2005 - 10 a.m.** -- Open Meeting  
Department of Forestry, 900 Natural Resources Drive, Charlottesville, Virginia.

A meeting to consider easement proposals and to discuss policy issues. The board will also receive a report from the executive director and public comment will be heard at 1 p.m.

**Contact:** Bob Lee, Executive Director, Virginia Outdoors Foundation, 203 Governor St., Suite 317, Richmond, VA 23219, telephone (804) 371-2724, FAX (804) 371-4810, e-mail [tcleary@vofonline.org](mailto:tcleary@vofonline.org).

## VIRGINIA BOARD FOR PEOPLE WITH DISABILITIES

† **June 13, 2005 - 10 a.m.** -- Open Meeting  
Holiday Inn, 6531 West Broad Street, Richmond, Virginia. ♿

A meeting of the Executive Committee.

**Contact:** Sandra Smalls, Executive Assistant, Virginia Board for People with Disabilities, 202 N. 9th St., 9th Floor, Richmond, VA 23219, telephone (804) 786-0016, FAX (804) 786-1118, toll-free (800) 846-4464, (800) 846-4464/TTY ☎, e-mail [Sandra.Smalls@vbpd.virginia.gov](mailto:Sandra.Smalls@vbpd.virginia.gov).

† **June 14, 2005 - 9 a.m.** -- Open Meeting  
Holiday Inn, 6531 West Broad Street, Richmond, Virginia. ♿  
(Interpreter for the deaf provided upon request)

A quarterly board meeting.

**Contact:** Sandra Smalls, Executive Assistant, Virginia Board for People with Disabilities, 202 N. 9th St., 9th Floor, Richmond, VA 23219, telephone (804) 786-0016, FAX (804) 786-1118, toll-free (800) 846-4464, (800) 846-4464/TTY ☎, e-mail Sandra.Smalls@vbpd.virginia.gov.

## PESTICIDE CONTROL BOARD

**April 21, 2005 - 9 a.m.** -- Open Meeting  
Department of Agriculture and Consumer Services, Washington Building, 1100 Bank Street, 2nd Floor Boardroom, Richmond, Virginia. ♿

A meeting to 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 intends to consider final adoption of amendments to **2 VAC 20-40, Rules and Regulations Governing Licensing of Pesticide Businesses Operating Under Authority of the Virginia Pesticide Control Act**. The board will entertain public comment at the conclusion of all other business for a period not to exceed 30 minutes. Any person who needs any accommodation in order to participate at the meeting should contact Dr. Wayne Surles at least five days before the meeting date so that suitable arrangements can be made.

**Contact:** Dr. Wayne Surles, Program Manager, Department of Agriculture and Consumer Services, Washington Bldg., 1100 Bank St., 4th Floor, Richmond, VA 23219, telephone (804) 371-6558, FAX (804) 371-8598, toll-free (800) 552-9963, e-mail Wayne.Surles@vdacs.virginia.gov.

## BOARD OF PHARMACY

**March 22, 2005 - 9 a.m.** -- Open Meeting  
Department of Health Professions, 6603 West Broad Street, 5th Floor, Richmond, Virginia. ♿

A Special Conference Committee will meet to discuss disciplinary matters. Public comments will not be received.

**Contact:** Elizabeth Scott Russell, Executive Director, Board of Pharmacy, 6603 W. Broad St., 5th Floor, Richmond, Virginia 23230, telephone (804) 662-9911, FAX (804) 662-9313.

**June 7, 2005 - 9 a.m.** -- Open Meeting  
Department of Health Professions, 6603 West Broad Street, 5th Floor, Conference Room 2, Richmond, Virginia. ♿

A board 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, 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 ☎, e-mail scottirussell@dhp.virginia.gov.

## BOARD OF PHYSICAL THERAPY

**April 22, 2005 - 9 a.m.** -- Open Meeting  
Department of Health Professions, 6603 West Broad Street, 5th Floor, Richmond, Virginia. ♿

A meeting to discuss board issues and board business.

**Contact:** Elizabeth Young, Executive Director, Board of Physical Therapy, Alcoa Bldg., 6603 West Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9924, FAX (804) 662-9523, (804) 662-7197/TTY ☎, e-mail elizabeth.young@dhp.virginia.gov.

**April 22, 2005 - 9 a.m.** -- Open Meeting  
Department of Health Professions, 6603 West Broad Street, 5th Floor, Richmond, Virginia. ♿

A meeting of the Legislative/Regulatory Committee to discuss legislative and regulatory changes to the regulations.

**Contact:** Elizabeth Young, Executive Director, Board of Physical Therapy, Alcoa Bldg., 6603 West Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9924, FAX (804) 662-9523, (804) 662-7197/TTY ☎, e-mail elizabeth.young@dhp.virginia.gov.

## POLYGRAPH EXAMINERS ADVISORY BOARD

**June 2, 2005 - 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 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) 367-2474, (804) 367-9753/TTY ☎, e-mail kevin.hoeft@dpor.virginia.gov.

## BOARD OF PSYCHOLOGY

**April 12, 2005 - 9:30 a.m.** -- Open Meeting  
Department of Health Professions, 6603 West Broad Street, 5th Floor, Richmond, Virginia. ♿

A business meeting to discuss 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 ☎, e-mail evelyn.brown@dhp.virginia.gov.

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# Calendar of Events

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## REAL ESTATE APPRAISER BOARD

† April 14, 2005 - 9 a.m. -- Open Meeting

April 20, 2005 - 10 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.

**Contact:** Karen W. O'Neal, Regulatory Programs Coordinator, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8537, FAX (804) 367-2475, (804) 367-9753/TTY , e-mail karen.oneal@dpor.virginia.gov.

May 3, 2005 - 10 a.m. -- Open Meeting

Department of Professional and Occupational Regulation, 3600 West Broad Street, 4 West Conference Room, Richmond, Virginia. 

A meeting to discuss board business.

**Contact:** Karen W. O'Neal, Regulatory Programs Coordinator, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8537, FAX (804) 367-2475, (804) 367-9753/TTY , e-mail karen.oneal@dpor.virginia.gov.

## REAL ESTATE BOARD

March 23, 2005 - 3 p.m. -- Open Meeting

May 18, 2005 - 3 p.m. -- Open Meeting

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

A meeting of the Education Committee to review education applications.

**Contact:** Karen W. O'Neal, Regulatory Programs Coordinator, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8537, FAX (804) 367-2475, (804) 367-9753/TTY , e-mail karen.oneal@dpor.virginia.gov.

March 24, 2005 - 8:30 a.m. -- Open Meeting

May 19, 2005 - 8:30 a.m. -- Open Meeting

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

A meeting of the Fair Housing Committee to review fair housing cases.

**Contact:** Karen W. O'Neal, Regulatory Programs Coordinator, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8537, FAX (804) 367-2475, (804) 367-9753/TTY , e-mail karen.oneal@dpor.virginia.gov.

March 24, 2005 - 9 a.m. -- Open Meeting

May 19, 2005 - 9 a.m. -- Open Meeting

Department of Professional and Occupational Regulation, 3600 West Broad Street, Conference Room 4-West, Richmond, Virginia. 

A meeting to discuss board business.

**Contact:** Karen W. O'Neal, Regulatory Programs Coordinator, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8537, FAX (804) 367-2475, (804) 367-9753/TTY , e-mail karen.oneal@dpor.virginia.gov.

April 6, 2005 - 9 a.m. -- Open Meeting

April 7, 2005 - 9 a.m. -- Open Meeting

† April 14, 2005 - 9 a.m. -- Open Meeting

† April 21, 2005 - 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.

**Contact:** Karen W. O'Neal, Regulatory Programs Coordinator, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8537, FAX (804) 367-2475, (804) 367-9753/TTY , e-mail karen.oneal@dpor.virginia.gov.

## VIRGINIA RECYCLING MARKETS DEVELOPMENT COUNCIL

March 23, 2005 - 10 a.m. -- Open Meeting

Department of Environmental Quality, Southwest Regional Office, 355 Deadmore Street, Abingdon, Virginia.

The council (VRMDC) will meet from 10 a.m. to noon, will break for lunch and then hold a joint meeting of its Local Government Assistance and Recycling Rate Subcommittees from 1 p.m. to 3 p.m. The primary purpose of the meeting is to obtain comments from Southwest Virginia localities, waste management authorities and other interested parties on (i) what, if any, changes are recommended in Virginia's 25% recycling rate mandate (including the statutes and regulations implementing that mandate) and (ii) ways in which the VRMDC and state could assist localities and waste management authorities in meeting the state recycling mandate. The VRMDC is traveling to Southwest Virginia in an effort to make it easier for localities, waste management authorities and members of the public from that region of the state to submit their views and the submission of comments at the meeting is encouraged. Public comments will be sought at the meeting of the full council (to be held from 10 a.m. to noon) and the two subcommittees will then meet jointly (from 1 p.m. to 3 p.m.) to consider the comments received and to discuss their plans for continuing their work in 2005.

**Contact:** Philip F. Abraham, Virginia Recycling Markets Development Council, 411 E. Franklin St., Suite 602, Richmond, VA 23219, telephone (804) 644-6600, FAX (804) 644-6628, e-mail pabraham@vectreCorp.com.

## VIRGINIA RESEARCH AND TECHNOLOGY ADVISORY COMMISSION

May 17, 2005 - 1 p.m. -- Open Meeting

James Madison University, 800 North Main Street, Harrisonburg, Virginia.

Tour at 10 a.m.; meeting 1 p.m.-5 p.m. (lunch provided). A reception and dinner in honor of the commission will be cohosted by JMU and CIT and will be held in the Board of Visitors Dining Room of the College Center, JMU. Reception refreshments and dinner will be provided to commission members and invited guests. Reception 5:45 p.m. Dinner 6:30 p.m.

**Contact:** Nancy Vorona, VP Research Investment, CIT, Virginia Research and Technology Advisory Commission, 2214 Rock Hill Rd., Suite 600, Herndon, VA 20170, telephone (703) 689-3043, FAX (703) 464-1720, e-mail [nvorona@cit.org](mailto:nvorona@cit.org).

## VIRGINIA RESOURCES AUTHORITY

**April 12, 2005 - 9 a.m.** -- Open Meeting  
Eighth and Main Building, 707 East Main Street, 2nd Floor, Richmond, Virginia. ☎

A regular meeting of the Board of Directors to (i) review and, if appropriate, approve the minutes from the most recent monthly meeting; (ii) review the authority's operations for the prior month; (iii) review applications for loans submitted to the authority for approval; (iv) consider loan commitments for approval and ratification under its various programs; (v) approve the issuance of any bonds; (vi) review the results of any bond sales; and (vii) consider such other matters and take such other actions as it may deem appropriate. Various committees of the Board of Directors may also meet immediately before or after the regular meeting and consider matters within their purview. The planned agenda of the meeting and any committee meetings will be available at the offices of the authority one week prior to the date of the meeting. Any person who needs any accommodation in order to participate in the meeting should contact the authority at least 10 days before the meeting so that suitable arrangements can be made.

**Contact:** Bonnie R. C. McRae, Executive Assistant, Virginia Resources Authority, 707 E. Main St., Richmond, VA 23219, telephone (804) 644-3100, FAX (804) 644-3109, e-mail [bmcrac@vra.state.va.us](mailto:bmcrac@vra.state.va.us).

## SEWAGE HANDLING AND DISPOSAL APPEAL REVIEW BOARD

**April 6, 2005 - 10 a.m.** -- Open Meeting  
**† May 18, 2005 - 10 a.m.** -- Open Meeting  
Henrico County Government Center, 8600 Dixon Powers Drive, Human Resource Board Room, Richmond, Virginia.

A meeting to hear appeals of health department denials of septic tank permits and/or Indemnification Fund Claim requests.

**Contact:** Susan Sherertz, Secretary to the Board, Department of Health, 109 Governor St., 5th Floor, Richmond, VA 23219, telephone (804) 864-7464, FAX (804) 864-7475, e-mail [susan.sherertz@vdh.virginia.gov](mailto:susan.sherertz@vdh.virginia.gov).

## STATE BOARD OF SOCIAL SERVICES

**† April 20, 2005 - 9 a.m.** -- Open Meeting  
**† April 21, 2005 - 9 a.m.** -- Open Meeting  
The Law Enforcement and Judicial Complex, 245 South 4th Street, Wytheville, Virginia.

A regular meeting.

**Contact:** Pat Rengnerth, State Board Liaison, State Board 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 ☎, e-mail [patricia.rengnerth@dss.virginia.gov](mailto:patricia.rengnerth@dss.virginia.gov).

## BOARD OF SOCIAL WORK

**March 25, 2005** - 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 Social Work intends to amend regulations entitled **18 VAC 140-20, Regulations Governing the Practice of Social Work**. The purpose of the proposed regulation is to establish criteria for delegation of certain informal fact finding to an agency subordinate.

Statutory Authority: § 54.1-2400 of the Code of Virginia.

Public comments may be submitted until March 25, 2005, to Evelyn B. Brown, Executive Director, Board of Social Work, 6603 West Broad Street, Richmond, VA 23230-1712.

**Contact:** Elaine J. Yeatts, Regulatory Coordinator, Department of Health Professions, 6603 W. Broad St., Richmond, VA 23230-1712, telephone (804) 662-9918, FAX (804) 662-9114 or e-mail [elaine.yeatts@dhp.virginia.gov](mailto:elaine.yeatts@dhp.virginia.gov).

## VIRGINIA SOIL AND WATER CONSERVATION BOARD

**March 23, 2005 - 10 a.m.** -- Open Meeting  
Department of Environmental Quality, Piedmont Regional Office, 4949-A Cox Road, Glen Allen, Virginia.

A meeting of the Ad Hoc Study Committee on Dam Safety to be held in support of a July 15, 2004, motion of the Virginia Soil and Water Conservation Board that provides that the Virginia Soil and Water Conservation Board establish an ad hoc committee for the expressed purpose of studying the Classes of Impounding Structures (4 VAC 50-20-40), Performance Standards Required for Impounding Structures (4 VAC 50-20-50) and the attendant Table 1 established in the 2004 Virginia Impounding Structures Regulations.

**Contact:** David C. Dowling, Policy and Planning Manager, Department of Conservation and Recreation, 203 Governor St., Suite 302, Richmond, VA 23219, telephone (804) 786-2291, FAX (804) 786-6141, e-mail [david.dowling@dcr.virginia.gov](mailto:david.dowling@dcr.virginia.gov).

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# Calendar of Events

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## BOARD FOR PROFESSIONAL SOIL SCIENTISTS AND WETLAND PROFESSIONALS

† **April 20, 2005 - 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 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 , e-mail [soilscientist@dpor.state.va.us](mailto:soilscientist@dpor.state.va.us).

## COMMONWEALTH TRANSPORTATION BOARD

† **April 20, 2005 - 2 p.m.** -- Open Meeting  
Department of Transportation, 1221 East Broad Street,  
Auditorium, Richmond, Virginia. 

A work session of the Commonwealth Transportation Board and transportation staff.

**Contact:** Carol A. Mathis, Administrative Staff Assistant, Virginia Department of Transportation 1401 E. Broad St., Richmond, VA 23219, telephone (804) 786-2701, FAX (804) 786-2940, e-mail [Carol.Mathis@VDOT.Virginia.gov](mailto:Carol.Mathis@VDOT.Virginia.gov).

† **April 21, 2005 - 9 a.m.** -- Open Meeting  
Department of Transportation, 1221 East Broad Street,  
Auditorium, Richmond, Virginia. 

A meeting to transact board business, such as permits, additions/deletions to the highway system, and other matters requiring board approval. Public comment will be received at the outset of the meeting on items on the agenda for which the opportunity for public comment has not been afforded the public in another forum. Remarks will be limited to five minutes. Large groups are asked to select one individual to speak for the group. The board reserves the right to amend these conditions. Separate committee meetings may be held on call of the chairman. Contact VDOT Public Affairs at (804) 786-2715 for schedule.

**Contact:** Carol A. Mathis, Administrative Staff Assistant, Virginia Department of Transportation, 1401 E. Broad St., Richmond, VA 23219, telephone (804) 786-2701, FAX (804) 786-2940, e-mail [Carol.Mathis@VDOT.Virginia.gov](mailto:Carol.Mathis@VDOT.Virginia.gov).

## DEPARTMENT OF VETERANS SERVICES

### Board of Veterans Services

**March 28, 2005 - 1 p.m.** -- Open Meeting  
Virginia War Memorial, 621 South Belvidere Street,  
Richmond, Virginia. 

A regular meeting. Public comment will be received at approximately 2:45 p.m.

**Contact:** Steven Combs, Assistant to the Commissioner, Department of Veterans Services, 900 E. Main St., Richmond VA 23219, telephone (804) 786-0294, e-mail [steven.combs@dvs.virginia.gov](mailto:steven.combs@dvs.virginia.gov).

## Joint Leadership Council of Veterans Service Organizations

† **May 11, 2005 - 11 a.m.** -- Open Meeting  
Hampton Roads/Tidewater Area. Location to be determined. 

A regular meeting.

**Contact:** Steven Combs, Assistant to the Commissioner, Department of Veterans Services, 900 E. Main St., Richmond, VA 23219, telephone (804) 786-0294, e-mail [steven.combs@dvs.virginia.gov](mailto:steven.combs@dvs.virginia.gov).

## STATE WATER CONTROL BOARD

**March 21, 2005 - 2 p.m.** -- Public Hearing  
Department of Environmental Quality, Piedmont Regional  
Office, 4949-A Cox Road, Glen Allen, Virginia.

**March 22, 2005 - 1:30 p.m.** -- Public Hearing  
Department of Environmental Quality, Northern Regional  
Office, 13901 Crown Court, Woodbridge, Virginia.

**March 23, 2005 - 4 p.m.** -- Public Hearing  
Department of Environmental Quality, Tidewater Regional  
Office, 5636 Southern Boulevard, Virginia Beach, Virginia.

**April 25, 2005** - 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 Water Control Board intends to amend regulations entitled **9 VAC 25-40, Regulation for Nutrient Enriched Waters and Dischargers Within the Chesapeake Bay Watershed**, and **9 VAC 25-720, Water Quality Management Planning Regulation**. The purpose of the proposed action is to establish numerical limitations for the discharge of total nitrogen, and the possible revision of numerical limitations for the discharge of total phosphorous, for certain dischargers located within the Chesapeake Bay Watershed.

Statutory Authority: §§ 62.1-44.15 of the Code of Virginia and § 303 of the federal Clean Water Act.

**Contact:** John Kennedy, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4312, FAX (804) 698-4116, or e-mail: [jmkennedy@deq.virginia.gov](mailto:jmkennedy@deq.virginia.gov)

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**March 31, 2005 - 2 p.m.** -- Open Meeting  
Department of Environmental Quality, Piedmont Regional  
Office, 4949-A Cox Road, Glen Allen, Virginia. 

**April 1, 2005** - 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 Water Control Board intends to amend regulations entitled **9 VAC 25-260, Water Quality Standards**. The proposed amendment to the Antidegradation Policy, part of the state's Water Quality Standards, would designate portions of Big Run, Brokenback Run, Doyles River, East Branch Naked Creek, East Hawksbill Creek, Hughes River, Jeremys Run, North Fork Thornton River, Piney River, Rose River, and White Oak Canyon Run for special protection as exceptional state waters.

Statutory Authority: § 62.1-44.15 of the Code of Virginia, the federal Clean Water Act (33 USC § 1251 et seq.) and 40 CFR Part 131.

**Contact:** Jean W. Gregory, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4113 or e-mail [jwgregory@deq.virginia.gov](mailto:jwgregory@deq.virginia.gov).

**April 5, 2005 - 1:30 p.m.** -- Open Meeting  
Department of Environmental Quality, West Central Regional Office, 3019 Peters Creek Road, Roanoke, Virginia. 

**April 7, 2005 - 1:30 p.m.** -- Open Meeting  
Department of Environmental Quality, Northern Regional Office, 13901 Crown Court, Woodbridge, Virginia

A public meeting to receive comments on the State Water Control Board's notice of intent to amend the water quality standards regulation to address nutrient criteria for lakes. The NOIRA will appear in the Virginia Register on February 21, 2005, and the comment period runs from February 21 through April 8, 2005.

**Contact:** Jean W. Gregory, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4113, FAX (804) 698-4116, e-mail [jwgregory@deq.virginia.gov](mailto:jwgregory@deq.virginia.gov).

† **April 27, 2005 - 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 assisting in the development of regulatory language for the reissuance/amendment of the general VPDES permit for car wash facilities.

**Contact:** George Cosby, State Water Control Board, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4067, FAX (804) 698-4032, e-mail [gecosby@deq.virginia.gov](mailto:gecosby@deq.virginia.gov).

## VIRGINIA WORKFORCE COUNCIL

† **March 23, 2005 - 10 a.m.** -- Open Meeting  
Virginia Historical Society, 428 North Boulevard, Richmond, Virginia.

Public comments will be scheduled and limited to three minutes and a written copy of the comments is required.

**Contact:** Gail Robinson, Virginia Workforce Council Liaison, Virginia Workforce Council, 703 E. Main St., Room 121, Richmond, VA 23219, telephone (804) 225-3070, FAX (804) 225-2190, (800) 828-1120/TTY , e-mail [Gail.Robinson@vec.virginia.gov](mailto:Gail.Robinson@vec.virginia.gov).

## INDEPENDENT

### STATE LOTTERY BOARD

**April 6, 2005 - 9:30 a.m.** -- Open Meeting  
State Lottery Department, 900 East Main Street, 13th Floor, Richmond, Virginia. 

A regular meeting to conduct routine business. 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, e-mail [fferguson@valottery.state.va.us](mailto:fferguson@valottery.state.va.us).

### VIRGINIA OFFICE FOR PROTECTION AND ADVOCACY

† **March 29, 2005 - 3 p.m.** -- Open Meeting  
Fairfax County CSB; Pennino Building; 12011 Government Center Parkway; Room 840B Fairfax, Virginia.  (Interpreter for the deaf provided upon request)

A work session of the Ad Hoc Board Retreat Follow-up Committee, also known as the Board Retreat Planning Committee. No public comment will be taken. Directions to the meeting site may be found on the VOPA web-site at [www.vopa.state.va.us](http://www.vopa.state.va.us). For further information, please contact Ms. Shehi. If interpreter services or other accommodations are required, please contact Ms. Shehi, no later than Tuesday, March 15, 2005.

**Contact:** Lisa Shehi, Administrative Assistant, Virginia Office for Protection and Advocacy, 1910 Byrd Ave., Suite 5; Richmond, VA 23230, telephone (804) 225-2042, FAX (804) 662-7431, toll-free (800) 552-3962, (804) 225-2042/TTY , e-mail [general.vopa@vopa.virginia.gov](mailto:general.vopa@vopa.virginia.gov).

### Board for Protection and Advocacy

† **April 25, 2005 - 2 p.m.** -- Open Meeting  
Ramada Plaza Resort; 5700 Atlantic Avenue, Virginia Beach, Virginia.  (Interpreter for the deaf provided upon request)

A meeting of the board Policy Committee. Public comment will be received at the beginning of the meeting. Public comment will also be accepted by telephone. If you wish to provide public comment via telephone, you must call Lisa Shehi, Administrative Assistant at 1-800-552-3962 (Voice/TTY) or via e-mail at [lisa.shehi@vopa.virginia.gov](mailto:lisa.shehi@vopa.virginia.gov) no later than Monday, April 11, 2005. Ms. Shehi will take your name and phone number and you will be telephoned during the public comment period. If interpreter services or other

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## Calendar of Events

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accommodations are required, please contact Ms. Shehi, no later than Monday, April 11, 2005.

**Contact:** Lisa Shehi, Administrative Assistant, Virginia Office for Protection and Advocacy, 1910 Byrd Ave., Suite 5, Richmond, VA 23230, telephone (804) 225-2042, FAX (804) 662-7431, toll-free (800) 552-3962, (804) 225-2042/TTY ☎, e-mail [general.vopa@vopa.virginia.gov](mailto:general.vopa@vopa.virginia.gov).

† **April 26, 2005 - 9 a.m.** -- Open Meeting  
Ramada Plaza Resort; 5700 Atlantic Avenue, Virginia Beach, Virginia. ♿ (Interpreter for the deaf provided upon request)

A meeting of the governing board. Public comment will be received at the beginning of the meeting. Public comment will also be accepted by telephone. If you wish to provide public comment via telephone, you must call Lisa Shehi, Administrative Assistant at 1-800-552-3962 (Voice/TTY) or via e-mail at [lisa.shehi@vopa.virginia.gov](mailto:lisa.shehi@vopa.virginia.gov) no later than Tuesday, April 12, 2005. Ms. Shehi will take your name and phone number and you will be telephoned during the public comment period. Directions to the meeting site can be found on the VOPA website at [www.vopa.state.va.us](http://www.vopa.state.va.us). If interpreter services or other accommodations are required, please contact Ms. Shehi no later than Tuesday, April 12, 2005.

**Contact:** Lisa Shehi, Administrative Assistant, Virginia Office for Protection and Advocacy, 1910 Byrd Ave., Suite 5, Richmond, VA 23230, telephone (804) 225-2042, FAX (804) 662-7431, toll-free (800) 552-3962, (804) 225-2042/TTY ☎, e-mail [general.vopa@vopa.virginia.gov](mailto:general.vopa@vopa.virginia.gov).

### Disabilities Advisory Council

**April 28, 2005 - 10 a.m.** -- Open Meeting  
Virginia Office for Protection and Advocacy, 1910 Byrd Avenue, Suite 5, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A regular meeting. Public comment is welcome and will be received at the beginning of the meeting. For those needing interpreter services or other accommodations, please contact Delicia (Dee) Vance by April 14, 2005.

**Contact:** Delicia (Dee) Vance, Outreach Advocate, Virginia Office for Protection and Advocacy, 1910 Byrd Avenue, Suite 5, Richmond, Virginia 23230, telephone (804) 662-7099, FAX (804) 662-7057, toll-free (800) 552-3962, (804) 225-2042/TTY ☎, e-mail [delicia.vance@vopa.virginia.gov](mailto:delicia.vance@vopa.virginia.gov).

### VIRGINIA RETIREMENT SYSTEM

† **March 22, 2005 - 8:30 a.m.** -- Open Meeting  
Virginia Retirement System Headquarters Building, 1200 East Main Street, Richmond, Virginia. ♿

A special meeting of the Board of Trustees. No public comment will be received at the meeting.

**Contact:** LaShaunda B. King, Executive Assistant, Virginia Retirement System, 1200 E. Main St., Richmond, VA 23219, telephone (804) 649-8059, FAX (804) 786-1541, toll-free (888) 827-3847, (804) 344-3190/TTY ☎, or e-mail [lking@vrs.state.va.us](mailto:lking@vrs.state.va.us).

827-3847, (804) 344-3190/TTY ☎, or e-mail [lking@vrs.state.va.us](mailto:lking@vrs.state.va.us).

NOTE: CHANGE IN MEETING TIME

**March 23, 2005 - 9 a.m.** -- Open Meeting

**May 18, 2005 - 11 a.m.** -- Open Meeting

Bank of America, 1111 East Main Street, Virginia Retirement System Investment Department, Pavilion, 4th Floor, Richmond, Virginia. ♿

A regular meeting of the Investment Advisory Committee. No public comment will be received at the meeting.

**Contact:** Phyllis Henderson, Executive Assistant, Virginia Retirement System, 1200 E. Main St., Richmond, VA 23219, telephone (804) 697-6675, FAX (804) 786-1541, toll-free (888) 827-3847, (804) 344-3190/TTY ☎, e-mail [phenderson@vrs.state.va.us](mailto:phenderson@vrs.state.va.us).

NOTE: CHANGE IN MEETING DATE

† **March 23, 2005 - 1 p.m.** -- Open Meeting

**May 19, 2005 - 9 a.m.** -- Open Meeting

Virginia Retirement System Headquarters Building, 1200 East Main Street, Richmond, Virginia. ♿

A regular meeting of the Board of Trustees. No public comment will be received at the meeting.

**Contact:** LaShaunda B. King, Executive Assistant, Virginia Retirement System, 1200 E. Main Street, Richmond, VA 23219, telephone (804) 649-8059, FAX (804) 786-1541, toll-free (888) 827-3847, (804) 344-3190/TTY ☎, or e-mail [lking@vrs.state.va.us](mailto:lking@vrs.state.va.us).

**May 17, 2005 - Noon** -- Open Meeting

Virginia Retirement System Headquarters Building, 1200 East Main Street, Richmond, Virginia. ♿

A regular meeting of the Optional Retirement Plan Advisory Committee. No public comment will be received at the meeting.

**Contact:** LaShaunda B. King, Executive Assistant, Virginia Retirement System, 1200 E. Main Street, Richmond, VA 23219, telephone (804) 649-8059, FAX (804) 786-1541, toll-free (888) 827-3847, (804) 344-3190/TTY ☎, or e-mail [lking@vrs.state.va.us](mailto:lking@vrs.state.va.us).

**May 18, 2005 - 2:30 p.m.** -- Open Meeting

Virginia Retirement System Headquarters Building, 1200 East Main Street, Richmond, Virginia. ♿

A regular meeting of the following committees:

2:30 p.m. - Benefits and Actuarial Committee

4 p.m. - Audit and Compliance Committee

4 p.m. - Administration and Personnel Committee

No public comment will be received at the meetings.

**Contact:** LaShaunda B. King, Executive Assistant, Virginia Retirement System, 1200 E. Main Street, Richmond, VA 23219, telephone (804) 649-8059, FAX (804) 786-1541, toll-free (888) 827-3847, (804) 344-3190/TTY ☎, or e-mail [lking@vrs.state.va.us](mailto:lking@vrs.state.va.us).

**June 1, 2005 - 8 a.m.** -- Open Meeting

Location to be determined at a later date. ♿

Board of Trustees annual retreat.

**Contact:** LaShaunda B. King, Executive Assistant, Virginia Retirement System, 1200 E. Main St., Richmond, VA 23219, telephone (804) 649-8059, FAX (804) 786-1541, toll-free (888) 827-3847, (804) 344-3190/TTY ☎, e-mail lking@vrs.state.va.us.

## LEGISLATIVE

### SENATE COMMITTEE ON RULES

† **April 5, 2005 - 1 p.m.** -- Open Meeting  
General Assembly Building, 9th and Broad Streets, Senate Room A, Richmond, Virginia. ♿

A meeting to make appointments to various commissions and boards. For questions regarding the meeting agenda, contact Ginny Edwards, Division of Legislative Services, telephone (804) 786-3591.

**Contact:** Patty Lung, Senate Committee Operations, General Assembly Bldg., 910 Capitol St., Richmond, VA 23219, telephone (804) 698-7450.

### SMALL BUSINESS COMMISSION

† **April 6, 2005 - 10 a.m.** -- Open Meeting  
General Assembly Building, 9th and Broad Streets, Senate Room A, Richmond, Virginia. ♿

A general meeting. For questions regarding the meeting agenda, contact Frank Munyan, Division of Legislative Services, at (804) 786-3591.

**Contact:** Patty Lung, Senate Committee Operations, General Assembly Bldg., 910 Capitol St., Richmond, VA 23219, telephone (804) 698-7450.

## CHRONOLOGICAL LIST

### OPEN MEETINGS

#### March 21

Chesapeake Bay Local Assistance Board  
Education, Department of  
- Advisory Board on Teacher Education and Licensure  
Environmental Quality, Department of  
Hearing Aid Specialists, Board for  
Old Dominion University

#### March 22

Alzheimer's Disease and Related Disorders Commission  
Contractors, Board for  
Criminal Justice Services Board  
- Private Security Services Advisory Board  
Environmental Quality, Department of  
Health Professions, Department of  
- Prescription Monitoring Program Advisory Committee  
Marine Resources Commission  
† Museum of Fine Arts, Virginia

Pharmacy, Board of  
† Retirement System, Virginia

#### March 23

† Architects, Professional Engineers, Land Surveyors,  
Certified Interior Designers and Landscape Architects,  
Board for  
Compensation Board  
Education, Board of  
Higher Education Tuition Trust Fund, Virginia  
- Virginia College Savings Plan Board  
Jamestown-Yorktown Foundation  
Medical Assistance Services, Department of  
Medicine, Board of  
Real Estate Board  
Recycling Markets Development Council, Virginia  
† Retirement System, Virginia  
Soil and Water Conservation Board, Virginia  
† Workforce Council, Virginia

#### March 24

Contractors, Board for  
Game and Inland Fisheries, Board of  
† Indigent Defense Commission, Virginia  
Real Estate Board

#### March 25

† Dentistry, Board of  
† Health, Department of

#### March 28

Alcoholic Beverage Control Board  
Veterans Services, Department of  
- Board of Veterans Services

#### March 29

† Contractors, Board for  
† Medicine, Board of  
† Nursing, Board of  
† Protection and Advocacy, Virginia Office for

#### March 31

Arts, Virginia Commission for the  
† Contractors, Board for  
Water Control Board, State

#### April 1

Art and Architectural Review Board  
† Longwood University

#### April 2

† Longwood University

#### April 4

Barbers and Cosmetology, Board for  
Old Dominion University

#### April 5

Agriculture and Consumer Services, Department of  
- Virginia Horse Industry Board  
Contractors, Board for  
Medicine, Board of  
- Advisory Board of Occupational Therapy  
- Advisory Board on Respiratory Care  
Museum of Fine Arts, Virginia  
Nursing, Board of  
† Rules, Senate Committee on  
Water Control Board, State

#### April 6

Lottery Board, State  
† Medicine, Board of  
- Advisory Board on Acupuncture

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# Calendar of Events

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- Advisory Board on Radiologic Technology
- Nursing, Board of
- Real Estate Board
- Sewage Handling and Disposal Appeal Review Board
- † Small Business Commission

## April 7

- Contractors, Board for
- Medicine, Board of
  - Advisory Board on Athletic Training
  - Advisory Board on Physician Assistants
- Outdoors Foundation, Virginia
- Real Estate Board
- Water Control Board, State

## April 8

- † Dentistry, Board of
- Environmental Quality, Department of

## April 11

- Alcoholic Beverage Control Board
- Forestry, Board of
- Nursing, Board of

## April 12

- Blind and Vision Impaired, Board for the
- † Environmental Quality, Department of
- Funeral Directors and Embalmers, Board of
- † Medicine, Board of
- Nursing, Board of
- Psychology, Board of
- Resources Authority, Virginia

## April 13

- † Dentistry, Board of
- † Mental Health, Mental Retardation and Substance Abuse Services Board, State
- † Motor Vehicles, Department of
  - Medical Advisory Board
- Nursing and Medicine, Joint Boards of

## April 14

- † Auctioneers Board
- † Contractors, Board for
- † Dentistry, Board of
- Education, Department of
  - State Special Education Advisory Committee
- Military Bases, Virginia Commission on
- † Real Estate Appraiser Board
- † Real Estate Board

## April 15

- † Dentistry, Board of
- Education, Department of
  - State Special Education Advisory Committee
- Opticians, Board for

## April 18

- Education, Department of
  - Advisory Board on Teacher Education and Licensure

## April 19

- Contractors, Board for
- Nursing, Board of

## April 20

- † Agriculture and Consumer Services, Department of
  - Virginia Marine Products Board
- Education, Board of
- Geology, Board for
- † Medicine, Board of
- Nursing Home Administrators, Board of

- Real Estate Appraiser Board
- † Social Services, State Board of
- † Soil Scientists and Wetland Professionals, Board for Professional
- † Transportation Board, Commonwealth

## April 21

- † Barbers and Cosmetology, Board for
- Contractors, Board for
- Design-Build/Construction Management Review Team
- Education, Board of
- † Manufactured Housing Board, Virginia
- Pesticide Control Board
- † Real Estate Board
- † Social Services, State Board of
- † Transportation Board, Commonwealth

## April 22

- Accountancy, Board of
- Medical Assistance Services, Department of
- Medicine, Board of
- Physical Therapy, Board of

## April 25

- Alcoholic Beverage Control Board
- † Protection and Advocacy, Board for

## April 26

- † Marine Resources Commission
- † Protection and Advocacy, Board for

## April 27

- † Water Control Board, State

## April 28

- Environmental Quality, Department of
- Protection and Advocacy, Virginia Office for
  - Disabilities Advisory Council

## May 2

- † Branch Pilots, Board for

## May 3

- Funeral Directors and Embalmers, Board of
- † Museum of Fine Arts, Virginia
- Real Estate Appraiser Board

## May 4

- † Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects, Board for
- Deaf and Hard-of-Hearing, Department for the
- Jamestown-Yorktown Foundation

## May 6

- Art and Architectural Review Board

## May 9

- Alcoholic Beverage Control Board

## May 10

- † Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects, Board for
- Funeral Directors and Embalmers, Board of

## May 11

- † Veterans Services, Department of
  - Joint Leadership Council of Veterans Service Organizations

## May 12

- † Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects, Board for
- Criminal Justice Services Board

**May 13**

Child Fatality Review Team, State  
† Dentistry, Board of

**May 16**

Nursing, Board of  
Old Dominion University

**May 17**

† Architects, Professional Engineers, Land Surveyors,  
Certified Interior Designers and Landscape Architects,  
Board for  
Corrections, Board of  
Nursing, Board of  
Research and Technology Advisory Commission, Virginia  
Retirement System, Virginia

**May 18**

Asbestos, Lead, and Home Inspectors, Virginia Board for  
Community Colleges, State Board for  
Corrections, Board of  
Medical Assistance Services, Department of  
Nursing, Board of  
Real Estate Board  
Retirement System, Virginia  
† Sewage Handling and Disposal Appeal Review Board

**May 19**

† Aging, Commonwealth Council on  
† Architects, Professional Engineers, Land Surveyors,  
Certified Interior Designers and Landscape Architects,  
Board for  
Audiology and Speech-Language Pathology, Board of  
Community Colleges, State Board for  
Design-Build/Construction Management Review Board  
Jamestown-Yorktown Foundation  
Nursing, Board of  
Real Estate Board  
Retirement System, Virginia

**May 20**

† Dentistry, Board of  
Jamestown-Yorktown Foundation  
Medicine, Board of

**May 23**

Alcoholic Beverage Control Board

**May 24**

Environmental Quality, Department of  
† Marine Resources Commission

**May 25**

Contractors, Board for  
Education, Board of  
† Milk Commission, State

**June 1**

Retirement System, Virginia

**June 2**

Counseling, Board of  
Polygraph Examiners Advisory Board

**June 3**

Art and Architectural Review Board  
Counseling, Board of

**June 6**

Alcoholic Beverage Control Board

**June 7**

Alzheimer's Disease and Related Disorders Commission  
Charitable Gaming Board  
Contractors, Board for

Funeral and Directors and Embalmers, Board of  
Nursing, Board of  
Pharmacy, Board of

**June 8**

† Cemetery Board  
Jamestown-Yorktown Foundation  
Nursing, Board of

**June 9**

† Criminal Justice Services Board

**June 10**

† Health, Department of

**June 13**

† Library Board, State  
† Nursing, Board of  
† People with Disabilities, Virginia Board for

**June 14**

† Medical Assistance Services, Board of  
† Nursing, Board of  
† Old Dominion University  
† People with Disabilities, Virginia Board for

**June 16**

† Architects, Professional Engineers, Land Surveyors,  
Certified Interior Designers and Landscape Architects,  
Board for  
† Design-Build/Construction Management Review Board  
† Labor and Industry, Department of  
- Virginia Apprenticeship Council  
† Museum of Fine Arts, Virginia

**June 17**

† Health Professions, Department of  
- Health Practitioners' Intervention Program Committee

**June 20**

† Alcoholic Beverage Control Board

## PUBLIC HEARINGS

**March 21**

Water Control Board, State

**March 22**

Water Control Board, State

**March 23**

Water Control Board, State

**March 28**

† Environmental Quality, Department of

**March 29**

† Environmental Quality, Department of

**March 30**

† Environmental Quality, Department of

**March 31**

† Environmental Quality, Department of

**April 12**

Health, State Board of

**April 20**

† Air Pollution Control Board, State

**April 22**

Accountancy, Board of

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# Calendar of Events

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