



# COMMONWEALTH of VIRGINIA

## Office of the Governor

Timothy M. Kaine  
Governor

June 10, 2008

Mr. Richard D. Langford, Chairman  
Air Pollution Control Board  
1106 Horseshoe Lane  
Blacksburg, VA 24060

Mr. John N. Hanson, Member  
Air Pollution Control Board  
1803 Windmill Lane  
Alexandria, VA 22307

Mr. Hullahen Williams Moore, Member  
Air Pollution Control Board  
502 Welwyn Road  
Richmond, VA 23229

Mr. Bruce C. Buckheit, Member  
Air Pollution Control Board  
8904 Karen Drive  
Fairfax, VA 22031

Ms. Vivian E. Thomson, Member  
Air Pollution Control Board  
2006 Meadowbrook Road  
Charlottesville, VA 22903

Dear Board Members:

The Air Pollution Control Board has made and will continue to make decisions of great consequence to the Commonwealth. I am writing to provide you with clear direction on my expectations for the process to be utilized in issuing permits.

My intent in issuing this directive is not to influence the substance of any decision you may make but to assure consistency, certainty and predictability in the process of issuing decisions. This directive is one of general application and not specific to any particular matter.

My expectation and directive to you is to exercise your authority in accordance with the Board's duly adopted regulations and regulatory processes while giving due consideration to the advice of the Board's legal counsel. I further direct you not to address any media other than air quality in your permitting decisions.

Air Pollution Control Board Members  
June 10, 2008  
Page 2

While this directive may seem to state obvious parameters within which to exercise your authority, recent reports to me necessitate that I remind you of them.

Both applicants for permits and the general public must be able to rely on the fact that decisions will be made within the existing regulatory framework. If those regulations need to be changed, the Administrative Process Act provides the appropriate means to do so with adequate public notice and participation. Permitting decisions are not opportunities to institute regulatory changes directly or by implication.

I thank you for your diligent service to the Commonwealth.

Sincerely,



Timothy M. Kaine

TMK:slh