

REPORT OF THE NEWSPAPER PUBLICATION STUDY SUBCOMMITTEE

Mark Rubin, Chairman

Description of Study

The Newspaper Publication Study Subcommittee of the Administrative Law Advisory Committee was formed in 1995 to investigate the effects of an amendment to the Administrative Process Act which eliminated the requirement that agencies publish regulatory notices and notices of public comment periods in a newspaper of general circulation published in the state capital. After discussion during the Summer of 1995 of the issues involved, the Subcommittee determined that more time was needed to accurately evaluate the effects of this change in the law. The Subcommittee was continued for an additional year in order to evaluate the change after a full year from the amendment's effective date.

During the intervening year, the Subcommittee evaluated the number of public comments received for proposed regulations published the year before and the year after House Bill 1473 was enacted. Staff to the Subcommittee reviewed regulatory files in the office of the Registrar of Regulations for regulations published from July 1, 1994 through June 30, 1995 and from July 1, 1995 through June 30, 1996. The Subcommittee also reviewed agency Public Participation Guidelines -- regulations promulgated by each agency which describe the steps the agency will take to solicit public participation during the regulatory process. Copies of each of these reviews are attached.

The Subcommittee's work indicates that the elimination of the newspaper publication requirement in the Administrative Process Act has had no effect on public participation during the regulatory process. Instead, results indicate that the requirement that agencies publish revised Public Participation Guidelines, implemented in 1993, has had a beneficial effect on public participation by better targeting regulatory notices to agencies' regulated public.

Review of Public Comments Received

It should be noted that a comparison of public comment received for regulations published in separate years may not be valid unless the same agency published comparable regulations in each year. The Subcommittee found no cases in which agencies published comparable regulations in each of the two years. However, the Subcommittee found that a smaller proportion of the total final regulations published in 1995/96 (22.8%) received no comment than did the final regulations published in 1994/95 (35.2%).

Staff also conducted a comparison of public comment received for regulations based on the type of regulation (environmental, professional, social services, etc.). However, the Subcommittee does not believe that the comparisons are valid due to the small sample sizes, varying subjects, and a few outliers that generated a great deal of comment.

A review of the public comment received in each of the two years surveyed indicates that there was no significant decrease in total public comment received. In fact, despite the small sample size, the Subcommittee is of the view that it is significant that a larger percentage of regulations received public comment in 1995/96 than received comment in 1994/95.

Public Participation Guidelines

Staff conducted a review of agency Public Participation Guidelines ("PPGs") and developed a matrix listing the most common components of such guidelines.

Several agencies specify in their PPGs that they will publish notice of proposed regulations in a newspaper of general circulation published in the state capital. Because PPGs are regulations and are binding on the agency, these agencies must continue to publish notices of proposed regulations even though this action is no longer required by the Administrative Process Act. Several agencies, including the Apprenticeship Council, the State Council of Higher Education in Virginia, the Department of Labor and Industry, the Library Board, Department of Mines, Minerals and Engineering, Virginia Student Assistance Authorities, and the Department for the Visually Handicapped indicate that the Registrar of Regulations will coordinate or arrange newspaper publication of regulatory notices. The registrar, however, no longer coordinates such newspaper publication.

Additionally, most agencies compile a mailing list of their regulated community and mail notice of regulatory action to those included on the list. This mailed notice may be the most effective way of keeping the regulated community informed about regulatory actions and of encouraging public participation. The Subcommittee recommends that agencies continue to use and update these mailing lists.

Two agencies' PPGs -- the State Council of Higher Education in Virginia and the Department for the Visually Handicapped -- do not appear to meet the minimum requirements of the Administrative Process Act (§9-6.14:7.1.D) to state a general policy regarding the use of standing or ad hoc advisory committees.

After reviewing agency PPGs, the subcommittee is of the view that most agency PPGs are adequate for the purpose of providing notice and soliciting public comment. However, at the suggestion of Senator Gartlan, the Subcommittee has contacted the agencies mentioned above to notify them that they may want to amend their PPGs to reflect that the Registrar of Regulations no longer coordinates newspaper publication and,

when appropriate, that agency PPGs are required to state a general policy regarding the use of standing and ad hoc advisory committees.

Conclusion

The elimination of a requirement to publish newspaper notices of regulatory action has had little or no effect on the number of public comments received. In addition, most agencies PPGs are adequate for the purpose of ensuring notice of regulatory action and opportunity to comment.

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AGENCY	HEARINGS	NEWSPAPER PUB.	ADVISORY COMMITTEES	MAILING LISTS	OTHER
Aging, Department for, 22 VAC 5-10-10	not specifically required, but will be held upon petition by 25 or more people. Notice of planned hearing will be published along with NOIRA and Proposed Rule	PPGs do not address newspaper publication of regulatory notices.	Governor's Advisory Board on Aging is used to provide input during the development stage. The dept. may also appoint ad hoc committees for 12 month duration.	Individuals or organizations will be placed on mailing lists as requested and will receive regulatory notices and copies of final regulations.	PPGs specify that they apply only to regulations not exempt from the APA.
Agriculture and Consumer Services Department 2 VAC 5-10-10	Will be held when agency basic law requires, when the agency wishes, or by petition.	Only mentions press releases	Department appoints and determines the identity of advisors. Advisory committee may be formed in response to public petition.	<ol style="list-style-type: none"> 1. Individuals may request inclusion 2. Agency will draw from industry mailing lists 3. Agency will draw from a directory of Agricultural Organizations 4. Agency divisions may supplement these lists. <p>NOTE a disclaimer indicates that the agency is not required to "use any entry contained in the lists" above</p>	Contains a clause allowing delegation of authority to employees of the Department in carrying out PPG's
Air Pollution Control Board, 9 VAC 5-10-20, Appendix E, 9 VAC 5-80-10, 9 VAC 5-80-20, 9 VAC 5-80-40	Must be held unless the board specifically authorizes the department to proceed without a hearing.	will publish in a newspaper of general circulation published at the state capitol. Also publish in other newspapers as the agency determines appropriate.	The agency will use advisory groups unless the board specifically authorizes the department to proceed without advisory groups. Even then, petition by 5 or more people will cause the agency to use a	individuals may request inclusion on the mailing list and the agency may add to the list	PPGs do not apply to regulations exempt from or excluded from the APA. * 9 VAC 5-80-10, 5-80-20 and 5-80-40 deal with public participation in the stationary source

			<p>"participatory approach, with the Dept. determining the type of approach most appropriate.</p>		<p>permitting process.</p>
<p>Alcoholic Beverage Control Board 3 VAC 5-10-480</p>	<p>The board shall conduct a public hearing to consider adoption of all proposed regulations. The board, at its discretion, may also hold a public meeting to receive views and comments and to answer questions before the public comment period.</p>	<p>Will publish in Richmond newspaper a notice of opportunity to be included on agency's mailing list. Agency shall publish notices of public comment periods in a newspaper of general circulation in Richmond.</p>	<p>The board may use ad hoc advisory groups comprised of groups and individuals who have expressed an interest in participating in regulatory development. Criteria for advisory groups: complexity, controversy, degree of change, impact, statutory requirements.</p>	<p>Mailing list comprised of individuals who have submitted comments, participated in a public hearing, or filed a petition. Not less than every two years, ABC will publish notice in a Richmond newspaper of the opportunity to be included on the mailing list.</p>	<p>applicability of PPGs is limited to regulations subject to the APA.</p>
<p>Alcohol Safety Action Program, Va. Commission on 24 VAC 35-10-10</p>	<p>The agency will hold at least 3 public hearings on all proposed regulations except nonsubstantive and emergency regulations. The hearings will be held at different locations statewide.</p>	<p>Agency will publish notices in "appropriate newspapers identified by the commission prior to the public hearing. In matters of interest to the general public, the agency will also issue a press release.</p>	<p>The agency's PPG's do not address the use of ad hoc or advisory groups.</p>	<p>Mailing list comprised of a directory of local ASAP programs, persons requesting inclusion, and persons who previously participated in public proceedings on related subjects.</p>	<p>PPGs apply only to regulations that are subject to the APA.</p>
<p>Apprenticeship Council 16 VAC 20-10-10</p>	<p>The council may, but is not required to, hold a public hearing. The hearings will normally be held throughout the commonwealth or in areas particularly affected.</p>	<p>States that the Registrar of Regulations will publish notices in a Richmond newspaper of general circulation. However, since the change in the APA, the Registrar no longer arranges such publication.</p>	<p>may be used when: 1. wide general impact 2. wide general interest 3. subject not previously regulated by the council 4. if this is the most effective method; or 5. the council determines that additional technical</p>	<p>1. business and labor associations. 2. persons, groups, businesses and employees affected by specific reg. who have written or participated in public hearings. 3. Persons or groups who have asked to be placed on a mailing list.</p>	<p>PPGs apply only to regulations subject to the APA, and exclude emergency regulations.</p>

Architects, Professional Engineers, Land Surveyors and Landscape Architects, Board for 18 VAC 10-10-10	Only on request of the Governor or by 25 people or more.	PPGs do not address newspaper publication.	expertise and knowledge would be beneficial.	Persons wishing to be on the mailing list must mail a request to the agency. The agency may supplement this list. Agency reserves the right to purge periodically. States that failure to receive a mailing does not affect the validity of regulations.	Not applicable to regulations exempt from the APA.
Asbestos Licensing and Lead Certification Board 18 VAC 15-10-10	DOPR standard, see above				
Auctioneers Board 18 VAC 25-10-10	DOPR standard, see above				
Audiology and Speech Pathology, Board of 18 VAC 30-10-50	DOPR standards, see above				
Aviation Board 24 VAC 5-10-10	PPGs do not address public hearings	Publish in a newspaper of general circulation in Richmond, Virginia Aviation Newsletter and Virginia Aviation Newspaper.	PPGs do not address the use of advisory or ad hoc committees	The agency states that it will assemble and use mailing list, but does not indicate how the mailing lists will be compiled.	States that the PPGs are applicable to regulations subject to the APA and which are substantive in nature or for which the agency is required or intends to hold a public hearing.
Barbers, Board for 18 VAC 40-10-10	DOPR standard, see Architects, Surveyors above				
Branch Pilots, Board for 18 VAC 45-10-10	DOPR standards, see Architects, Surveyors above.				

<p>Chesapeake Bay Local Assistance Board 9 VAC 10-10-10</p>	<p>Public hearings will be held after the publication of a NOIRA unless the board authorizes the agency to proceed without hearing. After publication of a proposed rule, the agency will hold at least one public hearing. Notice will indicate if the hearing is to be formal.</p>	<p>PPGs state that the agency will publish in a newspaper of general circulation published at the Capital and in such other newspapers as the agency deems appropriate.</p>	<p>Decision regarding the membership of ad hoc advisory groups or panels is at the discretion of the director. A "participatory approach" will be used unless the board specifically authorizes the agency to proceed without such an approach.</p>	<p>Mailing list comprised of individuals writing the agency requesting to be included. Agency may add to this list. Those on list may be required to indicate desire to continue on list periodically. Names may be purged if returned mail is received.</p>	<p>PPGs do not apply to regulations exempt or excluded from the APA.</p>
<p>Child Day-Care Council 22 VAC 15-10-10</p>	<p>Public hearings take place in the context of council meetings or by petition by 25 or more people.</p>	<p>PPGs require publication in a newspaper of general circulation published in the City of Richmond and in such other newspapers as the agency deems appropriate.</p>	<p>The agency will use ad hoc or standing advisory groups in the development of regulations when expertise is necessary to address a specific issue or when persons register an interest in the subject and in working with the agency.</p>	<p>Individuals may request inclusion on the mailing list. "Deletions will be made when lack of interest is determined by the division as a result of periodic contact initiated by the Division.</p>	<p>PPGs do not apply to regulations exempt or excluded from the APA.</p>
<p>Conservation and Recreation Board 4 VAC 3-10-10</p>	<p>Will hold a hearing during the NOIRA stage unless authorized by the board not to do so. The agency will hold at least one public hearing during the proposed stage. If formal hearing is to be held, the NOPC will state so.</p>	<p>NOPC will be published in a newspaper of general circulation in the capital and in such other newspapers as the agency determines appropriate.</p>	<p>agency may proceed without using a "participatory approach" if the board authorizes. However, if petitioned by 5 or more people, the agency may determine to use such an approach.</p>	<p>Mailing list comprised on individuals requesting in writing to be included and such other persons as the agency determines. Mailing lists may be purged based on returned mail or failure to request continued inclusion in response to</p>	<p>PPGs do not apply to regulations exempt or excluded from the APA.</p>

<p>Conservation and Recreation Department 4 VAC 5-10-10</p>	<p>same as above</p>			<p>agency question.</p>	
<p>Contractors, Board for 18 VAC 50-10-10</p>	<p>DOPR standard, see Architects, Surveyors above</p>				
<p>Corrections Department 6 VAC 15-10-10</p>	<p>Agency has discretion to determine whether or not a hearing will be held. Governor or petition may require the agency to hold a hearing.</p>	<p>PPGs do not address the newspaper publication of regulatory notices.</p>	<p>Agency determines whether an advisory committee is desirable in the regulatory development process. Such committees are formed only on an ad hoc basis from individuals on the agency mailing list.</p>	<p>The agency mailing list is comprised of individuals who have participated in regulatory development through the submission of written comments or through participation in a public hearing. Each division of the Department is responsible for developing its own mailing list.</p>	<p>PPGs do not state that applicability is limited to regulations subject to the APA.</p>
<p>Cosmetology, Board for 18 VAC 55-10-10</p>	<p>DOPR standard, see Architects and Surveyors above.</p>				
<p>Criminal Justice Services Department 6 VAC 20-10-10</p>	<p>Public hearing scheduled for all proposed regulations. The department may hold an informal meeting during the NOIRA process at its discretion and if sufficient interest exists.</p>	<p>PPGs do not require newspaper publication. They do request that interested parties publish notice in association newsletters.</p>	<p>At departments discretion, may establish advisory or ad hoc committees to participate in regulatory development. Does not say how membership constituted.</p>	<p>The Department will use a list of lobbyist from the Secretary of the Commonwealth to identify interested parties. Will also use department mailing lists of individuals, organizations who have a vested interest in or are the subject or cause of regulation. Will also use list of people who</p>	<p>PPGs do not state that their applicability is limited to regulations subject to the APA.</p>

Deaf and Hard-of-Hearing, Department for 22 VAC 20-10-10	PPGs do not indicate when the agency will hold a public hearing other than for statutory reasons. However, if the NOIRA indicates that a public hearing will not be held, the NOIRA must state why.	Regulations do not address newspaper publication or any other methods of notification other than direct mail.	Advisory or ad hoc committees may be appointed by the Director in order to provide professional or specialized expertise or in response to request for participatory approach. Advisory committees may not continue for more than 12 months with one six-month extension. May also be disbanded by the Director if no response to NOIRA.	have previously submitted comments or attend public hearings. Persons place on mailing list by written request. Others may be added at the discretion of the Department. Names may be purged for returned mail and for failing to request continuation after letter from department. Mailing list to receive NOIRA, NOPC, Final Regs	PPGs do not apply to regulations exempt from the APA
Dentistry, Board of 18 VAC 60-10-10	Board meeting at which regulation is considered is treated as a public hearing. Also states that the board will conduct a public hearing during the 60-day public comment period.	PPGs do not address newspaper publication of regulatory notices or any other method of notification other than mailing lists and publication in the Register.	May appoint advisory committee if special expertise is needed or if participatory approach requested by the public. Advisory committees may be disbanded by the board if there is no response to NOIRA. Cannot continue in existence for more than 12 month plus one six-month extension.	<ul style="list-style-type: none"> * Written request * Others added at discretion of the board * mailing lists may be specific to issue * Updated and purged periodically. Mailing list to receive NOIRA, NOPC, Final Regs and notice of extensions.	PPGs do not apply to regulations exempt from the APA.
Education, State Board of 8 VAC 20-10-10	PPGs do not address public hearings other than placing the proposed regulation on the board's monthly agenda for discussion in	Board will publish advertisement of proposed regulation in newspaper of general circulation at the capital and coordinating with	PPGs state that the agency will "consult with advisory committees that are involved with an activity requiring regulatory	"The Department of Education shall utilize mailing lists of interested parties and add to the lists as groups and individuals	PPGs do not state that application is limited to regulations subject to the APA.

	committee or by the full board.	the Department of Education the publication of the proposed regulation in a locality where it has a particular effect. The agency will also publish notice in department publications, provide speakers if requested, and put the subject on the board's monthly agenda.	action." They do not address how the membership of the advisory committees will be determined.	express and interest in the agency's regulatory activities." PPGs also indicate that proposed regulations will be mailed to those on this list.	
<p>Employment Commission 16 VAC 5-10-20</p>	Public hearings will be held at the agency's discretion and in accordance with applicable law.	PPGs require publication in a Richmond newspaper and in newspaper in localities particularly affected. Other media may also be used, including trade and professional publications.	State Advisory Board is a standing committee that will be involved in the formulation of all regulations.	Mailing list comprised of: Cabinet Secretaries, Senate Committee on Commerce and Labor, House Committee on Labor and Commerce, State Advisory Board, special interest groups known to VEC, any party requesting to be included, parties who have submitted written or oral comments in the past.	PPG application limited to regulations subject to the APA and exclude emergency regulations.
<p>Environmental Quality, Department 9 VAC 15-10-10</p>	Agency shall hold a public hearing unless it is specifically authorized not to do so. If the hearing will be formal, the Notice of Public Comment shall state so.	PPGs require publication in a newspaper of general circulation published at the state capital and such other newspapers as the agency deems appropriate.	Agency will use a participatory approach unless specifically authorized not to do so. Ad hoc advisory group shall be representative of the regulated community and general public with membership at the discretion of the agency.	Mailing list comprised of individuals requesting in writing to be included, other people added at the agency's discretion. Mailing list may be updated and purged periodically with public notice.	PPGs do not apply to regulations exempted or excluded from APA.

Fire Programs, Department of 19 VAC 15-10-10	PPGs do not state when a public hearing will be held. However, before publication of a proposed regulation, if response to draft regulations warrant, an informal meeting will be held. PPGs also indicate that if the regulation is a nonsubstantive change, a public hearing will not be held.	PPGs do not address newspaper publication of regulatory notices.	PPGs do not address the use of ad hoc or advisory committees.	Mailing list will be comprised of Registered lobbyists identified by the Department, known individuals who have vested interest in or are the subject or cause of the regulation, people who have previously participated, and those requesting to be added to the list	PPGs do not state that applicability is limited to regulations subject to the APA.
Forestry Department 4 VAC 10-10-10	The agency will hold at least one public hearing when considering the adoption of a new regulation. For repealing or amending an existing regulation, the State Forester shall decide whether to hold a public hearing.	PPGs require publication in a newspaper of general circulation published at the state capital and in such other newspapers as the department deems appropriate.	Department may form advisory committees at its discretion. When used, advisory committees shall give a balanced representation of interested parties.	Mailing list consists of "interested citizens, organizations, associations and industry expressing an interest in the adoption, amendment or repeal of regulations.	PPGs do not state that applicability is limited to regulations subject to the APA.
Funeral Directors and Embalmers, Board of 18 VAC 65-10-10	DOPR standard, see Architects and Surveyors above				
Game and Inland Fisheries Department 4 VAC 15-10-10	PPGs assume at least one public hearing will be held - If the hearing is to be formal, the notice shall state so.	PPGs require publication of the Notice of Comment Period in a newspaper of general circulation in the capitol and in such other newspapers as the agency deems appropriate.	PPGs assume that the agency will use a participatory approach, including advisory groups, unless authorized not to do so.	Mailing list comprised of persons requesting to be included and such other persons as the agency determines. The mailing list will be periodically updated and purged after notice.	PPGs do not apply to regulations exempt or excluded from the APA
General Services Department 1 VAC	PPGs state that the department "shall	"The Department of General Services will	Department may establish an ad hoc	Mailing list comprised of "known interested	PPGs apply to regulations subject to

30-10-10	follow the procedural requirements set forth in the APA governing public hearings..."	advertise its intent to develop a regulation in a newspaper of general circulation in the Richmond, area. According to the nature of the specific regulation, the department may additionally advertise in newspapers of general circulation in the Roanoke, Tidewater and Northern Virginia areas. The advertisement will invite the written input of all interested parties and will specify time frames and contact personnel..."	advisory panel. In these cases, membership will be drawn from known persons or organizations having interest and expertise.	and affected trade and professional associations, public interest groups, and persons or firms. The notification will request further dissemination of this information in their publications.	the APA.
Geology, Board for 18 VAC 70-10-10	DOPR standard, see Architects and Surveyors above	PPGs do not require newspaper publication of regulatory notices.	"In certain instances where the technical nature of the subject matter merits, the GETD may request that interested persons or groups develop a working draft." PPGs do not state how these individuals will be chosen.	Mailing list comprised of: 1. names of lobbyists from the Sec. of Commonwealth's report, chosen by agency; 2. Statewide listing of groups and organizations published by the Virginia Chamber of Commerce, with names chosen by the agency; 3. Agency will use subject matter lists to determine	PPGs do not state that their applicability is limited to regulations subject to the APA.
Governor's Training and Employment Department 16 VAC 10-10-10	If sufficient interest exists, GETD may hold an informal meeting at the NOIRA stage. PPGs imply that hearings will not be held for non-substantive regulations, but do not state when a hearing will be held at the proposed stage.				

<p>Health Department 12 VAC 5-10-10</p>	<p>Indication of whether the agency intends to hold a hearing will be published with the NOIRA. If a hearing is not planned, the NOIRA must state why.</p>	<p>Both proposed regulations and notice of how to be included on the agency's mailing list will be published in newspapers of general circulation at the state capital and in localities at the Departments discretion.</p>	<p>The board or commissioner may appoint an ad hoc advisory committee. The committee shall provide professional specialization or technical assistance when the board determines that such is necessary or when individuals register an interest in doing so.</p>	<p>Interested parties. 4. Use names of people who have participated in hearings or submitted written comments. The preface also states that interested parties may write to request inclusion on the mailing list.</p>	<p>PPGs do not apply to agencies exempt from the APA.</p>
<p>Health Planning Board 12 VAC 20-10-10</p>	<p>PPGs do not address when public hearings will be held.</p>	<p>Board may, but is not required to, publish notice in such news papers of general circulation as deemed appropriate by the board.</p>	<p>"Upon its review of responses to a notice of intent, the Planning Board may choose to form one or more advisory panels from among those respondents and others for a the specific, limited purpose of assisting it during the relevant developmental process. There shall be</p>	<p>Notice published in the Register requesting that any person interested in participating in the development of regulations notify the Board. The board may supplement this list. The list will include the CEO of each regional agency.</p>	<p>PPGs applicable only to regulations subject to the APA.</p>

<p>Health Professions, Department of 18 VAC 75-10-10</p>	<p>The board shall hold a meeting during the 60-day public comment period unless, at a noticed meeting, the board determines that a hearing is not required.</p>	<p>PPGs do not address newspaper publication of regulatory notices.</p>	<p>at least 3 but no more than 7 members per panel. In the interest of stimulating open participation by panel members, there shall be no official transcript of these meetings, although minutes will be kept.</p>	<p>Mailing list comprised of individuals requesting to be placed on the mailing list and supplemented by others the agency identifies. Lists may be updated and purged upon notice. PPGs also list which materials will be mailed: NOIRA, NOPC, final regulations and any extensions.</p>	<p>PPGs do not apply to regs exempt or excluded from the APA.</p>
<p>Hearing Aid Specialists, Board for 18 VAC 80- 10-10</p>	<p>DOPR standard, see Architects and Surveyors above</p>		<p>The board has the option of appointing ad hoc advisory committees, to provide professional specialization or technical assistance or when groups register an interest in working with the agency. The committees are limited to 12-months duration with one 6-month extension. Committees can also be disbanded for other reasons.</p>		
<p>Higher Education Council 8 VAC 40-10- 10</p>	<p>"The council will hold a public hearing on any proposed regulations as prescribed in the hearing notice published in the Virginia Register."</p> <p>Hearings are normally held in Richmond in the</p>	<p>"The council shall submit a copy of the draft regulations to the Registrar of Regulations, who will publish a hearing notice in the Register and in appropriate newspapers identified by the</p>	<p>The council's PPGs do not directly address the use of ad hoc or advisory committees.</p>	<p>Comprised of the president and chancellor of each higher ed. institution and other groups and individuals to be determined by the Council. The list will be updated every two</p>	<p>PPGs apply only to regs subject to the APA.</p>

	<p>Council's conference room, but may be held at other locations. To the extent possible, hearings will be held at a time convenient for those most directly affected by the matter under consideration. The record of the hearing may be held open to allow time for additional written comments.</p>	<p>council"> NOTE: the Registrar no longer makes arrangements for newspaper publication.</p>		<p>years.</p>	
<p>Historic Resources Board, 17 VAC 5-10-10</p>	<p>At least one public hearing. Whenever practicable, the hearing is to be no more than 15 days before the close of the public comment period. When the hearing is to be formal, the notice shall state so.</p>	<p>Publication required in a newspaper of general circulation published in the state capitol and in such other newspapers deemed appropriate by the Board.</p>	<p>Use and composition of ad hoc advisory committees at the discretion of the Board. However, shall be representative of the regulated community and the general public. The agency will use such groups unless the board specifically decides not to do so.</p>	<p>making list comprised of those making written request and supplemented at the agency's discretion. The list may be purged upon notice.</p>	<p>PPGs apply only to regulations subject to the APA.</p>
<p>Housing and Community Development, Department 13 VAC 5-10-10</p>	<p>"Prior to completion of a final draft, the board will convene at least one public hearing in accordance with the procedures required by the APA and VRA..."</p>	<p>States that when the board holds "reg. review workshops", at least 30 days notice will be published in newspapers of general circulation in the area where the meeting is to be held and in the state capital.</p>	<p>Board intends to establish standing or ad hoc advisory committees consisting of invited representatives of all groups believed to be affected. The board believes these committees to be appropriate when the subject matter is or an</p>	<p>Comprised of lists of individuals, businesses, associations, agencies, and public interest groups which have previously expressed an interest in or are believed to have an interest in the board's regulations. The lists will be updated and may be purged for lack of</p>	<p>PPGs apply to "all regulations adopted by the board." There is no exclusion mentioned for emergency or exempt regulations.</p>

<p>Labor and Industry Department 16 VAC 15-10-10</p>	<p>PPGs appear to require a public hearing during the 60-day public comment period. The agency also may hold an "open meeting" for the purpose of providing information, receiving views and comments and answering questions.</p>	<p>States that the Registrar of Regulations will arrange publication of the NOPC in a Richmond area newspaper of general circulation. If applicable, the Department will request that the Registrar publish in other Virginia newspapers. Also states that the NOIRA will be published in a newspaper of statewide circulation, but doesn't say who will do that.</p>	<p>unusual technical nature or when reg. has significant impact.</p>	<p>interest.</p>	<p>does not apply to regulations exempt or excluded from the APA. Also states that failure of a person to receive mailed materials does not affect the validity of the regulations.</p>
<p>Library Board 17 VAC 15-10-10</p>	<p>does not state the circumstances under which the agency will hold a hearing.</p>	<p>States that the agency will publish notice in a newspaper in the state capital (action taken by the Registrar) and any other source the agency may deem appropriate.</p>	<p>Membership of ad hoc advisory committees determined by the Commissioner. Will be used when proposed regulations are more stringent than fed requirements. May be used when the reg: 1. is of wide impact; 2. is or wide general interest; 3. the subject has not previously been regulated; 4. this is the most effective method to develop the regulations; or 5. the department needs additional technical expertise.</p>	<p>Mailing list comprised of business and labor organizations, persons groups, businesses, industries, and employees affected by the specific regulation who have previously expressed an interest in writing or at hearing, and persons or groups who have asked to be placed on a mailing list.</p>	<p>PPGs also contain language regarding the Registrar's Style Manual which seems out of place in this context.</p>
<p>Local Government, Commission on 1 VAC 50-10-10</p>	<p>"The commission shall hold one or more public hearings for the receipt of oral comment on</p>	<p>prior to the development of proposed regulations, the commission will</p>	<p>The commission's PPGs do not address the use of ad hoc or standing advisory committees.</p>	<p>Mailing list comprised of: The Virginia Municipal League, Virginia Association of agency.</p>	<p>PPGs do not limit applicability to regulations subject to the APA.</p>

	proposed amendments from interested parties prior to their final adoption.	publish notice in a newspaper of general circulation in the City of Richmond area and in other newspapers or periodicals which the commission deems appropriate for the provision of suitable public notice.		Counties; any law firm, consulting entity, or other intermediary which is known to have prepared data, exhibits or testimony for any party appearing before the commission; any other entity advising the commission of its interest. Will mail NOIRA to these parties prior to publication.	
Lottery Department 11 VAC 5-10-10	PPGs do not state the circumstances under which the Department will hold a hearing.	Newspaper publication not required.	Advisory committees may be used upon request by the Governor or 25 people or more. Otherwise, such committees are generally not used.	Department will compile list of persons from: 1. Registered lobbyists; 2. Department files; 3. those previously submitting comments; 4. Chamber of Commerce directory of associations.	Does not directly state that applicability is limited to regulations subject to the APA. States that failure to receive mailed materials does not compromise the validity of regulations.
Manufactured Housing Board 13 VAC 6-10-10	May hold "regulatory review workshops" to explain the review process and solicit proposals for changes. Also, prior to the completion of a final regulation, at least one public hearing will be held per the APA, except for regulations exempt from APA.	Notice of reg review workshops will be published in a newspaper of general circulation published in region where meeting is to be held.	The board intends to establish standing or ad hoc advisory committees consisting of invited representatives of all groups believed to be affected by the regulation or registering interest in working with the department. Most appropriate when board needs technical expertise or when regulation has a	"The department will maintain lists of individuals, businesses, associations, agencies and public interest groups which have expressed an interest, or which could reasonably be expected to have an interest in the boards regulation. List will be updated, expanded and purged, as public interest suggests.	"Guidelines apply to all regulation adopted by the board. They will be used whenever regulations are hereafter adopted, amended or deleted. PPGs do not contain a disclaimer regarding the receipt of mailed materials by those on the mailing list.

<p>Marine Resources Commission 4 VAC 20-340-10</p>	<p>NOIRA -- "The division shall hold at least one public meeting whenever it considers the adoption, amendment or repeal of any chapter unless the commission specifically authorizes the division to proceed without holding a public meeting." NOPC -- at least one public hearing.</p>	<p>NOPC to be published in a newspaper of general circulation in the state capital and such other newspapers as the agency may deem appropriate.</p>	<p>significant impact The division shall use a participatory approach (including advisory committees) unless the commission authorizes another type of approach. Even then, the public may request that a participatory approach be used.</p>	<p>Mailing list comprised of individuals requesting to be included plus other individuals and groups identified by the agency. Lists may be updated and purged upon notice.</p>	<p>contains disclaimer for both APA applicability and mailed materials.</p>
<p>Medical Assistance Services, Department of 12 VAC 30-100-10</p>	<p>Implies that the director determines when hearings are necessary. If hearings are to be held, they will be held pursuant to 9-6.14.7.1.</p>	<p>periodically the department will publish notice of how to be included on the agency's mailing list. This notice will be published in a newspaper published in Richmond and in other newspapers in Virginia localities. NOPC newspaper publication not required.</p>	<p>"Governor's Advisory Committee on Medicare and Medicaid will function as the department's on-going advisory panel. Based on the scope and nature of the regulatory issue, the director may, at his discretion, establish a sole function advisory panel..." 3-7 members representative of the parties interested in the issue. Advisory panels will not be used for regulations not subject to the APA.</p>	<p>Mailing list comprised of those who have demonstrated an interest in program regulations through correspondence, hearings or other activities; those who respond to published notice of opportunity for inclusion on the list. Lists may be purged upon notice.</p>	<p>The APA will govern the application of the guidelines. No disclaimer regarding mailed materials.</p>
<p>Medicine, Board of 18 VAC 85-10-10</p>	<p>The board shall conduct a public hearing during the 60-day public comment period following the</p>	<p>PPGs do not address newspaper publication of regulatory notices.</p>	<p>Board may appoint advisory committees to provide professional specialization when the board determines that</p>	<p>mailing list comprised of persons requesting in writing to be included and other entities identified by the</p>	<p>PPGs not applicable to regulations exempt or excluded from the APA. Does not contain a disclaimer about mailed</p>

	<p>publication of a proposed regulation unless, at a noticed meeting, the board determines that a public hearing is not required.</p>		<p>such expertise is necessary. Such committees continue in existence no more than 12 months with a 6 month extension. May also be disbanded for lack of interest or if exempt from APA.</p>	<p>department. The department may also maintain additional mailing lists for specific regulatory subjects. Lists may be updated and purged upon notice.</p>	<p>materials.</p>
<p>Mental Health, Mental Retardation and Substance Abuse Services, Department 12 VAC 35-10-10</p>	<p>Hearings at the department's discretion. If called, a public hearing must be advertised at least 30 days in advance.</p>	<p>An announcement of a public hearing and public comment period shall be published in... the four major daily newspapers in Virginia. Also NOIRA will be published in the four major daily newspaper in Virginia.</p>	<p>"The department may establish a task force to assist in the development of a regulation when the scope and nature of the regulation warrant it. The decision will be at the discretion of the commissioner.</p>	<p>Mailing lists comprised of: community services board members and executive directors; chairman of the VACSB; directors of state mental health and retardation facilities; local and state directors of advocacy groups; private facilities licensed by the department; persons who have participated in the past.</p>	<p>PPGs do not state that they are applicable to regs subject to the APA. No disclaimer regarding mailed materials.</p>
<p>Milk Commission 2 VAC 15-10-10</p>	<p>PPGs do not address public hearings.</p>	<p>"In order to give the commission proposals the widest possible public exposure, it will publish notices in papers other than the Richmond Times-Dispatch when the proposal would have greater impact on a particular area of the state."</p>	<p>"Any proposal received from the public which the commission... believes has merit may be referred to a committee appointed by the commission... for consideration. Such committee will be composed of those who... have an interest in the proposed regulation..."</p>	<p>Mailing list comprised of: all milk producers holding Milk Commission base, their co-operative association and trade association; all processors licensed by the Commission; major grocery chain groups and trade associations; and consumer organizations requesting notice.</p>	<p>Does not state that applicability is limited to regulations subject to the APA. No disclaimer regarding mailed materials.</p>

<p>Mines, Minerals and Energy, Department 4 VAC 25-10-10</p>	<p>Hearings conducted at the discretion of the promulgating authority.</p>	<p>PPGs indicate that for a NOIRA the agency will prepare a "media release" and will deliver a copy to at least one general circulation newspaper published at the state capital and to at least one general circulation newspaper published in any area that is particularly affected. For NOPC, the department will request the Registrar to publish the hearing notice in a Richmond area newspaper and in newspapers in areas particularly affected.</p>	<p>"The promulgating authority may form a work committee to consider regulatory issues and advised the authority and staff. Any committee so formed may consist of parties who have agreed to serve on such committees or a statutory created committee or advisory board of the department.</p>	<p>"The department shall maintain a current regulatory mailing list composed of the names and addresses of parties who have expressed an interest in commenting on regulatory actions proposed by the promulgating auth.</p>	<p>PPGs apply only to regulations subject to the APA.</p>
<p>Minority Business Enterprise, Department 7 VAC 10-10-10</p>	<p>hearings may be held at the directors discretion.</p>	<p>The department may publish notice of a hearing in a newspaper of general circulation in Virginia.</p>	<p>The director may establish an advisory panel of 5 to 7 members; at least one member a rep from a minority business; one rep from a state fed or local small or minority business assistance program; one member with race relations, EEO or related experience; one member with government procurement responsibility; and the balance at-large members with an</p>	<p>mailing list comprised of: a directory or listing of minority businesses; a list of persons requesting to be placed on the mailing list; a list of persons previously participating in public proceedings; other lists at the department's discretion.</p>	<p>PPGs do not apply to regulations exempt from the APA.</p>

<p>Motor Vehicle Department 24 VAC 10-10-10</p>	<p>PPGs do not address when a hearing may be held.</p>	<p>The agency will publish the NOIRA in a newspaper of general circulation published in the state capital and, if necessary, in other general circulation newspapers. Also, NOPC will be printed in a newspaper of general circulation published in the state capital and, in addition, similarly published in newspapers in localities particularly affected.</p>	<p>interest in the program. The department may use an advisory panel comprised of dept. representatives, people who have previously participated or people who respond to NOIRA. Appropriate whenever individuals request in writing to be directly involved or when the subject matter of the regs can be better addressed by people outside the dept. Also, in some cases, the department may request that industry and professional groups develop a working draft.</p>	<p>Mailing list comprised of: 1. registered lobbyists for that topic; 2. industry and professional associations from Chamber of Commerce directory; 3. individuals who request to be on the mailing list or who have participated in the past. Lists may be maintained on a program-specific basis or a general interest basis.</p>	<p>Notice requirements do not apply to emergency regulations. No disclaimer about mailed materials.</p>
<p>Nurse Practitioners, 18 VAC 90-10-10</p>	<p>The board shall conduct a public hearing during the 60-day comment period following the publication of a proposed regulation unless, at a noticed meeting, the board determines that a hearing is not required.</p>	<p>No requirement for newspaper publication.</p>	<p>The board may appoint an ad hoc advisory committee whose responsibility shall be to assist in the review and development of regs. Board may appoint a committee to provide professional specialization or technical assistance where such expertise is necessary to address an issue or when groups register an interest in working with the agency.</p>	<p>Mailing list comprised of: Individuals who request in writing to be included; others added at the board's discretion if it will serve the purpose of enhancing participation. Those on the mailing list will receive: NOIRA, NOPC, copies of final regulations and notices of any extension of the effective date.</p>	<p>PPGs do not apply to regulations exempt from the APA.</p>

Nursing, Board of 18 VAC 90-10-10	same as above	Newspaper publication is not required.		Mailing list comprised of people who request in writing to be included, others who the board feels will enhance public participation, and others who have asked to be informed of specific proposals. The lists may be updated or purged upon notice.	No disclaimer for exempt regulations. No disclaimer for mailed materials.
Nursing Home Administrators, Board of 18 VAC 95-10-10	NOIRA -- board will hold a hearing if a request is received from 25 people or more. NOPC -- the board will conduct a hearing unless, at a noticed meeting, the board determines that a hearing is not required.	Newspaper publication is not required.	Board may appoint an advisory committee to assist in the review and development of regulations, or when the board determines that professional expertise is necessary to address a specific issue, or when groups register an interest in working with the agency.	Mailing list comprised of people requesting in writing to be placed on the mailing list. This may be supplemented by the agency with any person, organization or publication it believes will serve the purpose of responsible participation in the process. Mailing list will receive NOIRA, NOPC and notice of final adoption. Lists will be updated and may be purged upon notice.	No disclaimer regarding mailings. Disclaimer regarding exempt regulations.
Opticians, Board for 18 VAC 100-10-10	PPGs do not address when a public hearing will be held.	PPGs do not address newspaper publication of regulatory notices.	agency may appoint advisory committees it deems appropriate to provide adequate participation in the process. These are esp. appropriate when other interested parties possess expertise in the area of the proposed regulations. Participate only in recommendations, not decision making. Members chosen from directories of professional organizations, industry, trade and professional associations, and lists of people who have previously participated.	Mailing list comprised of individuals	disclaimer regarding exempt regulations. No
Optometry, Board of 18 VAC 105-10-10	The board shall conduct a hearing during the 60-	Newspaper publication of regulatory notices is	Board may appoint an advisory committee,	Mailing list comprised of individuals	disclaimer regarding exempt regulations. No

	<p>day public comment period unless, at a noticed meeting, the board determines that a hearing is not required. Board may hold a hearing during NOIRA and shall state reasons for not holding a hearing, if applicable.</p>	<p>not required.</p>	<p>especially when professional specialization or technical expertise is necessary or when groups register an interest in working with the agency.</p>	<p>requesting to be added to the list; any person the board fees will enhance participation in the regulatory process; additional persons or entities who request to be informed of specific actions. Lists may be purged upon notice or when mail returned.</p>	<p>disclaimer regarding mailings.</p>
<p>Pesticide Control Board 2 VAC 20-10-10</p>	<p>Board or its designee may hold a hearing during the NOIRA stage.</p>	<p>Newspaper publication appears to be required in a newspaper of general circulation published in the Capital city. May be published in "other newspapers with substantial readership in Virginia, which notice shall meet the same requirements for notice to the public ...as the notice published in [Richmond]</p>	<p>Appointment of an advisory committee considered appropriate when: request received from at least 25 people during NOIRA; subject matter of the regulation has not been regulated before; at the board or chairman's discretion.</p>	<p>Staff may use mailing list already maintained by the Department of Agriculture; may develop additional mailing lists by announcements in news releases and in agency publications of the development of lists; shall include individuals and groups who request inclusion. PPGs are not clear about what materials will be mailed to those on the lists.</p>	<p>Disclaimer regarding exempt regulations. No disclaimer regarding mailed materials.</p>
<p>Pharmacy, Board of 18 VAC 110-10-10</p>	<p>At least once each biennium, the board will conduct an informational proceeding to receive public comment on existing regulation. Otherwise, the PPGs do not state when public hearings will be held.</p>	<p>Newspaper publication of regulatory notices not required.</p>	<p>"The board may appoint advisory committees as it may deem necessary to provide for adequate citizens participation in the formation, promulgation, adoption and review of regulations."</p>	<p>Mailing list comprised of: individuals requesting in writing to be included; any person, organization or publication the board believes will serve the purpose of responsible participation in the reg. process. Those on list.</p>	<p>No disclaimer regarding exempt regs or mailed materials.</p>

Professional and Occupational Regulation, Department of 18 VAC 120-10-10	PGs do not indicate when a hearing will be held, except in the case of review of existing rules.	Newspaper publication of regulatory notices is not required.	The agency intends to appoint advisory committees as it deems necessary for adequate participation. Especially when specific expertise is necessary. Such advisory committees may make recommendations, but do not participate in decision-making.	will receive NOIRA, NOPC and final regulations. Lists may be purged after notice.	disclaimers for exempt regulations and for mailed materials.
Professional Counselors and Marriage and Family Therapists, Board of 18 VAC 115-10-10	The board shall hold a public hearing during the 60-day public comment period unless the board, at a noticed meeting, decides that a hearing is not required. If the board does not intend to hold a hearing, the reasons shall be stated in the NOIRA, and the decision changed upon petition by 25 people or more.	Newspaper publication of regulatory notices is not required.	Board may appoint advisory committees, particularly when professional specialization or technical assistance are necessary, or when requested by groups of individuals. Committees limited in duration and may be disbanded for lack of public interest.	Mailing list comprised of those making a written request for inclusion and others the board feels will enhance participation. The board may maintain lists tailored to specific interests. Lists may be purged upon notice.	
Professional Soil Scientists, Board for 18 VAC 145-10-10	Does not address when the agency will hold a hearing, except in the case of biennial review of extant regulations, in which case an	Newspaper publication of regulatory notices is not required.	Agency may appoint advisory committees, esp. when specific expertise is necessary. Members chosen from professional, industry	Mailing list comprised of those requesting inclusion in writing and those the agency feels will contribute to participation. Mailing	disclaimers for exempt regulations and for mailed materials.

	informational proceeding shall be held.		and trade associations, and lists of people who have participated previously.	list may be purged upon notice or when mail returned.	disclaimer for exempt regs, no disclaimer for mailed materials.
Psychology, Board of 18 VAC 125-10-10	The board shall conduct a public hearing during the 60 day public comment period, unless, at a noticed meeting, the board determines that a hearing is not required. If a hearing is not held, the board must state the reasons in the NOIRA. Also, a hearing will be held for biennial review of extant regulations.	Newspaper publication of regulatory notices not required.	The board may appoint advisory committees, esp. when professional specialization or technical expertise are necessary. Agency selects members and the duration of the committee is limited. The committee may be disbanded for lack of interest.	Mailing list comprised of those requesting inclusion in writing and those the agency feels will contribute to participation. Mailing list may be purged upon notice or when mail returned. Persons on list will receive NOIRA, NOPC, copy of final regs, and notice of extensions.	
Racing Commission 11 VAC 10-10-10	"The commission shall place on its agenda, whenever appropriate, a period for public participation during its regular meetings." also, "The commission shall state if the NOIRA whether it intends to hold a public hearing on the proposed regulation after it is publishes. The commission shall hold such public hearings if required by basic law."	Newspaper publication of regulatory notices is not required.	"The commission shall appoint a standing advisory panel which shall be consulted and requested to provide input to the commission regarding the formation and development of each of its regulations. The standing advisory panel shall consist of at least one representative from each of the following: The Virginia Thoroughbred Association, the Virginia Standardbred Association, The Virginia Arabian Racing Association, the	Mailing list comprised of individuals requesting inclusion; Chamber of Commerce directory of associations; Secretary of the Commonwealth's directory of lobbyists; and lists of those who have participated in the past. Those on the mailing list will receive copies of NOIRAs and be requested to print notice in their newsletters.	applicable only to regulations subject to the APA. No disclaimer for mailed materials.

			<p>Virginia Quarter Horse Association, the Virginia Steeplechase Association, the Association of Racing Commissioners International, and the Jockey's Guild, together with at least one veterinarian, one attorney, and one accountant... May also appoint ad hoc panels when additional expertise is needed.</p>		
<p>Real Estate Appraiser Board, 18 VAC 130-10-10</p>	<p>Agency shall hold an informational proceeding for review of existing regulations. Otherwise, the agency states that it will hold a hearing on a proposed regulation when requested by the Governor or by petition of 25 people or more.</p>	<p>Newspaper publication of regulatory notices is not required.</p>	<p>The agency intends to appoint advisory committees as it deems necessary to provide adequate participation. Esp. when specific expertise is needed. Members of advisory committees chosen from directories of organizations, professional and trade association mailing lists, people who have previously participated.</p>	<p>Mailing list comprised of those requesting inclusion supplemented by any persons the agency believes will serve the purpose of responsible participation. Those on the list will receive NOIRA, NOPC and notice of final adoption.</p>	<p>disclaimers for exempt regulations and for mailed materials.</p>
<p>Real Estate Board 18 VAC 135-10-10</p>	<p>same as above</p>		<p>*Whenever necessary, as determined by the nature and scope of the regulations, the department shall establish a core</p>		
<p>Rehabilitative Services, Department 22 VAC 30-10-10</p>	<p>PPGs do not address public hearings.</p>	<p>Notice of opportunity to be included on the agency's mailing list and Notice of Intended Regulatory Action shall be published in such</p>		<p>The department shall create and maintain current mailing lists of persons, agencies or organizations that are interested in advising</p>	<p>No disclaimer for exempt regs or for mailed materials.</p>

		<p>newspapers of general circulation as the department may decide.</p>	<p>committee to include selected individuals who responded to the notice of intent, newsletter or special mailing. The committee shall be oriented to the department and program issues, constraints, entities to be affected, program options and time limitations. The committee shall discuss the issues and make recommendations which shall be considered in drafting regs. The department shall develop an orientation or training plan to be used with members of the core committee.</p>	<p>and assisting in developing regulations or in making substantial changes to existing regulations. At the discretion of the department, these lists may be maintained on a program-specific basis or be of a general interest group. Each year notice of the opportunity to be included in the list shall be published. The lists may be purged upon notice or when mail is returned.</p>	
<p>Safety and Health Codes Board, 16 VAC 25-10-10</p>	<p>The board may schedule an open meeting or meetings to provide information and to receive views and comments and answer questions from the public. The meetings will normally be held at locations throughout the Commonwealth, but if the proposed regulation will apply only to a particular area of the</p>	<p>Publication of NOIRA required in newspaper of statewide circulation. May also be published in newspapers in areas particularly affected. Publication of NOPC required in a newspaper of general circulation in the Richmond area.</p>	<p>Ad hold advisory groups or consultation with groups or individuals may be used when the proposed reg is of wide general impact; of wide general interest; the subject has not been previously regulated; the board believes such consultation will be effective; the board needs additional</p>	<p>Mailing list comprised of individuals requesting in writing to be included, business and labor associations, and organizations, persons or groups affected by a specific regulation who have participated previously. NOIRA and NOPC will be sent to those on the list.</p>	<p>Disclaimer for exempt regs, but not for mailed materials. PPGs also contain plans for assisting the regulated community respond to federal OSHA regs, since Virginia regs must be at least as stringent as federal regs.</p>

<p>Social Services, Department of 22 VAC 40-10-10</p>	<p>state, it will be held in the affected area. meetings may be held before the process starts, or during the NOIRA or NOPC period and will be in addition to any public hearings. Does not state when a public hearing will be held.</p>	<p>Newspaper publication of regulatory notices not required.</p>	<p>technical expertise; the regulation is unique to Virginia; or the regulation is more stringent than federal requirements. Advisory group members chosen by the board and shall include representatives of interested groups.</p>	<p>Each program division within the dept. that develops regulations will create and maintain current mailing lists of persons, organizations or agencies that are interest in...regulations. Those on the mailing lists will be sent relevant notices of intent.</p>	<p>States that PPGs are applicable to the development of all regulations as defined by the APA</p>
<p>Social Work, Board of 18 VAC 140-10-20</p>	<p>NOIRA shall state whether the board intends to hold a hearing. If the board</p>	<p>Newspaper publication of regulatory notices is not required.</p>	<p>Whenever appropriate, as determined by the nature and scope of the reg, the department may establish a core committee to include selected individuals who responded to the notice of intent, newsletter or special mailing. They will be oriented to the department and program issues, constraints, entities to be affected, program options and time limitations. The committee will discuss the issues and make recommendations which will be considered during drafting.</p>	<p>The board may appoint an ad hoc advisory committee, esp. when professional</p>	<p>Mailing list comprised of those requesting inclusion in writing and any others the board</p> <p>No disclaimer for exempt regulations or for mailed materials.</p>

	<p>does not intend to hold a hearing, it shall state the reason in the NOIRA. Even so, hearing may be held if requested by the gov. or 25 people or more. Board shall hold a hearing unless, at a noticed meeting, the board determines that a hearing is not required.</p>		<p>specialization or technical assistance is necessary. The duration of the committee is limited to 12 months with a 6 month extension and may be dissolved due to lack of interest.</p>	<p>feels will serve the purpose of responsible participation. Those on the list will receive NOIRA, NOPC, final regulations. List may be purged upon notice and when returned mail is received.</p>	
<p>Soil and Water Conservation Board 4 VAC 50-10-10</p>	<p>The agency shall hold at least one public meeting whenever it considers the adoption, amendment or repeal of any chapter unless the approving authority specifically authorizes the director to proceed without holding a public meeting.</p>	<p>The agency shall disseminate the NOPC to the public via publication in a newspaper of general circulation published at the state capital and such other newspapers as the agency may deem appropriate.</p>	<p>When an ad hoc advisory group is formed, the group shall include representatives of the regulated community and the general public. The decisions as to the membership of the group shall be at the discretion of the director. The agency shall use a participatory approach unless the approving authority specifically authorizes a different approach.</p>	<p>Mailing list comprised of those requesting inclusion in writing and others the agency believes will be interested in participating. Lists may be purged upon notice or upon receipt of returned mail. Persons on the list will receive copies of the NOIRA and NOPC</p>	<p>Disclaimers for exempt regulations and for mailed materials.</p>
<p>State Police, Department of 19 VAC 30-10-10</p>	<p>No public hearing shall be held in conjunction with these procedures unless directed by the superintendent, or requested by the gov or petition by 25 people or more.</p>	<p>Newspaper publication of regulatory notices is not required.</p>	<p>use of ad hoc advisory committees is at the discretion of the superintendent. Allows petition for the use of an advisory committee during the NOIRA comment period. Does not describe how such</p>	<p>The agency shall establish and maintain a list or lists consisting of persons expressing an interest in the adoption, amendment or repeal of regulations. Those on the list will receive a copy of the NOIRA.</p>	<p>No disclaimer for exempt regulations. Disclaimer for mailed materials.</p>

<p>Student Assistance Authorities 8 VAC 25-10-10</p>	<p>PPGs do not state when the agency will hold a public hearing, other than by request of the Governor or by petition.</p>	<p>States that NOPC will be published in a newspaper of general circulation in the state capital and that the Registrar will coordinate and arrange publication. May also be published in other newspapers at the agency discretion.</p>	<p>committees will be constituted.</p>	<p>Mailing list comprised of schools and lenders participating in the agency's loan programs.</p>	<p>No disclaimer for exempt regulations or for mailed materials.</p>
<p>Taxation Department 23 VAC 10-10-10</p>	<p>"Except in the case of nonsubstantive changes, the department will generally conduct a public hearing on proposed regulations. If comments will be restricted to written submissions, the date and place to which submissions must be made shall be clearly stated."</p>	<p>States that publication will be "in accordance with the APA, including publication in the Richmond Times-Dispatch or another newspaper of general circulation in the state capital..."</p>	<p>The department, in its discretion, may establish an ad hoc working group to assist in the development process. The dept. will always establish such if requested by 25 or more people, requested by and association representing 25 or more people, or if the nature of the regulation is esoteric. PPGs do not state how the membership will be selected.</p>	<p>Mailing list comprised of names selected from: the Secretary of the Commonwealth's Directory of registered lobbyists, the State Chamber of Commerce's directory of associations, persons who have previously participated in the Department's regulatory process.</p>	<p>Disclaimer for exempt regulations.</p>
<p>Transportation Department 24 VAC 30-10-10</p>	<p>The dept. will hold formal public hearings on all regulations as required by the APA. These will ordinarily be held in Richmond, unless of primary interest to a specific</p>	<p>"The notice or opportunity for oral or written submissions shall be published in a newspaper of general circulation published at the state capital." May also issue press releases</p>	<p>On occasion, the public interest may best be served by obtaining the widest possible public participation; this objective will be accomplished by forming advisory</p>	<p>"For the purpose of promulgating regulations subject the APA, the department will regard the public at large as the interested party. When a proposed regulation will be more</p>	<p>Disclaimer for emergency regulations. PPG's apply only to regulations subject to the APA.</p>

	region.	and/or publish in other newspapers.	committees composed of knowledgeable individuals from outside the department. The commissioner will be responsible for determining such and will appoint members.	limited in its effect, the dept. will identify individuals, corporations, associations and other organizations which express or have expressed interest.	
Treasury Department 1 VAC 7-5-10-10	PPGs do not indicate when a hearing will be held, other than by petition of 25 or more people or request of the Governor.	Newspaper publication of regulatory notices is not required.	Ad hoc or standing advisory committees will be used when: The department in its discretion determines to do so or when requested to do so by 25 people or more during the NOIRA stage.	Mailing list comprised of: registered lobbyists, associations from state chamber of commerce directory, individuals who have participated in the past or have expressed, in writing, an interest in doing so.	No disclaimer for exempt regulations or for mailed materials.
Veterinary Medicine, Board of 18 VAC 150-10-10	The board shall conduct a public hearing during the 60-day public comment period, unless, at a noticed meeting, the board determines that a hearing is not necessary. If a hearing is not to be held, the reason shall be stated in the NOIRA.	Newspaper publication of regulatory notices is not required.	The board may appoint an ad hoc advisory committee when the board determines that professional specialization or technical assistance are necessary. The committee is of limited duration and may be dissolved for lack of interest.	Mailing list comprised of people requesting in writing to be included and supplemented with people the board feels will enhance participation. Those on the list will receive: NOIRA, NOPC, final regulations and notices of extensions.	Disclaimer for exempt regulations. No disclaimer for mailed materials.
Visually Handicapped, Department for the 22 VAC 4-5-10-10	PPGs do not indicate when hearings will be held.	"The Registrar of Regulations will coordinate and publish newspaper advertisements of notices of hearings in the Richmond newspapers, as well as other local newspapers	PPGs do not set forth general policies regarding the use of advisory committees.	"A mailing list of various organizations, advisory committees, agencies, businesses and individuals, as appropriate, will be maintained and each will be notified through letters, newsletters, or	No disclaimer for exempt regulations or for mailed materials.

		deemed necessary by the department."		newspaper advertisements of the department's need to develop regulations and will be invited to assist in formulating the regulations or in providing information to the used in the drafting of the regulation.	
Waste Management Board 9 VAC 20-10-10	PPGs imply that at least one public hearing will be held during the public comment stage, whenever practicable, no less than 15 days before the close of the public comment period. In those cases where a formal hearing is to be held, the notice shall so state.	Requires publication of the NOPC in "a newspaper of general circulation published at the state capital an such other newspapers as the agency may deem appropriate.	The agency shall use a participatory approach (including advisory groups) unless the authority specifically authorizes the agency to proceed without such an approach. NOIRA may request comments about whether advisory groups should be used.	Mailing list comprised of: People requesting (in writing) inclusion on the list supplemented by anyone the agency believes will be interested in participating. Mailing list may be purged upon notice or when returned mail is received.	Disclaimer for exempt regulations. No disclaimer for mailed materials.
Waste Management Facility Operators, Board for 18 VAC 155-10-10	PPGs do not address when public hearings will be held.	Newspaper publication of regulatory notices is not required.	Board will appoint advisory committees as it deems necessary to provide adequate participation, esp. when specific expertise is necessary. Such committees make recommendations only, and do not participate in decision making. Members to be chose from: directories of pertinent organizations, Industry and trade	Anyone requesting (in writing) inclusion on the agency's mailing list will be sent copies of NOIRA, NOPC, and notice of adoption of final regulations.	Disclaimers for exempt regulations and for mailed materials.

			association mailing lists; and lists of persons previously participating.		
<p>Water Control Board 9 VAC 25-10-10</p>	<p>PPGs imply that at least one public hearing will be held during the public comment stage, whenever practicable, no less than 15 days before the close of the public comment period. In those cases where a formal hearing is to be held, the notice shall so state.</p>	<p>Requires publication of the NOPC in "a newspaper of general circulation published at the state capital or such other newspapers as the agency may deem appropriate.</p>	<p>The agency shall use a participatory approach (including advisory groups) unless the authority specifically authorizes the agency to proceed without such an approach. NOIRA may request comments about whether advisory groups should be used.</p>	<p>Mailing list comprised of: People requesting (in writing) inclusion on the list supplemented by anyone the agency believes will be interested in participating. Mailing list may be purged upon notice or when returned mail is received.</p>	<p>Disclaimer for exempt regulations. No disclaimer for mailed materials.</p>
<p>Waterworks and Wastewater Works Operators, Board for 18 VAC 160-10-10</p>	<p>PPGs do not address when public hearings will be held.</p>	<p>Newspaper publication of regulatory notices is not required.</p>	<p>Board will appoint advisory committees as it deems necessary to provide adequate participation, esp. when specific expertise is necessary. Such committees make recommendations only, and do not participate in decision making. Members to be chose from: directories of pertinent organizations, Industry and trade association mailing lists; and lists of persons previously participating.</p>	<p>Anyone requesting (in writing) inclusion on the agency's mailing list will be sent copies of NOIRA, NOPC, and notice of adoption of final regulations.</p>	<p>Disclaimers for exempt regulations and for mailed materials.</p>
<p>Youth and Family Services Department 6 VAC 35-10-10</p>	<p>PPGs do not address when hearings will be held.</p>	<p>Newspaper publication of regulatory notices is not required.</p>	<p>Use of advisory panels is at the discretion of the operating unit.</p>	<p>Each operating unit within the department is responsible for</p>	<p>PPGs apply only to regs. subject to the APA. No disclaimer for</p>

			<p>developing a regulation. In cases in which an advisory panel is used, it shall be on an ad hoc basis. Such panels shall consist of a balanced representation of interested parties and shall establish their own operating procedures, but shall meet no less than twice.</p>	<p>developing its own mailing list comprised of individuals who have participated in the past.</p>	<p>mailed materials.</p>
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68 sets of regulations subject to the APA were published by 16 agencies, of which 24 received no public comment.

FINAL REGULATIONS PUBLISHED JULY 11, 1994 THROUGH JUNE 26, 1995
(Regulations exempt from the APA are not included.)

Department for the Aging, VR 110-01-01, Public Participation Guidelines. No public comment was received by the agency. Vol. 11, Issue 9, January 23, 1995

Department of Agriculture and Consumer Services, Pesticide Control Board, VR 115-04-20, Rules and Regulations Governing the Pesticide Fees Charged by the Department of Agriculture and Consumer Services Under the Virginia Pesticide Control Act. Summary of public comment on file. 59 comments, can't tell how many people. Vol. 10, Issue 24, August 22, 1994

Asbestos Licensing Board, VR 137-01-02, Virginia Asbestos Licensing Regulations. Comments in File. 49 comments, but can't tell how many people made them. Vol. 10, Issue 21, July 11, 1994

Department of Conservation and Recreation, Virginia Soil and Water Conservation Board, VR 625-02-00 Erosion and Sediment Control Regulations. VR 625-02-00. Summary of public comment in agency file. 6 people, 9 comments. Vol. 11, Issue 11, February 20, 1995

Department of Conservation and Recreation, Virginia Soil and Water Conservation Board, VR 625-02-01. Summary of public comments in agency file. 4 people, 9 comments. Vol. 11, Issue 11, February 20, 1995

Department of Corrections, VR 230-01-004, Regulations for Human Subject Research. Summary of public comments in agency's file. 10 comments, can't tell how many people. Vol. 11, Issue 6, December 12, 1994

Department of Corrections, VR 230-01-005, Regulations for Public/Private Joint Venture Work Programs Operated in a State Correctional Facility. Summary of public comments in agency file. 2 comments, can't tell how many people. Vol. 11, Issue 7, December 26, 1995

Department of Criminal Justice Services, VR 240-04-4, Crime Prevention Specialists, Summary of public comments on file. 7 people, 7 comments. Vol. 11, Issue 5, November 14, 1994

Department of Criminal Justice Services, VR 240-03-2, Regulations Relating to Private Security Services. A summary of public comment is in the agency files. 31 people offered comments. Vol. 11, Issue 18, May 29, 1995

Departments of Education, Mental Health, Mental Retardation and Substance Abuse Services; Social Services and Youth and Family Services, VR 270--1-003, VR 470-02-01, VR 615-29-02 and VR 690-40-004, Standards for Interdepartmental Regulation of Residential Facilities for Children. Summary of public comments in agencies' files. 4 organizations, 10 comments. Vol. 11, Issue 5, November 28, 1994

Department of Education, VR 270-01-0002, Regulations Governing Educational Services for Gifted Students. Summary of public comment in agency file. 32 comments, can't tell the number of people. Vol. 11, Issue 9, January 23, 1995

Department of Education, VR 270-01-0055, Regulations for the Protection of Students as Participants in Human Research. Summary of public comment in agency file. 4 people, 8 comments. Vol. 11, Issue 9, January 23, 1995

Department of Education, VR 270-01-0009, Regulations Governing Literary Loan Applications in Virginia. Summary of public comment in agency file. 3 people, 3 comments. Vol. 11, Issue 9, February 6, 1995

Department of Education, VR 270-01-0060, Minimum Standards for the Accreditation of Child Day Programs Serving Children of Preschool Age or Younger in Public Schools. and Department of Education, VR 270-01-0061, Minimum Standards for the Accreditation of Child Day Programs Serving School Age Children Offered in Public Schools. Summary of public comments in agency file. 18 comments, can't tell how many commenters. Vol. 11, Issue 12, March 6, 1995

Virginia Employment Commission, VR 300-01-1, Definitions and General Provisions. Summary of public comments on file. 2 comments, can't tell the number of people. Vol 11, Issue 5, November 14, 1994

Virginia Employment Commission, VR 300-01-2, Unemployment Taxes. No public comment received by agency. Vol 11, Issue 5, November 14, 1994

Virginia Employment Commission, VR 300-01-4:1, Combined Employer Accounts. No public comment received by agency. Vol 11, Issue 5, November 14, 1994

Virginia Employment Commission, VR 300-01-5, Employer Elections to Cover Multistate Workers. No public comment was received by the agency. Vol 11, Issue 5, November 14, 1994

Virginia Employment Commission, VR 300-01-6, Benefits. No public comment was received by the agency. Vol 11, Issue 5, November 14, 1994

Virginia Employment Commission, VR 300-01-7, Interstate and Multistate Claimants. No public comment was received by the agency. Vol 11, Issue 5, November 14, 1994

Virginia Employment Commission, VR 300-01-8, Adjudication. Summary of Public Comment in file. 1 person, 1 comment. Vol 11, Issue 5, November 14, 1994

Department of Environmental Quality, State Water Control Board, VR 680-14-22, Virginia Pollution Abatement (VPA) General Permit for Confined Concentrated or Intensified Animal Feeding Operations. This regulation's effective date was suspended in response to public petition to allow additional time to solicit public comments. Check file to determine comment. 23 comments, cannot determine the number of people. Vol. 10, Issue 22, July 25, 1994.

Department of Environmental Quality, State Air Pollution Control Board, VR 120-01. Regulations for the Control and Abatement of Air Pollution (Revision HH-Rule 5-6, Regulated Medical Waste Incinerators. Summary of Public Comments on file. 9 people, 18 comments. Vol 10, Issue 23, August 8, 1994

Department of Environmental Quality, State Air Pollution Control Board, VR 120-01, Regulations for the Control and Abatement of Air Pollution (Revision HH-Rule 5-6, Regulated Medical Waste Incinerators). The effective date for this regulation was suspended due to petition by 25 or more people. See file for public comments. 7 commenters, 4 subjects. Vol. 11, Issue 1, October 3, 1994

Department of Environmental Quality, State Water Control Board, VR 680-14-22, Virginia Pollution Abatement General Permit for Confined Animal Feeding Operations. Summary of public comments in agency file. (see also Vol. 10, Issue 22.) 23 comments, number of people not indicated. Vol. 11, Issue 2, October 17, 1994

Department of Environmental Quality, State Air Pollution Control Board, VR 120-01, Regulations for the Control and Abatement of Air Pollution (Revision JJ - Federal Operating Permits for Stationary Sources). and Department of Environmental Quality, State Air Pollution Control Board, VR 120-01, Regulations for the Control and Abatement of Air Pollution (Revision KK - Permit Program Fees for Stationary Sources). Summary of public comments in agency file. 12 people, 38 comments. Vol. 11, Issue 8, January 9, 1995

Department of Environmental Quality, Virginia Waste Management Board, VR 672-20-20, Regulation Governing Management of Coal Combustion By-Products. Summary of Public Comment in Agency Files. 7 people, 43 comments. Vol. 11, Issue 9, January 23, 1995

Department of Environmental Quality, State Air Pollution Control Board, VR 120-01 Regulations for the Control and Abatement of Air Pollution (Revision HH -- Rule 5-6, Regulated Medical Waste Incinerators). Summary of Comments in Agency File. 7 people, 4 subjects. Vol. 11, Issue 15, April 17, 1995

Department of Health, VR 355-40-400, Regulations Governing the Virginia Medical Scholarship Program. No comment received by agency. Vol. 10, Issue 21, July 11, 1994

Department of Health, VR 355-29-100 Board of Health Regulations Governing Vital Records. Agency received no public comment. Vol. 11, Issue 7, December 26, 1995

Department of Health, VR 355-32-500, Rules and Regulations Governing Emergency Medical Services Do Not Resuscitate Program. No public comment was received by the agency. Vol. 11, Issue 9, February 6, 1995

Department of Health, VR 355-33-500, Rules and Regulations for the Licensure of Hospitals in Virginia. Summary of public comment in agency file. 7 organizations or individuals, 11 comments. Vol. 11, Issue 8, January 9, 1995

Department of Health, VR 355-28-300, Regulations for the Immunization of School Children. Summary of Public Comments in agency file. 6 comments, can't tell how many people. Vol. 11, Issue 16, May 1, 1995

Department of Health, VR 355-33-500, Rules and Regulations for the Licensure of Hospitals in Virginia. Summary of public comment in agency file. 560 comments, can't tell how many people. Vol. 11, Issue 16, May 1, 1995

Department of Health Professions, Board of Audiology and Speech-Language Pathology, VR 155-01-2:1, Regulations of the Board of Audiology and Speech-Language Pathology. Summary of Public Comments on file. 7 people, 20 comments. Vol 10, Issue 23, August 8, 1994

Department of Health Professions, Board of Medicine, VR 465-02-1, Regulations Governing the Practice of Medicine, Osteopathy, Podiatry, Chiropractic, Clinical Psychology and Acupuncture. No public comment received by the agency. Vol. 10, Issue 24, August 22, 1994

Department of Health Professions, Board of Dentistry, VR 255-01-1. Virginia Board of Dentistry Regulations. Summary of public comment on file. 315 people commented, 17 subjects. Vol. 11, Issue 3, October 31, 1994

Department of Health Professions, Board of Funeral Directors and Embalmers, VR 320-01-3, Regulations for Preneed Funeral Planning. Summary of Public Comment in Agency File. 1 person, 2 comments. Vol. 11, Issue 14, April 3, 1995

Department of Health Professions, Board of Funeral Directors and Embalmers, VR 320-01-04 Resident Trainee Program for Funeral Service. Agency received no comment. Vol. 11, Issue 14, April 3, 1995

Department of Health Professions, Board of Nursing, VR 495-01-1, Regulations of the Board of Nursing. Agency received no public comment. Vol 11, Issue 19, June 12, 1995

Department of Health Professions, Board of Optometry, VR 510-01-1, Regulations of the Virginia Board of Optometry. Summary of public comments in agency file. 101 people, 4 areas of comment. Vol. 11, Issue 20, June 26, 1995

Department of Housing and Community Development, VR 394-01-2, Virginia Certification Standards. No comment received by agency. Vol. 10, Issue 21, July 11, 1994

Department of Housing and Community Development, VR 394-01-6, Virginia Statewide Fire Prevention Code. Summary of comments in file. 4 commenters, 4 comments. Vol. 10, Issue 21, July 11, 1994

Department of Housing and Community Development, VR 394-01-103, Multifamily Loan Program. No comment received by agency. Vol. 10, Issue 21, July 11, 1994

Department of Medical Assistance Services, VR 460-01-86, Hospital Credit Balance Reporting. No comment received by agency. Vol. 10, Issue 22, July 25, 1994

Department of Medical Assistance Services, VR 460-03-3.1100 and VR 460-02-1300, State Plan for Medical Assistance Relating to Durable Medical Equipment; Amount, Duration and Scope of Services and Standards Established and Methods Used to Assure High Quality Care. No comment received. Vol. 10, Issue 22, July 25, 1994

Department of Medical Assistance Services, VR 460-04-8.7, Client Appeals Regulations. No comment received. Vol 10, Issue 23, August 8, 1994

Department of Medical Assistance Services, VR 460-03-4.1940:1 State Plan for Medical Assistance Relating to Balloon Loan Financing, Nursing Home Payment System. The agency received no comments. Vol. 11, Issue 8, January 9, 1995

Department of Medical Assistance Services, State Plan for Medical Assistance Relating to Expanded Coverage for Children Ages 6 to 19; VR 460-02-2.2100:1, Coverage and Conditions of Eligibility; VR 460-02-2.6100:1, Eligibility Conditions and Requirements; VR 460-03-2.6101:1, Income Eligibility Levels; VR 460-03-2.6108.1, More Liberal Income Disregards; VR 460-03-2.6108.2, More Liberal Methods of Treating Resources under § 1902(r)(2) of the Act. No public comment was received by the agency. Vol. 11, Issue 9, February 6, 1995

Department of Medical Assistance Services, State Plan for Medical Assistance Relating to State Agency Fee Schedule -- Resource Based Relative Value Scale. VR 460-02-4.1920 Methods and Standards for Establishing Payment Rates -- Other Types of Care. VR 460-01-4.1921 Fees for Pediatric and Obstetric CPT Procedures. VR 460-03-4.1924 State Agency Fee Schedule. Summary of Public Comment in Agency File. 2 organizations, 4 comments. Vol. 11, Issue 11, February 20, 1995

Department of Medical Assistance Services, State Plan for Medical Assistance Relating to Reimbursement for Organ Transplant Services. VR 460-03-3.1100. Amount, Duration and Scope of Services. Agency received no comment. Vol. 11, Issue 13, March 20, 1995

Department of Medical Assistance Services, State Plan for Medical Assistance Relating to Physical Therapy and Related Services. VR 460-03-3.1100, Narrative for the Amount, Duration and Scope of Services. VR 460-02-3.1300, Standards Established and Methods Used to Assure High Quality of Care. VR 460-03-4.1920 Methods and Standards Used to Establish Payment Rates -- Other Types of Care. VR 460-04-3.1300, Regulations for Outpatient Physical Rehabilitative Services. Summary of public comment in agency file. 1 person offered comments. Vol 11, Issue 17, May 15, 1995

Department of Medical Assistance Services, VR 460-01-11 Application, Determination of Eligibility and Funishing Medicaid and VR 460-01-2.100, Definition of Medicaid State Plan Health Maintenance Organizations (HMOs). No comments received. Vol. 11, Issue 18, May 29, 1995

Department of Medical Assistance Services, VR 460-03-4.1940:1 Nursing Home Payment System (Smaller Nursing Facility Indirect Ceiling Adjustment). Summary of public comments in agency file. 1 comment received. Vol. 11, Issue 18, May 29, 1995

Department of Mental Health, Mental Retardation and Substance Abuse Services, VR 470-02-13, Rules and Regulation for the Licensure of Facilities and Providers of Mental Health, Mental Retardation and Substance Abuse Services. Summary of public comment in agency file. 20 comments, can't tell how many people. Vol. 11, Issue 6, December 12, 1994

Department of Professional and Occupational Regulation, VR 674-01-02, Board for Waste Management Facility Operators Licensing Regulations. Summary of public comments in agency file. 18 people, 55 comments. Vol. 11, Issue 1, October 3, 1994

Department of Professional and Occupational Regulation, Real Estate Appraiser Board, VR 583-01-03, Real Estate Appraiser Board Rule and Regulations. Summary of Public comment in file. 21 people, 37 comments. Vol 11, Issue 5, November 14, 1994

Department of Professional and Occupational Regulation, Board for Geology, VR 335-01-2, Rules and Regulations for the Virginia Board for Geology. Summary of public comment in agency file. 1 person, 3 comments. Vol. 11, Issue 6, December 12, 1994

Department of Professional and Occupational Regulations; Board for Contractors, VR 220-01-2:1, Board for Contractors Regulations. Summary of public comment in agency file. 15 people, 31 comments. Vol. 11, Issue 11, February 20, 1995

Department of Professional and Occupational Regulations, Board for Barbers, VR 170-01-1:1, Board for Barbers Regulations. Summary of public comment in agency file. 1 person, 1 comment. Vol. 11, Issue 8, January 9, 1995

Department of Professional and Occupational Regulation, Board for Cosmetology, VR 235-01-02:1 Board for Cosmetology Regulations. A summary of public comment is in agency file. 13 people, 19 comments. Vol. 11, Issue 18, May 29, 1995

Department of Professional and Occupational Regulation, Real Estate Board, VR 585-01-1, Virginia Real Estate Board Licensing Regulations. A summary of public comments is in the agency file. 36 comments, can't tell the number of people. Vol. 11, Issue 18, May 29, 1995

Department of Professional and Occupational Regulation, VR 190-03-01, Regulations Governing Polygraph Examiners. Agency received no public comment. Vol 11, Issue 19, June 12, 1995

Department of Professional and Occupational Regulation, Auctioneers Board, VR 150-01-2:1, Rules and Regulations of the Virginia Auctioneers Board. Summary of public comments in agency file. 6 people, 17 comments. Vol. 11, Issue 20, June 26, 1995

Department of Social Services, Board of Social Work, VR-620-01-3, Public Participation Guidelines. No comment received by agency. Vol. 10, Issue 21, July 11, 1994

Department of Social Services, VR 615-08-1, Virginia Energy Assistance Program. Summary of public comments in agency file. 26 people, 52 comments. Vol. 11, Issue 2, October 17, 1994

Department of Social Services and Child Day-Care Council, VR 615-30-01 and VR 175-03-01, General Procedures and Information for Licensure. Department of Social Services and Child Day-Care Council, VR 615-38-01 and 175-11-01, Standards and Regulations for Licensed Child Day Care Center Systems. Summary of public comments is on file. 3 people, 3 comments. Vol. 11, Issue 3, October 31, 1994

Department of Social Services, VR 615-01-29, Aid to Families with Dependent Children (AFDC) Program -- Disregarded Income and Resources. The agency received no comments. Vol. 11, Issue 18, May 29, 1995

**ANALYSIS OF FINAL REGULATIONS
PUBLISHED FROM JULY 1, 1995 THOROUGH JUNE 30, 1996**

57 final regulations published, of which 13 received no public comment.

Board for Accountancy, VR 105-01-2, Board for Accountancy Regulations. Summary of public comment on file. No comments made. August 21, 1995, Vol. 11, Issue 24

Board for Accountancy, 18 VAC 5-20-10, Board for Accountancy Regulations. No public comment received. January 8, 1996, Vol. 12, Issue 8

State Air Pollution Control Board, 9 VAC 5-10-10, Regulations for the Control and Abatement of Air Pollution (Revision FF). Summary of public comments on file not found. February 19, 1996, Vol. 12, Issue 11

State Air Pollution Control Board, Regulations for the Control and Abatement of Air Pollution (Revision RR) 9 VAC 5-10-10 and 9 VAC 5-10-20, General Definitions; 9 VAC 5-40-240 through 9 VAC 5-40-410, Emissions Standards for General Process Operations; 9 VAC 5-40-3260 through 9 VAC 5-40-3400, Emission Standards for Solvent Metal Cleaning Operations Using Nonhalogenated Solvents; 9 VAC 5-40-5060 through 9 VAC 5-40-5190, Emission Standards for Flexographic, Packaging Rotogravure, and Publication Rotogravure Printing Lines; 9 VAC 5-40-5800 through 9 VAC 5920, Emission Standards for Sanitary Landfills; 9 VAC 5-40-7800 through 9 VAC 5-40-7940, Emission standards for Lithographic Printing Processes; and Appendix S, Air Quality Program Policies and Procedures. Summary of public comment on file. 24 people, 21 comments. February 19, 1996, Vol. 12, Issue 11

Virginia Aviation Board, 24 VAC 5-20-10, Regulations Governing the Licensing and Operation of Airport and Aircraft and Obstructions to Airspace in the Commonwealth of Virginia. Summary of public comments on file. 12 people, 25 comments. May 13, 1996, Vol. 12, Issue 17

Child Day-Care Council, VR 175-08-01, Minimum Standards for Licensed Child Day Centers Serving Children of Preschool Age or Younger. Summary of Public Comments on file. Cannot tell number of people, 108 comments. November 13, 1995, Vol. 12, Issue 4

Child Day-Care Council, VR 175-09-01, Minimum Standards for Licensed Child Day Centers Serving School Age Children. Summary of public comments on file. Cannot tell number of people, 115 comments. November 13, 1995, Vol. 12, Issue 4

Department of Conservation and Recreation, 4 VAC 5-15-10, Nutrient Management Training and Certification Regulations. Summary of public comment on file. 20 people, 48 comments. December 25, 1995, Vol. 12, Issue 7

Department of Corrections (State Board of), 6 VAC 15-45-10, Regulations for Private Management and Operation of Prison Facilities. Summary of public comment on file. Cannot tell number of people, 41 comments. November 13, 1995, Vol. 12, Issue 4

Department of Corrections, VR 230-30-001, Minimum Standards for Jails and Lockups. Summary of comments in file. Cannot tell number of people, 52 comments. July 10, 1995, Vol. 11, Issue 21

Department of Corrections, VR 230-30-0006, Jail Work/Study Release Program Standards (Repealed). No public comment received. July 10, 1995, Vol. 11, Issue 21

Department of Education, VR 270-01-0014, Management of the Student's Scholastic Record in the Public Schools of Virginia. Summary of public comment on file. 17 people, 23 comments. July 24, 1995 Vol. 11, Issue 22

Department of Education (State Board of), 8 VAC 620-10, Guidance and Counseling Programs in the Public Schools of Virginia. Summary of public comment on file. Cannot tell number of people, 391 comments. February 19, 1996, Vol. 12, Issue 11

Department of Health, VR 355-33-500, Rules and Regulations for the Licensure of Hospitals in Virginia (§2.28 D, Neonatal Services). Summary of public comment in files. Cannot tell number of people, more than 500 letters of comments. July 10, 1995, Vol. 11, Issue 21

Department of Health (State Board of), 12 VAC 5-590-10 et seq., Waterworks Regulations. No oral or written comment received by the agency. October 16, 1995, Vol. 12, Issue 2

Department of Health (State Board of), 12 VAC 5-590-10 et seq., Waterworks Regulations. Summary of public comments on file. Cannot tell number of people, 35 comments. October 16, 1995, Vol. 12, Issue 2

Board for Hearing Aid Specialists, VR 375-01-02, Board for Hearing Aid Specialists Regulations. Summary of public comments on file. 5 people, 35 comments. July 24, 1995 Vol. 11, Issue 22

State Council of Higher Education for Virginia, VR 380-01-00, Public Participation Guidelines. No public comment received. July 10, 1995, Vol. 11, Issue 21

Department of Housing and Community Development, VR 394-01-21, Virginia Uniform Statewide Building Code, Volume I - New Construction Code. Summary of public comment on file. 2 people, 2 comments. August 21, 1995, Vol. 11, Issue 24

Department of Housing and Community Development (Board of), 12 VAC 5-60-10, Virginia Statewide Uniform Building Code. Summary of public comment on file. 24 people, 40 comments. February 19, 1996, Vol. 12, Issue 11

Department of Housing and Community Development, 13 VAC 10-180-10, Rules and Regulations for Allocation of Low-Income Housing Tax Credits. Does not mention public comments (exempt from APA). February 19, 1996, Vol. 12, Issue 11

Department of Housing and Community Development (Board of), 13 VAC 5-70-10, Virginia Uniform Statewide Building Code, Volume II - Building Maintenance Code/1993. No comment received. June 24, 1996, Vol. 12, Issue 20

Virginia Manufactured Housing Board, 13 VAC 6-20-10, Manufactured Housing Licensing and Transaction Recovery Fund Regulations. No summary of public comments on file. October 30, 1995, Vol. 12, Issue 3

Department of Medical Assistance Services, State Plan for Medical Assistance Relating to OBRA 93 Estate Recoveries, VR 460-01-53, Liens and Recoveries; VR 460-02-4.1710, Lien Recoveries; and VR 460-02-4.1730 Estate Recoveries. Summary of public comments on file. 2 organizations, 5 comments. September 18, 1995, Vol. 11, Issue 26

Department of Medical Assistance Services, VR 460-01-66.2, Medicaid Reimbursement for Administration of Vaccines under the Pediatric Immunization Program. No comment received by agency. September 18, 1995, Vol. 11, Issue 26

Department of Medical Assistance Services, 12 VAC 30-110-1200 through 12 VAC 30-110-1240. Part VII, Medical Assistance Eligibility Resulting from Welfare Reform. Summary of public comments on file. 1 organization, 3 comments. April 15, 1996, Vol. 12, Issue 15

Department of Medical Assistance Services, 12 VAC 30-50-160, Narrative for the Amount, Duration and Scope of Services: Home Health Services. 12 VAC 30-60-10, Standards established and Methods Used to Assure High Quality of Care. Summary of public comments on file. 2 organizations, 7 comments. April 29, 1996, Vol. 12, Issue 16

Department of Medical Assistance Services, 12 VAC 30-90-260 through 12 VAC 30-90-260, State Plan for Medical Assistance Relating to Legal Fees for Nursing Facility Appeals. Summary of public comment on file. 1 person, 4 comments. April 29, 1996, Vol. 12, Issue 16

Department of Medical Assistance Services, 12 VAC 30-120-260 through 12 VAC 30-120-350, Part V, Medallion. No comment received. April 29, 1996, Vol. 12, Issue 16

Department of Medical Assistance Services (Board of), 12 VAC 30-120-450 through 12 VAC 30-120-480, Part VII: Assisted Living Services for Individuals Receiving Auxiliary Grants Residing in Adult Care Residences. Summary of public comments on file. 4 people, 19 comments. June 24, 1996, Vol. 12, Issue 20

Board of Medicine, 18 VAC 85-20-10. Regulations Governing the Practice of Medicine, Osteopathy, Podiatry, Chiropractic, Clinical Psychology and Acupuncture. Summary of Public Comments on file. 46 people, 2 comments. September 4, 1995, Vol. 11, Issue 25

Department of Mental Health, Mental Retardation and Substance Abuse Services, 12 VAC 35-10-10, Public Participation Guidelines. No public comment received. December 11, 1995, Vol. 12, Issue 6

Department of Mines, Minerals and Energy/Board of Mineral Mining Examiners., 4 VAC 25-35-10, Certification Requirements for Mineral Miners. Summary of public comments on file. 1 person, 4 comments. January 8, 1996, Vol. 12, Issue 8

Board of Nursing and Board of Medicine, 18 VAC 90-30-10, Regulations Governing the Licensure of Nurse Practitioners. Summary of public comment on file. At least 57 people and organizations, 16 comments. October 2, 1995, Vol. 12, Issue 1

Board of Nursing, 18 VAC 90-20-10, Regulations Governing the Practice of Nursing. Summary of public comments on file. 24 people, 4 comments. June 24, 1996, Vol. 12, Issue 20

Board of Pharmacy, VR 530-01-1, Regulations of the Board of Pharmacy. Summary of public comments in file. 75 people, 16 comments. July 10, 1995, Vol. 11, Issue 21

Department of Social Services (State Board of), 22 VAC 40-25-10, Auxiliary Grants Program: Levels of Care and Rate Setting. Summary of public comment on file. 174 people, 90 comments. December 11, 1995, Vol. 12, Issue 6

Department of Social Services (State Board of), 22 VAC 40-71-10, Standards and Regulations for Licensed Adult Care Residences. (NOTE: second publication as a final regulation after public petition for additional public comment period.) Summary of public comment on file. 295 people, 733 comments. December 11, 1995, Vol. 12, Issue 6

Department of Social Services (State Board of), 22 VAC 40-745-10, Assessment in Adult Care Residences. Summary of public comments on file. 158 people, 85 comments. December 11, 1995, Vol. 12, Issue 6

Department of Social Services (State Board of), 22 VAC 40-35-5, The Virginia Independence Program. Summary of public comment on file. 23 people, 80 comments. April 15, 1996, Vol. 12, Issue 15

Board of Social Work, 18 VAC 140-20-10, Regulations Governing the Practice of Social Work. Summary of Public Comments on file. 2 organizations, 2 comments. October 30, 1995, Vol. 12, Issue 3

Department of Transportation (Commonwealth Transportation Board), 24 VAC 30-60-10 et seq., Hazardous Materials Transportation Rules and Regulations at Bridge-Tunnel Facilities. Summary of public comment on file. Cannot tell number of people, 25 comments. October 16, 1995, Vol. 12, Issue 2

Department of Transportation (Commonwealth Transportation Board), 24 VAC 30-900-10, Subdivision Street Requirements. Summary of Public Comments on File. Cannot tell number of people, 218 comments. November 13, 1995, Vol. 12, Issue 4

Department of Transportation, 24 VAC 30-110-10, Hauling Permit Manual, repealed, no mention of public comment. No public comment information found in file. December 25, 1995, Vol. 12, Issue 7

Department of Transportation, 24 VAC 30-111-10, Hauling Permit Manual, Summary of public comment on file. Cannot tell number of people, 9 comments. December 25, 1995, Vol. 12, Issue 7

Department for the Visually Handicapped, 22 VAC 45-10-10, Guidelines for Public Participation. Summary of Public Comments on File. No comments found in file. November 13, 1995, Vol. 12, Issue 4

Virginia Waste Management Board, 9 VAC 20-110-10, Regulations Governing the Transport of Hazardous Materials. Summary of public comment on file. 1 person, 4 comments. February 19, 1996, Vol. 12, Issue 11

State Water Control Board, 9 VAC 25-110-10, Virginia Pollutant Discharge Elimination System (VPDES) General Permit Regulation for Domestic Sewage Discharges of Less Than or Equal to 1,000 gallons per day. Summary of public comment on file. 14 people, 12 comments. June 10, 1996, Vol. 12, Issue 19

State Water Control Board, 9 VAC 25-30-10, Virginia Pollutant Discharge Elimination System (VPDES) and Virginia Pollution Abatement (VPA) Permit Program Regulations – Repealed. No mention of public comment. June 24, 1996, Vol. 12, Issue 20

State Water Control Board, 9 VAC 25-31-10, Virginia Pollutant Discharge Elimination System (VPDES) Permit Regulation. Summary of public comment on file. 79 people, 120 comments. June 24, 1996, Vol. 12, Issue 20

State Water Control Board, 9 VAC 25-32-10, Virginia Pollution Abatement (VPA) Permit Regulations. Summary of public comment on file. 75 people, 47 comments. June 24, 1996, Vol. 12, Issue 20

State Water Control Board, 9 VAC 25-115-10, General Virginia Pollutant Discharge Elimination System (VPDES) Permit for Seafood Processing Facilities. Summary of public comment on file. 16 people, 14 comments. June 24, 1996, Vol. 12, Issue 20

NO FINAL REGULATIONS SUBJECT TO THE APA WERE PUBLISHED IN THE FOLLOWING ISSUES:

August 7, 1995, Vol. 11, Issue 23

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