

Guidance Documents in Unified Regulatory Plan FY'24

Contents

Board of Accountancy (VBOA) / Total = 2	2
Department for Aging and Rehabilitative Services (DARS) / Total = 31	4
Department of Agriculture and Consumer Services (VDACS) / Total = 1	35
Department of Aviation (DOAV) / Total = 1	36
Department of Behavioral Health and Developmental Services (DBHDS) / Total = 7	37
Department of Conservation and Recreation (DCR) / Total = 14	44
Department of Criminal Justice Services (DCJS) / Total = 5	58
Department of Education (DOE) / Total = 6	63
Department of Environmental Quality (DEQ) / Total = 116	69
Department of Fire Programs (DFP) / Total = 18	185
Department of Health (VDH) / Total = 104	203
Department of Health Professions (DHP) / Total = 83	307
Department of Historic Resources (DHR) / Total = 6	390
Department of Housing and Community Development (DHCD) / Total = 8	396
Department of Juvenile Justice/ Total = 5	404
Department of Medical Assistance Services (DMAS) / Total = 1	409
Department of Military Affairs (DMA) / Total = 1	410
Department of Motor Vehicles (DMV) / Total = 13	411
Department of Professional and Occupational Regulation (DPOR) / Total = 7	424
Department of Rail and Public Transportation (DRPT) / Total = 4	431
Department of Social Services (DSS) / Total = 7	435
Department of Taxation (TAX) / Total = 7	442
Department of Transportation (VDOT) / Total = 10	449
Department of Veterans Services (DVS) / Total = 1	459
Department of Wildlife Resources (DWR) / Total = 1	460
George Mason University (GMU) / Total = 1	461
Office of Children's Services (OCS) / Total = 3	462
Virginia Housing Development Authority (VHDA) / Total = 2	465
Virginia Information Technologies Agency (VITA) / Total = 15	467
Virginia Innovation Partnership Corporation (VIPC) / Total = 1	482

Board of Accountancy (VBOA) / Total = 2

Title of Proposed Regulatory Action or Guidance Document Guidance Document on Continuing Professional Education	
Brief Overview VBOA is required § 54.1-4409.1, 18VAC5-22-90) to prescribe the “methods, fees, and continuing professional education requirements” for CPAs. VBOA already has a guidance document in place to provide guidelines for consent orders related to continuing professional education deficiency. As voted upon by the Board, VBOA has drafted revisions to this guidance document. The revisions are intended to simplify the process (imposing a fixed monetary penalty per missing credit hour, rather than grouping respondents into “brackets”) and incidentally will reduce the overall penalties for deficient licensees. In the revised version, it will be more difficult for a license to be suspended solely for CPE deficiency. Some VBOA policies are placed through the Guidance Document process out of an abundance of caution. In the event that said policies fall under the “rulings and advisory opinions” or “internal manuals and memoranda” exceptions listed in § 2.2-4002.1(A), formal regulatory action may not be necessary.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Discretionary action ☒ Action required by state statute
Deregulatory Component	VBOA anticipates that the guidance provided would be more equitable for CPAs and would increase efficiency in enforcement by VBOA.
Expected Date	August 2023

Title of Proposed Regulatory Action or Guidance Document Review and update, if necessary, all VBOA guidance documents	
Brief Overview VBOA is committed to continuing its review of policies and guidance documents. To that end, VBOA board members and staff will be going through its current slate of documents, as discussed at a June 2023 board meeting. VBOA will work to update the language of its documents to improve their readability and, if necessary, hold public comment periods for more extensive revisions.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Discretionary action ☒ Action required by state statute
Deregulatory Component	By revising its guidance documents, VBOA anticipates some deregulatory benefits will arise from removing obsolete or outdated guidance.
Expected Date	June 2024

Department for Aging and Rehabilitative Services (DARS) / Total = 31

Action/Stage or Guidance Document Forum ID (if available) 4540		
Title of Proposed Regulatory Action or Guidance Document State Plan for Independent Living		
Brief Overview This federal- and state-required plan (SPIL) contains assurances of compliance with federal laws and regulations and attachments describing Virginia's Centers for Independent Living (CILs), Statewide Independent Living Council (SILC), services and providers, and Virginia's goals and objectives for the SPIL period. For FFY 2024, the Administration for Community Living (ACL) is requiring states to extend their SPILs (FFY 2021-2023) for an additional year via a technical amendment that must be approved by ACL. These technical amendments do not include any substantive changes. As required by ACL, the proposed technical amendments will be sent to ACL on June 30, 2023 so that ACL may review and accept the amendments by September 30, 2023, a timeframe that will correspond with a Town Hall public comment period.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track Rule
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☒ Action required by federal statute ☒ Discretionary action ☒ Action required by state statute	
Deregulatory Component	The SPIL's structure and contents are directed heavily by federal requirements. While DARS' ability to modify some content is limited, DARS will take a closer look at the SPIL for potential opportunities.	
Expected Date	July 2023	

Action/Stage or Guidance Document Forum ID (if available) 5082		
Title of Proposed Regulatory Action or Guidance Document Guidance for the Provision of Community Support Services (CSS) Manual		
Brief Overview The Community Support Services (CSS) Manual is a document that VR counselors and service providers will use that provides information related to the service provision of CSS. It details the role of the vocational rehabilitation counselor and employment specialist, when and how to make a referral and authorize services and when to modify or end services. This guidance document is being updated to reflect service provision of CSS with an Employment Service Organization (ESO) only. In addition, updates include ensuring that CSS aligns with serious functional limitations; that users are given practical guidance around CSS; and to maintain value and flexibility of CSS while ensuring consistent statewide use.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☒ Action required by federal statute ☒ Action required by state statute	☒ Discretionary action

Action/Stage or Guidance Document Forum ID (if available) 5100		
Title of Proposed Regulatory Action or Guidance Document Virginia State Plan for Aging Services		
Brief Overview In accordance with the Older Americans Act of 1965, as amended and pursuant to Virginia Code § 51.5-136, the Department for Aging and Rehabilitative Services (DARS), as the designated State Unit on Aging (SUA), is mandated to submit a state plan on aging services (State Plan) to the U.S. Administration on Community Living (ACL), the Governor and the General Assembly. DARS will develop a new State Plan in collaboration with the state's aging network, including the Commonwealth Council on Aging, the Area Agencies on Aging (AAAs), the Virginia Long-Term Care Ombudsman, and other state agencies, stakeholder organizations, and the older adults DARS serves. The State Plan describes the agency's goals and strategies to achieve its mission, emphasizing the common themes that will enhance the lives of older Virginians moving forward.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☒ Action required by federal statute ☒ Discretionary action ☒ Action required by state statute	
Deregulatory Component	The State Plan for Aging Services' structure and contents are directed heavily by federal requirements. While DARS' ability to modify some content is limited, DARS will take a closer look at the State Plan for Aging Services for potential opportunities.	
Expected Date	August 2023	

Action/Stage or Guidance Document Forum ID (if available)	
5346	
Title of Proposed Regulatory Action or Guidance Document	
AS Auxiliary Grant Policy Manual Chapters A-L and Transmittals	
Brief Overview	
The Auxiliary Grant Manual provides guidance for local departments of social services (LDSS) in determining eligibility of individuals to receive Auxiliary Grant payments. This grant provides a supplement for certain adults who reside in an assisted living facility (ALF), approved adult foster home, or in supportive housing. The guidance document content will be amended to comport with 2023 legislative changes to the Code of Virginia. Other minor technical changes will also be made.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final ☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Discretionary action ☒ Action required by state statute
Deregulatory Component	The Auxiliary Grant Program is a Social Security Administration-authorized and state-operated Optional State Supplement for Social Security Income (SSI). Some content in the manual is directed heavily by federal requirements. While DARS' ability to modify some content may be limited, DARS will take a closer look for potential opportunities.
Expected Date	August 2023

Action/Stage or Guidance Document Forum ID (if available) 5335		
Title of Proposed Regulatory Action or Guidance Document AS Assisted Living Facility Private Pay Assessment Manual		
Brief Overview This manual provides guidance related to the assessment process for assisted living facilities (ALFs). The focus of this manual is ALF residents and applicants who are private pay. The manual content will be amended to comport with 2023 legislative changes to the Code of Virginia. Other minor technical changes will also be made.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Discretionary action ☒ Action required by state statute	
Deregulatory Component	DARS is currently reviewing the manual for potential opportunities.	
Expected Date	October 2023	

Action/Stage or Guidance Document Forum ID (if available) 5348		
Title of Proposed Regulatory Action or Guidance Document AS Assisted Living Facility Public Pay Assessment Manual		
Brief Overview This manual provides guidance related to the assessment process for assisted living facilities (ALFs). The focus of this manual is ALF residents and applicants who are eligible for or receiving an Auxiliary Grant (AG). The manual content will be amended to comport with 2023 legislative changes to the Code of Virginia. Other minor technical changes will also be made.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Discretionary action ☒ Action required by state statute	
Deregulatory Component	DARS is currently reviewing the manual for potential opportunities.	
Expected Date	October 2023	

Action/Stage or Guidance Document Forum ID (if available) 4522		
Title of Proposed Regulatory Action or Guidance Document Vocational Rehabilitation Policy and Procedure Manual		
Brief Overview The Vocational Rehabilitation (VR) Policy and Procedure Manual, also known as the VR Policy Manual, outlines the agency's requirements and practices for the implementation of the VR Program in Virginia. Providing additional detail and guidance beyond federal and state regulations, this manual defines the VR Program's eligibility, coverage and services, client rights and responsibilities, financial participation obligations, and other related topics. Generally, this manual is updated periodically throughout the year to align with federal requirements and guidance and to provide improved clarity to the department, stakeholders, and clients.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☒ Action required by federal statute ☒ Discretionary action ☒ Action required by state statute	
Deregulatory Component	DARS is taking a comprehensive look at the manual's contents with a focus on streamlining requirements, improving the readability, and aligning it with federal requirements and expected practices.	
Expected Date	October 2023 and April 2024	

Action/Stage or Guidance Document Forum ID (if available) 5349		
Title of Proposed Regulatory Action or Guidance Document AS Adult Services Manual Chapters 1-9		
Brief Overview This manual outlines the policies for the implementation of the adult services (AS) program. Revisions are expected for Chapters 1, 2, 4, 5, and 7 in the upcoming year. Changes are needed to: 1) reflect a Department for Aging and Rehabilitative Services (DARS) internal reorganization, 2) comport with 2023 General Assembly legislative changes, 3) comport with a final regulatory action made to 22VAC30-120, Adult Services Approved Providers, and 4) make minor technical corrections and updates.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Discretionary action ☒ Action required by state statute	
Deregulatory Component	DARS is currently reviewing the manual for potential opportunities.	
Expected Date	October 2023 and December 2023	

Action/Stage or Guidance Document Forum ID (if available) 6494	
Title of Proposed Regulatory Action or Guidance Document Work Incentives Specialist Advocate (WISA) Manual	
Brief Overview This manual provides information about and requirements for the Work Incentives Specialist Advocates (WISAs) programs and billable services, Division of Rehabilitative Services (DRS) vocational rehabilitation (VR) counselor procedures, and samples of forms for WISA and DRS VR counselors. This manual will need to be revised to update Social Security Income (SSI) payment rates, student-earned income exclusion, Substantial Gainful Activity (SGA) references for 2024.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final ☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action ☒ Guidance Document
Legal Authority	☒ Action required by federal statute ☒ Action required by state statute ☐ Discretionary action
Deregulatory Component	WISA is authorized and awarded by the Social Security Administration, which can limit DARS' ability to modify some content. However, DARS will take a closer look at the WISA Manual for potential opportunities.
Expected Date	November 2023

Action/Stage or Guidance Document Forum ID (if available) 6501		
Title of Proposed Regulatory Action or Guidance Document User's Manual: Uniform Assessment Instrument		
Brief Overview This manual provides general instructions regarding the use of the Uniform Assessment Instrument (UAI). The manual content will be amended to comport with 2023 legislative changes to the Code of Virginia. Other minor technical changes will also be made.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Discretionary action ☒ Action required by state statute	
Deregulatory Component	DARS is currently reviewing the manual for potential opportunities.	
Expected Date	November 2023	

Action/Stage or Guidance Document Forum ID (if available) 6495		
Title of Proposed Regulatory Action or Guidance Document VDA Aging Services Standards: All Standards Combined		
Brief Overview The purpose of the VDA Aging Service Standards is to provide minimum standards of practice for Older Americans Act (OAA)-funded programs that assist older adults as outlined in the OAA and as provided by Area Agencies on Aging (AAAs). This document is outdated and needs to be reformatted and updated to bring it into alignment with current requirements as set in recent reauthorizations of the OAA.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☒ Action required by federal statute ☒ Discretionary action ☒ Action required by state statute	
Deregulatory Component	A number of the Service Standards have not been updated in over five years or more. DARS is taking a comprehensive look at the Services Standards with a focus on streamlining requirements, improving the readability, and aligning it with federal requirements and expected practices. For example, DARS anticipates that standards related to the care coordination programs can be combined.	
Expected Date	December 2023	

Action/Stage or Guidance Document Forum ID (if available) 6504		
Title of Proposed Regulatory Action or Guidance Document Assisted Living Facility Relocation Plan		
Brief Overview This document is intended to be used as a resource in the event of a voluntary or involuntary closing of an assisted living facility (ALF) in Virginia. The guidance document will be amended to remove outdated content and make other minor technical changes.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Discretionary action ☒ Action required by state statute	
Deregulatory Component	DARS is currently reviewing the manual for potential opportunities.	
Expected Date	December 2023	

Action/Stage or Guidance Document Forum ID (if available) 4545		
Title of Proposed Regulatory Action or Guidance Document Wilson Workforce and Rehabilitation Center Governance Manual		
Brief Overview This Governance Manual contains policies for the administration and operation of Wilson Workforce and Rehabilitation Center (WWRC). These policies seek to maintain the organization's compliance with applicable federal, state, and/or local laws and regulations. It also advises WWRC clients on rights and responsibilities. WWRC is working to update this manual to align with and reflect current requirements, operations, and service delivery practices.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☒ Action required by federal statute ☒ Discretionary action ☒ Action required by state statute	
Deregulatory Component	The Governance Manual has not been updated in over five years. DARS is taking a comprehensive look at it with a focus on streamlining requirements, improving the readability, and aligning it the DARS VR Manual.	
Expected Date	December 2023	

Action/Stage or Guidance Document Forum ID (if available) 5158		
Title of Proposed Regulatory Action or Guidance Document VDA National Family Caregiver Support Guidance		
Brief Overview Funding for the National Family Caregiver Support Program (NFCSP) is provided under Title III, Part E of the Older Americans Act (OAA). The guidance for the NFCSP was last updated in June 2017. In FFY 2022, the Administration for Community Living (ACL) added several services that could be provided by Area Agencies on Aging (AAAs) under the NFCSP, including respite vouchers, assistive technology and durable medical equipment, consumable supplies, and financial consultation. This guidance needs to be revised to reflect these changes. In addition, this service standard will be moved and added to the VDA Aging Services Standards overall document for ease of reference.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☒ Action required by federal statute ☒ Discretionary action ☒ Action required by state statute	
Deregulatory Component	This standalone guidance document will be deleted and an updated version will be integrated into the VDA Aging Services Standards guidance document (ID: 6495), thus consolidating two documents into one.	
Expected Date	December 2023	

Action/Stage or Guidance Document Forum ID (if available) 5343	
Title of Proposed Regulatory Action or Guidance Document AS Broadcast 5696 Revised Adult Protective Services (APS) Minimum Training Standards	
Brief Overview The Adult Protective Services (APS) Minimum Training Standards guidance document will be revised to update mandatory training requirements to be completed in the first year of employment as an APS worker. Other minor technical changes will also be made.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final ☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Discretionary action ☒ Action required by state statute
Deregulatory Component	The document has not been revised in more than 10 years. DARS is currently reviewing the Minimum Training Standards to ensure it is consistent with current practices and training standards in the field of APS. During that process, DARS will review it for other potential opportunities.
Expected Date	January 2024

Action/Stage or Guidance Document Forum ID (if available) 6964		
Title of Proposed Regulatory Action or Guidance Document Electronic Storage of CIL Consumer Service Records		
Brief Overview This document contains guidance for Centers for Independent Living (CILs) implementing paperless or electronic consumer service record (CSR) storage by maintaining written independent living (IL) plans and waivers as electronic documents in a secure network or cloud storage system. This guidance will be incorporated into the updates to the CIL General Policies and Procedures Manual (ID: 4541) proposed for January 2024.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☒ Action required by federal statute ☒ Discretionary action ☒ Action required by state statute	
Deregulatory Component	This standalone guidance document will be deleted and updated version will be integrated into CIL General Policies and Procedures Manual (ID: 4541), thus reducing the number of DARS guidance documents.	
Expected Date	January 2024	

Action/Stage or Guidance Document Forum ID (if available) 6992	
Title of Proposed Regulatory Action or Guidance Document Electronic Signatures Guidance for Independent Living Centers	
Brief Overview This document contains guidance on how Centers for Independent Living (CILs) can permit individuals, guardians, parents, or other legally authorized advocates or representatives to use electronic signatures on independent living (IL) plans, IL plan amendments, and IL plan waivers, or to obtain informed written consent in accordance with IL services regulations. This guidance will be incorporated into the updates to the CIL General Policies and Procedures Manual (ID: 4541) proposed for January 2024.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final ☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action ☒ Guidance Document
Legal Authority	☒ Action required by federal statute ☒ Discretionary action ☒ Action required by state statute
Deregulatory Component	This standalone guidance document will be deleted and updated version will be integrated into CIL General Policies and Procedures Manual (ID: 4541), thus reducing the number of DARS guidance documents.
Expected Date	January 2024

Action/Stage or Guidance Document Forum ID (if available) 4541		
Title of Proposed Regulatory Action or Guidance Document Centers for Independent Living General Policies and Procedures Manual		
Brief Overview This manual contains information and requirements for Centers for Independent Living (CIL) about the state independent living (IL) grant, CIL services and operations, and required policies and procedures. This manual will need to be revised to update policies and procedures in accordance with federal, state, and agency requirements including technical changes (e.g. terminology, acronyms, etc.).		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☒ Action required by federal statute ☒ Discretionary action ☒ Action required by state statute	
Deregulatory Component	The CIL Manual has not been updated in over ten years. DARS is taking a comprehensive look at the CIL Manual with a focus on streamlining requirements, improving the readability, and aligning it with federal requirements and expected practices.	
Expected Date	January 2024	

Action/Stage or Guidance Document Forum ID (if available) 4532	
Title of Proposed Regulatory Action or Guidance Document Personal Assistance Services Program Handbook	
Brief Overview The Personal Assistance Services (PAS) Handbook provides information about and requirements for participation in the PAS Program. The updates will include changes in the program process, which impacts the roles and responsible of the consumer as the designed Employer of Record (EOR), on-boarding process, and the role of DARS as the fiscal agent.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final ☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action ☒ Guidance Document
Legal Authority	☒ Action required by federal statute ☒ Discretionary action ☒ Action required by state statute
Deregulatory Component	The PAS Handbook has not been updated in over ten years. DARS is taking a comprehensive look at the PAS Handbook with a focus on streamlining requirements, improving the readability, and aligning it with federal requirements and expected practices.
Expected Date	March 2024

Action/Stage or Guidance Document Forum ID (if available) 5161	
Title of Proposed Regulatory Action or Guidance Document VDA Farm Market Fresh for Seniors Handbook for Farmers	
Brief Overview This Handbook applies to all Farmers authorized by DARS to participate in the Senior Farmers' Market Nutrition Program (SFMNP) in Virginia, also called the Farm Market Fresh Program. The authorized farmer must comply with principles and procedures outlined in this handbook to participate. This handbook is updated annually to reflect any changes to the application process, transaction requirements, monitoring, and an updated listing of participating farmers.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final ☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action ☒ Guidance Document
Legal Authority	☒ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	Virginia's SFMNP is authorized and awarded by the U.S. Department of Agriculture. This limits DARS' ability to modify some content. However, DARS will take a closer look at the Handbook for potential opportunities.
Expected Date	March 2024

Action/Stage or Guidance Document Forum ID (if available) 7199		
Title of Proposed Regulatory Action or Guidance Document Senior Community Service Employment Program (SCSEP State Plan) [Modification]		
Brief Overview The purpose of the SCSEP state plan is for the state and national grantees to work together to develop an action plan for the implementation of the program in the state. Per federal requirements, the SCSEP State Plan requires periodic updates to keep it current and to conform to federal standards and priorities.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☒ Action required by federal statute ☒ Discretionary action ☒ Action required by state statute	
Deregulatory Component	The SCSEP State Plan structure and contents are directed heavily by federal requirements, which authorizes and funds SCSEP. While DARS' ability to modify some content is limited, DARS will take a closer look at the SCSEP State Plan for potential opportunities.	
Expected Date	April 2024	

Action/Stage or Guidance Document Forum ID (if available) 4526		
Title of Proposed Regulatory Action or Guidance Document 2024-2027 Workforce Innovation and Opportunity Act Combined State Plan		
Brief Overview Under the Workforce Innovation and Opportunity Act (WIOA), a Combined State Plan must be submitted to the Secretary of the U.S. Department of Labor (DOL) that outlines a four-year strategy for the State's workforce development system. The Combined State Plan contains a description of the state's Vocational Rehabilitation (VR) Services Program, the plans and policies to be followed in carrying out the VR program, and other information requested by the Rehabilitation Services Administration (RSA).		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final Rule	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☒ Action required by federal statute ☒ Discretionary action ☒ Action required by state statute	
Deregulatory Component	The WIOA Combined State Plan structure and contents are directed heavily by federal requirements, which primarily authorizes and funds VR services. While DARS' ability to modify some content is limited, DARS will take a closer look at the WIOA Combined State Plan for potential opportunities.	
Expected Date	May 2024	

Action/Stage or Guidance Document Forum ID (if available) 6883	
Title of Proposed Regulatory Action or Guidance Document State Plan for Assistive Technology	
Brief Overview The 21 st Century Assistive Technology Act provides funding to Virginia to operate the state's Assistive Technology (AT) Program, known as the Virginia Assistive Technology System (VATS). VATS is administered by DARS and supports state efforts to improve the provision of assistive technology to individuals with disabilities of all ages through comprehensive, statewide programs. VATS mission is to ensure that Virginians of all ages and abilities can acquire the appropriate, affordable assistive and information technologies and services they need to participate in society as active citizens. VATS is required to submit a three-year plan to the U.S. Administration for Community Living to conduct the federally-required AT services and activities, as defined in the AT Act.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final ☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action ☒ Guidance Document
Legal Authority	☒ Action required by federal statute ☒ Discretionary action ☒ Action required by state statute
Deregulatory Component	The AT State Plan structure and contents are directed heavily by federal requirements, which primarily authorizes and funds each state's AT Program. While DARS' ability to modify some content is limited, DARS will take a closer look at the AT State Plan for potential opportunities.
Expected Date	June 2024

Action/Stage or Guidance Document Forum ID (if available) 4519		
Title of Proposed Regulatory Action or Guidance Document Virginia Guide to Supported Employment and Job Coach Training Services		
Brief Overview The purpose is to provide practical and specific information to supplement the Division of Rehabilitative Services (DRS) Policy and Procedure Manual for Vocational Rehabilitation (VR). Where possible, this guide seeks to illustrate evolving best practices gleaned from case examples and data gathered in Virginia. Specifically, the Guide is intended to provide practitioners with guidance in implementing supported employment services. Revisions are needed to update the provisions for the benefits counseling section, align references to federal regulations, update service codes, and clarify the provisions for Long Term Employment Support Services.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☒ Action required by federal statute ☒ Discretionary action ☒ Action required by state statute	
Deregulatory Component	DARS intends to review the guide for potential opportunities to reduce the burden, streamline the document, and improve the clarity.	
Expected Date	June 2024	

Action/Stage or Guidance Document Forum ID (if available) 4520		
Title of Proposed Regulatory Action or Guidance Document Consumer's Guide to Self-Employment		
Brief Overview The Consumer's Guide to Self-Employment provides insight into the DRS Self-Employment Enterprise program and its procedures as well as what will be expected of consumers. This guide will be updated to bring it into alignment with current practices and expected program improvements.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☒ Action required by federal statute ☒ Discretionary action ☒ Action required by state statute	
Deregulatory Component	This guide has not been updated in over ten years. DARS will take a comprehensive look at it with a focus on streamlining requirements, improving the readability, and aligning it with any applicable federal requirements and expected practices.	
Expected Date	June 2024	

Action/Stage or Guidance Document Forum ID (if available) 5079		
Title of Proposed Regulatory Action or Guidance Document Vendor Application for Licensed Behavioral Health Services Provider A1205- Guidance Document		
Brief Overview The Vendor Application for Licensed Behavior Health Services provides information about the process and requirements for individuals seeking vendor status with DARS as a licensed provider. The updates will include changes in the program process, requirements, and overall process.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☒ Action required by federal statute ☒ Discretionary action ☒ Action required by state statute	
Deregulatory Component	This document has not been updated in almost ten years. DARS intends to take a comprehensive look at it and identify potential opportunities.	
Expected Date	June 2024	

Action/Stage or Guidance Document Forum ID (if available) 5081		
Title of Proposed Regulatory Action or Guidance Document Guidance for the Provision of Therapeutic Behavioral Services (TBS)		
Brief Overview The Guidance for the Provision of Therapeutic Behavioral Services (TBS) provides information about the requirements for the Provision of TBS. It includes requirements, expectations, licensure, and rates as they pertain to vendor services. This document will be updated to bring it into alignment with current practices and expected program improvements.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☒ Action required by federal statute ☒ Discretionary action ☒ Action required by state statute	
Deregulatory Component	DARS will review the guidance for potential opportunities.	
Expected Date	June 2024	

Action/Stage or Guidance Document Forum ID (if available) 6264	
Title of Proposed Regulatory Action or Guidance Document Licensed Behavioral Health Services - Guidance and Fees Document	
Brief Overview The Licensed Behavioral Health Services - Guidance and Fees Document provides information about the requirements for the Licensed Behavioral Health Services to include vendor criteria, expectations, fees as outlined in the manual. This document will be updated to bring it into alignment with current practices and expected program improvements.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final ☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action ☒ Guidance Document
Legal Authority	☒ Action required by federal statute ☒ Discretionary action ☒ Action required by state statute
Deregulatory Component	DARS will review the guidance for potential opportunities.
Expected Date	June 2024

Action/Stage or Guidance Document Forum ID (if available) 4521		
Title of Proposed Regulatory Action or Guidance Document Vocational Evaluation Best Practices Manual		
Brief Overview The manual is intended to unite all segments of DRS Vocational Evaluation Services in Virginia in an organized fashion to promote consistency of standards and practices under the leadership of the Chief Evaluators who will serve as “Quality Assurance Consults.” This manual will be updated to bring it into alignment with current practices and expected program improvements.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☒ Action required by federal statute ☒ Discretionary action ☒ Action required by state statute	
Deregulatory Component	DARS will review the guidance for potential opportunities.	
Expected Date	June 2024	

Action/Stage or Guidance Document Forum ID (if available) 4533		
Title of Proposed Regulatory Action or Guidance Document Personal Assistance Services Policy and Procedure Manual Chapters 1-5		
Brief Overview The Personal Assistance Services (PAS) Policy and Procedure Manual Chapters 1-5 provides information about the requirements for the PAS program to include eligibility, roles and responsibilities. This manual will need to be revised to update current practices and processes.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☒ Action required by federal statute ☒ Discretionary action ☒ Action required by state statute	
Deregulatory Component	The PAS Manual has not been updated in over five years. DARS will take a comprehensive look at the PAS Manual with a focus on streamlining requirements, improving the readability, and aligning it with federal and state requirements and expected practices. DARS will update and combine this Manual with Chapters 6-14, which is currently filed as a separate guidance document (ID: 4534).	
Expected Date	June 2024	

Action/Stage or Guidance Document Forum ID (if available) 4534		
Title of Proposed Regulatory Action or Guidance Document Personal Assistance Services Policy and Procedure Manual Chapters 6 through 14		
Brief Overview The Personal Assistance Services (PAS) Policy and Procedure Manual Chapters 6-14) provides information about the requirements for the PAS program to include eligibility, roles and responsibilities. This manual will need to be revised to update current practices and processes.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☒ Action required by federal statute ☒ Discretionary action ☒ Action required by state statute	
Deregulatory Component	The PAS Manual has not been updated in over five years. DARS will take a comprehensive look at the PAS Manual with a focus on streamlining requirements, improving the readability, and aligning it with federal and state requirements and expected practices. This standalone guidance document will be deleted and updated version will be integrated into Personal Assistance Services Policy and Procedure Manual Chapters 1-5 (ID: 4533), thus consolidating two documents into one.	
Expected Date	June 2024	

Department of Agriculture and Consumer Services (VDACS) / Total = 1

Action/Stage or Guidance Document Forum ID (if available) Not available		
Title of Proposed Regulatory Action or Guidance Document 2024 Virginia Cooperative Spongy Moth Suppression Program (Guidance Document)		
Brief Overview The proposed changes will update the dates within the guidelines to reflect the dates relevant to the 2024 Virginia Cooperative Spongy Moth Suppression Program.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Revised Proposed ☐ Fast-Track Rule
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	August 2023	

Department of Aviation (DOAV) / Total = 1

Title of Proposed Regulatory Action or Guidance Document DOAV Airport Program Manual August 2023 revision	
Brief Overview The Airport Program manual is a guidance document and user guide for airport sponsors and DOAV staff for the Commonwealth Aviation Fund for discretionary, entitlement, and maintenance grants. The latest version has been modified by staff, reviewed, and approved by the technical committee for the Virginia Airport Operator's Council (VAOC), and reviewed by the Virginia Aviation Board. Approval and adoption of the Airport Program Manual is anticipated at the August 18, 2023 Virginia Aviation Board Meeting.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	Consolidation, clarification, and improved readability of existing program guidance
Expected Date	August 2023

Department of Behavioral Health and Developmental Services (DBHDS) / Total = 7

Title of Proposed Regulatory Action or Guidance Document		
Uses of Video and Audio Monitoring in a Provider Service Settings (HR 03)		
Brief Overview		
This guidance will clarify the right of individuals receiving services licensed, funded, or operated by DBHDS to reasonable privacy, and clarify and detail expectations regarding provider use of monitoring devices in a service setting.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	DBHDS guidance documents are not enforceable, and therefore, contain no mandates.	
Expected Date	September 2023	

Action/Stage or Guidance Document Forum ID (if available)	
Title of Proposed Regulatory Action or Guidance Document Guidance on Reporting Medication Errors as Potential Abuse or Neglect (HR 04)	
Brief Overview This guidance will clarify expectations for licensed and funded providers regarding when to report a medication error as potential abuse or neglect; the intent is to reduce reporting that is not tied to suspected neglect. The guidance will clarify terminology and provide examples.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	DBHDS guidance documents are not enforceable, and therefore, contain no mandates.
Expected Date	September 2023

Action/Stage or Guidance Document Forum ID (if available)	
Guidance Document Forum (not available)	
Title of Proposed Regulatory Action or Guidance Document	
DBHDS DD Support Coordination (Case Management) Handbook (DD 05)	
Brief Overview	
The handbook provides information and "how to" guidance regarding developmental disability ("DD") case management services across the system. General content updates are needed as regulations change (including DMAS) and user feedback is collected. Strengthening the support coordinator's/case manager's role is essential to helping ensure effective and accountable services under the Medicaid Development Disability Waivers. The purpose of this handbook is to guide support coordinators in all aspects of their work.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	DBHDS guidance documents are not enforceable, and therefore, contain no mandates.
Expected Date	September 2023

Action/Stage or Guidance Document Forum ID (if available)	
Guidance Document Forum ID (not available)	
Title of Proposed Regulatory Action or Guidance Document	
Certified Recovery Residences (ORS 01)	
Brief Overview	
This guidance will be updated to correspond with mandated changes to 12VAC35-260, per HB277 (2022). A regulatory action is in process. <i>While the regulatory action is required, the guidance is not; however, the box is checked under 'legal authority' as it is tied to the regulatory mandate.</i>	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute ☐ Discretionary action
Deregulatory Component	DBHDS guidance documents are not enforceable, and therefore, contain no mandates.
Expected Date	December 2023

Action/Stage or Guidance Document Forum ID (if available) Guidance document forum ID (not available)	
Title of Proposed Regulatory Action or Guidance Document Part C 09 Early Intervention Practice Manual	
Brief Overview Planned changes are intended to align the manual with new processes necessitated by a new data system and to reflect telehealth options now allowed and their associated Medicaid requirements. There might be changes related to which personnel can provide Early Intervention services (depending on DMAS' response) and some other nonsubstantive updates.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final ☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	DBHDS guidance documents are not enforceable, and therefore have no mandates.
Expected Date	December 2023

Title of Proposed Regulatory Action or Guidance Document Guidance for Serious Incident Reporting (LIC 17)	
Brief Overview The planned updates to this guidance document will include additional clarification regarding requirements from the DOJ Settlement Agreement for providers of DD services to track specific risks that are common to individuals with developmental disabilities, as part of the provider's quarterly review of serious incidents. The guidance will clarify the expectation and provide examples. <i>This is not required by federal or state statute, but by agreement with the US Department of Justice in implementing the Settlement Agreement with Virginia.</i>	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☐ Discretionary action ☒ <i>Other (DOJ Settlement Agr.)</i>
Deregulatory Component	DBHDS guidance documents are not enforceable, and therefore, contain no mandates.
Expected Date	January 2024

Title of Proposed Regulatory Action or Guidance Document Guidance for Risk Management (LIC 21)	
Brief Overview The planned updates to this guidance document will include additional clarification as to how providers can incorporate information from their quarterly review of serious incidents into their annual systemic risk review. Updating this document is necessary to comply with required curative actions of the DOJ Settlement Agreement. <i>This is not required by federal or state statute, but by agreement with the US Department of Justice in implementing the Settlement Agreement with Virginia.</i>	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☐ Discretionary action ☒ <i>Other (DOJ Settlement Agr.)</i>
Deregulatory Component	DBHDS guidance documents are not enforceable, and therefore, contain no mandates.
Expected Date	January 2024

Department of Conservation and Recreation (DCR) / Total = 14

Action/Stage or Guidance Document Forum ID (if available)		
Title of Proposed Regulatory Action or Guidance Document Virginia Community Flood Preparedness Fund (CFPF) Grant Manual (Grant Round 4)		
Brief Overview: Virginia Community Flood Preparedness Fund (CFPF) was established to provide support for regions and localities across Virginia to reduce the impacts of flooding. The updated manual will include CFPF Grant Round 4.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency Rule or Emergency/NOIRA ☐ Revised Proposed ☒ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	July 2023 – Issued for public comment	

Action/Stage or Guidance Document Forum ID (if available)		
Title of Proposed Regulatory Action or Guidance Document The Resilient Virginia Revolving Fund (RVRF) Manual		
Brief Overview: The Resilient Virginia Revolving Fund (RVRF) was established to provide loans or to refinance projects for local governments or to give grants to them and provides that local governments may use the Fund for loans or grants to persons of the Commonwealth eligible for projects for resilience purposes.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency Rule or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute	☐ Discretionary action
Deregulatory Component		
Expected Date	July 2023 – Issued for public comment	

Action/Stage or Guidance Document Forum ID (if available)		
Title of Proposed Regulatory Action or Guidance Document Clinch River State Park Master Plan		
Brief Overview: Subsection 10.1-200 of the Code of Virginia requires that master plans be written for existing and proposed Virginia State Parks. The plans cover the size, types, locations of facilities, and the site's special features and resources. Plans also cover infrastructure, such as roads and utilities. They also outline phased development and costs for operations, maintenance, and staffing.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency Rule or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute	☐ Discretionary action
Deregulatory Component	None	
Expected Date	August 2023	

Action/Stage or Guidance Document Forum ID (if available)	
Title of Proposed Regulatory Action or Guidance Document Virginia Flood Risk Management Standards	
Brief Overview: Code of Virginia § 10.1-603 codified Executive Order 45 (2019), establishing Floodplain management requirements and planning standards for state agencies, institutions, and property. To remain in compliance with the National Flood Insurance Program (NFIP), Virginia is required to formally adopt development standards for state agency buildings and facilities in flood-prone areas. Participation in the NFIP provides Virginia's citizens with lower-cost flood insurance.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final ☐ Emergency Rule or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☒ Guidance Document ☐ Exempt Action
Legal Authority	☐ Action required by federal statute ☐ Discretionary action ☒ Action required by state statute
Deregulatory Component	
Expected Date	September 2023

Action/Stage or Guidance Document Forum ID (if available) DCR-NH-064	
Title of Proposed Regulatory Action or Guidance Document Third Quarter (2023)- Update of DCR-NH-064 - Natural Heritage Resources of Virginia – Rare Animal Species	
Brief Overview: The first step in conservation is identifying and prioritizing what needs protecting. DCR-DNH identifies Natural Heritage Resources (NHR) which need conservation attention. NHR are defined in the Virginia Natural Area Preserves Act of 1989 (Section 10.1-209 through 217, Code of Virginia) as the habitat of rare, threatened, and endangered plant and animal species; exemplary natural communities, habitats, and ecosystems; and other natural features of the Commonwealth. This document is updated quarterly.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final ☐ Emergency Rule or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute ☐ Discretionary action
Deregulatory Component	None
Expected Date	September 2023

Action/Stage or Guidance Document Forum ID (if available)		
Title of Proposed Regulatory Action or Guidance Document Third Quarter (2023) - Update of DCR-NH-075 -Natural Heritage Resources of Virginia – Rare Plants List		
Brief Overview: The first step in conservation is identifying and prioritizing what needs protecting. DCR-DNH identifies Natural Heritage Resources (NHR) which need conservation attention. NHR are defined in the Virginia Natural Area Preserves Act of 1989 (Section 10.1-209 through 217, Code of Virginia) as the habitat of rare, threatened, and endangered plant and animal species; exemplary natural communities, habitats, and ecosystems; and other natural features of the Commonwealth. This document is updated quarterly.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency Rule or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute	☐ Discretionary action
Deregulatory Component	None	
Expected Date	September 2023	

Action/Stage or Guidance Document Forum ID (if available)	
Title of Proposed Regulatory Action or Guidance Document Fourth Quarter (2023) Update DCR-NH-064 - Natural Heritage Resources of Virginia – Rare Animal Species	
Brief Overview: The first step in conservation is identifying and prioritizing what needs protecting. DCR-DNH identifies Natural Heritage Resources (NHR) which need conservation attention. NHR are defined in the Virginia Natural Area Preserves Act of 1989 (Section 10.1-209 through 217, Code of Virginia) as the habitat of rare, threatened, and endangered plant and animal species; exemplary natural communities, habitats, and ecosystems; and other natural features of the Commonwealth. This document is updated quarterly.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final ☐ Emergency Rule or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute ☐ Discretionary action
Deregulatory Component	None
Expected Date	December 2023

Action/Stage or Guidance Document Forum ID (if available)	
Title of Proposed Regulatory Action or Guidance Document Fourth Quarter (2023) Update DCR-NH-075 - Natural Heritage Resources of Virginia – Rare Plants List	
Brief Overview: The first step in conservation is identifying and prioritizing what needs protecting. DCR-DNH identifies Natural Heritage Resources (NHR) which need conservation attention. NHR are defined in the Virginia Natural Area Preserves Act of 1989 (Section 10.1-209 through 217, Code of Virginia) as the habitat of rare, threatened, and endangered plant and animal species; exemplary natural communities, habitats, and ecosystems; and other natural features of the Commonwealth. This document is updated quarterly.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final ☐ Emergency Rule or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute ☐ Discretionary action
Deregulatory Component	None
Expected Date	December 2023

Action/Stage or Guidance Document Forum ID (if available)	
Title of Proposed Regulatory Action or Guidance Document First Quarter 2024 - Update DCR-NH-064 - Natural Heritage Resources of Virginia – Rare Animal Species	
Brief Overview: The first step in conservation is identifying and prioritizing what needs protecting. DCR-DNH identifies Natural Heritage Resources (NHR) which need conservation attention. NHR are defined in the Virginia Natural Area Preserves Act of 1989 (Section 10.1-209 through 217, Code of Virginia) as the habitat of rare, threatened, and endangered plant and animal species; exemplary natural communities, habitats, and ecosystems; and other natural features of the Commonwealth. This document is updated quarterly.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final ☐ Emergency Rule or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute ☐ Discretionary action
Deregulatory Component	None
Expected Date	March 2024

Action/Stage or Guidance Document Forum ID (if available)	
Title of Proposed Regulatory Action or Guidance Document First Quarter (2024) - Update DCR-NH-075 - Natural Heritage Resources of Virginia – Rare Plants List	
Brief Overview: The first step in conservation is identifying and prioritizing what needs protecting. DCR-DNH identifies Natural Heritage Resources (NHR) which need conservation attention. NHR are defined in the Virginia Natural Area Preserves Act of 1989 (Section 10.1-209 through 217, Code of Virginia) as the habitat of rare, threatened, and endangered plant and animal species; exemplary natural communities, habitats, and ecosystems; and other natural features of the Commonwealth. This document is updated quarterly.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final ☐ Emergency Rule or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute ☐ Discretionary action
Deregulatory Component	None
Expected Date	March 2024

Action/Stage or Guidance Document Forum ID (if available)		
Title of Proposed Regulatory Action or Guidance Document		
Southwest VA Museum State Park Master Plan		
Brief Overview: Subsection 10.1-200 of the Code of Virginia requires that master plans be written for existing and proposed Virginia State Parks. The plans cover the size, types, locations of facilities, and the site's special features and resources. Plans also cover infrastructure, such as roads and utilities. They also outline phased development and costs for operations, maintenance, and staffing.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency Rule or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute	☐ Discretionary action
Deregulatory Component	None	
Expected Date	May 2024	

Action/Stage or Guidance Document Forum ID (if available)	
Title of Proposed Regulatory Action or Guidance Document Second Quarter (2024) -Update DCR-NH-064 - Natural Heritage Resources of Virginia – Rare Animal Species	
Brief Overview: The first step in conservation is identifying and prioritizing what needs protecting. DCR-DNH identifies Natural Heritage Resources (NHR) which need conservation attention. NHR are defined in the Virginia Natural Area Preserves Act of 1989 (Section 10.1-209 through 217, Code of Virginia) as the habitat of rare, threatened, and endangered plant and animal species; exemplary natural communities, habitats, and ecosystems; and other natural features of the Commonwealth. This document is updated quarterly.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final ☐ Emergency Rule or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute ☐ Discretionary action
Deregulatory Component	None
Expected Date	June 2024

Action/Stage or Guidance Document Forum ID (if available)	
Title of Proposed Regulatory Action or Guidance Document Second Quarter (2024) Update DCR-NH-075 - Natural Heritage Resources of Virginia – Rare Plants List	
Brief Overview: The first step in conservation is identifying and prioritizing what needs protecting. DCR-DNH identifies Natural Heritage Resources (NHR) which need conservation attention. NHR are defined in the Virginia Natural Area Preserves Act of 1989 (Section 10.1-209 through 217, Code of Virginia) as the habitat of rare, threatened, and endangered plant and animal species; exemplary natural communities, habitats, and ecosystems; and other natural features of the Commonwealth. This document is updated quarterly.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final ☐ Emergency Rule or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute ☐ Discretionary action
Deregulatory Component	None
Expected Date	June 2024

Action/Stage or Guidance Document Forum ID (if available)	
Title of Proposed Regulatory Action or Guidance Document Update DCR-NH-074 - Virginia's Precious Heritage: <i>A Report on the Status of Virginia's Natural Communities, Plants and Animals</i>	
Brief Overview: The Virginia Natural Heritage Plan provides a comprehensive description of the Virginia Natural Heritage Program, the condition of the state's biodiversity, and its goals for protecting the Commonwealth's natural communities and rare species.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final ☐ Emergency Rule or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute ☐ Discretionary action
Deregulatory Component	None
Expected Date	June 2024

Department of Criminal Justice Services (DCJS) / Total = 5

Title of Proposed Regulatory Action or Guidance Document Training Standards for School Resource Officers	
Brief Overview The Virginia Center for School and Campus Safety division of DCJS has been working with subject matter experts and facilitating a workgroup to establish training standards for School Resource Officers (SROs) who are sworn officers, employed by Sheriffs' Offices or Police Departments in the Commonwealth, and assigned to elementary, middle, high schools, and colleges in Virginia. DCJS anticipates the promulgation of this new guidance document in late 2023, after final departmental approval is given after consultation with the Secretary of Public Safety and Homeland Security. Although the standards and requirements themselves have been under development for some time, as stated in the above actions pertaining to this division of DCJS, the agency is currently awaiting direction on how to proceed.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	This action will not reduce the regulatory requirements of the agency, but rather, will enhance the safety of some of the youngest citizens of Virginia by the promulgation of a guidance document containing standards and requirements to be utilized by employing Sheriffs' Offices or Police Departments for their SROs working in/on school campuses.
Expected Date	December 2023

Title of Proposed Regulatory Action or Guidance Document	
Training Standards for School Security Officers	
Brief Overview	
Upon the repeal of 6 VAC 20-240, the Virginia Center for School and Campus Safety division of DCJS anticipates continuing to work with subject matter experts to establish training standards and requirements for School Security Officers (SSOs) who are civilian, non-sworn individuals employed by schools and/or colleges. DCJS anticipates the promulgation of this new guidance document in late 2023, after final departmental and Secretariat approval is given.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☐ Discretionary action
Deregulatory Component	This action will not reduce the regulatory requirements of the agency, but rather, will enhance the safety of some of the youngest citizens of Virginia by the promulgation of a guidance document containing standards and requirements to be utilized by the employing schools and/or colleges.
Expected Date	December 2023

Title of Proposed Regulatory Action or Guidance Document	
Training Standards for Campus Security Officers	
Brief Overview	
Upon the repeal of 6 VAC 20-270, the Virginia Center for School and Campus Safety division of DCJS anticipates continuing to work with subject matter experts to establish training standards and requirements for Campus Security Officers (CSOs) who are civilian, non-sworn individuals employed by schools and/or colleges. DCJS anticipates the promulgation of this new guidance document in early 2023, after final departmental and Secretariat approval is given.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☐ Discretionary action
Deregulatory Component	This action will not reduce the regulatory requirements of the agency, but rather, will enhance the safety of some of the youngest citizens of Virginia by the promulgation of a guidance document containing standards and requirements to be utilized by the employing schools and/or colleges.
Expected Date	December 2023

Title of Proposed Regulatory Action or Guidance Document	
CASA/CJA Advisory Committee Guidance Policies for Court Appointed Special Advocate Programs	
Brief Overview	
The guidance document currently posted to Town Hall for the CASA/CJA Advisory Committee's guidance policies for Court Appointed Special Advocate Programs (CASA) was last updated in 2017. The newest version, which contains updated language and technical amendments, was made in 2021, so this document will be replaced later this year.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	This action will not reduce the regulatory requirements of the agency, but rather, will update the current guidance document, ensuring all constituents are receiving the most up-to-date information related to CASA.
Expected Date	December 2023

Title of Proposed Regulatory Action or Guidance Document	
Local Community-Based Probation and Pretrial Services Grant Application Guide for Continuation Funding	
Brief Overview	
The guidance document currently posted to Town Hall for the Local Community-Based Probation and Pretrial Services Grant Application Guide has not been updated since FY16 and is no longer being utilized by constituents seeking funding, so it will be replaced with the most current version, for FY24, once it is complete in late 2023. Although the current version for FY23 is available on the DCJS website, it was never posted to Town Hall, which is an oversight on the agency's part. The updated version will contain new technical amendments and rules for those agencies seeking funding for FY24.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	This action will not reduce the regulatory requirements of the agency, but rather, will update the current guidance document, ensuring all constituents are receiving the most up-to-date information related to funding opportunities.
Expected Date	December 2023

Department of Education (DOE) / Total = 6

Action/Stage or Guidance Document Forum ID (if available) n/a		
Title of Proposed Regulatory Action or Guidance Document Child Care Subsidy Program Guidance Manual		
Brief Overview The Board will update the Child Care Subsidy Program Guidance Manual to reflect changes in federal guidance		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	X Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	X Discretionary action
Deregulatory Component		
Expected Date	April 2024	

Action/Stage or Guidance Document Forum ID (if available) n/a		
Title of Proposed Regulatory Action or Guidance Document Update to the Model Guidance for Positive and Preventive Code of Student Conduct Policy and Alternatives to Suspension		
Brief Overview The Board will update the policy to comply with Chapter 296 of the 2023 Acts of the Assembly.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	X Guidance Document
Legal Authority	☐ Action required by federal statute X Action required by state statute	X Discretionary action
Deregulatory Component		
Expected Date	June 2024	

Action/Stage or Guidance Document Forum ID (if available) n/a		
Title of Proposed Regulatory Action or Guidance Document High-Quality Professional Development		
Brief Overview The Board will develop high-quality professional development in accordance with Chapter 645 of the 2023 Acts of the Assembly.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	X Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute	X Discretionary action
Deregulatory Component		
Expected Date	June 2024	

Action/Stage or Guidance Document Forum ID (if available) n/a		
Title of Proposed Regulatory Action or Guidance Document Revisions to the Board's High-Quality Work-Based Learning Guide		
Brief Overview The Board will make annual updates to the High-Quality Work-Based Learning Guide.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	X Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	X Discretionary action
Deregulatory Component		
Expected Date	June 2024	

Action/Stage or Guidance Document Forum ID (if available) n/a		
Title of Proposed Regulatory Action or Guidance Document Revisions to the Board's Approved Industry Certifications, Occupational Competency Assessments, and Professional Licenses		
Brief Overview The Board will do an annual update to the Approved Industry Certifications, Occupational Competency Assessments, and Professional Licenses		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	X Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	X Discretionary action
Deregulatory Component		
Expected Date	June 2024	

Action/Stage or Guidance Document Forum ID (if available) n/a		
Title of Proposed Regulatory Action or Guidance Document Revisions to the Board's Approved Courses to Satisfy Graduation Requirements for the Standard, Advanced Studies, and Modified Standard Diplomas in Virginia Public Schools		
Brief Overview The Board will do an annual update to the Approved Courses to Satisfy Graduation Requirements for the Standard, Advanced Studies, and Modified Standard Diplomas in Virginia Public Schools		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	X Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	X Discretionary action
Deregulatory Component		
Expected Date	June 2024	

Department of Environmental Quality (DEQ) / Total = 116

Action/Stage or Guidance Document Forum ID (if available)	
Title of Proposed Regulatory Action or Guidance Document: Guidance Document for Inclusion of USEPA Clean Water Act Section 316(b), Cooling Water Intake Structures Requirements in Virginia Pollution Discharge Elimination System (VPDES) Permits for Large Facilities	
Brief Overview The 316 (b) rule of the federal Clean Water Act (CWA) was promulgated and finalized by the U.S. Environmental Protection Agency (EPA) in 2014 and requires the inclusion of certain considerations and requirements for water intake structures at industrial facilities that have Virginia Pollutant Discharge Elimination System (VPDES) permits that withdrawal 25% or more of their water from an adjoining waterbody exclusively for cooling purposes. This requirement exists for both new and existing intake structures at these facilities. EPA requires DEQ to include the consideration of technology that achieves one of two alternatives under the best technology available (BTA) standards for entrainment (for new facilities) and/or reducing fish impingement by implementing one of seven options or requiring additional studies for DEQ and other agencies to determine site-specific inflow controls with public input (existing facilities over ≥ 125 million gallons per day / GPD). This guidance document will assist staff in determining the requirements for new and existing facilities as well as be used to set general standards for consideration for large facilities for DEQ staff to use to develop this component of VPDES permits (where applicable). This guidance document will provide public transparency about how DEQ is making these recommendations, enable the regulated community to appropriately prepare their permit applications/reapplications and facilitate multi-agency coordination on this rule. This guidance document needs to be developed because the first reissuance of VPDES permits since this rule was promulgated is approaching and DEQ is required by Federal law to incorporate these requirements into the VPDES program.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	
Expected Date	December 2023

Action/Stage or Guidance Document Forum ID (if available)	
Title of Proposed Regulatory Action or Guidance Document Revise Guidance Memo GM18-2004, Procedures for Pipeline Stop Work Instruction	
Brief Overview The intent of this action is to revise Guidance Memo 18-2004, which establishes procedures for a stop work instruction to be issued to certain natural gas transmission pipelines pursuant to §§ 62.1-44.15:37.1 and/or 62.1-44.15:58.1 of the Code of Virginia. Sections 62.1-44.15:37.1 and 62.1-44.15:58.1 of the Code of Virginia provide that DEQ may issue an instruction to stop work for land-disturbing activities related to the construction of a natural gas transmission pipeline under certain conditions. This document needs to be updated due to the change in construction materials and conditions in various statewide pipeline projects.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	
Expected Date	March 2024

Action/Stage or Guidance Document Forum ID (if available)	
Title of Proposed Regulatory Action or Guidance Document Revise GM18-2012 Point Assessment for Alleged Violations of the Construction Stormwater Permit Criteria and Enforcement Referral Guidance	
Brief Overview The intent of this action is to revise Guidance Memo 18-2012, and the applicable attachment. This document provides direction for evaluating noncompliance with the General VPDES Permit for Discharges of Stormwater from Construction Activities Regulations (9VAC25-880), the Virginia Stormwater Management Program Regulations (9 VAC 25-870), and the State Water Control Law (Va. Code 62.1-44.2 et seq) and provides a point system for determining the appropriate compliance response, including when to refer cases to the Division of Enforcement. The point system allows Stormwater Compliance staff to consistently assess and respond to alleged noncompliance.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	
Expected Date	March 2024

Action/Stage or Guidance Document Forum ID (if available) N/A		
Title of Proposed Regulatory Action or Guidance Document Revise GM20-2001 Addendum to Trading Nutrient Reductions from Nonpoint Source Best Management Practices in the Chesapeake Bay Watershed: Guidance for Agricultural Landowners and Your Potential Trading Partners		
Brief Overview DEQ intends to revise this guidance document to address regulatory changes made to 9VAC25-900, Certification of Nonpoint Source Nutrient Credits, pursuant to Chapter 723 of the 2023 Virginia Acts of Assembly (SB 959, Sen. Hanger). The guidance document will address how the DEQ Director will evaluate potential alternative delivery factors in the Southern Rivers Watershed based on scientific and technical information appropriate for the Southern Rivers Watershed.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	The revised guidance document will provide that in evaluating potential alternative delivery factors in the Southern Rivers Watershed the DEQ Director will select the scientifically and technically defensible alternative that maximizes the amount of credits available in the Southern Rivers Watershed, thereby maximizing economic efficiency.	
Expected Date	November 2023	

Action/Stage or Guidance Document Forum ID (if available) N/A		
Title of Proposed Regulatory Action or Guidance Document Revise 7145 DEQ's Manual for Processing Requests Pursuant to the Virginia Freedom of Information Act		
Brief Overview DEQ intends to revise its Manual for Processing Requests Pursuant to the Virginia Freedom of Information Act to change its policy for charging fees for Virginia Freedom of Information Act (FOIA) requests. Over the last three years DEQ has processed an average of approximately 19,000 FOIA searches per year. An adjustment to the fees DEQ charges for FOIA requests is necessary to cover the increasing costs associated with this workload.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	November 2023	

Action/Stage or Guidance Document Forum ID (if available) ACG-010		
Title of Proposed Regulatory Action or Guidance Document ACG-010: Air Compliance Guidance for Implementation of Article 43.1 and 40 CFR 63 Subpart AAAA after September 27, 2021		
Brief Overview This update will supersede ACG-10 (8/30/2018) . It addresses implementation of Article 43.1 and 40 CFR 63 Subpart AAAA after September 27, 2021.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute	☐ Discretionary action
Deregulatory Component		
Expected Date	May 2024	

Action/Stage or Guidance Document Forum ID (if available) ASOP-13 and ASOP-13 Amendments	
Title of Proposed Regulatory Action or Guidance Document ASOP-13: Tax Certification	
Brief Overview This update will supersede ASOP-13 (11/22/2004) and ASOP-13 Amendment (1/23/2009). It includes changes to the tax statute (§ 58.1-3660 of the Code of Virginia).	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final ☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute ☐ Discretionary action
Deregulatory Component	The changes to the statute allow political subdivisions to self-certify pollution control equipment to the Department of Taxation.
Expected Date	May 2024

Action/Stage or Guidance Document Forum ID (if available) ASOP-09		
Title of Proposed Regulatory Action or Guidance Document ASOP-9: VOC Sampling and Analysis		
Brief Overview This ASOP will be reviewed to determine if it is still regulatorily applicable. If so, it will be updated to reflect the regulations as the guidance contains outdated information.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute	☐ Discretionary action
Deregulatory Component		
Expected Date	June 2024	

Action/Stage or Guidance Document Forum ID (if available) ACG-015		
Title of Proposed Regulatory Action or Guidance Document ACG-015: Air Compliance Guidance for the Implementation of the Permitting Exemption for Qualified Fumigation Facilities		
Brief Overview This update will supersede ACG-015 and update some language and calculations that were incorrect.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute	☐ Discretionary action
Deregulatory Component		
Expected Date	December 2023	

Action/Stage or Guidance Document Forum ID (if available)		
Title of Proposed Regulatory Action or Guidance Document Guidance Document for Reissuance of the Virginia Pollution Abatement (VPA) Regulation and General Permit for Animal Feeding Operations and Animal Waste Management (9VAC25-192)		
Brief Overview This Guidance Document will assist permittees in understanding any new permit requirements and help with overall implementation of the reissued VPA Regulation and General Permit for Animal Feeding Operations and Animal Waste Management (9VAC25-192).		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	July 2023 (or later)	

Action/Stage or Guidance Document Forum ID (if available)		
Title of Proposed Regulatory Action or Guidance Document Guidance Document for 2024 VPDES General Permit Regulation for Storm Water Discharges Associated with Industrial Activity (9VAC25-151)		
Brief Overview This guidance document will assist dischargers in understanding any new permit requirements and help with overall implementation of the reissued general permit regulation for stormwater discharges associated with industrial activity. This general permit regulation authorizes the discharge of stormwater from sites associated with industrial activity.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	Reissuance of this general permit provides dischargers under this sector with a streamlined permitting process, greatly reducing the costs and time necessary to obtain permit coverage as well as reducing the administrative costs to the Commonwealth.	
Expected Date	March 2024	

Action/Stage or Guidance Document Forum ID (if available) GM14-2013		
Title of Proposed Regulatory Action or Guidance Document Rescind GM14-2013 (08/08/2014) Implementation Guidance for Reissuance of the General VPDES Permit for Stormwater Discharges Associated with Industrial Activity, VAR05		
Brief Overview This document replaced Guidance Memo No. 09-2008, Implementation Guidance for Reissuance of the General VPDES Permit for Stormwater Discharges Associated with Industrial Activity, VAR05. On December 17, 2013, the State Water Control Board adopted amendments to General VPDES Permit for Stormwater Discharges Associated with Industrial Activity, 9VAC25-151, which modified General Permit VAR05. The purpose of this document was to identify changes that had been made to the General Permit VAR05, to provide Department of Environmental Quality (DEQ) staff with instructions on implementation of these changes, to provide information on aspects of the permit that have raised questions, and to provide example letters that staff may use for the administration of the regulation.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	This document is intended for internal DEQ use and summarizes the changes made in the reissuance of VPDES VAR05 for staff to use as a quick reference and a training document. It simply restates/copies the verbiage from the modified regulation and provides sample letters for staff to use to send to permittees, as well as lists other inter-agency contacts required as part of this process. The final regulation, and associated permit forms of this regulation are available on the DEQ VPDES general permits webpage and the Legislative Information System. This document details only internal DEQ procedures and does not interpret any laws or regulations for the public. Therefore, this document should be removed as a guidance document.	
Expected Date	March 2024	

Action/Stage or Guidance Document Forum ID (if available)		
Title of Proposed Regulatory Action or Guidance Document Guidance Document for 2024 Amendment and Reissuance of the VPDES General Permit Regulation for Nonmetallic Mineral Mining (9VAC25-190)		
Brief Overview This guidance document will assist dischargers in understanding any new permit requirements and help with overall implementation of the reissued general permit regulation for nonmetallic mineral mining. This general permit regulation authorizes the discharge of process and stormwater from nonmetallic mineral mining operations. This regulatory action is needed to ensure that existing and new mining operations are covered under this general permit regulation.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	March 2024	

Action/Stage or Guidance Document Forum ID (if available)		
Title of Proposed Regulatory Action or Guidance Document Guidance Document for 2024 Amendment and Reissuance of the VPDES General Permit Regulation for Discharges of Stormwater from Small Municipal Separate Storm Sewer Systems (MS4s) (9VAC25-890)		
Brief Overview This guidance document will assist dischargers in understanding any new permit requirements and help with overall implementation of the reissued general permit regulation for discharges from small MS4s. This general permit regulation authorizes the discharge of stormwater from small municipal separate stormwater systems. This regulatory action is needed to ensure that existing and new MS4s are covered under this general permit regulation. This general permit is also integral to the Commonwealth's commitments to meeting nutrient reduction goals under the Chesapeake Bay Total Maximum Daily Load (TMDL).		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	September 2023	

Action/Stage or Guidance Document Forum ID (if available) GM13-2002		
Title of Proposed Regulatory Action or Guidance Document Rescind GM13-2002 (02/27/2013) Implementation Guidance for the Reissuance of the General VPDES Permit for Noncontact Cooling Water Discharges of 50,000 GPD or Less (9VAC25-196)		
Brief Overview This document replaced Guidance Memo No.08-2005, Implementation Guidance for Reissuance of the General VPDES Permit Regulation for Noncontact Cooling Water Discharges of 50,000 GPD or Less, VAG25. On September 27, 2012, the State Water Control Board adopted amendments to General VPDES Permit Regulation for Noncontact Cooling Water Discharges of 50,000 GPD or Less, 9VAC25-196, which modified General Permit VAG25. The purpose of this document was to identify changes that had been made to the General Permit VAG25, to provide Department of Environmental Quality (DEQ) staff with instructions on implementation of these changes, to provide information on aspects of the permit that have raised questions, and to provide example letters that staff may use for the administration of the regulation.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	This document is intended for internal DEQ use and summarizes the changes made in the reissuance of VPDES VAG25 for staff to use as a quick reference and a training document. It simply restates/copies the verbiage from the modified regulation and provides sample letters for staff to use to send to permittees, as well as lists other inter-agency contacts required as part of this process. The final regulation, and associated permit forms of this regulation are available on the DEQ VPDES general permits webpage and the Legislative Information System. This document details only internal DEQ procedures and does not interpret any laws or regulations for the public. Therefore, this document should be removed as a guidance document.	
Expected Date	July 2023	

Action/Stage or Guidance Document Forum ID (if available)		
Title of Proposed Regulatory Action or Guidance Document Guidance Document for the Nutrient Offset Fund		
Brief Overview This guidance document will establish and develop criteria for how the Department of Environmental Quality (DEQ) will provide allocations from the Nutrient Offset Fund for new and expanded discharges.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	June 2024	

Action/Stage or Guidance Document Forum ID (if available)		
Title of Proposed Regulatory Action or Guidance Document Guidance for Nonpoint Source Nutrient Credit Approval of Trustee/Endowment Managers on Stream Nutrient Projects		
Brief Overview The intent of this guidance document is to provide requirements for approval of third-party long-term stewards to hold management funds in a separate interest-bearing account to be used only for the management of stream restoration projects used for nutrient credits.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute	☐ Discretionary action
Deregulatory Component		
Expected Date	September 2023	

Action/Stage or Guidance Document Forum ID (if available) GM01-2003		
Title of Proposed Regulatory Action or Guidance Document Rescind GM01-2003, Standard Operating Procedures for Clean Metals Sampling - Amendment #1		
Brief Overview This document is not formal guidance and the procedures have been incorporated into the agency's 2020 Water Quality Monitoring Standard Operating Procedures which are posted on the Department of Environmental Quality's (DEQ) website.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	This document details only internal procedures and does not interpret exiting laws or regulations for the public and therefore should be rescinded as a guidance document.	
Expected Date	July 2023	

Action/Stage or Guidance Document Forum ID (if available) GM05-2014		
Title of Proposed Regulatory Action or Guidance Document Rescind GM05-2014, Modifications to the VPA General Permit Regulation for Poultry Waste Management		
Brief Overview This document was originally issued on November 7, 2005. This guidance document was provided to regional staff for internal use, and describes internal Department of Environmental Quality (DEQ) procedures for processing Virginia Pollution Abatement (VPA) general permits for confined poultry feeding operations to ensure the State Water Control Law, the VPA Permit Regulation, and the VPA general permit for AFOs are met. It describes changes made to the regulation in 2004 and 2005 and provides instructions to DEQ staff regarding those changes.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	This document is an internally used document to assist DEQ permit and compliance staff in implementation of the VPA general permit for poultry feeding operations. The propose of this document is to provide VPA permit writers, inspectors, reviewers, and managers procedures to ensure that DEQ meets requirements of the Commonwealth. In addition, this document is intended to promote consistency between DEQ regions, define and set standards for timely processing of registration statements, inspecting facilities, and to provide a tool to train new staff in the correct procedures and administering the VPA permit program. This document does not interpret any laws or regulations. Therefore, this document should be removed as a guidance document.	
Expected Date	May 2024	

Action/Stage or Guidance Document Forum ID (if available) 00-2018		
Title of Proposed Regulatory Action or Guidance Document Rescind 00-2018, Implementation of the VPA General Permit Regulation for Poultry Waste Management		
Brief Overview This document was originally issued on November 30, 2000. This guidance document was provided to regional staff for internal use, and procedures have been updated following the reissuance of the general permit in 2010 and 2021. This guidance document describes internal Department of Environmental Quality (DEQ) procedures for processing Virginia Pollution Abatement (VPA) general permits for confined poultry feeding operations to ensure the State Water Control Law, the VPA Permit Regulation, and the VPA general permit for Poultry Waste Management are met. It presents the procedures for obtaining a complete registration statement, determining eligibility for coverage under the general permit, transmittal of the general permit to registrants, and inspection procedures.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Discretionary action ☐ Action required by state statute	
Deregulatory Component	This document is an internally used document to assist DEQ permit and compliance staff in ensuring that that DEQ has a complete general permit registration statement before coverage under the draft permit is issued and that all permit conditions and requirements are met. The propose of this document is to provide VPA permit writers, inspectors, reviewers, and managers procedures to ensure that DEQ meets requirements of the Commonwealth. In addition, this document is intended to promote consistency between DEQ regions, define and set standards for timely processing of registration statements, inspecting facilities, and to provide a tool to train new staff in the correct procedures and administering the VPA permit program. This document does not interpret any laws or regulations. Therefore, this document should be removed as a guidance document.	
Expected Date	May 2024	

Action/Stage or Guidance Document Forum ID (if available) GM14-2017		
Title of Proposed Regulatory Action or Guidance Document Rescind GM14-2017 Implementation of VPA Regulation and General Permit for Animal Feeding Operations and Animal Waste Management Amendments, VPG1		
Brief Overview This document was originally issued on November 12, 2014. This guidance document was provided to regional staff for internal use. This guidance document describes internal Department of Environmental Quality (DEQ) procedures for processing Virginia Pollution Abatement (VPA) general permits for animal feeding operations using a liquid manure management system to ensure the State Water Control Law, the VPA Permit Regulation, and the VPA general permit for AFOs are met. It presents the procedures for obtaining a complete registration statement, determining eligibility for coverage under the general permit, transmittal of the general permit to registrants, and inspection procedures.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Discretionary action ☐ Action required by state statute	
Deregulatory Component	This document is an internally used document to assist DEQ permit and compliance staff in ensuring that that DEQ has a complete general permit registration statement before coverage under the draft permit is issued and that all permit conditions and requirements are met. The propose of this document is to provide VPA permit writers, inspectors, reviewers, and managers procedures to ensure that DEQ meets requirements of the Commonwealth. In addition, this document is intended to promote consistency between DEQ regions, define and set standards for timely processing of registration statements, inspecting facilities, and to provide a tool to train new staff in the correct procedures and administering the VPA permit program. This document does not interpret any laws or regulations. Therefore, this document should be removed as a guidance document.	
Expected Date	May 2024	

Action/Stage or Guidance Document Forum ID (if available) 92-016		
Title of Proposed Regulatory Action or Guidance Document Rescind 92-016 Virginia Pollution Abatement (VPA) Permit Manual		
Brief Overview This document was originally issued in July of 1992. The memo accompanying the Virginia Pollution Abatement (VPA) Permit manual issuance states that the Permit manual will be provided to regional staff for internal use. This document was updated and published in 2014. This permit manual describes internal Department of Environmental Quality (DEQ) procedures for processing Virginia Pollution Abatement (VPA) permits to ensure the State Water Control Law and the VPA Permit Regulation are met. It presents the procedures for obtaining a complete application, preparing a draft VPA permit, subjecting the draft permit to the public participation process, and issuing/reissuing modifying/revoking/terminating and denying permits.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Discretionary action ☐ Action required by state statute	
Deregulatory Component	This document is an internally used document to assist DEQ permit writing staff in ensuring that all permit conditions and requirements are met, and that DEQ has a complete permit application before issuance of a permit/draft permit. The propose of this manual is to provide VPA permit writers, reviewers, and managers procedures to ensure that DEQ meets requirements of the state. In addition, this document is intended to promote consistency between DEQ regions, define and set standards for timely processing of applications, and provide a tool to train new staff in the correct procedures and administering the VPA permit program. This document does not interpret any laws or regulations. Therefore, this document should be removed as a guidance document.	
Expected Date	July 2023	

Action/Stage or Guidance Document Forum ID (if available) GM18-2006		
Title of Proposed Regulatory Action or Guidance Document Rescind GM18-2006, Reissuance Procedures for VPA Biosolids Land Application Permits		
Brief Overview This document was originally issued on October 22, 2018. This guidance document was provided to regional staff for internal use, and describes internal Department of Environmental Quality (DEQ) procedures for processing reissuance applications for Virginia Pollution Abatement (VPA) permits for biosolids land application to ensure the State Water Control Law and the VPA Permit Regulation are met.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	This document is an internally used document to assist DEQ permit staff in reissuing VPA permits for biosolids land application. The propose of this document is to provide VPA permit writers, reviewers, and managers procedures to ensure that DEQ meets requirements of the Commonwealth. In addition, this document is intended to promote consistency between DEQ regions, define and set standards for timely processing of reissuance applications, and to provide a tool to train new staff in the correct procedures and administering the VPA permit program. This document does not interpret any laws or regulations. Therefore, this document should be removed as a guidance document.	
Expected Date	May 2024	

Action/Stage or Guidance Document Forum ID (if available) GM04-2005		
Title of Proposed Regulatory Action or Guidance Document Rescind GM04-2005, Water Quality Monitoring Consolidated Guidance Memorandum, Amendment #2		
Brief Overview This document is not formal guidance and has been superseded by the 2020 Water Quality Monitoring Standard Operating Procedures and Ambient Water Quality Monitoring Project Plan that are posted on the Department of Environmental Quality's (DEQ) website.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	The document details only internal procedures and does not interpret existing laws or regulations and therefore should be rescinded as a guidance document.	
Expected Date	July 2023	

Action/Stage or Guidance Document Forum ID (if available) GM02-2010		
Title of Proposed Regulatory Action or Guidance Document Rescind GM02-2010 - Water Compliance Auditing Manual		
Brief Overview This document is an internally used and intended document for Department of Environmental Quality (DEQ) staff as a guide to internal audit programs regarding water and water permitting in-house, including compliance. This includes the scoring of noncompliant facilities and how to process the compliance reporting and scoring through CEDS (a DEQ internal access only database).		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	This document is from 2002, there have been multiple updates to DEQ's compliance procedures since that time. There have been three revisions to 9VAC since that time. There is no external guidance in this document that a permittee or the public would use for facility compliance. This document is what the SSO guidance just amended, which was the fourth amendment to the document including Appendix 1 (point assessment). This document details only internal procedures/reference and does not offer interpretation of existing laws or regulations to the public and therefore should be removed as a guidance document.	
Expected Date	July 2023	

Action/Stage or Guidance Document Forum ID (if available) GM22-2010	
Title of Proposed Regulatory Action or Guidance Document Rescind GM22-2010 VPDES GP - Vehicle Wash and Laundry Facilities	
Brief Overview This document is an internally used and intended document for Department of Environmental Quality (DEQ) staff to use as a primer for specific permit applications and permit adherence for vehicle wash and laundry facilities. This document details the changes to these reissued permits and the revised permit application. This document also details how to view information in DEQNet (an internally only accessible program) and how to file paperwork in CEDS (an internally only accessible program). It assists staff in outlining what to expect from a permittee, as well as how to respond to the permittee. It also includes an example O&M Manual with examples of flow diversion and pumping, which are clearly labeled as example documents and used for internal training and reference for DEQ staff.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final ☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	This document references “the board” when “the department” should be referenced; therefore, it is not an accurate portrayal of the permitting process for external use. Additionally, this document was intended for internal use only to assist staff in determining if onsite conditions meet permit conditions for vehicle wash and laundry facilities. Many of the pages were copied and pasted directly from the fact sheet available at: https://www.deq.virginia.gov/home/showpublisheddocument?id=4929 . There is repetition of information from the factsheet which is the intended document for external use and reference. This document details only internal procedures/reference and does not interpret existing laws or regulations and therefore should be removed as a guidance document.
Expected Date	July 2023

Action/Stage or Guidance Document Forum ID (if available) GM-01-2013		
Title of Proposed Regulatory Action or Guidance Document Rescind GM-01-2013 – Checklists for Rescind Wastewater Laboratory Inspections		
Brief Overview This document provides internal technical and procedural guidance to Department of Environmental Quality (DEQ) inspection staff to evaluate laboratories producing data related to permitted facilities under Virginia Pollutant Discharge Elimination System (VPDES) or Virginia Pollution Abatement (VPA) permits. All seven subsequent amendments to the original letter are for updates in the Federal Register in regards to sampling methods and analysis of data to remain in alignment with the U.S. Environmental Protection Agency’s laboratory guidance and testing methodologies.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	This document was intended for DEQ internal use. There is a disclaimer on the original Guidance Memo, as well as several subsequent amendments, which state that this document provides technical and procedural guidance to inspection staff to evaluate laboratories producing data related to permit compliance. This document details only internal procedures/reference and does not interpret any laws or regulations; therefore, it should be removed as a guidance document.	
Expected Date	July 2023	

Action/Stage or Guidance Document Forum ID (if available) GM19-2003	
Title of Proposed Regulatory Action or Guidance Document Rescind GM19-2003 Virginia Water Protection (VWP) Permit and Compliance Manual	
Brief Overview The Virginia Water Protection (VWP) Permit and Compliance Manual was intended to be a “living” document that contains information, forms, and instructions for Department of Environmental Quality (DEQ) internal VWP permit program staff regarding the review of permit applications, the issuance modifications, termination, or transfer and waiver of VWP permits, and conducting compliance for the program and to promote consistency in processing permits across regions.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final ☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	This document is to be used internally for DEQ staff in implementation of portions of the VWP program. This document is regularly updated, but only to remain in compliance with updated/changes to the VWP program. This document is not the only location where these changes can be viewed by external sources and does not replace the fact sheet issued by DEQ with all regulatory changes. This document clearly states that it sets forth standard operating procedures for DEQ employees and the agency and does not set that standard for how an application/response should look. It states all submittals will be reviewed based on their technical adequacy and compliance with appropriate laws and regulations. This manual does not provide interpretations of any state or federal regulations and is simply an internal procedure for DEQ staff to use in VWP permit issuance and compliance under the program. This document does not interpret any laws or regulations. Therefore, this document should be removed as a guidance document.
Expected Date	July 2023

Action/Stage or Guidance Document Forum ID (if available) GMWRD06-100	
Title of Proposed Regulatory Action or Guidance Document Rescind GMWRD06-100 Groundwater Withdrawal Permit Procedure Manual	
Brief Overview The purpose of this manual is to guide Department of Environmental Quality (DEQ) permit writers on aspects of ground water permit procedures. These procedures were designed in an effort to ensure consistency between DEQ regional offices and provide new personnel with a document from which to learn how to write permits. This document was designed as a document for internal use only and assists DEQ staff within the Office of Ground Water Withdrawal Permitting and the regional offices keep abreast of the most recent regulations and procedures by removing or adding pages to the manual.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final ☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	This document was developed entirely for internal DEQ staff use. In addition, the current manual should look nothing like the one posted online as these regulations have been updated approximately three to four times depending on effective date and promulgation (especially general permits). The attachments to the manual include blank copies of a permit application, sample permit, sample mitigation plan, well information, etc. for staff to reference. Several of the documents in this manual are outdated and have been replaced, such as the 2004 Permit fee form (which was revised in October of 2018) and the fees listed for the VWP in the document (not currently accurate). This document is no longer in use and a new updated version is currently being developed to be issued soon. The 2006 manual was revised and completed at the end of 2022 and DEQ solicited informal comments (direct mailing to interested parties plus a General Notice) from January 4-February 17. Two comments were received and have since been sent responses. The ground water permit manual has been determined to be internal procedures for staff and not formal guidance. This manual does not include any interpretation of any state or federal regulations and is simply an internal procedure for DEQ staff. Additionally, this manual is out of date and no longer used internally and should not be used externally. Therefore, this document should be removed as a guidance document.
Expected Date	July 2023

Action/Stage or Guidance Document Forum ID (if available)		
Title of Proposed Regulatory Action or Guidance Document Rescind 2623 Procedure for Uncontested Termination of Ground Withdrawal Permits and Special Exceptions		
Brief Overview This guidance document outlines a procedure for Department of Environmental Quality (DEQ) staff to follow regarding groundwater withdrawal termination requests. Referenced procedures call for all ground water withdrawal permit revocations to be presented to and approved directly by the State Water Control Board (Board). The basis for this procedure is the Ground Water Management Act of 1992 at § 62.1-256.9 of the Code of Virginia where revocation of permits is excluded from delegation by the Board to the Executive Director. Revocation and termination have until this time have been interpreted as one and the same. This document interprets this regulation by; an uncontested termination due to the cessation of a withdrawal or reduction in withdrawal amounts below 300,000 gallons per month where the owner has requested or agreed to termination and waived the right to an informal factfinding, is not a contested action; and logically the prohibition of delegation should not apply.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	This document should apply to both internal guidance and it should also serve as external information about a change in processes that involve the State Water Control Board. However, the referenced regulation “Ground Water Management Act of 1992 at §62.1-256.9” no longer exists in the current regulation. It has been replaced with “§ 62.1-259. Certain withdrawals; permit not required”. This memo does add additional interpretation to this statute. However, its reference is incorrect; therefore, this document should be removed as a guidance document and either replaced entirely or removed (if replaced, DEQ will modify this specific language in upcoming reissuances).	
Expected Date	July 2023 (or later)	

Action/Stage or Guidance Document Forum ID (if available) 00-2016	
Title of Proposed Regulatory Action or Guidance Document Rescind 00-2016 Chain of Custody Policy and Procedure	
Brief Overview This is an internal procedure document for the Department of Environmental Quality (DEQ). This internal standard operating procedure (SOP) for DEQ describes how all environmental samples will be collected using the chain of custody procedures in this document to ensure the integrity of samples, so they can be used as admissible evidence to enforce the Commonwealth's environmental laws and regulations. It also states the laboratories to which samples may be taken for processing. The document states that it is an internal SOP.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final ☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	This document is not an interpretation of any state or federal regulations and is simply an internal procedure for DEQ staff to use water withdrawal permit issuance under the program to assist in sample collection and laboratory submittal. This manual is out of date and no longer used internally. Additionally, this document was created in 2006 and states the specific laboratories where samples should be taken. Due to changing Department of General Services and procurement regulations, this document should be kept up to date as an internal set of instructions and not as a guidance document. Therefore, this document should be removed as a guidance document.
Expected Date	July 2023

Action/Stage or Guidance Document Forum ID (if available) 03-2001		
Title of Proposed Regulatory Action or Guidance Document Rescind 03-2001 Reporting Operator Misconduct or Convictions		
Brief Overview The purpose of this document is to establish a procedure to ensure that when Department of Environmental Quality (DEQ) personnel identify actions by licensed wastewater treatment operators that may be in violation of the State Board for Waterworks and Wastewater Works Operators Regulations Standards of Practice (18VAC160-20-140) this information is transmitted to the Department of Professional and Occupational Regulation in a timely manner. This is an internal procedure document as stated within the first page of the document.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Discretionary action ☐ Action required by state statute	
Deregulatory Component	This memo only restates regulation verbiage from 18VAC160-20-10 et seq. This document details only internal DEQ procedures and does not interpret any laws or regulations. Therefore, this document should be removed as a guidance document.	
Expected Date	July 2023	

Action/Stage or Guidance Document Forum ID (if available) 96-009	
Title of Proposed Regulatory Action or Guidance Document Rescind 96-009 Obtaining Dissolved Metal Data	
Brief Overview This dissolved metal data sampling collection document was written to cover the collection of both total recoverable and dissolved metals. It is an internal document for Department of Environmental Quality (DEQ) staff, and details sampling procedures for dissolved metals in compliance wastewater, which restates the requirements found in 40 CFR, Part 136. Table II – “Required Containers, Preservation Techniques and Holding Times” and explains to staff why the specific holding times and temperatures are key in consistent and reliable results.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final ☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	This memo only restates federal regulation verbiage from 40 CFR, Part 136. This document details only internal DEQ procedures and does not interpret any laws or regulations. Therefore, this document should be removed as a guidance document.
Expected Date	July 2023

Action/Stage or Guidance Document Forum ID (if available) WQS-5		
Title of Proposed Regulatory Action or Guidance Document Rescind WQS-5 Guidance of Application of Public Water Supply		
Brief Overview This document was written in 1994 and the purpose of this memo was to provide a requested interpretation as to whether the public water supply (PWS) designations denoted as PWS in the river basin section tables (VR680-21-08) of the water quality standards regulation apply to the entire section or just to the water intake.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	This rule being referenced was effective on May 20, 1992; amended, Virginia Register Volume 14, Issue 4, eff. December 10, 1997; Volume 26, Issue 12, eff. February 1, 2010. Finally, this rule was absorbed within 9VAC25-260-360. The original version of the rule referenced in this memo is no longer active and therefore, this guidance document should be removed.	
Expected Date	July 2023	

Action/Stage or Guidance Document Forum ID (if available) GM22-2010		
Title of Proposed Regulatory Action or Guidance Document Rescind GM22-2010 - Implementation of the Virginia Pollutant Discharge Elimination System VPDES General Permit for Vehicle Wash Facilities and Laundry Facilities (VAG 75)		
Brief Overview This document replaced Guidance Memo No.17-2006, "Implementation of the Reissued Virginia Pollutant Discharge Elimination System (VPDES) General Permit for Vehicle Wash Facilities and Laundry Facilities (VAG75)." This document has been updated to reflect changes necessary as a result of the reissuance of the VPDES General Permit for Vehicle Wash Facilities and Laundry Facilities (VAG75) that became effective on January 1, 2023.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	This document is intended for internal Department of Environmental Quality (DEQ) use and summarizes the changes made in the reissuance of VPDES VAG75 for staff to use as a quick reference and a training document. It simply restates/copies the verbiage from the modified regulation and provides sample letters for staff to use to send to permittees, as well as lists other inter-agency contacts required as part of this process. The final regulation, and associated permit forms of this regulation are available on the DEQ VPDES general permits webpage and the Legislative Information System. This document details only internal DEQ procedures and does not interpret any laws or regulations. Therefore, this document should be removed as a guidance document.	
Expected Date	July 2023	

Action/Stage or Guidance Document Forum ID (if available)		
Title of Proposed Regulatory Action or Guidance Document Rescind "Implementation Guidance for Reissuance of the VPDES General Permit for Domestic Sewage Discharges of Less Than or Equal to 1,000 Gallons Per Day"		
Brief Overview The purpose of this document is to provide updated information to Department of Environmental Quality (DEQ) staff for the implementation of the Domestic Sewage Discharges General Permit (VAG40) based on the amendment of 9VAC25-110 and the 2021 reissuance of the general permit. This document replaced GM11-2008. The purpose of this document was to identify changes that had been made to the Regulation (9VAC25-110) and General Permit (VAG40), and to provide DEQ staff with instructions on the implementation of these changes.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Discretionary action ☐ Action required by state statute	
Deregulatory Component	This document is intended for internal DEQ use and summarizes the changes made in the reissuance of 9VAC25-110 and VAG40, for staff to use as a quick reference and a training document. It simply restates/copies the verbiage from the modified regulation and provides sample letters for staff to use to send to permittees, as well as lists other inter-agency contacts required as part of this process. The final regulation, and associated permit forms of this regulation are available on the DEQ VPDES general permits webpage and the Legislative Information System. This document details only internal DEQ procedures and does not interpret any laws or regulations. Therefore, this document should be removed as a guidance document.	
Expected Date	July 2023	

Action/Stage or Guidance Document Forum ID (if available) GM21-2004		
Title of Proposed Regulatory Action or Guidance Document Rescind GM21-2004, “Implementation Guidance for Reissuance of the General VPDES Permit for Nonmetallic Mineral Mining Facilities VAG84”		
Brief Overview This document replaced Guidance Memo No.14-2008, Implementation Guidance for Reissuance of the Virginia Pollution Discharge Elimination System (VPDES) General Permit for Nonmetallic Mineral Mining Facilities. On April 15, 2019, the State Water Control Board adopted amendments to the VPDES General Permit Regulation for Nonmetallic Mineral Mining Facilities, 9VAC25-190, which modified VAG84. These amendments were effective July 1, 2019. The purpose of this document was to identify changes that had been made to General Permit VAG84, to provide Department of Environmental Quality (DEQ) staff with instructions on implementation of these changes, to provide information on aspects of the permit that have raised questions, and to provide example letters that staff may use for the administration of the regulation.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	This document is listed as a “Draft Document” on the Town hall; when opened the document details the “proposed changes” to 9VAC25-190 as a guide to DEQ staff, as well as sample documents for staff to use in correspondence with permittees. However, this regulation has been finalized and is now active, not “proposed”. Additionally, the header of the guidance document reads, “GM 212004 – Pesticide GP (VAG87) Implementation Guidance” which is incorrect. Therefore, this document is both out of date and inaccurate, and no longer applicable. The final regulation, and associated permit forms of this regulation are available on the DEQ VPDES general permits webpage and the Legislative Information System. This document details only internal DEQ procedures and does not interpret any laws or regulations. Due to these multiple factors, this document should be removed as a guidance document.	
Expected Date	July 2023	

Action/Stage or Guidance Document Forum ID (if available) GM21-2003		
Title of Proposed Regulatory Action or Guidance Document Rescind GM21-2003, "Implementation Guidance for Reissuance of the VPDES General Permit Regulation for Discharges Resulting From the Application of Pesticides to Surface Water, VAG87"		
Brief Overview This document replaced Guidance Memo No. 11-2009. On December 13, 2018, the State Water Control Board adopted amendments to the Virginia Pollutant Discharge Elimination System (VPDES) General Permit Regulation for Discharges Resulting from the Application of Pesticides to Surface Water, 9VAC25-800, which modified General Permit VAG87 as part of the reissuance of this permit. The purpose of this document was to identify changes that had been made to the General Permit VAG87, to provide Department of Environmental Quality (DEQ) staff with instructions on implementation of these changes, to provide information on aspects of the permit that have raised questions, and to provide example letters that staff may use for the administration of the regulation.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	This document is intended for internal DEQ use and summarizes the changes made in the reissuance of VPDES VAG87 for staff to use as a quick reference and a training document. It simply restates/copies the verbiage from the modified regulation and provides sample letters for staff to use to send to permittees, as well as lists other inter-agency contacts required as part of this process. The final regulation, and associated permit forms of this regulation are available on the DEQ VPDES general permits webpage and the Legislative Information System. This document details only internal DEQ procedures and does not interpret any laws or regulations. Additionally, the PMP in this document has been replaced as of 2019 and therefore is out of date. For these reasons, this document should be removed as a guidance document.	
Expected Date	July 2023	

Action/Stage or Guidance Document Forum ID (if available) GM21-2001		
Title of Proposed Regulatory Action or Guidance Document Rescind GM21-2001- Implementation of the 2021 Reissuance of the VPDES General Permit Regulation for Seafood Processing Facilities, VAG52		
Brief Overview The purpose of this document is to provide updated information for implementing the Seafood Processing Facilities General Permit (VAG52) based on amendment of 9VAC25-115 and the 2021 reissuance of the general permit. This document replaced Guidance Memo No. GM16-2003. The purpose of this document was to identify changes that had been made to the General Permit VAG52, to provide Department of Environmental Quality (DEQ) staff with instructions on implementation of these changes, to provide information on aspects of the permit that have raised questions, and to provide example letters that staff may use for the administration of the regulation.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Discretionary action ☐ Action required by state statute	
Deregulatory Component	This document is intended for internal DEQ use and summarizes the changes made in the reissuance of VPDES VAG752 for staff to use as a quick reference and a training document. It simply restates/copies the verbiage from the modified regulation and provides sample letters for staff to use to send to permittees, as well as lists other inter-agency contacts required as part of this process. The final regulation, and associated permit forms of this regulation are available on the DEQ VPDES general permits webpage and the Legislative Information System. This document details only internal DEQ procedures and does not interpret any laws or regulations for the public. Therefore, this document should be removed as a guidance document.	
Expected Date	July 2023	

Action/Stage or Guidance Document Forum ID (if available) GM18-2009		
Title of Proposed Regulatory Action or Guidance Document Rescind GM18-2009 “Implementation Guidance for Reissuance of the VPDES General Permit for Concrete Products Facilities, VAG11”		
Brief Overview This document replaced Guidance Memo No.13-2004, Implementation Guidance for Reissuance of the General VPDES Permit for Concrete Products Facilities. On September 20, 2018, the State Water Control Board adopted amendments to the VPDES General Permit for Concrete Products Facilities, 9VAC25-193, which modified General Permit VAG11. The purpose of this document was to identify changes that had been made to the General Permit VAG11, to provide Department of Environmental Quality (DEQ) staff with instructions on implementation of these changes, to provide information on aspects of the permit that have raised questions, and to provide example letters that staff may use for the administration of the regulation.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Discretionary action ☐ Action required by state statute	
Deregulatory Component	This document is intended for internal DEQ use and summarizes the changes made in the reissuance of VPDES VAG11 for staff to use as a quick reference and a training document. It simply restates/copies the verbiage from the modified regulation and provides sample letters for staff to use to send to permittees, as well as lists other inter-agency contacts required as part of this process. The final regulation, and associated permit forms of this regulation are available on the DEQ VPDES general permits webpage and the Legislative Information System. This document details only internal DEQ procedures and does not interpret any laws or regulations. Therefore, this document should be removed as a guidance document.	
Expected Date	July 2023	

Action/Stage or Guidance Document Forum ID (if available) GM18-2003		
Title of Proposed Regulatory Action or Guidance Document Rescind GM18-2003 - Implementation Guidance for Reissuance of the General VPDES Permit for Potable Water Treatment Plants, VAG64		
Brief Overview This document replaced Guidance Memo No. 13-005, Implementation Guidance for Reissuance of the VPDES Permit Regulation for Potable Water Treatment Plants VAG64. On December 7, 2017, the State Water Control Board adopted amendments to the Virginia Pollutant Discharge Elimination System General Permit (VPDES) for Potable Water Treatment Plants, 9VAC25-860, which modified General Permit VAG64. These modifications were effective July 1, 2018. The purpose of this document was to identify changes that had been made to the General Permit VAG64, to provide Department of Environmental Quality (DEQ) staff with instructions on implementation of these changes, to provide information on aspects of the permit that have raised questions, and to provide example letters that staff may use for the administration of the regulation.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	This document is intended for internal DEQ use and summarizes the changes made in the reissuance of VPDES VAG64 for staff to use as a quick reference and a training document. It simply restates/copies the verbiage from the modified regulation and provides sample letters for staff to use to send to permittees, as well as lists other inter-agency contacts required as part of this process. The final regulation and associated permit forms of this regulation are available on the DEQ VPDES general permits webpage and the Legislative Information System. This document details only internal DEQ procedures and does not interpret any laws or regulations. Therefore, this document should be removed as a guidance document.	
Expected Date	July 2023	

Action/Stage or Guidance Document Forum ID (if available) DCR-VSWCB-026	
Title of Proposed Regulatory Action or Guidance Document Rescind DCR-VSWCB-026: “Guidance Document on Utilization of Nonpoint Nutrient Offsets”	
Brief Overview This guidance document specifies DCR policy on the requirements of the Code of Virginia pertaining to application of stormwater nonpoint nutrient offsets. It details how these requirements affect the General Permit for Stormwater Discharges from Construction Activities and locally-adopted regional stormwater management programs approved and operated consistent with the Chesapeake Bay Preservation Act regulations.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final ☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	This document was developed by the Department of Conservation and Recreation (DCR) but is listed as a DEQ guidance document. DCR is no longer the implementing agency for this provision of the Code of Virginia. This document is provided as guidance and set forth standard operating procedures for DCR, which used to administer the program. This document was intended for internal DCR use and summarizes the changes made in the reissuance of § 10.1-603.8:1 of the Code of Virginia for staff to use as a quick reference and a training document. The final regulation, and associated permit forms of this regulation are available on the DEQ general permits webpage and the Legislative Information System. Additionally, this document requires project operators intending to utilize nonpoint source nutrient credits, “must submit a complete DCR form DCR199-205 (07/11) to the Department prior to land disturbance”. This form is no longer in existence and all DCR 199 forms reference impoundment structure approvals/inspections. As such, this document is no longer accurate and should be removed and a new guidance document should be issued if guidance on this is further required. Therefore, this document should be removed as a guidance document.
Expected Date	July 2023

Action/Stage or Guidance Document Forum ID (if available) GM06-2005		
Title of Proposed Regulatory Action or Guidance Document Rescind GM06-2005, Biosecurity Procedures for Poultry Farm Visits		
Brief Overview This document was originally issued on May 24, 2006. This guidance document was provided to regional staff for internal use, and describes internal Department of Environmental Quality (DEQ) procedures for ensuring that appropriate biosecurity procedures are implemented during DEQ staff visits to confined poultry feeding operations.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Discretionary action ☐ Action required by state statute	
Deregulatory Component	This document is an internally used document to assist DEQ permit and compliance staff in implementation of the VPA general permit for poultry feeding operations. The propose of this document is to provide DEQ staff instructions regarding necessary biosecurity procedures to be used when inspecting facilities, and to provide a tool to train new staff in the correct procedures and administering the VPA permit program. This document does not interpret any laws or regulations for the public. Therefore, this document should be removed as a guidance document.	
Expected Date	May 2024	

Action/Stage or Guidance Document Forum ID (if available)		
Title of Proposed Regulatory Action or Guidance Document Develop Guidance for the 2024 Amendment and Reissuance of the VPDES General Permit Regulation for Concrete Products Facilities (9VAC25-193)		
Brief Overview This guidance document will assist dischargers in understanding any new permit requirements and help with overall implementation of the reissued general permit regulation for concrete products facilities. This general permit regulation authorizes the discharge of process and stormwater from concrete product facilities. This regulatory action is needed to ensure that existing and new concrete product facilities are covered under this general permit regulation.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	September 2023	

Action/Stage or Guidance Document Forum ID (if available)		
Title of Proposed Regulatory Action or Guidance Document Develop Agriculture and Forestry Stormwater Management Guidance Document		
Brief Overview The Virginia Stormwater Management Act and Erosion and Sediment Control Law provide exemptions for certain land-disturbing activities specifically associated with agriculture and silviculture. This guidance document will provide clarification on application of these exemptions.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	July 2023	

Action/Stage or Guidance Document Forum ID (if available)		
Title of Proposed Regulatory Action or Guidance Document Revise GM15-2003 Postdevelopment Stormwater Management Implementation Guidance for Linear Utility Projects Under the Virginia Stormwater Management Program Regulation (9VAC25-870)		
Brief Overview The purpose of this guidance document is to clarify the implementation of Virginia Stormwater Management Program (VSMP) Regulation, 9VAC25-870, for postdevelopment stormwater management requirements for linear development projects (e.g., waterlines, sewer lines, electric lines, telephone lines, oil and gas distribution pipelines) and was developed for use by DEQ and local VSMP Authorities. This update will modify the guidance document to also address general mitigation, including stormwater, stream, and wetland mitigation projects.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	July 2023	

Action/Stage or Guidance Document Forum ID (if available)		
Title of Proposed Regulatory Action or Guidance Document Develop Nonpoint Source Nutrient Trading Credit Certification: Delivery Factors for Stream Restoration Projects Guidance		
Brief Overview This guidance document will set forth how DEQ calculates delivery factors for stream restoration projects used to generate nonpoint source nutrient credits as directed by § 62.144.19:20 of the Code of Virginia. Nutrient credits are measured as pounds of nitrogen, phosphorus, or sediment delivered to the Chesapeake Bay, and delivery factors are used to account for the attenuation that occurs between the credit-generating project and tidal waters. This guidance will reduce uncertainty in the nonpoint source nutrient trading program by establishing credit calculation procedures for stream restoration projects. Prior to this guidance, delivery factors have been calculated on a case-by-case basis.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	July 2023	

Action/Stage or Guidance Document Forum ID (if available)	
Title of Proposed Regulatory Action or Guidance Document Develop Accelerated Nonpoint Source Nutrient Credit Release for Stream Restoration Projects Guidance	
Brief Overview Chapter 526 of the 2022 Acts of Assembly (SB 187, Sen. Hanger) authorizes the Department of Environmental Quality (DEQ) to accelerate the release of nutrient credits from stream restoration projects notwithstanding release schedules set out in regulation. This guidance seeks to clarify the changes made to § 62.144.19:20 of the Code of Virginia and necessary conditions for requesting the accelerated release.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final ☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute ☐ Discretionary action
Deregulatory Component	This guidance will streamline the application process and credit release schedule for applicable stream restoration projects in the nonpoint source nutrient trading program. This guidance will allow for a full credit release to be achieved a year sooner than under the previous standards.
Expected Date	July 2023

Action/Stage or Guidance Document Forum ID (if available) GM18-2009		
Title of Proposed Regulatory Action or Guidance Document Rescind GM18-2009- Implementation Guidance for Reissuance of the VPDES General Permit for Concrete Products Facilities (VAG11)		
Brief Overview This guidance document is no longer needed for this general permit and will be removed.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	This action will remove a guidance document that is no longer needed.	
Expected Date	December 2023	

Action/Stage or Guidance Document Forum ID (if available)		
Title of Proposed Regulatory Action or Guidance Document Rescind GM18-2003- Implementation Guidance for Reissuance of the General VPDES Permit for Potable Water Treatment Plants VAG64		
Brief Overview This guidance document is no longer needed for this general permit and will be rescinded.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	This action will remove a guidance document that is no longer needed.	
Expected Date	July 2023	

Action/Stage or Guidance Document Forum ID (if available) GM14-2003		
Title of Proposed Regulatory Action or Guidance Document Rescind GM14-2003 Virginia Pollutant Discharge Elimination System (VPDES) Permit Manual/Elimination of March 2014 VPDES Permit Manual Revisions		
Brief Overview This document is not guidance and will be removed from the list of guidance documents listed on the Town Hall website.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	This action will remove a guidance document that is no longer needed.	
Expected Date	July 2023	

Action/Stage or Guidance Document Forum ID (if available)		
Title of Proposed Regulatory Action or Guidance Document Rescind Implementation Guidance for Reissuance of the VPDES General Permit Regulation for Discharges Resulting from the Application of Pesticides to Surface Water (VAG87)		
Brief Overview This action will rescind a guidance document that is no longer needed.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	This action will rescind a guidance document that is no longer needed.	
Expected Date	March 2024	

Action/Stage or Guidance Document Forum ID (if available) GM21-2004		
Title of Proposed Regulatory Action or Guidance Document Rescind GM21-2004 Implementation Guidance for Reissuance of the General VPDES Permit for Nonmetallic Mineral Mining Facilities VAG84		
Brief Overview This action will rescind outdated guidance GM21-2004 Implementation Guidance for Reissuance of the General VPDES Permit for Nonmetallic Mineral Mining Facilities VAG84 once the general permit has been reissued.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	This action will rescind outdated guidance.	
Expected Date	January 2024	

Action/Stage or Guidance Document Forum ID (if available) GM13-2001		
Title of Proposed Regulatory Action or Guidance Document Rescind GM13-2001 Guidance for the Reissuance of the General VPDES Permit Regulation for Discharges From Groundwater Remediation of Contaminated Sites, Dewatering Activities of Contaminated Sites, and Hydrostatic Tests General Permit		
Brief Overview This action will rescind the Implementation Guidance for the Reissuance of the General VPDES Permit Regulation for Discharges From Petroleum Contaminated Sites, Groundwater Remediation and Hydrostatic Tests, 9VAC25-120 (2013) from the list of effective guidance.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	This guidance will be rescinded because it is no longer necessary.	
Expected Date	July 2023	

Action/Stage or Guidance Document Forum ID (if available)		
Title of Proposed Regulatory Action or Guidance Document Develop Implementation Guidance for the Existing Regulatory Requirements Applicable to Cooling Water Intake Structures (9VAC25-31-165)		
Brief Overview This implementation guidance will address cooling water intake structures. The guidance will address implementation issues associated with current new facility regulations (9VAC25-31-165 B) and the implementation of requirements developed on case-by-case, best professional judgment (BPJ) basis (9VAC25-31-165 C).		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	This guidance will reflect current requirements and information and will promote consistency and efficiency.	
Expected Date	July 2023	

Action/Stage or Guidance Document Forum ID (if available)	
Title of Proposed Regulatory Action or Guidance Document Develop the 2023 Virginia Stormwater Management Handbook	
Brief Overview This guidance will consolidate and update the Department of Environmental Quality's (DEQ's) existing manuals, technical bulletins, design standards and specifications, and guidance documents related to post-construction stormwater management and erosion and sediment control.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final ☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	This guidance will create additional clarity, consistency, and time savings for design professionals preparing post-construction stormwater management and/ or erosion and sediment control plans by ensuring all programmatic requirements are in a single document. This guidance will also streamline DEQ's process for reviewing stormwater management and/or erosion and sediment control.
Expected Date	July 2023

Action/Stage or Guidance Document Forum ID (if available)		
Title of Proposed Regulatory Action or Guidance Document Groundwater Withdrawal Permit Manual		
Brief Overview The purpose of this manual is to provide DEQ water withdrawal permitting staff a framework for processing requests for new, expanded, or modified groundwater withdrawals and is intended to provide the overall process for reviewing and issuing individual groundwater withdrawal permits. This revised manual contains updates and clarifications to the permit processing framework, and supersedes previous manuals for drafting groundwater withdrawal permits.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	July 2023	

Action/Stage or Guidance Document Forum ID (if available)		
Title of Proposed Regulatory Action or Guidance Document Develop PCB Pollution Minimization Plan Guidance		
Brief Overview This guidance document will establish procedures to develop Pollutant Minimization Plans (PMPs) for implementing Polychlorinated biphenyls (PCB) TMDL Waste Load Allocations. The guidance will include guidelines for Department of Environmental Quality (DEQ) staff to request, review and approve a PMP, as well as track plan implementation and compliance, to measure progress in attaining PCB reductions. The guidance will also assist applicable VPDES permitted facilities listed as PCB sources in a TMDL with preparing a complete and approvable PMP.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	July 2023	

Action/Stage or Guidance Document Forum ID (if available) Guidance Memo 14-2016		
Title of Proposed Regulatory Action or Guidance Document Revise Public Participation Procedures Guidance (Guidance Memo 14-2016)		
Brief Overview This is a revision to the existing guidance document 14-2016 that sets forth the process to provide the public and stakeholders with an adequate opportunity to participate in the development and implementation of TMDLs, TMDL modifications, 305(b)/303(d) Integrated Reports, and non-TMDL waste load allocations. The revisions will update and provide clarifications to procedures, and establish public notice templates to use for public and advisory group meetings.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	July 2023	

Action/Stage or Guidance Document Forum ID (if available)		
Title of Proposed Regulatory Action or Guidance Document Chesapeake Bay Preservation Act Guidance: Implementing Coastal Resiliency Provisions (9VAC25-830-155)		
Brief Overview This guidance document will provide additional information and assistance to localities implementing the recent regulatory changes related to climate resiliency and adaptation measures (9VAC25-830-155). It will provide additional clarity and examples for localities to use.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	July 2023	

Action/Stage or Guidance Document Forum ID (if available)		
Title of Proposed Regulatory Action or Guidance Document Update Compliance Evaluation and Review Process and Elements (9VAC25-830) Guidance		
Brief Overview This guidance document will update existing guidance and provide additional information for conducting locality compliance program reviews for the Chesapeake Bay Preservation Act.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	July 2023	

Action/Stage or Guidance Document Forum ID (if available)		
Title of Proposed Regulatory Action or Guidance Document Chesapeake Bay Preservation Act Guidance: Riparian Buffer Manual (9VAC25-830)		
Brief Overview This guidance document will provide significant technical assistance and information to localities on the implementation of the requirements and in particular requirements and provisions related to buffer modifications, alterations, and plantings. It also will include updates related to regulatory changes for the planting of trees and preservation of mature trees which were based upon a statutory change.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	July 2023	

Action/Stage or Guidance Document Forum ID (if available)		
Title of Proposed Regulatory Action or Guidance Document Revise the Fish Kill Investigation Guidance Manual (Guidance Memo 02-2002) 62.1-44.15 (11)		
Brief Overview This will be a revision to the existing guidance document 02-2002 that establishes the procedures that Department of Environmental Quality (DEQ) staff should follow when investigating fish kills to meet the requirements set forth in § 62.1-44.15 (11) of the Code of Virginia. The revisions will contain updates and clarifications to existing procedures and outdated language related to safety, communications, establishing the cause of the fish kill, determining the number of fish killed, and presenting the data for enforcement action and cost recovery.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	July 2023	

Action/Stage or Guidance Document Forum ID (if available)		
Title of Proposed Regulatory Action or Guidance Document 2024 Water Quality Assessment Guidance Manual (update to Guidance Memo 21-2002) (62.1.44.19:5C)		
Brief Overview This is a revision to existing guidance document (21-2002) that establishes the procedures that Department of Environmental Quality (DEQ) staff follow for conducting water quality assessments to generate the Virginia's 2024 §305(b)/ §303(d) Water Quality Assessment Integrated Report. Section 62.1-44.19:5 C of the Code of Virginia requires DEQ to develop and publish the procedures used for defining and determining impaired waters and provide for public comment on the procedures. The revisions will contain updates to water quality assessment procedures to account for revisions to water quality standards or to incorporate assessment process improvements.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Discretionary action ☒ Action required by state statute	
Deregulatory Component		
Expected Date	July 2023	

Action/Stage or Guidance Document Forum ID (if available) GM18-2001		
Title of Proposed Regulatory Action or Guidance Document Rescind GM18-2001 2018 Water Quality Assessment Guidance Manual		
Brief Overview Virginia's final 2018 Water Quality Assessment Guidance Manual (a 2.4 MB Word doc) contains the assessment procedures and methods which were used for the development of Virginia's 2018 §305(b)/ §303(d) Integrated (i.e., combined Water Quality Assessment and Impaired Waters) Report. The assessment guidance addressed key elements of the U.S. Environmental Protection Agency (EPA) 2006 Assessment Guidance and subsequent updates through December 2017, in addition to the assessment methodology for Chesapeake Bay Water Quality Standards established by EPA and adopted by Virginia (Ambient Water Quality Criteria for Dissolved Oxygen, Water Clarity, and Chlorophyll a for the Chesapeake Bay and Its Tidal Tributaries). This guidance manual was applicable for the 2018 Water Quality Assessment Integrated Report (IR) and has been superseded by the 2020 and 2022 IR Guidance manuals. It is therefore being proposed for removal.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Discretionary action ☒ Action required by state statute	
Deregulatory Component	This guidance manual is superseded by GM-21-2002 Final 2022 Water Quality Assessment Guidance Manual.	
Expected Date	July 2023	

Action/Stage or Guidance Document Forum ID (if available) GM19-2001		
Title of Proposed Regulatory Action or Guidance Document Rescind GM19-2001 2020 Water Quality Assessment Guidance Manual		
Brief Overview Virginia's 2020 Water Quality Assessment Guidance Manual contains the assessment procedures and methods which were used for the development of Virginia's 2020 §305(b)/§303(d) Integrated (i.e., combined Water Quality Assessment and Impaired Waters) Report. The assessment guidance addressed key elements of the U.S. Environmental Protection Agency's (EPA) 2006 Assessment Guidance and subsequent updates through April 2019. In addition, the assessment guidance includes the assessment methodology for the Chesapeake Bay Water Quality Standards established by EPA and adopted by Virginia (Ambient Water Quality Criteria for Dissolved Oxygen, Water Clarity, and Chlorophyll a for the Chesapeake Bay and Its Tidal Tributaries). This guidance manual was applicable for the 2020 Water Quality Assessment Integrated Report (IR) and has been superseded by the 2022 IR Guidance manual. It is therefore being proposed for removal.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Discretionary action ☒ Action required by state statute	
Deregulatory Component	This guidance manual is superseded by GM-21-2002 Final 2022 Water Quality Assessment Guidance Manual.	
Expected Date	July 2023	

Action/Stage or Guidance Document Forum ID (if available) GM21-2002		
Title of Proposed Regulatory Action or Guidance Document Rescind GM21-2002 Final 2022 Water Quality Assessment Guidance Manual		
Brief Overview Virginia's 2022 Water Quality Assessment Guidance Manual contains the assessment procedures and methods used for the development of Virginia's 2022 §305(b)/ §303(d) Integrated (i.e., combined Water Quality Assessment and Impaired Waters) Report. The assessment guidance addressed all key elements of the U.S. Environmental Protection Agency's (EPA) 2006 Assessment Guidance and subsequent updates through December 2020. In addition, the assessment guidance included the assessment methodology for the Chesapeake Bay Water Quality Standards established by EPA and adopted by Virginia (Ambient Water Quality Criteria for Dissolved Oxygen, Water Clarity, and Chlorophyll a for the Chesapeake Bay and Its Tidal Tributaries). This guidance manual was applicable for the 2022 Water Quality Assessment Integrated Report (IR) and will be superseded by the 2024 IR Guidance manual. It is therefore being proposed for removal.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Discretionary action ☒ Action required by state statute	
Deregulatory Component	This guidance manual will be superseded by GM23-2002 Final 2024 Water Quality Assessment Guidance Manual.	
Expected Date	July 2023	

Action/Stage or Guidance Document Forum ID (if available) GM04-2005		
Title of Proposed Regulatory Action or Guidance Document Rescind GM04-2005 Water Quality Monitoring Consolidated Guidance Memorandum, Amendment #2		
Brief Overview This document is not formal guidance and has been superseded by the 2020 Water Quality Monitoring Standard Operating Procedures and Ambient Water Quality Monitoring Project Plan that are posted on the Department of Environmental Quality (DEQ) website.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	This guidance document will be rescinded.	
Expected Date	July 2023	

Action/Stage or Guidance Document Forum ID (if available)		
Title of Proposed Regulatory Action or Guidance Document Water Division Guidance Memorandum No. 22-2014 – Virginia Pollution Abatement (VPA) Permit Manual		
Brief Overview The Department of Environmental Quality (DEQ) is the primary promulgating agency for the guidance identified above. The guidance is specifically associated with the Virginia Pollution Abatement (VPA) Permit Regulation, 9VAC25-32. This action involves updating and consolidating existing agency guidance in the VPA Permit Manual related to (i) the processing of all types of VPA permit actions, including permit issuances, reissuances, modifications, revocations and reissuances, and termination; and (ii) technical issues affecting the processing of VPA permits. This activity is necessary to: • Make changes to the Manual that are consistent with recent amendments to State Water Control Law and subsequently to the VPA Permit Regulation in accordance with Chapter 356 of the 2022 Acts of Assembly (SB 657, Sen. Stuart); • Streamline VPA permit processing by providing the bulk of the technical and procedural information for permit actions in one document; and • Ensure more consistent VPA permit content, and uniform and efficient processing by DEQ water permitting staff among all regions of the agency.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Discretionary action ☒ Action required by state statute	
Deregulatory Component	This guidance does not remove or impose any new regulatory requirements, but updates and consolidates existing agency procedures that are consistent and in conformance with the VPA Permit Regulation (9VAC25-32), the Sewage Collection and Treatment Regulations (9VAC25-790), and the Water Reclamation and Reuse Regulation (9VAC25-740).	
Expected Date	July 2023	

Action/Stage or Guidance Document Forum ID (if available)	
Title of Proposed Regulatory Action or Guidance Document Develop Guidance for Implementation of VPA Regulation and General Permit for Poultry Waste Management Amendments, VPG2 (9VAC25-630)	
Brief Overview The Department of Environmental Quality (DEQ) is initiating the development of a new guidance document to identify significant changes that have been made to the VPA Regulation and General Permit for Poultry Waste Management (9VAC25-630) during the most recent regulatory action. It will also provide DEQ staff with guidelines on the implementation of the changes and clarify certain aspects of the permit process.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final ☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	Developing this guidance document will allow for the elimination of two outdated guidance documents.
Expected Date	July 2023

Action/Stage or Guidance Document Forum ID (if available) 94-014		
Title of Proposed Regulatory Action or Guidance Document Rescind 94-014 Implementation of the VPA General Permit for Confined Animal Feeding Operations		
Brief Overview This document was originally issued on November 16, 1994. This guidance document was provided to regional staff for internal use, and procedures have been updated following the reissuance of the general permit in 2004 and 2014. This guidance document describes internal Department of Environmental Quality (DEQ) procedures for processing Virginia Pollution Abatement (VPA) general permits for animal feeding operations using a liquid manure management system to ensure the State Water Control Law, the VPA Permit Regulation, and the VPA general permit for AFOs are met. It presents the procedures for obtaining a complete registration statement, determining eligibility for coverage under the general permit, transmittal of the general permit to registrants, and inspection procedures.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Discretionary action ☐ Action required by state statute	
Deregulatory Component	This document is an internally used document to assist DEQ permit and compliance staff in ensuring that that DEQ has a complete general permit registration statement before coverage under the draft permit is issued and that all permit conditions and requirements are met. The propose of this document is to provide VPA permit writers, inspectors, reviewers, and managers procedures to ensure that DEQ meets requirements of the Commonwealth. In addition, this document is intended to promote consistency between DEQ regions, define and set standards for timely processing of registration statements, inspecting facilities, and to provide a tool to train new staff in the correct procedures and administering the VPA permit program. This document does not interpret any laws or regulations. Therefore, this document should be removed as a guidance document.	
Expected Date	May 2024	

Action/Stage or Guidance Document Forum ID (if available)		
Title of Proposed Regulatory Action or Guidance Document Update the Drought Assessment and Response Plan Guidance		
Brief Overview The Virginia Drought Assessment and Response Plan (Plan) was developed in 2003. The Plan established a Drought Monitoring Task Force (DMTF), identifies 13 drought regions, establishes specific drought indicators that will be used to evaluate drought status for each region, establishes drought stages (Normal, Drought Watch, Drought Warning, Drought Emergency) and the specific criteria that each stage is recommended based on the indicators, and establishes responses to each drought stage for state agencies, localities, and water suppliers. Chapters 36 and 37 of the 2023 Acts of Assembly (HB 2095, Del. Bulova and SB 1149, Sen. Marsden) requires the State Water Control Board to recognize localities that use the Potomac River as a water supply source as a distinct drought evaluation region. The bill requires the Board to incorporate for this distinct region the provisions related to messages, stages, and responses from the Metropolitan Washington Water Supply and Drought Awareness Response Plan: Potomac River System (the Metropolitan Washington Plan). The bill does not limit the authority of the Governor during a declared drought emergency. The Virginia Drought Assessment and Response Plan will be updated to comply with these requirements. No other changes to the Plan are proposed as part of this guidance update.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Discretionary action ☒ Action required by state statute	
Deregulatory Component	This guidance update will allow for localities that use the Potomac River as a water source to adhere to triggers and responses from the Metropolitan Washington Water Supply and Drought Awareness Response Plan instead of the state triggers and responses in the Virginia Drought Assessment and Response Plan except for in a declared drought emergency.	
Expected Date	January 2024	

Action/Stage or Guidance Document Forum ID (if available)		
Title of Proposed Regulatory Action or Guidance Document Update Local and Regional Water Supply Planning Regulation Guidance		
Brief Overview The purpose of the Local and Regional Water Supply Planning Regulation Guidance Document (Guidance Document) is to support stakeholder compliance with the proposed Local and Regional Water Supply Regulation (9VAC25-780). The proposed amendments to the Local and Regional Water Supply Regulation (9VAC25-780) (2005) are required by 2020 amendments to §§ 62.1-44.36, 62.1-44.38, and 62.1-44.38:1 of the Code of Virginia which directed the State Water Control Board to encourage development of cross-jurisdictional water supply projects, and to adopt regulations designating regional planning areas based primarily on river basin.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Discretionary action ☐ Action required by state statute	
Deregulatory Component	The draft guidance document is associated with a proposed regulation mandated by state statute. The development of a guidance document will support stakeholders to comply with the proposed Local and Regional Water Supply Planning Regulation (9VAC25-780).	
Expected Date	March 2024	

Action/Stage or Guidance Document Forum ID (if available)		
Title of Proposed Regulatory Action or Guidance Document Implementation Guidance for Use of the Biotic Ligand Model for Copper Criteria Amendments (9VAC25-260-140.G)		
Brief Overview This guidance is necessary to provide clarity to permittees about the implementation of the proposed amendments to the Water Quality Standards regulations for case-by-case implementation of the biotic ligand model (BLM) for copper. The U.S. Environmental Protection Agency (EPA) considers current VA WQS regulation language regarding the copper BLM-derived criteria to be a process for developing site-specific criteria. Each BLM-derived criteria value would need to be promulgated before using the value in permitting evaluations. EPA stated it cannot accept a BLM-derived copper permit limit until site-specific copper criteria have been promulgated, or unless a more prescriptive approach is provided for in the WQS and sufficiently detailed guidance provides for criteria implementation. A NOIRA is anticipated in September 2023 and is addressed in a separate table in this plan. The associated guidance is expected to be complete by June 2024.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	June 2024	

Action/Stage or Guidance Document Forum ID (if available) GM01-2001	
Title of Proposed Regulatory Action or Guidance Document Rescind GM01-2001 Monitoring of Toxic Trace Metals in Surface Waters	
Brief Overview This document is not formal guidance and the procedures have been incorporated into the agency's 2020 Water Quality Monitoring Standard Operating Procedures which are posted on the Department of Environmental Quality's website.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final ☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	This guidance document will be rescinded.
Expected Date	July 2023

Action/Stage or Guidance Document Forum ID (if available) LPR-SRR-2014-03		
Title of Proposed Regulatory Action or Guidance Document Rescind Quality Assurance Plan for the Alternate Water Supply Program – Revision 3		
Brief Overview The purpose of the Quality Assurance Project Plan (QAPP) for the Alternate Water Supply Program is to ensure that procedures used and data collected by Department of Environmental Quality (DEQ) staff and DEQ-hired contractors are of sufficient quality to support the decisions about the need to provide alternate water supplies to persons having wells that are impacted by petroleum. It is an internal procedure, and it is obsolete.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	This is a quality assurance plan for internal use. It should be removed as a guidance document.	
Expected Date	December 2023	

Action/Stage or Guidance Document Forum ID (if available) LPR-SRR-2016-02		
Title of Proposed Regulatory Action or Guidance Document Rescind CEDS Tanks Compliance and Registration User Manual		
Brief Overview This data entry procedures manual provides tank compliance, registration, and administrative staff with step-by-step procedures for entering data into the CEDS Tank Facilities and Tank Owners modules. It is an internal procedure and should not be classified as a guidance document.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	December 2023	

Action/Stage or Guidance Document Forum ID (if available) LPR-SRR-2015-01C		
Title of Proposed Regulatory Action or Guidance Document Rescind Storage Tank Program Quality Management Plan, Amendment 3		
Brief Overview This document being rescinded was created to ensure the environmental data collected by staff and contractors hired by the Storage Tank Program met U.S. Environmental Protection Agency (EPA) data requirements. It has been redone and is at EPA for review. It is obsolete and is an internal procedure.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	This is a quality assurance plan for internal use. It should be removed as a guidance document.	
Expected Date	December 2023	

Action/Stage or Guidance Document Forum ID (if available)		
Title of Proposed Regulatory Action or Guidance Document Develop the Homeowner Heating Oil Tank Technical Manual		
Brief Overview This guidance document will include how to investigate and characterize homeowner heating oil tank releases. It will include reporting and reimbursement guidance. This document is an internal job aid for tank remediation staff that introduces electronic documentation as well as administrative troubleshooting. However, it also includes guidance for the regulated community. This guidance manual is being taken from Chapter/Volume 5 of the current Tank Technical Manual. Separating this guidance into its own Technical Manual will provide better procedural clarification for staff and stakeholders. This includes how to manage scope of work and facilitate the reimbursement of site costs through pre-approval and verification of site work where applicable.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	June 2024	

Action/Stage or Guidance Document Forum ID (if available) LPR-SRR-2018-2A		
Title of Proposed Regulatory Action or Guidance Document Risk Based Inspection Strategy (RBIS) For Underground Storage Tanks I		
Brief Overview This guidance document explains the Risk Based Inspection Strategy (RBIS) for Underground Storage Tanks (USTs). This strategy is intended to evaluate alternative targeting methods for establishing annual inspection schedules.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Discretionary action ☐ Action required by state statute	
Deregulatory Component	The agency will be revising the existing guidance document this year to adjust the criteria used to establish facility risk levels which determine inspection frequency. The expected impact of the changes will be to decrease inspection frequency for some UST facilities. This document should be removed from Town Hall as it is internal procedures.	
Expected Date	January 2024	

Action/Stage or Guidance Document Forum ID (if available) 01-2024		
Title of Proposed Regulatory Action or Guidance Document Update the Storage Tank Technical Manual – Volume 2: Release Reporting Requirements		
Brief Overview This guidance manual is currently being updated from the 2011 version. The updated version will eliminate obsolete links and processes as well as provide better procedural clarification for staff and stakeholders regarding when and how to report releases to the Department of Environmental Quality. This document is an internal job aid for tank remediation staff that provides a standard framework for handling release reporting consistently administratively statewide. The document will also expand on language from the 2011 document to provide clarity to all stakeholders.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	June 2024	

Action/Stage or Guidance Document Forum ID (if available) 01-2024		
Title of Proposed Regulatory Action or Guidance Document Update the Storage Tank Technical Manual – Volume 4: Site Work and Pre-Approval and Verification Process		
Brief Overview This guidance manual is currently being updated from the 2011 version. The updated version will eliminate obsolete links and processes as well as provide better procedural clarification for staff and stakeholders. This includes how to manage scope of work and facilitate the reimbursement of site costs through pre-approval and verification of site work where applicable. This document is an internal job aid for tank remediation staff that introduces electronic documentation as well as administrative troubleshooting. The guidance will be streamlined from the current version for procedural clarity.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	The guidance will be streamlined from the current version for procedural clarity.	
Expected Date	June 2024	

Action/Stage or Guidance Document Forum ID (if available) 01-2024		
Title of Proposed Regulatory Action or Guidance Document Update the Storage Tank Technical Manual – Volume 5: Release Response and Corrective Action		
Brief Overview This guidance manual is currently being updated from the 2011 version. The updated version will eliminate obsolete links and processes as well as provide better procedural clarification for staff and stakeholders regarding when and how to report releases to the Department of Environmental Quality. This document is an internal job aid for tank remediation staff that provides a standard framework for handling release reporting consistently administratively statewide. The document will also expand on language from the 2011 document to provide clarity to all stakeholders. This document is an internal job aid for tank remediation staff that introduces electronic documentation as well as administrative troubleshooting. The guidance will be streamlined from the current version for procedural clarity.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	June 2024	

Action/Stage or Guidance Document Forum ID (if available) LPR-SRR-02-2012		
Title of Proposed Regulatory Action or Guidance Document Rescind the Tank Ownership and Responsible Person Identification Changes Guidance		
Brief Overview This guidance document that will be rescinded provides information to regional office petroleum staff concerning when to pursue a property owner for compliance with pollution prevention requirements of the UST Technical Regulation and corrective action in the event of a petroleum release to the environment.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	This document was developed for internal use by Department of Environmental Quality staff and has since been incorporated into other existing guidance documents. This document should be removed as a guidance document.	
Expected Date	December 2023	

Action/Stage or Guidance Document Forum ID (if available) LPR-SRR-03-2012		
Title of Proposed Regulatory Action or Guidance Document Rescind the Case Closure Evaluation of Sites with Free Product Guidance		
Brief Overview This guidance document that will be rescinded is an expansion of Section 5.5 of the Storage Tank Program Technical Manual and was developed to assist Storage Tank Program Case Managers in evaluating the feasibility and practicality of free product removal and to recognize when a case can be closed with no increased risk to human health and the environment. It is an internal procedure.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	This document was developed for internal use by Department of Environmental Quality staff and should be removed as a guidance document.	
Expected Date	December 2023	

Action/Stage or Guidance Document Forum ID (if available) LPR-SRR-01-2013		
Title of Proposed Regulatory Action or Guidance Document Rescind the Provision of Alternate Water Supplies to Operators of Petroleum-Impacted Water Supplies Guidance		
Brief Overview The purpose of this guidance document that is being rescinded is to provide information for Department of Environmental Quality (DEQ) staff regarding the provision and termination of CFU coverage at a site. It is internal procedure.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	This document was developed for internal use by DEQ staff and should be removed as a guidance document.	
Expected Date	December 2023	

Action/Stage or Guidance Document Forum ID (if available) LPR-SRR-2014-01	
Title of Proposed Regulatory Action or Guidance Document Rescind the State Lead Procedures Manual, First Edition	
Brief Overview The purpose of the State Lead Procedures Manual is to provide Department of Environmental Quality (DEQ) staff with standard operating procedures for managing sites within the State Lead Program. This document will be redone and will be internal procedure.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final ☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	This document will be rewritten and will be an internal manual for DEQ staff. It should be removed as a guidance document.
Expected Date	June 2024

Action/Stage or Guidance Document Forum ID (if available) 00-2014		
Title of Proposed Regulatory Action or Guidance Document Rescind the Quality Assurance Project Plan, State Lead Program, Revision 2		
Brief Overview The purpose of the Quality Assurance Project Plan for the State Lead Program is to ensure that procedures used, and data collected by Department of Environmental Quality (DEQ) State Lead contractors are of sufficient quality to support the decisions that must be made by agency staff. It has also been redone and is in review by the U.S. Environmental Protection Agency. Once approved it will be internal procedure.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	This should be removed as a guidance document as it is actually a quality assurance plan for internal use.	
Expected Date	December 2023	

Action/Stage or Guidance Document Forum ID (if available) LPR-SRR-2015-02		
Title of Proposed Regulatory Action or Guidance Document Rescind the Instructions for Completing the State Lead Acceptance Form and Contractor Evaluation Tab		
Brief Overview This document that will be rescinded provides instructions for staff when completing the State Lead Acceptance Form (AAF). It superseded the guidance found in LPR-SRR-2014-01 and was meant to be incorporated into the next revision of that manual. It is an internal procedure.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	This document will be included in the State Lead Manual which will be an internal procedure. It should be removed as a guidance document.	
Expected Date	December 2023	

Action/Stage or Guidance Document Forum ID (if available) 6409 and 6410		
Title of Proposed Regulatory Action or Guidance Document Update the Hazardous Waste Inspector Handbook		
Brief Overview This guidance document was created to be used by hazardous waste inspectors at the Department of Environmental Quality in order to guide them through the inspection process, and to house all the guidance on inspections in one location. This guidance is already on Town Hall but is being updated to incorporate additional issues that have occurred as a result of new regulations that impact hazardous waste generators being promulgated. Inspection checklists, provided in Appendix A to the Manual, are also being revised. This document is an internal job aid for hazardous waste inspectors.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	January 2024	

Action/Stage or Guidance Document Forum ID (if available)		
Title of Proposed Regulatory Action or Guidance Document Develop Guidance on the Use of Portable Incinerators and Sequestration Devices for Pharmaceuticals and Other Hazardous Wastes by Law Enforcement Officials and Healthcare Facilities		
Brief Overview The Department of Environmental Quality (DEQ) has received numerous inquiries from both law enforcement and hospitals regarding the ability to burn confiscated illicit drugs on site, or to render hazardous waste pharmaceuticals and controlled substances irretrievable through chemical digestion on site. The Hazardous Waste Pharms rule that established the need for this guidance document was already adopted by DEQ. This document will make it easier for the public to understand how to comply.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	February 2024	

Action/Stage or Guidance Document Forum ID (if available) LPR-SW-04-2012	
Title of Proposed Regulatory Action or Guidance Document Update the Management and Reuse of Contaminated Media Guidance	
Brief Overview This action will update the 2012 Management and Reuse of Contaminated Media guidance to address issues for use and implementation of the state-wide self-implemented variance for facilities.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final ☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	The updated guidance document will allow for greater flexibility and updated applicable risk numbers by conforming our guidance to be consistent with the U.S. Environmental Protection Agency's regional screening levels and removing the requirement to implement land use restrictions.
Expected Date	May 2024

Action/Stage or Guidance Document Forum ID (if available) LPR-SW-SI-30		
Title of Proposed Regulatory Action or Guidance Document Develop Submission Instructions No. 30: Guidelines for Landfill Topographic Survey Submissions		
Brief Overview This guidance will provide landfill permittees instruction on submission of annual/biennial landfill topographic surveys. This guidance corresponds with regulatory changes proposed with Amend 9 of 9VAC20-81 (Solid Waste Management Regulations). This is a guidance document that will be used by Department of Environmental Quality staff and permitted landfills to assist with submission of the annual/biennial landfill topographic survey.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	January 2024	

Action/Stage or Guidance Document Forum ID (if available) LPR-SW-03-2008		
Title of Proposed Regulatory Action or Guidance Document Rescind the Solid Waste Permit Manual		
Brief Overview The purpose of this manual is to guide Department of Environmental Quality (DEQ) permit writers on aspects of solid waste permit procedures. These procedures were designed in an effort to ensure consistency between DEQ regional offices and provide new personnel with a document from which to learn how to write permits, process solid waste authorizations, and manage records. This document was designed for internal use only and assists DEQ staff within the Office of Financial Responsibility and Waste Programs and the regional offices keep abreast of the most recent regulations and procedures by removing or adding pages to the manual.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Discretionary action ☐ Action required by state statute	
Deregulatory Component	This document was developed and most recently updated online in 2008. This document was developed entirely for internal DEQ staff use. It is meant to be a “living document” that exists in electronic format on DEQ’s intranet site and is updated corresponding with changes to applicable statutes and regulations. The attachments to the manual include template versions of review correspondence, draft permits, and other documentation for staff to reference. The solid waste permit manual has been determined to be an internal procedure for staff and not formal guidance. This manual does not include any interpretation of any state or federal regulations and is simply an internal procedure for DEQ staff. Additionally, this manual is out of date and no longer used internally and should not be used externally. Therefore, this document should be removed as a guidance document.	
Expected Date	July 2023	

Action/Stage or Guidance Document Forum ID (if available) LPR-SW-02-2010		
Title of Proposed Regulatory Action or Guidance Document Solid Waste Compliance Program Inspection Manual (Revision 6)		
Brief Overview The Solid Waste Compliance Program conducts periodic inspections of waste management facilities subject to the Virginia Waste Management Act and its associated waste regulations. This manual provides procedural guidance on how to conduct a legally defensible inspection and is designed to promote uniformity and consistency among Department of Environmental Quality (DEQ) regional offices. Procedures include pre-inspection preparation, on-site inspection protocols, and post-inspection procedures for report preparation and responding to observations of compliance and noncompliance. This manual is an existing guidance document on the Virginia Regulatory Town Hall and is being updated for consistency with Amendment 9 to the Virginia Solid Waste Management Regulations (9VAC20-81). This document is an internal job aid for solid waste inspectors and provides a standard framework for agency staff to evaluate compliance with waste-related regulations in order to maintain consistency around the state.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	June 2024	

Action/Stage or Guidance Document Forum ID (if available) LPR-SW-2017-01		
Title of Proposed Regulatory Action or Guidance Document Update the Landfill Gas Regulatory Requirements Guidance		
Brief Overview This guidance document was developed to clarify regulatory requirements applicable to landfill gas monitoring and remediation under the Virginia Solid Waste Management Regulations (9VAC20-81). This is an existing guidance document on the Virginia Regulatory Town Hall and is being updated for consistency with Amendment 9 to the Solid Waste Regulations (9VAC20-81). This document provides risk-based strategies that landfills can utilize to maintain compliance with the applicable landfill gas monitoring and remediation requirements as well as provides a standard framework for agency staff to evaluate compliance with the landfill gas requirements of the solid waste regulations in order to maintain consistency around the state.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	June 2024	

Action/Stage or Guidance Document Forum ID (if available) LPR-SW-SI-13		
Title of Proposed Regulatory Action or Guidance Document Update Submission Instruction 13 - Landfill Gas Management, Remediation, and Odor Plans for Solid Waste Disposal Facilities		
Brief Overview This Submission Instruction provides guidance for solid waste disposal facilities to submit a Landfill Gas Management Plan, Landfill Gas Remediation Plan, and Odor Management Plan in compliance with the Virginia Solid Waste Management Regulations (9VAC20-81). This is an existing guidance document on the Virginia Regulatory Town Hall and is being updated for consistency with Amendment 9 to the Solid Waste Regulations. This document provides a template for permit applicants and permit holders to submit information required by the solid waste regulations in order to streamline review by agency staff.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	June 2024	

Action/Stage or Guidance Document Forum ID (if available) LPR-SW-04-2009		
Title of Proposed Regulatory Action or Guidance Document Update the Solid Waste Management Plan 5-year Update Guidance		
Brief Overview This guidance document was developed to clarify regulatory requirements applicable to solid waste planning units under the Virginia Solid Waste Planning and Recycling Regulations (9VAC20-130). This is an existing guidance document on Virginia Regulatory Town Hall and is being updated for consistency with the 2019 amendment to the solid waste planning regulations.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	June 2024	

Action/Stage or Guidance Document Forum ID (if available)	
Title of Proposed Regulatory Action or Guidance Document Develop an Instructional Guide on Disclosure Statements (DEQ Forms DISC-01, DISC-02, and DISC-03)	
Brief Overview This new guidance document will provide solid waste management facilities and Department of Environmental Quality staff with instructions on submission of Disclosure Statements required by the Virginia Solid Waste Management Regulations, 9 VAC 20-81.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final ☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	This new guidance document will clarify that permit applicants who have previously conducted waste operations in Virginia are subject to less comprehensive disclosure requirements than permit applicants who have not previously conducted waste operations in Virginia.
Expected Date	November 2023

Action/Stage or Guidance Document Forum ID (if available)		
Title of Proposed Regulatory Action or Guidance Document Develop Alternate Operational Cover Guidance for Landfills Guidance		
Brief Overview Under certain circumstances, the Virginia Solid Waste Management Regulations, 9VAC20-81, allow for the use of alternate operational cover strategies in lieu of the default landfill operational cover requirements, if approved by the Department of Environmental Quality Director following a demonstration that the proposed alternative serves the same purpose and meets the same performance standards of the specified type of operational cover. This new guidance document will provide solid waste landfills and their consultants a guide to requesting and demonstrating the use of such alternate operational cover strategies. The information and procedures will apply to requests for alternatives to daily cover, progressive cover, weekly cover, and intermediate cover.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Discretionary action ☐ Action required by state statute	
Deregulatory Component	This new guidance document will standardize the procedures for requests and approvals of alternate operational cover strategies at solid waste landfills.	
Expected Date	March 2024	

Action/Stage or Guidance Document Forum ID (if available) LPR-SW-2016-01		
Title of Proposed Regulatory Action or Guidance Document Update the Management of Sharps Guidance		
Brief Overview This guidance clarifies the management requirements for sharps in compliance with the Virginia Regulated Medical Waste Management Regulations. This is an existing guidance document on the Virginia Regulatory Town Hall and is being updated for consistency with Amendment 3 to the Regulated Medical Waste Management Regulations (9VAC20-121). This guidance document is used by Department of Environmental Quality staff, the regulated community and the general public concerning the packaging, labeling, management and disposal of sharps.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	November 2023	

Action/Stage or Guidance Document Forum ID (if available) LPR-HW		
Title of Proposed Regulatory Action or Guidance Document Rescind EOD Emergency Response Operations and Emergency Permits Clarification		
Brief Overview This document is actually a letter to a specific facility for a specific issue. This document should not have been classified as a guidance document.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Discretionary action ☐ Action required by state statute	
Deregulatory Component	This document is a letter to a specific facility for a specific issue and does not interpret existing laws or regulations for the public and therefore should be rescinded as a guidance document.	
Expected Date	July 2023	

Action/Stage or Guidance Document Forum ID (if available) LPR-HW-03-1994		
Title of Proposed Regulatory Action or Guidance Document Rescind the Risk Based Closure – (REAMS) Risk Exposure and Analysis Modeling System Guidance		
Brief Overview This document being rescinded is outdated. The Risk Exposure and Analysis Modeling System (REAMS) is no longer used and has been replaced with the Virginia Unified Risk Assessment Model (VURAM). The VURAM User Guide including instructions on installation, use, and applicability is provided on DEQ's website.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	July 2023	

Action/Stage or Guidance Document Forum ID (if available) LPR-HW		
Title of Proposed Regulatory Action or Guidance Document Rescind the Closure Guidance-Wood Treatment Facilities - Drip Pads		
Brief Overview This document that will be rescinded is outdated. The document is a fact sheet written to assist in outlining the regulatory requirements applicable to drip pads. Requirements have since been superseded by the Generator Improvements Rule, and thus this document is outdated. Additionally, the document only outlined applicable requirements and did not interpret existing laws or regulations for the public and therefore should be rescinded as a guidance document.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	July 2023	

Action/Stage or Guidance Document Forum ID (if available) LPR-HW-2013-01		
Title of Proposed Regulatory Action or Guidance Document Rescind the Waste Procedure No. 5 – Hazardous Waste Emergency Permits Guidance		
Brief Overview The purpose of this procedure document is to guide Department of Environmental Quality (DEQ) staff on responding to requests for hazardous waste emergency permits. These procedures were designed to document the process to ensure consistency and outline staff roles. This document was designed as a document for internal use only and assists DEQ staff within the Office of Financial Responsibility and Waste Programs keep abreast of the most recent regulations and procedures. These procedures are to be incorporated into the Hazardous Waste Permitting Manual and updated as needed within that manual.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Discretionary action ☐ Action required by state statute	
Deregulatory Component	This document was developed entirely for internal DEQ staff use. It is meant to be a “living document” that exists in electronic format on DEQ’s intranet site and is updated corresponding with changes to applicable statutes and regulations. The procedure is being incorporated into a broader Hazardous Waste Permit Manual under development to consolidate all hazardous waste permitting procedures in one manual. Therefore, this document should be removed as a guidance document.	
Expected Date	July 2023	

Action/Stage or Guidance Document Forum ID (if available) LPR-HW-18-2022	
Title of Proposed Regulatory Action or Guidance Document Rescind the Financial Assurance Procedures in Support of the Hazardous Waste Permitting Program	
Brief Overview The purpose of these procedures is to guide Department of Environmental Quality (DEQ) staff on reviewing financial assurance documentation required as part of a hazardous waste permit. These procedures were designed to document the process to ensure consistency and outline staff roles. This document was designed as a document for internal use only and assists DEQ staff within the Office of Financial Responsibility and Waste Programs keep abreast of the most recent regulations and procedures by removing or adding pages to the manual.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final ☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	This document was developed entirely for internal DEQ staff use. It is meant to be a “living document” that exists in electronic format on DEQ’s intranet site and is updated corresponding with changes to applicable statutes and regulations. Therefore, this document should be removed as a guidance document.
Expected Date	July 2023

Action/Stage or Guidance Document Forum ID (if available) LPR-SW-SI-31		
Title of Proposed Regulatory Action or Guidance Document Develop Submission Instructions No. 31: Procedural Requirements for RMW Permits-By-Rule		
Brief Overview This guidance will provide Regulated Medical Waste (RMW) transfer and treatment facilities guidance on the RMW permit-by-rule process and documents associated with the application. Guidance corresponds with regulatory changes with Amend 3 of 9VAC20-121 (Regulated Medical Waste Management Regulations). This is a guidance document that will be used by DEQ staff and RMW facilities to assist with submission of the RMW PBR applications.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	January 2024	

Action/Stage or Guidance Document Forum ID (if available) LPR-SW-SI-29		
Title of Proposed Regulatory Action or Guidance Document Update Submission Instruction 29 – Additional Permit Application Requirements for Coal Combustion Residuals Units		
Brief Overview This Submission Instruction provides guidance for owners and operators of coal combustion residual units (CCR) instructions regarding elements of permitting submissions to address CCR units particularly for a new and existing CCR surface impoundments and landfills. This is an existing guidance document on the Virginia Regulatory Town Hall and is being updated for consistency with updates to the Solid Waste Regulations to incorporate by reference amendments to the U.S. Environmental Protection Agency’s Disposal of Coal Combustion Residuals from Electric Utilities. This document provides a template for permit applicants and permit holders to submit information required by the solid waste regulations in order to streamline review by agency staff.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	June 2024	

Action/Stage or Guidance Document Forum ID (if available) LPR-SW-04-2012	
Title of Proposed Regulatory Action or Guidance Document Update the State-Wide Variance Guidance Memo No. LPR-SW-04-2012 Management and Reuse of Contaminated Media	
Brief Overview Update to the 2012 Management and Reuse of Contaminated Media to address issues for use and implementation of the state-wide self-implemented variance for facilities.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final ☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	The updated guidance document will allow for greater flexibility and updated applicable risk numbers by conforming the guidance to be consistent with the U.S. Environmental Protection Agency's regional screening levels and removing the requirement to implement land use restrictions.
Expected Date	May 2024

Action/Stage or Guidance Document Forum ID (if available) CEM-07		
Title of Proposed Regulatory Action or Guidance Document Civil Enforcement Manual - Chapter 4 - Civil Charges and Civil Penalties		
Brief Overview Civil Enforcement Manual - Chapter 4 - Civil Charges and Civil Penalties: Town Hall, Document ID: CEM-07. Document ID: CEM-07. This chapter addresses the specific procedure and criteria used by DEQ to calculate civil penalties in administrative enforcement actions.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	July 2023 (or later)	

Action/Stage or Guidance Document Forum ID (if available)		
Title of Proposed Regulatory Action or Guidance Document Develop Environmental Justice in the Permitting Process Guidance		
Brief Overview In 2020, the Commonwealth enacted the Virginia Environmental Justice Act (Act) and related implementing legislation. The Virginia Environmental Justice Act makes it Virginia’s policy “. . . to promote environmental justice and ensure that it is carried out throughout the Commonwealth, with a focus on environmental justice and fenceline communities.” Further, the Department of Environmental Quality’s (DEQ) enabling statute was amended to state that DEQ's purpose, among others, is “to ensure the fair treatment and meaningful involvement of all people regardless of race, color, national origin, faith, disability, or income with respect to the administration of environmental laws, regulations, and policies.” DEQ established an Office of Environmental Justice (OEJ) in April 2021 which includes an Office Manager and four Environmental Justice Coordinators. This guidance will describe how DEQ will ensure meaningful involvement and fair treatment in environmental permitting and will be applicable to all DEQ permitting actions. To the extent possible, this guidance should be incorporated into ongoing efforts to enable permit applicants, as well as the public and any stakeholder, to track pending permits and access current information about the critical steps and permitting schedules associated with permit approvals.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute	☐ Discretionary action
Deregulatory Component	None.	
Expected Date	July 2023 (or later)	

Action/Stage or Guidance Document Forum ID (if available)		
Title of Proposed Regulatory Action or Guidance Document Update The Procedure Manual – Environmental Impact Review of Major State Facilities		
Brief Overview The Procedure Manual – Environmental Impact Review of Major State Facilities was prepared according to the requirements of § 10.1-1191 of the Code of Virginia, which directs the Department of Environmental Quality (DEQ) to develop procedures governing the preparation and evaluation of required environmental impact reports for state projects. Section 10.1-1188 of the Code of Virginia requires state agencies to prepare and submit an environmental impact report (EIR) for each major state project. Changes are anticipated to address changes to § 10.1-1183 of the Code of Virginia to address climate change and environmental justice and the Virginia Environmental Justice Act requiring all state agencies to address environmental justice. This action replaces an outdated manual with an updated manual.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	This action replaces an outdated manual with an updated manual.	
Expected Date	July 2023 (or later)	

Action/Stage or Guidance Document Forum ID (if available) 2672		
Title of Proposed Regulatory Action or Guidance Document Process for Early Dispute Resolution of Notices of Alleged Violation and Notices of Deficiency		
Brief Overview Process for Early Dispute Resolution of Notices of Alleged Violation and Notices of Deficiency: Town Hall, Document ID: 2672. Establishes a Process for Early Dispute Resolution to afford an additional informal process that can assist in resolution of disagreements with DEQ concerning the issuance of notices of alleged violation.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	July 2023 (or later)	

Action/Stage or Guidance Document Forum ID (if available)		
Title of Proposed Regulatory Action or Guidance Document Revise the Federal Consistency Information Package for the Virginia Coastal Zone Management Program		
Brief Overview Revisions are proposed to change contact information in Federal Consistency Information Package for the Virginia Coastal Zone Management Program to address changes in personnel and agency phone numbers.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	December 2023	

Action/Stage or Guidance Document Forum ID (if available)		
Title of Proposed Regulatory Action or Guidance Document Guidance Document- GM24-2002 Virginia Runoff Reduction Method User Guide and Compliance Spreadsheets for New Development and Redevelopment - Version 4.1		
Brief Overview The Virginia Erosion and Stormwater Management Regulation, at 9VAC25-875-590, states that “Compliance with the water quality design criteria set out in subdivisions A 1 and A 2 of 9VAC25-875-580 shall be determined by utilizing the Virginia Runoff Reduction Method or another equivalent methodology that is approved by the department.” Through its adoption as guidance, Virginia Runoff Reduction Method (VRRM) - Version 4.1, consisting of spreadsheets for new development and redevelopment and a User Guide - will become an equivalent methodology that is approved by the Department. VRRM 4.1 expands the number of land covers by adding mixed open as an alternative between forest and managed turf, updates loading rate calculations to ensure consistency with the Chesapeake Bay Total Maximum Daily Load (TMDL), accommodates revisions to the Chesapeake Assessment Scenario Tool, and utilizes more accurate phosphate loading information to provide better projections about stormwater runoff quality from construction sites and the expected impact of best management practices that are planned to reduce nutrient runoff. The VRRM 4.1 User Guide includes necessary information about how to use the VRRM spreadsheets and details about revisions in VRRM 4.1. As the agency transitions to the new guidance, GM24-2002, the regulated community may choose to use the existing guidance, GM16-2001- Updated Virginia Runoff Reduction Method Compliance Spreadsheets - Version 3.0, or this new guidance for plans submitted between July 1, 2024 and June 30, 2025. The existing guidance, GM16-2001- Updated Virginia Runoff Reduction Method Compliance Spreadsheets - Version 3.0, is scheduled to be rescinded on July 1, 2025, at the end of a one-year transition period.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	January 2024 (or later)	

Department of Fire Programs (DFP) / Total = 18

Action/Stage or Guidance Document Forum ID (if available) SFMO-1	
Title of Proposed Regulatory Action or Guidance Document Use of Pyrotechnics inside or outdoors on State-owned Property before a proximate audience	
Brief Overview This application is intended to collect information on those who wish to use pyrotechnics on State-owned property before an audience. <i>Code of Virginia</i> § 9.1-206 gives the State Fire Marshal authority to enforce the Statewide Fire Prevention Code on state property. Statewide Fire Prevention Code § 5608 requires permits for fireworks displays before a proximate audience.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final ☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Discretionary action ☒ Action required by state statute
Deregulatory Component	Executive Order #19 (2022) requires executive branch agencies to reduce regulatory requirements by 25% or in length by 25%. This proposed change removes the guidance document to align with <i>Code of Virginia</i> § 2.2-4002.1.
Expected Date	August 2023

Action/Stage or Guidance Document Forum ID (if available) SFMO-3	
Title of Proposed Regulatory Action or Guidance Document Application for Annual Permit to Manufacture Explosives	
Brief Overview This application is intended to collect information on those who wish to manufacture explosives in the Commonwealth of Virginia. <i>Code of Virginia</i> § 27-97.2 gives the State Fire Marshal authority to consider all permit applications for manufacturing explosives.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final ☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Discretionary action ☒ Action required by state statute
Deregulatory Component	Executive Order #19 (2022) requires executive branch agencies to reduce regulatory requirements by 25% or in length by 25%. This proposed change removes the guidance document to align with <i>Code of Virginia</i> § 2.2-4002.1.
Expected Date	August 2023

Action/Stage or Guidance Document Forum ID (if available) SFMO-4	
Title of Proposed Regulatory Action or Guidance Document Application for Annual Permit to Sell Explosives	
Brief Overview This application is intended to collect information on those who wish to sell explosives in the Commonwealth of Virginia. <i>Code of Virginia</i> § 27-97.2 gives the State Fire Marshal authority to consider all permit applications for the sale of explosives.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final ☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Discretionary action ☒ Action required by state statute
Deregulatory Component	Executive Order #19 (2022) requires executive branch agencies to reduce regulatory requirements by 25% or in length by 25%. This proposed change removes the guidance document to align with <i>Code of Virginia</i> § 2.2-4002.1.
Expected Date	August 2023

Action/Stage or Guidance Document Forum ID (if available) SFMO-5		
Title of Proposed Regulatory Action or Guidance Document Application for Annual permit to Store Explosives		
Brief Overview This application is intended to collect information on those who wish to store explosives in the Commonwealth of Virginia. <i>Code of Virginia</i> § 27-97.2 gives the State Fire Marshal authority to consider all permit applications for the storage of explosives.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Discretionary action ☒ Action required by state statute	
Deregulatory Component	Executive Order #19 (2022) requires executive branch agencies to reduce regulatory requirements by 25% or in length by 25%. This proposed change removes the guidance document to align with <i>Code of Virginia</i> § 2.2-4002.1.	
Expected Date	August 2023	

Action/Stage or Guidance Document Forum ID (if available) SFMO-6	
Title of Proposed Regulatory Action or Guidance Document Application for Annual Permit to use Explosives	
Brief Overview This application is intended to collect information on those who wish to use explosives in the Commonwealth of Virginia. <i>Code of Virginia</i> § 27-97.2 gives the State Fire Marshal authority to consider all permit applications for the use of explosives.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final ☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Discretionary action ☒ Action required by state statute
Deregulatory Component	Executive Order #19 (2022) requires executive branch agencies to reduce regulatory requirements by 25% or in length by 25%. This proposed change removes the guidance document to align with <i>Code of Virginia</i> § 2.2-4002.1.
Expected Date	August 2023

Action/Stage or Guidance Document Forum ID (if available) SFMO-7		
Title of Proposed Regulatory Action or Guidance Document Application for a Background Clearance Card (BCC) Application for Certification of a Blaster or Pyrotechnician		
Brief Overview This application is intended to collect information on those who wish to obtain certification as a blaster or pyrotechnician in the Commonwealth of Virginia. <i>Code of Virginia</i> § 27-97.2 gives the State Fire Marshal authority to consider all permit applications for certification as a blaster or pyrotechnician.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Discretionary action ☒ Action required by state statute	
Deregulatory Component	Executive Order #19 (2022) requires executive branch agencies to reduce regulatory requirements by 25% or in length by 25%. This proposed change removes the guidance document to align with <i>Code of Virginia</i> § 2.2-4002.1.	
Expected Date	August 2023	

Action/Stage or Guidance Document Forum ID (if available) SFMO-8		
Title of Proposed Regulatory Action or Guidance Document Application to Renew a Background Clearance Card (BCC), Blaster or Pyrotechnician		
Brief Overview This application is intended to collect information on those who wish to renew their certification as a blaster or pyrotechnician in the Commonwealth of Virginia. <i>Code of Virginia</i> § 27-97.2 gives the State Fire Marshal authority to consider all permit applications for certification as a blaster or pyrotechnician.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Discretionary action ☒ Action required by state statute	
Deregulatory Component	Executive Order #19 (2022) requires executive branch agencies to reduce regulatory requirements by 25% or in length by 25%. This proposed change removes the guidance document to align with <i>Code of Virginia</i> § 2.2-4002.1.	
Expected Date	August 2023	

Action/Stage or Guidance Document Forum ID (if available) SFMO-9		
Title of Proposed Regulatory Action or Guidance Document Application for the Display of Aerial Fireworks on State-owned Property		
Brief Overview This application is intended to collect information on those who wish to display aerial fireworks on State-owned property. <i>Code of Virginia</i> § 9.1-206 gives the State Fire Marshal authority to enforce the Statewide Fire Prevention Code on state property. Statewide Fire Prevention Code § 5608 requires permits for fireworks displays.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☒ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Discretionary action ☒ Action required by state statute	
Deregulatory Component	Executive Order #19 (2022) requires executive branch agencies to reduce regulatory requirements by 25% or in length by 25%. This proposed change removes the guidance document to align with <i>Code of Virginia</i> § 2.2-4002.1.	
Expected Date	August 2023	

Action/Stage or Guidance Document Forum ID (if available) SFMO-10	
Title of Proposed Regulatory Action or Guidance Document Blaster Re-Certification training hours and sources	
Brief Overview The policy statement is intended to inform individuals that are certified to load, fire, or supervise the use of explosive shots (i.e. Blasters) of the required training hours and sources of training for recertification. (Statewide Fire Prevention Code § 5601)	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final ☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Discretionary action ☒ Action required by state statute
Deregulatory Component	Executive Order #19 (2022) requires executive branch agencies to reduce regulatory requirements by 25% or in length by 25%. This proposed change removes the guidance document to align with <i>Code of Virginia</i> § 2.2-4002.1 and removes outdated policy.
Expected Date	August 2023

Action/Stage or Guidance Document Forum ID (if available) SFMO-11	
Title of Proposed Regulatory Action or Guidance Document Application to Operate Theatrical Flame Effects	
Brief Overview This application is intended to collect information on those who wish to operate theatrical flame effects on the property of the Commonwealth of Virginia. <i>Code of Virginia</i> § 9.1-206 gives the State Fire Marshal authority to enforce the Statewide Fire Prevention Code on state property. Statewide Fire Prevention Code § 308 requires permits for theatrical flame effects.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final ☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Discretionary action ☒ Action required by state statute
Deregulatory Component	Executive Order #19 (2022) requires executive branch agencies to reduce regulatory requirements by 25% or in length by 25%. This proposed change removes the guidance document to align with <i>Code of Virginia</i> § 2.2-4002.1.
Expected Date	August 2023

Action/Stage or Guidance Document Forum ID (if available) SFMO-12	
Title of Proposed Regulatory Action or Guidance Document Pyrotechnician Re-Certification training hours and sources	
Brief Overview The policy statement is intended to inform individuals that are certified to design, setup, or conduct fireworks displays (i.e. pyrotechnicians) of the required training hours and sources of training for recertification. (Statewide Fire Prevention Code § 5601)	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☒ Final ☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Discretionary action ☒ Action required by state statute
Deregulatory Component	Executive Order #19 (2022) requires executive branch agencies to reduce regulatory requirements by 25% or in length by 25%. This proposed change removes the guidance document to align with <i>Code of Virginia</i> § 2.2-4002.1 and removes outdated policy.
Expected Date	August 2023

Action/Stage or Guidance Document Forum ID (if available) SFMO-13	
Title of Proposed Regulatory Action or Guidance Document Application for replacement Certification or BCC	
Brief Overview This application is intended to collect information on those who wish to obtain a replacement certification card as a blaster or pyrotechnician in the Commonwealth of Virginia. <i>Code of Virginia</i> § 27-97.2 gives the State Fire Marshal authority to consider all permit applications for certification as a blaster or pyrotechnician.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final ☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Discretionary action ☒ Action required by state statute
Deregulatory Component	Executive Order #19 (2022) requires executive branch agencies to reduce regulatory requirements by 25% or in length by 25%. This proposed change removes the guidance document to align with <i>Code of Virginia</i> § 2.2-4002.1.
Expected Date	August 2023

Action/Stage or Guidance Document Forum ID (if available) SMFO-14	
Title of Proposed Regulatory Action or Guidance Document Application of Open Burning	
Brief Overview This application is intended to collect information on those who wish to conduct open burning on the property of the Commonwealth of Virginia. <i>Code of Virginia</i> § 9.1-206 gives the State Fire Marshal authority to enforce the Statewide Fire Prevention Code on state property. Statewide Fire Prevention Code § 307 requires permits for open burning.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final ☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	Executive Order #19 (2022) requires executive branch agencies to reduce regulatory requirements by 25% or in length by 25%. This proposed change removes the guidance document to align with <i>Code of Virginia</i> § 2.2-4002.1.
Expected Date	August 2023

Action/Stage or Guidance Document Forum ID (if available) VFSB-1	
Title of Proposed Regulatory Action or Guidance Document Aid-To-Localities Policy	
Brief Overview This guide is intended to provide potential grant applicants information on Aid-To-Locality Grants provided by Department of Fire Programs, in consultation with the Virginia Fire Services Board, as required in <i>Code of Virginia</i> § 9.1-204. Revisions are needed to reduce the length of the document to make information easier to understand for potential applicants.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final ☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Discretionary action ☒ Action required by state statute
Deregulatory Component	Executive Order #19 (2022) requires executive branch agencies to reduce regulatory requirements by 25% or in length by 25%. This proposed change reduces the length by approximately 14%.
Expected Date	October 2023

Action/Stage or Guidance Document Forum ID (if available) VFSB-2		
Title of Proposed Regulatory Action or Guidance Document Live Fire Training Structure Grants		
Brief Overview This guide is intended to provide potential grant applicants information on Live Fire Training Structure Grants provided by Department of Fire Programs, in consultation with the Virginia Fire Services Board as required by <i>Code of Virginia</i> § 38.2-401. Revisions are needed to reduce the length of the document to make information easier to understand for potential applicants.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Discretionary action ☒ Action required by state statute	
Deregulatory Component	Executive Order #19 (2022) requires executive branch agencies to reduce regulatory requirements by 25% or in length by 25%. This proposed change reduces the length by approximately 23%.	
Expected Date	October 2023	

Action/Stage or Guidance Document Forum ID (if available) VFSB-3		
Title of Proposed Regulatory Action or Guidance Document Virginia Fire Incident Reporting (VFIRS) Hardware Grant		
Brief Overview This guide is intended to provide potential grant applicants information on the Virginia Fire Incident Reporting System Hardware Grants provided by Department of Fire Programs, in consultation with the Virginia Fire Services Board as required by <i>Code of Virginia</i> § 38.2-401. Revisions are needed to reduce the length of the document to make information easier to understand for potential applicants.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Discretionary action ☒ Action required by state statute	
Deregulatory Component	Executive Order #19 (2022) requires executive branch agencies to reduce regulatory requirements by 25% or in length by 25%. This proposed change reduces the length by approximately 33%.	
Expected Date	October 2023	

Action/Stage or Guidance Document Forum ID (if available) VFSB-4		
Title of Proposed Regulatory Action or Guidance Document Regional Fire Services Training Policy		
Brief Overview This guide is intended to provide potential grant applicants information on the Regional Fire Services Grant provided by Department of Fire Programs, in consultation with the Virginia Fire Services Board as required by <i>Code of Virginia</i> § 38.2-401. Revisions are needed to reduce the length of the document to make information easier to understand for potential applicants.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Discretionary action ☒ Action required by state statute	
Deregulatory Component	Executive Order #19 (2022) requires executive branch agencies to reduce regulatory requirements by 25% or in length by 25%. This proposed change reduces the length by approximately 14%.	
Expected Date	October 2023	

Action/Stage or Guidance Document Forum ID (if available) VFSB-6		
Title of Proposed Regulatory Action or Guidance Document Conference and Education Assistance Grant		
Brief Overview This guide is intended to provide potential grant applicants information on the Conference and Education Assistance Grant provided by Department of Fire Programs, in consultation with the Virginia Fire Services Board as required by <i>Code of Virginia</i> § 38.2-401. Revisions are needed to reduce the length of the document to make information easier to understand for potential applicants.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Discretionary action ☒ Action required by state statute	
Deregulatory Component	Executive Order #19 (2022) requires executive branch agencies to reduce regulatory requirements by 25% or in length by 25%. This proposed change reduces the length by approximately 20%.	
Expected Date	October 2023	

Department of Health (VDH) / Total = 104

Guidance Document Forum ID (if available)	
Title of Guidance Document Screening for TB Infection and Disease *. (EPI-409)	
Brief Overview Amend. An updated version will be posted on the VDH and Town Hall websites. The new version of the document is titled "Screening and Testing for Tuberculosis"	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final ☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Discretionary Action ☐ Action required by state statute
Deregulatory Component	None
Expected Date	July 2023

Guidance Document Forum ID (if available)	
Title of Guidance Document Triennial Audit Requirement for Hospices and Home Care Organizations. (OLC-3003-G)	
Brief Overview Repeal. Based on advice from legal counsel	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final ☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☐ Discretionary Action
Deregulatory Component	Guidance is being repealed
Expected Date	July 2023

Guidance Document Forum ID (if available)		
Title of Guidance Document Citizens with Complaints against a Radon Professional. (ORH-753)		
Brief Overview Repeal. Exceeds authority for radon program functions.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☐ Discretionary Action
Deregulatory Component		
Expected Date	July 2023	

Guidance Document Forum ID (if available)	
Title of Guidance Document Nursing facility informal dispute resolution process. (QHC-026)	
Brief Overview Amend. The document needs updates to be current with CMS's State Operations Manual	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final ☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☐ Discretionary Action
Deregulatory Component	To be determined
Expected Date	July 2023

Guidance Document Forum ID (if available)	
Title of Guidance Document Home Care Initial Licensure Checklist. (QHC-054)	
Brief Overview Amend. Process described is out-of-date; OLC will be launching an online portal for all applications so this needs to be updated after that software launch	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final ☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☐ Discretionary Action
Deregulatory Component	To be determined
Expected Date	July 2023

Guidance Document Forum ID (if available)	
Title of Guidance Document Hospice Initial Licensure Checklist. (QHC-056)	
Brief Overview Amend. Process described is out-of-date; OLC will be launching an online portal for all applications so this needs to be updated in step with that software launch	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final ☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☐ Discretionary Action
Deregulatory Component	To be determined
Expected Date	July 2023

Guidance Document Forum ID (if available)	
Title of Guidance Document Multiple Location License. (QHC-070)	
Brief Overview Repeal. Superseded by updated statutes published after guidance document effective date	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final ☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☐ Discretionary Action
Deregulatory Component	Guidance is being repealed
Expected Date	July 2023

Guidance Document Forum ID (if available)	
Title of Guidance Document Design and construction of health care facilities. (QHC-031)	
Brief Overview Repeal. Superseded by updated regulations published after guidance document effective date	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final ☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☐ Discretionary Action
Deregulatory Component	Guidance is being repealed
Expected Date	August 2023

Guidance Document Forum ID (if available)		
Title of Guidance Document Enforcement Manual. (WTR-2020-02)		
Brief Overview Amend. The Guidance Document ID for the Manual is being changed to ODW-2023-03. The proposed Enforcement Manual reflects current best practices related to VDH ODW's enforcement program, refining and expanding upon the Enforcement Manual 1.0. The amendments updat		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☐ Discretionary Action
Deregulatory Component	To be determined	
Expected Date	August 2023	

Guidance Document Forum ID (if available)	
Title of Guidance Document Guidelines for Specialized Health Care Procedures. (FAM 105)	
Brief Overview Amend. Update the guidance to school personnel on the care of students with special health care needs. The updates were made in coordination with the Virginia Department of Education	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final ☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Discretionary Action ☐ Action required by state statute
Deregulatory Component	None, the document contains no regulatory requirements.
Expected Date	August 2023

Guidance Document Forum ID (if available)	
Title of Guidance Document Virginia Conrad 30 Waiver Program Guidelines. (PRM-002)	
Brief Overview Amend. Guidelines will be updated regarding new discretionary slots modifications & determination process and to provide information to the public	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final ☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Discretionary Action ☐ Action required by state statute
Deregulatory Component	To be determined
Expected Date	August 2023

Guidance Document Forum ID (if available)		
Title of Guidance Document Virginia State Loan Repayment Program (VA-SLRP) Eligibility Guidelines, 2017 *. (PRM-003)		
Brief Overview Amend. Updated to reflect new federally approved changes: providers who are employed 20-39 hours at an approved site are now eligible; matching funds to be provided by Commonwealth of Virginia instead of recipient's employer		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☐ Discretionary Action
Deregulatory Component	To be determined	
Expected Date	August 2023	

Guidance Document Forum ID (if available)	
Title of Guidance Document Well Development. (WTR-813)	
Brief Overview Repeal. The information in this document has been consolidated into the Project Review & Permit Procedures Manual, and can be deleted/repealed once the new Manual goes into effect.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final ☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Discretionary Action ☐ Action required by state statute
Deregulatory Component	Consolidation of multiple guidance documents into one
Expected Date	August 2023

Guidance Document Forum ID (if available)	
Title of Guidance Document UV Disinfection Systems for Public Water Supplies. (WTR-839)	
Brief Overview Repeal. The information in this document has been consolidated into the Project Review & Permit Procedures Manual, and can be deleted/repealed once the new Manual goes into effect.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final ☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Discretionary Action ☐ Action required by state statute
Deregulatory Component	Consolidation of multiple guidance documents into one
Expected Date	August 2023

Guidance Document Forum ID (if available)	
Title of Guidance Document Treatment - Hollow Fiber, Positive Pressure Driven Microfiltration and Ultrafiltration and Ultrafiltration Membrane Filtration Technology. (WTR-880)	
Brief Overview Repeal. The information in this document has been consolidated into the Project Review & Permit Procedures Manual, and can be deleted/repealed once the new Manual goes into effect.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final ☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Discretionary Action ☐ Action required by state statute
Deregulatory Component	Consolidation of multiple guidance documents into one
Expected Date	August 2023

Guidance Document Forum ID (if available)	
Title of Guidance Document Ozone Treatment & Disinfection Credit. (WTR-899)	
Brief Overview Repeal. The information in this document has been consolidated into the Project Review & Permit Procedures Manual, and can be deleted/repealed once the new Manual goes into effect.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final ☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Discretionary Action ☐ Action required by state statute
Deregulatory Component	Consolidation of multiple guidance documents into one
Expected Date	August 2023

Guidance Document Forum ID (if available)		
Title of Guidance Document Nursing Facility Emergency Planning. (QHC-033)		
Brief Overview Amend. Out-of-date URL		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☐ Discretionary Action
Deregulatory Component		
Expected Date	August 2023	

Guidance Document Comment Forum ID (if available)	
Title of Guidance Document Delete Office of Emergency Medical Services documents deemed not to meet the statutory definition of a guidance document.	
Brief Overview The following documents have been deemed by the Office of the Attorney General not to meet the statutory definition of a guidance document, thus can be deleted from Town Hall without a comment forum: EMS-1015, EMS-3012, EMS-3019, EMS-3040A, EMS-3042F, EMS-3046, EMS-6018F, EMS-6019F, EMS-6021F, EMS-6027, EMS-6028F, EMS-7016, EMS-7021, EMS-7101F, EMS-7102, EMS-8002, EMS-8004, EMS-8005, EMS-8006, EMS-8009, EMS-8010, EMS-8011, EMS-8012, EMS-8013	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final ☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary Action
Deregulatory Component	Removal of 139 pages of guidance documents.
Expected Date	August 2023

Guidance Document Forum ID (if available)		
Title of Guidance Document COPN Electronic Submission. (QHC-038)		
Brief Overview Amend. Statutory language quoted is out-of-date		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☐ Discretionary Action
Deregulatory Component	To be determined	
Expected Date	September 2023	

Guidance Document Forum ID (if available)	
Title of Guidance Document Guidance on X-Ray Machine Operators using PET CT Units. (ORH-734)	
Brief Overview Amend. Content to be retained and updated with new template	
Regulatory Stage (check one box)	☐ NOIRA ☐ Emergency or Emergency/NOIRA ☐ Proposed ☐ Revised Proposed ☐ Final ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☒ Guidance Document ☐ Exempt Action
Legal Authority	☐ Action required by federal statute ☐ Discretionary Action ☐ Action required by state statute
Deregulatory Component	Last updated in 2018. Text will be consolidated where possible.
Expected Date	September 2023

Guidance Document Forum ID (if available)		
Title of Guidance Document Radiation Safety Procedures. (ORH-744)		
Brief Overview Amend. ORH-744 will be updated to remove references to outdated guidance; ensure document is void of typos and grammatical errors; consolidate and streamline content; incorporate new template design		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☐ Discretionary Action
Deregulatory Component	Last updated in 2020. Text will be consolidated where possible.	
Expected Date	September 2023	

Guidance Document Forum ID (if available)		
Title of Guidance Document Radiation Safety Procedures for Dental Offices. (ORH-745)		
Brief Overview Amend. ORH-745 will be updated to remove references to outdated guidance; ensure document is void of typos and grammatical errors; consolidate and streamline content; incorporate new template design		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☐ Discretionary Action
Deregulatory Component	Last updated in 2020. Text will be consolidated where possible.	
Expected Date	September 2023	

Guidance Document Forum ID (if available)		
Title of Guidance Document Virginia Bleeding Disorders Program Pool of Funds Guidelines. (FAM 112A)		
Brief Overview Amend. The existing guidance describes the bleeding disorders pool of funds and provides guidance for implementation of the program. The amended guidance document adds clarifying language to the health insurance eligibility requirement and updates the recent nam		
Regulatory Stage (check one box)	☐ NOIRA ☐ Emergency or Emergency/NOIRA ☐ Proposed ☐ Revised Proposed ☐ Final ☐ Fast-Track	
Additional Description	☐ Expedited Review Requested ☒ Guidance Document ☐ Exempt Action	
Legal Authority	☐ Action required by federal statute ☐ Discretionary Action ☐ Action required by state statute	
Deregulatory Component	To be determined	
Expected Date	September 2023	

Guidance Document Forum ID (if available)	
Title of Guidance Document Implementation of the AOSS Regulations Nitrogen Requirements. (ENV-2013-01)	
Brief Overview Amend. Amend to include additional nitrogen BMPs	
Regulatory Stage (check one box)	☐ NOIRA ☐ Emergency or Emergency/NOIRA ☐ Proposed ☐ Revised Proposed ☐ Final ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☒ Guidance Document ☐ Exempt Action
Legal Authority	☐ Action required by federal statute ☐ Discretionary Action ☐ Action required by state statute
Deregulatory Component	To be determined
Expected Date	September 2023

Guidance Document Forum ID (if available)		
Title of Guidance Document GMP 2019-01 Hardship Guidelines *. (GMP 2019-01)		
Brief Overview Amend. Annual process		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☐ Discretionary Action
Deregulatory Component	No	
Expected Date	September 2023	

Guidance Document Forum ID (if available)		
Title of Guidance Document Radiation Safety Procedures for Veterinary Offices. (ORH-746)		
Brief Overview Amend. ORH-746 will be updated to remove references to outdated guidance; ensure document is void of typos and grammatical errors; consolidate and streamline content; incorporate new template design		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☐ Discretionary Action
Deregulatory Component	Last updated in 2020. Text will be consolidated where possible.	
Expected Date	September 2023	

Guidance Document Forum ID (if available)		
Title of Guidance Document Radiation Safety Procedures for Non-medical Radiation Producing Devices. (ORH-747)		
Brief Overview Amend. ORH-747 will be updated to remove references to outdated guidance; ensure document is void of typos and grammatical errors; consolidate and streamline content; incorporate new template design		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☐ Discretionary Action
Deregulatory Component	Last updated in 2020. Text will be consolidated where possible.	
Expected Date	October 2023	

Guidance Document Forum ID (if available)		
Title of Guidance Document Radon Testing and Mitigation. (ORH-750)		
Brief Overview Amend. ORH-750 will be updated to remove references to outdated guidance; ensure document is void of typos and grammatical errors; consolidate and streamline content; incorporate new template design		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☐ Discretionary Action
Deregulatory Component	Last updated in 2018. Text will be consolidated where possible.	
Expected Date	October 2023	

Guidance Document Forum ID (if available)		
Title of Guidance Document Radon Mitigation Discharge Vent Pipes. (ORH-751)		
Brief Overview Amend. ORH-751 will be updated to remove references to outdated guidance; ensure document is void of typos and grammatical errors; consolidate and streamline content; incorporate new template design		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☐ Discretionary Action
Deregulatory Component	Last updated in 2018. Text will be consolidated where possible.	
Expected Date	October 2023	

Guidance Document Forum ID (if available)		
Title of Guidance Document Post Mitigation Radon Testing. (ORH-752)		
Brief Overview Amend. ORH-752 will be updated to remove references to outdated guidance; ensure document is void of typos and grammatical errors; consolidate and streamline content; incorporate new template design		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☐ Discretionary Action
Deregulatory Component	Last updated in 2019. Text will be consolidated where possible.	
Expected Date	October 2023	

Guidance Document Forum ID (if available)	
Title of Guidance Document CNA Training Waiver. (QHC-012)	
Brief Overview Amend. Not current with CMS's State Operations Manual; has out of date contact information	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final ☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Discretionary Action ☐ Action required by state statute
Deregulatory Component	To be determined
Expected Date	October 2023

Guidance Document Forum ID (if available)	
Title of Guidance Document Notification of ombudsmen. (QHC-016)	
Brief Overview Amend. Language is inconsistent with permissible content for guidance document	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final ☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☐ Discretionary Action
Deregulatory Component	To be determined
Expected Date	October 2023

Guidance Document Forum ID (if available)	
Title of Guidance Document Source Water Manual. (WTR-2019-01)	
Brief Overview Amend. To provide updates to Chapter 4, Harmful Algal Bloom Monitoring and Response, including standard operating procedures, roles and responsibilities, field test kit information, sampling procedures, analytical methods and related recommendations, health advi	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final ☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☐ Discretionary Action
Deregulatory Component	
Expected Date	October 2023

Guidance Document Forum ID (if available)	
Title of Guidance Document Hearing Targeted Congenital Cytomegalovirus (cCMV) Screening Protocols 2020. (TBD)	
Brief Overview NEW. Issue guidance on the protocols for screening of cCMV.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Emergency or Emergency/NOIRA ☐ Proposed ☐ Revised Proposed ☐ Final ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☒ Guidance Document ☐ Exempt Action
Legal Authority	☐ Action required by federal statute ☐ Discretionary Action ☐ Action required by state statute
Deregulatory Component	Consideration will be given to issue concise guidance.
Expected Date	October 2023

Guidance Document Forum ID (if available)		
Title of Guidance Document Tamper Resistance and other Good Practices for Radon Testing. (ORH-754)		
Brief Overview Amend. ORH-754 will be updated to remove references to outdated guidance; ensure document is void of typos and grammatical errors; consolidate and streamline content; incorporate new template design		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☐ Discretionary Action
Deregulatory Component	Last updated in 2018. Text will be consolidated where possible.	
Expected Date	October 2023	

Guidance Document Forum ID (if available)		
Title of Guidance Document Radon Test Reports and Documentation. (ORH-755)		
Brief Overview Amend. ORH-755 will be updated to remove references to outdated guidance; ensure document is void of typos and grammatical errors; consolidate and streamline content; incorporate new template design		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☐ Discretionary Action
Deregulatory Component	Last updated in 2018. Text will be consolidated where possible.	
Expected Date	November 2023	

Guidance Document Forum ID (if available)	
Title of Guidance Document Virginia Tuberculosis Control Laws Guidebook. (EPI-404)	
Brief Overview Amend. Need to review and have OAG re-apoprove. The updated version will be the amended version.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final ☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Discretionary Action ☐ Action required by state statute
Deregulatory Component	none.
Expected Date	November 2023

Guidance Document Forum ID (if available)	
Title of Guidance Document Accreditation Option for Medicare Payments for Home Care Organizations. (QHC-046)	
Brief Overview Amend. Not current with CMS's practice and policies	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final ☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☐ Discretionary Action
Deregulatory Component	To be determined
Expected Date	November 2023

Guidance Document Forum ID (if available)	
Title of Guidance Document Peer Utilization Reviews on Reconsideration of Adverse Action. (QHC-053)	
Brief Overview Amend. Guidance document contains superfluous historical information	
Regulatory Stage (check one box)	☐ NOIRA ☐ Emergency or Emergency/NOIRA ☐ Proposed ☐ Revised Proposed ☐ Final ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☒ Guidance Document ☐ Exempt Action
Legal Authority	☐ Action required by federal statute ☐ Discretionary Action ☐ Action required by state statute
Deregulatory Component	To be determined
Expected Date	November 2023

Guidance Document Forum ID (if available)	
Title of Guidance Document WTR-287 (SF) Inspections at Campgrounds and Trailer Parks *. (WTR-287 (SF))	
Brief Overview Repeal. repeal- outdated and internal training and job aids accomplish this directive to staff as to work duties	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final ☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Discretionary Action ☐ Action required by state statute
Deregulatory Component	Reduction of overall agency guidance document page length
Expected Date	November 2023

Guidance Document Forum ID (if available)	
Title of Guidance Document Policy on Administration of the Equitable Access to Drinking Water Fund *. (ODW-2023-01)	
Brief Overview Amend. Incorporate lessons learned from the first few months of administering this new program at the end of FY2023, including taking account of challenges faced, feedback from stakeholders, and streamlining and clarifying the application process.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final ☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☐ Discretionary Action
Deregulatory Component	
Expected Date	November 2023

Guidance Document Forum ID (if available)	
Title of Guidance Document Disaster Exemption for Temporary Bed Increases. (OLC-1005-G)	
Brief Overview Amend. To be updated after regulatory changes for 12VAC5-220, 12VAC5-371, and 12VAC5-410 re: disaster exemption is effective (probably 2023)	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final ☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Discretionary Action ☐ Action required by state statute
Deregulatory Component	To be determined
Expected Date	November 2023

Guidance Document Forum ID (if available)	
Title of Guidance Document Sex offender advisory. (QHC-040)	
Brief Overview Amend. Guidance document contains superfluous historical information	
Regulatory Stage (check one box)	☐ NOIRA ☐ Emergency or Emergency/NOIRA ☐ Proposed ☐ Revised Proposed ☐ Final ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☒ Guidance Document ☐ Exempt Action
Legal Authority	☐ Action required by federal statute ☐ Discretionary Action ☐ Action required by state statute
Deregulatory Component	Text is being consolidated and streamlined to make reading easier; may result in page reduction
Expected Date	November 2023

Guidance Document Forum ID (if available)	
Title of Guidance Document Shellfish harvest restrictions in Virginia from May 1 – September 30 *. (WTR-340 (SF))	
Brief Overview Repeal. Vibrio Management Plan is updated annually in conjunction with VMRC, VMRC has regulations dictating harvest restrictions for this time period. WTR-346 (SF) is most relevant. This document is duplicative and outdated	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final ☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Discretionary Action ☐ Action required by state statute
Deregulatory Component	replacement is active, eliminate duplication
Expected Date	November 2023

Guidance Document Forum ID (if available)	
Title of Guidance Document TB Drug Assistance Program Procedures. (EPI-406)	
Brief Overview Repeal. This document is no longer needed as the VDH TB Program has been purchasing TB medications.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final ☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Discretionary Action ☐ Action required by state statute
Deregulatory Component	Reduction of overall agency guidance document page length
Expected Date	December 2023

Guidance Document Forum ID (if available)	
Title of Guidance Document Private Well Regulations Implementation Manual *. (ENV-1990-01)	
Brief Overview Amend. Will need to be amended following Executive Branch review of the Final revisions to the Private Well Regulations.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final ☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Discretionary Action ☐ Action required by state statute
Deregulatory Component	To be determined
Expected Date	December 2023

Guidance Document Forum ID (if available)	
Title of Guidance Document ENV-132 BORA-CARE and Standoff to Wells *. (ENV-2006-01)	
Brief Overview Repeal. Can be repealed following Executive Branch approval of final revisions to the Private Well Regulations.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final ☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☐ Discretionary Action
Deregulatory Component	To be determined
Expected Date	December 2023

Guidance Document Forum ID (if available)	
Title of Guidance Document Implementation of House Bill 2102. (ENV-2008-01)	
Brief Overview Repeal. Can be repealed following Executive Branch approval of final revisions to the Private Well Regulations.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final ☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Discretionary Action ☐ Action required by state statute
Deregulatory Component	To be determined
Expected Date	December 2023

Guidance Document Forum ID (if available)	
Title of Guidance Document ENV-150 Borate-based Termiticides *. (ENV-2009-03)	
Brief Overview Repeal. Can be repealed following Executive Branch approval of final revisions to the Private Well Regulations.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final ☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Discretionary Action ☐ Action required by state statute
Deregulatory Component	To be determined
Expected Date	December 2023

Guidance Document Forum ID (if available)	
Title of Guidance Document VERIP Guide - Guide for Registry Providers to sign agreements for access to registry.. (EPI-203)	
Brief Overview Amend. Document is being updated to provide updated guidance for system enhancements	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final ☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☐ Discretionary Action
Deregulatory Component	To be determined
Expected Date	December 2023

Guidance Document Forum ID (if available)	
Title of Guidance Document Designated Support Person Implementation. (OLC-3002-G)	
Brief Overview Amend. To be updated after regulatory changes for 12VAC5-410 re: designated support persons is effective (probably 2023)	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final ☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Discretionary Action ☐ Action required by state statute
Deregulatory Component	To be determined
Expected Date	December 2023

Guidance Document Forum ID (if available)		
Title of Guidance Document WTR-275 (SF) Wet Storage Permits *. (WTR-275 (SF))		
Brief Overview Amend. Due to changing federal guidance in the NSSP, document needs to be updated to reflect those changes		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☐ Discretionary Action
Deregulatory Component	To be determined	
Expected Date	January 2024	

Guidance Document Forum ID (if available)		
Title of Guidance Document Relay Period May through September *. (WTR-341 (SF))		
Brief Overview Amend. Document needs to include the month of October		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☐ Discretionary Action
Deregulatory Component	To be determined	
Expected Date	January 2024	

Guidance Document Forum ID (if available)		
Title of Guidance Document Extended Care Facility Response Guideline. (QHC-043)		
Brief Overview Amend. May potentially be consolidated with another guidance document **Further discussion needed on whether this meets the definition of a guidance document; may need to repeal instead**		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☐ Discretionary Action
Deregulatory Component	To be determined	
Expected Date	January 2024	

Guidance Document Forum ID (if available)	
Title of Guidance Document Drug Assistance Program for Patients Needing Second Line TB Drugs. (EPI-407)	
Brief Overview Repeal. This document is no longer needed as the VDH TB Program has been purchasing TB medications.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final ☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Discretionary Action ☐ Action required by state statute
Deregulatory Component	Reduction of overall agency guidance document page length
Expected Date	January 2024

Guidance Document Forum ID (if available)	
Title of Guidance Document Policy on Bone Densitometry Equipment and Operator Licensure. (ORH-705)	
Brief Overview Repeal. Includes requirements not found in the regulations. Plan to incorporate these requirements into the regs and repeal this document.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final ☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Discretionary Action ☐ Action required by state statute
Deregulatory Component	Reduction of overall agency guidance document page length
Expected Date	January 2024

Guidance Document Forum ID (if available)		
Title of Guidance Document Guidance on Healing Arts Screening Programs. (ORH-706)		
Brief Overview Repeal. ORH will pursue changes to its regs to deny use of bone densitometers (dual energy x-ray absorptometry, DEXA) for anything but determining bone density unless otherwise prescribed by a medical doctor.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☐ Discretionary Action
Deregulatory Component	Reduction of overall agency guidance document page length	
Expected Date	January 2024	

Guidance Document Forum ID (if available)		
Title of Guidance Document Guidelines for the Expenditure of the 26% Return to Locality Share of Four-for-Life Funds. (EMS-1014)		
Brief Overview Repeal. This guidance is no longer needed.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☐ Discretionary Action
Deregulatory Component	Reduction of overall agency guidance document page length	
Expected Date	January 2024	

Guidance Document Forum ID (if available)	
Title of Guidance Document Virginia Office of EMS Accreditation of PSAP, Guidelines. (EMS-1050)	
Brief Overview Repeal. This guidance is no longer needed.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Emergency or Emergency/NOIRA ☐ Proposed ☐ Revised Proposed ☐ Final ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☒ Guidance Document ☐ Exempt Action
Legal Authority	☐ Action required by federal statute ☐ Discretionary Action ☐ Action required by state statute
Deregulatory Component	Reduction of overall agency guidance document page length
Expected Date	January 2024

Guidance Document Forum ID (if available)	
Title of Guidance Document Regional Council Designation Manual. (EMS-2001)	
Brief Overview Repeal. This guidance is no longer needed.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final ☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☐ Discretionary Action
Deregulatory Component	Reduction of overall agency guidance document page length
Expected Date	January 2024

Guidance Document Forum ID (if available)		
Title of Guidance Document Eligibility Guidance Document. (CHS-002)		
Brief Overview Amend. Will amend in conjunction with regulatory action		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☐ Discretionary Action
Deregulatory Component	To be determined	
Expected Date	February 2024	

Guidance Document Forum ID (if available)		
Title of Guidance Document Impact of Criminal Convictions on Nursing Licensure or Certification and Employment in Virginia. (QHC-069)		
Brief Overview Amend. Additional crimes have been added, so list is out of date; this was a joint effort between VDH and DHP, so need to coordinate any amendments with them		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☐ Discretionary Action
Deregulatory Component	To be determined	
Expected Date	February 2024	

Guidance Document Forum ID (if available)	
Title of Guidance Document Clinical Training Record. (EMS-3043)	
Brief Overview Repeal. This guidance is no longer needed.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final ☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☐ Discretionary Action
Deregulatory Component	Reduction of overall agency guidance document page length
Expected Date	February 2024

Guidance Document Forum ID (if available)	
Title of Guidance Document BLS Student Last Class Paperwork. (EMS-3047B)	
Brief Overview Repeal. This guidance is no longer needed.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final ☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☐ Discretionary Action
Deregulatory Component	Reduction of overall agency guidance document page length
Expected Date	February 2024

Guidance Document Forum ID (if available)		
Title of Guidance Document Consumer guide to restraint usage in nursing facilities. (QHC-021)		
Brief Overview Amend. Guidance document extensively quotes statutes and regulations; this material should be replaced with cross-references/citations to improve readability and reduce likelihood of out-of-date material		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final ☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track	
Additional Description	☐ Expedited Review Requested ☐ Exempt Action ☒ Guidance Document	
Legal Authority	☐ Action required by federal statute ☐ Discretionary Action ☐ Action required by state statute	
Deregulatory Component	Text is being consolidated and streamlined to make reading easier; may result in page reduction	
Expected Date	February 2024	

Guidance Document Forum ID (if available)	
Title of Guidance Document Initial ALS Student Paperwork. (EMS-3048A)	
Brief Overview Repeal. This guidance is no longer needed.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final ☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☐ Discretionary Action
Deregulatory Component	Reduction of overall agency guidance document page length
Expected Date	February 2024

Guidance Document Forum ID (if available)	
Title of Guidance Document Oxygen Cylinder Guidance. (EMS-6020)	
Brief Overview Repeal. This guidance is no longer needed.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Emergency or Emergency/NOIRA ☐ Proposed ☐ Revised Proposed ☐ Final ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☒ Guidance Document ☐ Exempt Action
Legal Authority	☐ Action required by federal statute ☐ Discretionary Action ☐ Action required by state statute
Deregulatory Component	Reduction of overall agency guidance document page length
Expected Date	February 2024

Guidance Document Forum ID (if available)	
Title of Guidance Document Electronic monitoring of resident rooms. (QHC-022)	
Brief Overview Amend. Statutory language quoted is out-of-date; document may be inconsistent with later adopted regulations in 12VAC5-371	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final ☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Discretionary Action ☐ Action required by state statute
Deregulatory Component	To be determined
Expected Date	February 2024

Guidance Document Forum ID (if available)	
Title of Guidance Document Compliance Sampling and Reporting Guidance Manual. (WTR-898)	
Brief Overview Repeal. The information in this document has been consolidated into a new Sampling Manual, and can be deleted/repealed once the new Manual goes into effect.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final ☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Discretionary Action ☐ Action required by state statute
Deregulatory Component	Consolidation of multiple guidance documents into one. Outdated or unnecessary provisions will also be removed.
Expected Date	March 2024

Guidance Document Forum ID (if available)	
Title of Guidance Document Surveillance & Regulations – Ground Water Rule Implementation Procedures. (WTR-910)	
Brief Overview Repeal. The information in this document has been consolidated into a new Sampling Manual, and can be deleted/repealed once the new Manual goes into effect.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final ☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Discretionary Action ☐ Action required by state statute
Deregulatory Component	Consolidation of multiple guidance documents into one. Outdated or unnecessary provisions will also be removed.
Expected Date	March 2024

Guidance Document Forum ID (if available)	
Title of Guidance Document Revised Total Coliform Rule (RTCR) Implementation Procedures. (WTR-917)	
Brief Overview Repeal. The information in this document has been consolidated into a new Sampling Manual, and can be deleted/repealed once the new Manual goes into effect.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final ☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Discretionary Action ☐ Action required by state statute
Deregulatory Component	Consolidation of multiple guidance documents into one. Outdated or unnecessary provisions will also be removed.
Expected Date	March 2024

Guidance Document Forum ID (if available)	
Title of Guidance Document Receiving out of system medications. (QHC-023)	
Brief Overview Amend. Regulatory language quoted is out-of-date; parts of document outside of scope for a guidance document	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final ☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Discretionary Action ☐ Action required by state statute
Deregulatory Component	To be determined
Expected Date	March 2024

Guidance Document Forum ID (if available)	
Title of Guidance Document Preliminary Approval of Discharge Systems *. (ENV-1993-01)	
Brief Overview Amend. Regulations were recently revised.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Emergency or Emergency/NOIRA ☐ Proposed ☐ Revised Proposed ☐ Final ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☒ Guidance Document ☐ Exempt Action
Legal Authority	☐ Action required by federal statute ☐ Discretionary Action ☐ Action required by state statute
Deregulatory Component	To be determined
Expected Date	March 2024

Guidance Document Forum ID (if available)		
Title of Guidance Document Enforcement consideration for Discharging Regulations *. (ENV-1993-02)		
Brief Overview Amend. Regulations were recently revised.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☐ Discretionary Action
Deregulatory Component	To be determined	
Expected Date	March 2024	

Guidance Document Forum ID (if available)	
Title of Guidance Document Enforcement of 10/10 Effluent Standards *. (ENV-1993-03)	
Brief Overview Amend. Regulations were recently revised.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Emergency or Emergency/NOIRA ☐ Proposed ☐ Revised Proposed ☐ Final ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☒ Guidance Document ☐ Exempt Action
Legal Authority	☐ Action required by federal statute ☐ Discretionary Action ☐ Action required by state statute
Deregulatory Component	To be determined
Expected Date	March 2024

Guidance Document Forum ID (if available)		
Title of Guidance Document Sampling Port Requirements *. (ENV-1993-04)		
Brief Overview Amend. Regulations were recently revised.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☐ Discretionary Action
Deregulatory Component	To be determined	
Expected Date	March 2024	

Guidance Document Forum ID (if available)		
Title of Guidance Document Construction Standards for Existing Discharging Sewage Treatment Systems *. (ENV-1993-05)		
Brief Overview Amend. Regulations were recently revised.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☐ Discretionary Action
Deregulatory Component	To be determined	
Expected Date	April 2024	

Guidance Document Forum ID (if available)	
Title of Guidance Document Revalidation of Permits-Expired or Unexpired *. (ENV-1993-07)	
Brief Overview Repeal. Requirements were incorporated into GMP 2017-01.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final ☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☐ Discretionary Action
Deregulatory Component	Reduction of overall agency guidance document page length
Expected Date	April 2024

Guidance Document Forum ID (if available)		
Title of Guidance Document Guidelines for Designating Prohibited Discharge Areas *. (ENV-1993-09)		
Brief Overview Amend. Regulations were recently revised.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☐ Discretionary Action
Deregulatory Component	To be determined	
Expected Date	April 2024	

Guidance Document Forum ID (if available)		
Title of Guidance Document Discharging Sewage Treatment systems not Registered Under the VPDES General Permit Operating Without a Current Individual VPDES Permit *. (ENV-1994-01)		
Brief Overview Amend. Regulations were recently revised.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☐ Discretionary Action
Deregulatory Component	To be determined	
Expected Date	April 2024	

Guidance Document Forum ID (if available)		
Title of Guidance Document Sand Filter Systems Permitted under Individual VPDES of NPDES Permits which do not discharge *. (ENV-1994-02)		
Brief Overview Amend. Regulations were recently revised.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☐ Discretionary Action
Deregulatory Component	To be determined	
Expected Date	April 2024	

Guidance Document Forum ID (if available)	
Title of Guidance Document Sand Filter Systems Which do not Discharge Which were permitted under LHS-120 Permits or Constructed Before Permits Were Required *. (ENV-1994-03)	
Brief Overview Amend. Regulations were recently revised.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final ☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Discretionary Action ☐ Action required by state statute
Deregulatory Component	To be determined
Expected Date	April 2024

Guidance Document Forum ID (if available)	
Title of Guidance Document Inspecting Pump Station Electrical Controls *. (ENV-1994-04)	
Brief Overview Amend. Amend to take into account the transitoion of design and inspections to private sector.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Emergency or Emergency/NOIRA ☐ Proposed ☐ Revised Proposed ☐ Final ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☒ Guidance Document ☐ Exempt Action
Legal Authority	☐ Action required by federal statute ☐ Discretionary Action ☐ Action required by state statute
Deregulatory Component	To be determined
Expected Date	April 2024

Guidance Document Forum ID (if available)	
Title of Guidance Document Defining Onsite Sewage Permit Construction Backlogs *. (ENV-1994-05)	
Brief Overview Repeal. Services transitioned to private sector.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final ☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☐ Discretionary Action
Deregulatory Component	Reduction of overall agency guidance document page length
Expected Date	April 2024

Guidance Document Forum ID (if available)	
Title of Guidance Document Water Softener Regeneration Discharge into Drainfields *. (ENV-1994-06)	
Brief Overview Repeal. No longer necessary.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Emergency or Emergency/NOIRA ☐ Proposed ☐ Revised Proposed ☐ Final ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☒ Guidance Document ☐ Exempt Action
Legal Authority	☐ Action required by federal ☐ Discretionary Action statute ☐ Action required by state statute
Deregulatory Component	Reduction of overall agency guidance document page length
Expected Date	May 2024

Guidance Document Forum ID (if available)	
Title of Guidance Document Questions from the Field on Senate Bill 415 *. (ENV-1994-07)	
Brief Overview Repeal. Responses are outdated.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final ☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☐ Discretionary Action
Deregulatory Component	Reduction of overall agency guidance document page length
Expected Date	May 2024

Guidance Document Forum ID (if available)	
Title of Guidance Document Preliminary Approval of Sewage Discharge Systems *. (ENV-1995-01)	
Brief Overview Amend. Regulations were recently revised.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Emergency or Emergency/NOIRA ☐ Proposed ☐ Revised Proposed ☐ Final ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☒ Guidance Document ☐ Exempt Action
Legal Authority	☐ Action required by federal statute ☐ Discretionary Action ☐ Action required by state statute
Deregulatory Component	To be determined
Expected Date	May 2024

Guidance Document Forum ID (if available)	
Title of Guidance Document Discharging regulations implementation manual *. (ENV-1995-04)	
Brief Overview Amend. Regulations were recently revised.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Emergency or Emergency/NOIRA ☐ Proposed ☐ Revised Proposed ☐ Final ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☒ Guidance Document ☐ Exempt Action
Legal Authority	☐ Action required by federal statute ☐ Discretionary Action ☐ Action required by state statute
Deregulatory Component	To be determined
Expected Date	May 2024

Guidance Document Forum ID (if available)		
Title of Guidance Document ENV-013 Variance from Maintenance Contract Requirements in Discharge Regulations *. (ENV-1996-01)		
Brief Overview Amend. Regulations were recently revised.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☐ Discretionary Action
Deregulatory Component	To be determined	
Expected Date	May 2024	

Guidance Document Forum ID (if available)		
Title of Guidance Document Tire Chip Aggregate *. (ENV-2006-02)		
Brief Overview Amend. Need to update references.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☐ Discretionary Action
Deregulatory Component	To be determined	
Expected Date	May 2024	

Guidance Document Forum ID (if available)	
Title of Guidance Document Procedure for issuing certification letters in lieu of sewage disposal system construction permits under the. (ENV-2008-03)	
Brief Overview Amend. Updates to Fee Regulations must be addressed.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final ☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Discretionary Action ☐ Action required by state statute
Deregulatory Component	To be determined
Expected Date	May 2024

Guidance Document Forum ID (if available)		
Title of Guidance Document Verifying licenses of persons who submit work to the Virginia Department of Health *. (ENV-2010-01)		
Brief Overview Amend. Propose to AMEND following Executive Branch approval of final revisions to the Private Well Regulations.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☐ Discretionary Action
Deregulatory Component	To be determined	
Expected Date	May 2024	

Guidance Document Forum ID (if available)	
Title of Guidance Document Rainwater Guidelines *. (ENV-2011-01)	
Brief Overview Repeal. Can be repealed following Executive Branch approval of Rainwater Harvesting Regulations (currently in proposed stage)	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final ☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Discretionary Action ☐ Action required by state statute
Deregulatory Component	Reduction of overall agency guidance document page length
Expected Date	June 2024

Guidance Document Forum ID (if available)	
Title of Guidance Document Fee Regulations Implementing Policy *. (ENV-2016-02)	
Brief Overview Amend. Amend following Executive Branch approval of proposed Fast Track amendments to the regulations.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final ☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Discretionary Action ☐ Action required by state statute
Deregulatory Component	To be determined
Expected Date	June 2024

Guidance Document Forum ID (if available)	
Title of Guidance Document ENV-355 Boil Water Notice *. (ENV-355)	
Brief Overview Amend. Requires update to conform with current terminology and updated procedures	
Regulatory Stage (check one box)	☐ NOIRA ☐ Emergency or Emergency/NOIRA ☐ Proposed ☐ Revised Proposed ☐ Final ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☒ Guidance Document ☐ Exempt Action
Legal Authority	☐ Action required by federal statute ☐ Discretionary Action ☐ Action required by state statute
Deregulatory Component	To be determined
Expected Date	June 2024

Guidance Document Forum ID (if available)	
Title of Guidance Document ENV-403 Handling Milk and Dairy Product Complaints *. (ENV-403)	
Brief Overview Amend. Requires update to conform with current federal standards	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final ☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☐ Discretionary Action
Deregulatory Component	To be determined
Expected Date	June 2024

Guidance Document Forum ID (if available)	
Title of Guidance Document ENV-432 Grade "A" Milk Plant Enforcement Policy. (ENV-432)	
Brief Overview Amend. Requires update to remove provisions already in regulation	
Regulatory Stage (check one box)	☐ NOIRA ☐ Emergency or Emergency/NOIRA ☐ Proposed ☐ Revised Proposed ☐ Final ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☒ Guidance Document ☐ Exempt Action
Legal Authority	☐ Action required by federal ☐ Discretionary Action statute ☐ Action required by state statute
Deregulatory Component	Removes duplicative and potentially contradictory provisions
Expected Date	June 2024

Guidance Document Forum ID (if available)		
Title of Guidance Document Guidance for Portable Gauges. (ORH-720A)		
Brief Overview Amend. ORH-720A will be updated to remove references to outdated guidance; ensure document is void of typos and grammatical errors; consolidate and streamline content; incorporate new template design		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☐ Discretionary Action
Deregulatory Component	Last updated in 2016. Text will be consolidated where possible.	
Expected Date	June 2024	

Guidance Document Forum ID (if available)		
Title of Guidance Document Guidance for XRF Devices. (ORH-720A1)		
Brief Overview Amend. ORH-720A1 will be updated to remove references to outdated guidance; ensure document is void of typos and grammatical errors; consolidate and streamline content; incorporate new template design		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☐ Discretionary Action
Deregulatory Component	Last updated in 2016. Text will be consolidated where possible.	
Expected Date	June 2024	

Guidance Document Forum ID (if available)		
Title of Guidance Document Guidance for Industrial Radiography. (ORH-720B)		
Brief Overview Amend. ORH-720B will be updated to remove references to outdated guidance; ensure document is void of typos and grammatical errors; consolidate and streamline content; incorporate new template design		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☐ Discretionary Action
Deregulatory Component	Last updated in 2016. Text will be consolidated where possible.	
Expected Date	June 2024	

Guidance Document Forum ID (if available)		
Title of Guidance Document Guidance for Fixed Gauge Devices. (ORH-720C)		
Brief Overview Amend. ORH-720C will be updated to remove references to outdated guidance; ensure document is void of typos and grammatical errors; consolidate and streamline content; incorporate new template design		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☐ Discretionary Action
Deregulatory Component	Last updated in 2016. Text will be consolidated where possible.	
Expected Date	June 2024	

Guidance Document Forum ID (if available)		
Title of Guidance Document Guidance for Self-Shielded Irradiators. (ORH-720D)		
Brief Overview Amend. ORH-720D will be updated to remove references to outdated guidance; ensure document is void of typos and grammatical errors; consolidate and streamline content; incorporate new template design		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☐ Discretionary Action
Deregulatory Component	Last updated in 2016. Text will be consolidated where possible.	
Expected Date	June 2024	

Guidance Document Forum ID (if available)	
Title of Guidance Document Frequently asked questions for nursing facilities. (QHC-027)	
Brief Overview Amend. Document may be inconsistent with later adopted regulations in 12VAC5-371 and changes in federal and state law	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final ☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Discretionary Action ☐ Action required by state statute
Deregulatory Component	To be determined
Expected Date	June 2024

Department of Health Professions (DHP) / Total = 83

Title of Proposed Regulatory Action or Guidance Document	
Guidance Document 150-2, Expanded duties for licensed veterinary technicians	
Brief Overview The Board will amend Guidance Document 150-2 consistent with current practice to reflect duties that may be performed by licensed veterinary technicians.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute ☐ Discretionary action
Deregulatory Component	
Expected Date	March 11, 2023

Title of Proposed Regulatory Action or Guidance Document Four-year review of Guidance Document 30-12, Guidelines for telepractice.	
Brief Overview The Board will review and possibly amend Guidance Document 30-12, Guidelines for telepractice. This is the standard four-year review for all guidance documents.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	
Expected Date	August 8, 2023 or December 12, 2023

Title of Proposed Regulatory Action or Guidance Document	
Four-year review of Guidance Document 30-9, Continuing education audits and sanctioning.	
Brief Overview	
The Board will review and amend Guidance Document 30-9, Continuing education audits and sanctioning. This is the standard four-year review for all guidance documents. Additionally, this guidance document must be updated due to regulations which became effective January 5, 2023.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	
Expected Date	August 8, 2023 or December 12, 2023

Title of Proposed Regulatory Action or Guidance Document Repeal of Guidance Document 115-5, Conduct of an Informal Conference by an Agency Subordinate.	
Brief Overview The Board will repeal Guidance Document 115-5, Conduct of an Informal Conference by an Agency Subordinate. This is the standard four-year review for all guidance documents. Additionally, this guidance document is out of date and superseded by DHP Guidance Document 76-10.01.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	Deletion of a Guidance Document
Expected Date	July 21, 2024

Title of Proposed Regulatory Action or Guidance Document Four-year review of Guidance Document 115-1.2, Bylaws of the Board.	
Brief Overview The Board will review and possibly amend Guidance Document 115-1.2, Bylaws of the Board. This is the standard four-year review for all guidance documents.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	
Expected Date	October 13, 2023

Title of Proposed Regulatory Action or Guidance Document	
Review and amendment of Guidance Document 115-1.5, Sanction Reference Points Manual.	
Brief Overview	
The Board will review and possibly amend Guidance Document 115-1.5, Sanction Reference Points Manual. This document and its changes are subject to completion of data analysis and review by outside vendor regarding standard disciplinary actions for certain violations. If the data analysis and review is completed in FY2024, the Board will adopt the revised document.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	
Expected Date	FY2024

Title of Proposed Regulatory Action or Guidance Document Four-year review of Guidance Document 115-1.8, Examinations acceptable for certification as a rehabilitation provider.	
Brief Overview The Board will review and possibly amend Guidance Document 115-1.8, Examinations acceptable for certification as a rehabilitation provider. This is the standard four-year review for all guidance documents.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	
Expected Date	October 13, 2023

Title of Proposed Regulatory Action or Guidance Document Four-year review of Guidance Document 115-10, Guidance on Conversion Therapy.	
Brief Overview The Board will review and possibly repeal Guidance Document 115-10, Guidance on Conversion Therapy. This is the standard four-year review for all guidance documents. The subject of this document is now in statute, making a guidance document on the topic unnecessary.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	Deletion of Guidance Document
Expected Date	October 13, 2023 or 2024

Title of Proposed Regulatory Action or Guidance Document Four-year review of Guidance Document 115-3, Frequently asked questions about credentials appeals.	
Brief Overview The Board will review and possibly repeal Guidance Document 115-3, Frequently asked questions about credentials appeals. This is the standard four-year review for all guidance documents.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	Potential repeal of a guidance document
Expected Date	October 13, 2023 or 2024

Title of Proposed Regulatory Action or Guidance Document Review and amendment of Guidance Document 115-9, Recognition of Entity for Licensure by Endorsement.	
Brief Overview The Board will review and possibly amend Guidance Document 115-9, Recognition of Entity for Licensure by Endorsement.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	
Expected Date	FY2024

Title of Proposed Regulatory Action or Guidance Document	
Review and amendment of Guidance Document 60-2, Sanction Reference Points Manual.	
Brief Overview	
The Board will review and possibly amend Guidance Document 60-2, Sanction Reference Points Manual. This document and its changes are subject to completion of data analysis and review by outside vendor regarding standard disciplinary actions for certain violations. If the data analysis and review is completed in FY2024, the Board will adopt the revised document.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	
Expected Date	FY2024

Title of Proposed Regulatory Action or Guidance Document Review of Guidance Document 60-23, Teledentistry.	
Brief Overview The Board will review and possibly delete Guidance Document 60-23, Teledentistry. This is part of the standard four-year review process. The information contained in the Guidance Document is likely addressed in Code.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	Potential deletion of a Guidance Document.
Expected Date	September 29, 2023

Title of Proposed Regulatory Action or Guidance Document Deletion of Guidance Document 60-4, Questions and Answers About Sedation.	
Brief Overview The Board will delete Guidance Document 60-4. This document is not suitable as a guidance document and should be moved to the Board's website as an informational policy document.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	Deletion of a Guidance Document.
Expected Date	FY2024

Title of Proposed Regulatory Action or Guidance Document Review of Guidance Document 60-17, Policy on Recovery of Disciplinary Costs.	
Brief Overview The Board will review and amend Guidance Document 60-17, Policy on Recovery of Disciplinary Costs. The Board amended this document in December 2021 with the intent of revisiting the changes made two years later, in December 2023.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	Potential deletion of a Guidance Document.
Expected Date	December 8, 2023

Title of Proposed Regulatory Action or Guidance Document Review of Guidance Document 60-25, Policy on Dental Clinical Competency Examination Requirement for Licensure.	
Brief Overview The Board will review and amend Guidance Document 60-25, Policy on Dental Clinical Competency Examination Requirement for Licensure. The Board only accepts the ADEX examination for licensure and the Guidance Document must be updated to reflect that.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	
Expected Date	September 29, 2023

Title of Proposed Regulatory Action or Guidance Document Review of Guidance Document 60-26, Policy on Dental Hygiene Clinical Competency Examination Requirement for Licensure.	
Brief Overview The Board will review and amend Guidance Document 60-26, Policy on Dental Hygiene Clinical Competency Examination Requirement for Licensure. The Board only accepts the ADEX examination for licensure and the Guidance Document must be updated to reflect that.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	
Expected Date	September 29, 2023

Title of Proposed Regulatory Action or Guidance Document Repeal of Guidance Document 65-19, Identification of Funeral Service Interns	
Brief Overview The Board will repeal Guidance Document 65-19. Existing regulations address the information in this document and it is no longer needed.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	Repeal of Guidance Document
Expected Date	July 11, 2023

Title of Proposed Regulatory Action or Guidance Document	
Review of Guidance Document 65-3, Guidelines for Processing Applications for Licensure	
Brief Overview	
The Board will review and possibly revise Guidance Document 65-3 to reflect new mental health questions on applications which were required to be used by Chapters 18 and 19 of the 2023 General Assembly.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	
Expected Date	July 11, 2023

Title of Proposed Regulatory Action or Guidance Document	
Review and amendment of Guidance Document 65-14, Sanction Reference Points Manual.	
Brief Overview	
The Board will review and possibly amend Guidance Document 65-14, Sanction Reference Points Manual. This document and its changes are subject to completion of data analysis and review by outside vendor regarding standard disciplinary actions for certain violations. If the data analysis and review is completed in FY2024, the Board will adopt the revised document.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	
Expected Date	FY2024

Title of Proposed Regulatory Action or Guidance Document Review and amendment of Guidance Document 65-4, Aiding and Abetting Unlicensed Practice.	
Brief Overview The Board will review and possibly amend Guidance Document 65-4, Aiding and Abetting Unlicensed Practice. This is part of the standard four-year review process.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	
Expected Date	July 11, 2023

Title of Proposed Regulatory Action or Guidance Document	
Review and amendment of Guidance Document 75-2, Appropriate Criteria in Determining the Need for Regulation of Any Health Care Occupation or Profession.	
Brief Overview	
The Board will review and possibly amend Guidance Document 75-2, Appropriate Criteria in Determining the Need for Regulation of Any Health Care Occupation or Profession.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	
Expected Date	September 26, 2023

Title of Proposed Regulatory Action or Guidance Document Creation of guidance document regarding the administrator-in-training program	
Brief Overview The Board will consider creation of a guidance document which will answer the most common questions received by Board staff regarding administrator-in-training programs.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	
Expected Date	FY2024

Title of Proposed Regulatory Action or Guidance Document	
Review and amendment of Guidance Document 95-3, Sanction Reference Points Manual.	
Brief Overview	
The Board will review and possibly amend Guidance Document 95-3, Sanction Reference Points Manual. This document and its changes are subject to completion of data analysis and review by outside vendor regarding standard disciplinary actions for certain violations. If the data analysis and review is completed in FY2024, the Board will adopt the revised document.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	
Expected Date	FY2024

Title of Proposed Regulatory Action or Guidance Document Edits to existing guidance document 85-10: Disclosures by licensed midwives for high-risk pregnancies	
Brief Overview Board intends to update based on additional complications licensed midwives have seen in the past several years.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	
Expected Date	August 4, 2023

Title of Proposed Regulatory Action or Guidance Document Edits to existing guidance document 85-26: Compliance with law for licensed midwives	
Brief Overview Standard four-year review. May update procedures and edit formatting.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	
Expected Date	February 2023

Title of Proposed Regulatory Action or Guidance Document Edits to existing guidance document 85-27: Role of licensed midwives in newborn hearing screening	
Brief Overview Standard four-year review. May update procedures and edit formatting.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	
Expected Date	February 2023

Title of Proposed Regulatory Action or Guidance Document	
Review and amendment of Guidance Document 85-11, Sanction Reference Points Manual.	
Brief Overview	
The Board will review and possibly amend Guidance Document 85-11, Sanction Reference Points Manual. This document and its changes are subject to completion of data analysis and review by outside vendor regarding standard disciplinary actions for certain violations. If the data analysis and review is completed in FY2024, the Board will adopt the revised document.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	
Expected Date	FY2024

Title of Proposed Regulatory Action or Guidance Document Repeal of Guidance Document 85-7, Guidance Document on the Practice of Conversion Therapy.	
Brief Overview The Board will repeal Guidance Document 85-7. This Guidance Document was adopted in 2019. A 2020 law has superseded the information in the document and now controls. Therefore this Guidance Document is obsolete.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	Removal of a Guidance Document
Expected Date	August 4, 2023

Title of Proposed Regulatory Action or Guidance Document Review of Guidance Document 90-33, Authority of LNP's to write DNR orders.	
Brief Overview The Board, along with the Board of Nursing, will review Guidance Document 90-33 as part of the four-year review for guidance documents.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	
Expected Date	Board of Nursing: July 18, 2023; Board of Medicine: August 4, 2023

Title of Proposed Regulatory Action or Guidance Document Review of Guidance Document 90-33, Authority of LNP's to write DNR orders.	
Brief Overview The Board, along with the Board of Medicine, will review Guidance Document 90-33 as part of the four-year review for guidance documents.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	
Expected Date	Board of Nursing: July 18, 2023; Board of Medicine: August 4, 2023

Title of Proposed Regulatory Action or Guidance Document Updates to Guidance Document 90-62, Medication Administration Programs	
Brief Overview This Guidance Document must be listed for potential change at all meetings due to the frequency of third parties changing program information and the Board’s rolling approval of changes. All potential changes will be related to approval of courses.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	Expansion of approved programs
Expected Date	July 18, 2023; September 12, 2023; November 14, 2023; January 2024; March 2024; May 2024.

Title of Proposed Regulatory Action or Guidance Document Review of Guidance Document 90-1, Registered or licensed practical nurses as first assistant in surgery.	
Brief Overview Standard four-year review of Guidance Document 90-1. No major revisions likely, but grammatical and stylistic changes will be made.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	
Expected Date	July 18, 2023

Title of Proposed Regulatory Action or Guidance Document Review of Guidance Document 90-2, Transmittal of third-party orders.	
Brief Overview Standard four-year review of Guidance Document 90-2. Grammatical and stylistic changes will be made, including deletion of copied and pasted statutory text within document.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	
Expected Date	July 18 or September 12, 2023

Title of Proposed Regulatory Action or Guidance Document Review of Guidance Document 90-9, Board guidelines for prescription drug administration training program for child day care.	
Brief Overview Standard four-year review of Guidance Document 90-9. Document will be revised for clarity and readability.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	
Expected Date	November 14, 2023

Title of Proposed Regulatory Action or Guidance Document Review of Guidance Document 90-12, delegation of authority to Board of Nursing staff.	
Brief Overview Standard four-year review of Guidance Document 90-12.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	
Expected Date	November 14, 2023 or 2024

Title of Proposed Regulatory Action or Guidance Document	
Review of Guidance Document 90-23, decision-making model for determining RN/LPN scope of practice	
Brief Overview	
Standard four-year review of Guidance Document 90-23. Revisions may be made for clarity and cohesiveness with other scope of practice documents.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	
Expected Date	November 14, 2023 or 2024

Title of Proposed Regulatory Action or Guidance Document Review of Guidance Document 90-1, Registered or licensed practical nurses as first assistant in surgery.	
Brief Overview Standard four-year review of Guidance Document 90-1. No major revisions likely, but grammatical and stylistic changes will be made.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	
Expected Date	July 18, 2023

Title of Proposed Regulatory Action or Guidance Document Review of Guidance Document 90-33, authority of licensed nurse practitioners to write do not resuscitate orders (DNR orders)	
Brief Overview Standard four-year review of Guidance Document 90-33. No major revisions likely, but grammatical and stylistic changes will be made. Additionally the term “nurse practitioner” will be changed to “advanced practice registered nurse” to reflect legislative changes.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Emergency Rule ☐ Proposed Rule ☐ Fast-Track Rule ☐ Final Rule
Additional Description	☐ Expedited Rule ☒ Guidance Document ☐ Exempt Rule
Legal Authority	☐ Action required by federal statute ☒ Discretionary action ☐ Action required by state statute
Deregulatory Component	
Expected Date	November 14, 2023 or 2024

Title of Proposed Regulatory Action or Guidance Document Review of Guidance Document 90-35, non-compliance with Board orders	
Brief Overview Standard four-year review of Guidance Document 90-35. No major revisions likely, but grammatical and stylistic changes will be made.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	
Expected Date	September 12, 2023

Title of Proposed Regulatory Action or Guidance Document Review of Guidance Document 90-41, guidance on the meaning of patient abandonment	
Brief Overview Standard four-year review of Guidance Document 90-41. No major revisions likely, but grammatical and stylistic changes will be made.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	
Expected Date	September 12, 2023

Title of Proposed Regulatory Action or Guidance Document Review of Guidance Document 90-46, administration of over-the-counter drugs by certified nurse aides	
Brief Overview Standard four-year review of Guidance Document 90-46. No major revisions likely, but grammatical and stylistic changes may be made.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	
Expected Date	2024

Title of Proposed Regulatory Action or Guidance Document	
Review of Guidance Document 90-47, massage therapy practice and use of titles	
Brief Overview	
Standard four-year review of Guidance Document 90-47. No major revisions likely, but grammatical and stylistic changes will be made, including deletion of copied and pasted statutory language.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	
Expected Date	2024

Title of Proposed Regulatory Action or Guidance Document Combination of scope of practice guidance documents	
Brief Overview In a process begun in FY2023, the Board will combine multiple scope of practice documents into one cohesive document.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	Reduction or deletion of guidance documents
Expected Date	FY2024

Title of Proposed Regulatory Action or Guidance Document Review of Guidance Document 105-12, compliance with continuing education requirements and recommended sanctions	
Brief Overview Standard four-year review of Guidance Document 105-12. No major revisions likely, but grammatical and stylistic changes will be made, including deletion of copied and pasted statutory and regulatory language.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	
Expected Date	2024

Title of Proposed Regulatory Action or Guidance Document Repeal of Guidance Document 105-26, delegation of informal fact-finding to agency subordinate	
Brief Overview The Board will repeal Guidance Document 105-26, which is redundant of an agency guidance document on the same topic.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	Repeal of guidance document
Expected Date	July 14, 2023

Title of Proposed Regulatory Action or Guidance Document	
Review and amendment of Guidance Document 105-28, Sanction Reference Points Manual.	
Brief Overview	
The Board will review and possibly amend Guidance Document 105-28, Sanction Reference Points Manual. This document and its changes are subject to completion of data analysis and review by outside vendor regarding standard disciplinary actions for certain violations. If the data analysis and review is completed in FY2024, the Board will adopt the revised document.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	
Expected Date	FY2024

Title of Proposed Regulatory Action or Guidance Document Proposed new Guidance Document related to performing certain procedures in ophthalmologist offices.	
Brief Overview The Board will consider adopting a new guidance document addressing two specific procedures that optometrists are able to do, but which should be done in ophthalmology offices with surgical capabilities for patient safety.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	
Expected Date	2024

Title of Proposed Regulatory Action or Guidance Document Revision of Guidance Document 110-46.	
Brief Overview The Board will amend Guidance Document 110-46 to clarify that the Board considers drone delivery of medication another form of “delivery service” as used in Virginia Code § 54.1-3420.2.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	Allows drone delivery services to operate in Virginia without using the Board of Pharmacy’s pilot program procedures, which are time-consuming.
Expected Date	July 1, 2023

Title of Proposed Regulatory Action or Guidance Document Revision of Guidance Document 110-36.	
Brief Overview Guidance Document 110-36 describes compliance requirements under Va. Code § 54.1-3410.2 and 18VAC110-20-170 and -321 with federal USP standards for compounding sterile and non-sterile products. Federal regulation changes will require a related change to this guidance document upon effectiveness of the federal action.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	
Expected Date	September 5, 2023 or December 6, 2023, depending on effective date of federal action.

Title of Proposed Regulatory Action or Guidance Document Revision of Guidance Document 110-18.	
Brief Overview Standard four-year review of Guidance Document 110-18. No major revisions likely, but grammatical and stylistic changes will be made.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	
Expected Date	September 5, 2023

Title of Proposed Regulatory Action or Guidance Document Revision of Guidance Document 110-44.	
Brief Overview Amend naloxone protocol contained in Guidance Document 110-44 to remove some training requirements and to allow naloxone administration by correctional healthcare staff. This action is pursuant to SB1415 and SB1424, Chapters 631 and 116 of the 2023 Acts of Assembly, respectively.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	
Expected Date	September 5, 2023

Title of Proposed Regulatory Action or Guidance Document	
Review and amendment of Guidance Document 110-21, Sanction Reference Points Manual.	
Brief Overview	
The Board will review and possibly amend Guidance Document 110-21, Sanction Reference Points Manual. This document and its changes are subject to completion of data analysis and review by outside vendor regarding standard disciplinary actions for certain violations. If the data analysis and review is completed in FY2024, the Board will adopt the revised document.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	
Expected Date	FY2024

Title of Proposed Regulatory Action or Guidance Document Revision of Guidance Document 110-22.	
Brief Overview Standard four-year review of Guidance Document 110-22. Grammatical and stylistic changes will be made, including deletion of six pages of copied and pasted statutory and regulatory text that is likely out of date and should not be repeated in a guidance document.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	
Expected Date	March or June 2024

Title of Proposed Regulatory Action or Guidance Document Revision of Guidance Document 110-23.	
Brief Overview Standard four-year review of Guidance Document 110-23. Grammatical and stylistic changes will be made, and list of violations that may be included in a consent order may be updated.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	
Expected Date	March or June 2024

Title of Proposed Regulatory Action or Guidance Document Revision of Guidance Document 110-46.	
Brief Overview Standard four-year review of Guidance Document 110-46. Grammatical and stylistic changes will be made, including deletion of copied and pasted statutory text.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	
Expected Date	December 6, 2023

Title of Proposed Regulatory Action or Guidance Document Repeal of Guidance Document 110-48.	
Brief Overview Repeal of guidance document related to pharmaceutical processors.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	Repeal of guidance document
Expected Date	March 2024

Title of Proposed Regulatory Action or Guidance Document Revision of Guidance Document 110-49.	
Brief Overview Standard four-year review of Guidance Document 110-49. Grammatical and stylistic changes will be made, including deletion of copied and pasted statutory text.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	
Expected Date	December 6, 2023

Title of Proposed Regulatory Action or Guidance Document Revision of Guidance Document 110-9.	
Brief Overview Guidance Document 110-9 provides a listing of pharmacy inspection deficiencies and associated fines approved for those deficiencies by the Board. This document changes regularly due to federal legislation, federal regulatory changes, federal guidance (USP and FDA), and Virginia statutory changes. It is reviewed at almost every Board meeting for necessary revisions.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	
Expected Date	September 5, 2023, December 6, 2023, March 2024, June 2024

Title of Proposed Regulatory Action or Guidance Document Revision of Guidance Document 112-1.	
Brief Overview Standard four-year review of Guidance Document 112-1. While no major changes are anticipated, grammatical and stylistic changes will be made.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	
Expected Date	August 10 or November 9, 2023

Title of Proposed Regulatory Action or Guidance Document	
Review and amendment of Guidance Document 112-17, Sanction Reference Points Manual.	
Brief Overview	
The Board will review and possibly amend Guidance Document 112-7, Sanction Reference Points Manual. This document and its changes are subject to completion of data analysis and review by outside vendor regarding standard disciplinary actions for certain violations. If the data analysis and review is completed in FY2024, the Board will adopt the revised document.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	
Expected Date	FY2024

Title of Proposed Regulatory Action or Guidance Document Revision of Guidance Document 112-23.	
Brief Overview Standard four-year review of Guidance Document 112-23.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	
Expected Date	2024

Title of Proposed Regulatory Action or Guidance Document Revision of Guidance Document 112-3.	
Brief Overview Standard four-year review of Guidance Document 112-3. Guidance document will be revised to aid readability, including removal of large blocks of quotations of statutory and regulatory language.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	
Expected Date	2024

Title of Proposed Regulatory Action or Guidance Document Repeal of Guidance Document 112-7.	
Brief Overview The Board will repeal Guidance Document 112-7. Legislative changes in the 2023 Session have made the information contained in this guidance document obsolete.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	Repeal of guidance document
Expected Date	August 10, 2023

Title of Proposed Regulatory Action or Guidance Document	
Review and amendment of Guidance Document 125-5.2, Sanction Reference Points Manual.	
Brief Overview	
The Board will review and possibly amend Guidance Document 125-5.2, Sanction Reference Points Manual. This document and its changes are subject to completion of data analysis and review by outside vendor regarding standard disciplinary actions for certain violations. If the data analysis and review is completed in FY2024, the Board will adopt the revised document.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	
Expected Date	FY2024

Title of Proposed Regulatory Action or Guidance Document Review of Guidance Document 140-11	
Brief Overview Standard four-year review of Guidance Document 140-11. Guidance document will be revised to aid readability.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	
Expected Date	August 18, 2023

Title of Proposed Regulatory Action or Guidance Document Review of Guidance Document 140-2	
Brief Overview Standard four-year review of Guidance Document 140-2. Guidance document will be revised to aid readability.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	
Expected Date	August 18 or November 3, 2023

Title of Proposed Regulatory Action or Guidance Document	
Review and amendment of Guidance Document 140-8, Sanction Reference Points Manual.	
Brief Overview	
The Board will review and possibly amend Guidance Document 140-8, Sanction Reference Points Manual. This document and its changes are subject to completion of data analysis and review by outside vendor regarding standard disciplinary actions for certain violations. If the data analysis and review is completed in FY2024, the Board will adopt the revised document.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	
Expected Date	FY2024

Title of Proposed Regulatory Action or Guidance Document Creation of Guidance Document 150-6, listing applicable sections of Code to regulants of the Board	
Brief Overview The Board will adopt a guidance document providing applicable Code provisions for licensees of the Board of Veterinary Medicine, including Code provisions from other titles, such as those in 32.1.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	
Expected Date	FY2024

Title of Proposed Regulatory Action or Guidance Document Review of Guidance Document 150-1	
Brief Overview Standard four-year review of Guidance Document 150-1. Guidance document will be revised to aid readability and remove copied and pasted statutory text.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	
Expected Date	July 28, 2023

Title of Proposed Regulatory Action or Guidance Document Review of Guidance Document 150-11	
Brief Overview Standard four-year review of Guidance Document 150-11. Guidance document will be revised to aid readability and remove copied and pasted statutory and regulatory text.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	
Expected Date	July 28, 2023

Title of Proposed Regulatory Action or Guidance Document Review of Guidance Document 150-2	
Brief Overview Standard four-year review of Guidance Document 150-2. Guidance document will be revised to aid readability and remove copied and pasted statutory and regulatory text.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	
Expected Date	July 28, 2023

Title of Proposed Regulatory Action or Guidance Document Review of Guidance Document 150-5	
Brief Overview Standard four-year review of Guidance Document 150-5. Guidance document will be revised to aid readability and remove copied and pasted statutory and regulatory text.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	
Expected Date	July 28, 2023

Title of Proposed Regulatory Action or Guidance Document	
Review and amendment of Guidance Document 150-17, Sanction Reference Points Manual.	
Brief Overview	
The Board will review and possibly amend Guidance Document 150-17, Sanction Reference Points Manual. This document and its changes are subject to completion of data analysis and review by outside vendor regarding standard disciplinary actions for certain violations. If the data analysis and review is completed in FY2024, the Board will adopt the revised document.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	
Expected Date	FY2024

Title of Proposed Regulatory Action or Guidance Document Creation of a new Guidance Document regarding veterinarians-in-charge.	
Brief Overview The Board will draft a new guidance document covering the responsibilities of the veterinarian-in-charge of a registered veterinary establishment.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	
Expected Date	FY2024

Title of Proposed Regulatory Action or Guidance Document Review of Guidance Document 150-4, “Chip” clinics outside of approved facilities.	
Brief Overview The Board will review and possibly revise Guidance Document 150-4 based on current laws and regulations.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	
Expected Date	FY2024

Title of Proposed Regulatory Action or Guidance Document Review of Guidance Document 150-8, disposition of cases involving practice on expired license or permit.	
Brief Overview The Board will review and possibly revise Guidance Document 150-8 based on recent Board actions for case types address in the guidance document.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	
Expected Date	FY2024

Title of Proposed Regulatory Action or Guidance Document Review of Guidance Document 150-9, content of a medical record.	
Brief Overview The Board will review and possibly revise Guidance Document 150-9 to include additional guidance based on recent Board disciplinary actions for case types address in the guidance document.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	
Expected Date	FY2024

Title of Proposed Regulatory Action or Guidance Document Review of Guidance Document 150-13, controlled substances in veterinary practices.	
Brief Overview The Board will review and possibly revise Guidance Document 150-13 to include additional guidance related to handling of controlled substances.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	
Expected Date	FY2024

Title of Proposed Regulatory Action or Guidance Document Review of Guidance Document 150-15, disposition of routine inspection violations.	
Brief Overview The Board will review and possibly revise Guidance Document 150-15 to include additional guidance based on recent Board disciplinary actions for case types address in the guidance document.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	
Expected Date	FY2024

Title of Proposed Regulatory Action or Guidance Document Review of Guidance Document 150-21, FAQs related to the PMP.	
Brief Overview The Board will review and possibly revise Guidance Document 150-21 to include additional guidance related to questions received about the PMP.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	
Expected Date	FY2024

Title of Proposed Regulatory Action or Guidance Document Review of Guidance Document 150-26, guidance on the regulations for veterinary establishments.	
Brief Overview The Board will review and possibly revise Guidance Document 150-26 to include additional guidance on the regulations related to veterinary establishments.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	
Expected Date	FY2024

Title of Proposed Regulatory Action or Guidance Document Review of Guidance Document 76-21.2:1, inspection report for veterinary establishments.	
Brief Overview The Board will review Guidance Document 76-21.2:1 to update the inspection report for veterinary establishments. The Board will consider updating this document to reflect the Board of Funeral inspection documents, which are forms rather than guidance documents.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	
Expected Date	FY2024

Title of Proposed Regulatory Action or Guidance Document	
Possible revision of Guidance Document 150-12, Administration of Rabies Vaccinations.	
Brief Overview	
The Board will review and possibly revise Guidance Document 150-12 to include VDH interpretation of requirements for a veterinarian's "signature" on a rabies certification. This change would be at the request of VDH.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	
Expected Date	FY2024

Department of Historic Resources (DHR) / Total = 6

Title of Proposed Regulatory Action or Guidance Document 6471 Historical African American Cemetery and Graves Fund Program Manual	
Brief Overview Guidance document to assist applicants for cemetery funding, revised to reflect recent legislative revisions. Change: 2023 updates. §10.1-2211.2	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	N/A
Expected Date	7/2023

Title of Proposed Regulatory Action or Guidance Document	
7512 Historic Rehabilitation Tax Credit Guidance Documents	
Brief Overview	
Written guidance intended for applicants pursuing rehabilitation tax credits. Change: minor edits for clarity of text. Addition of instructions for electronic submission of the Federal Program's application materials. VAC30 Historic Rehabilitation Tax Credit	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	Streamlined information and updates for ease of use and clarity.
Expected Date	12/2023

Title of Proposed Regulatory Action or Guidance Document 5684 Easement Program Information Packet	
Brief Overview Overview program information on historic preservation easements and DHR's program staff. Change: minor edits for clarification and audience comprehension. VA Code §10.1-2204 and §§10.1-1700 <i>et. seq.</i>	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	Streamlined information
Expected Date	3/2024

Title of Proposed Regulatory Action or Guidance Document 4630 Historic Preservation Easement Program Policies 1-12	
Brief Overview Document of all Board-approved policies that guide DHR's Easement Program. Change: updates to Easement Program Recordkeeping (#8) and Easement Requirements (#9) policies. VA Code §10.1-2204 and §§10.1-1700 <i>et. seq.</i>	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	Streamlined information
Expected Date	06/2024

Title of Proposed Regulatory Action or Guidance Document	
4642 Virginia Battlefield Preservation Fund Guidelines for Applications, Prioritization, and Award of Grants	
Brief Overview	
Document of guidance related to the grant application process for the Virginia Battlefield Fund.	
Change: Updates related to program administration, application evaluation and funding timelines.	
VA Code §10.1-2204	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	Streamlined information
Expected Date	06/2024

Title of Proposed Regulatory Action or Guidance Document	
7513 Historic Rehabilitation Tax Credit Financial Report Guidance and Templates	
Brief Overview	
Written financial guidance intended for applicants pursuing rehabilitation tax credits. Change: Edits for clarity of text and process. Addition of instructions for electronic submission of the Federal Program's application materials. Updating of financial documentation templates for ease of use and clarity. VAC30 Historic Rehabilitation Tax Credit	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	Streamlined information and updates for ease of use and clarity.
Expected Date	12/2023

Department of Housing and Community Development (DHCD) / Total = 8

Action/Stage or Guidance Document Forum ID (if available)	
Title of Proposed Regulatory Action or Guidance Document Commission on Local Government Guidance Document Updates	
Brief Overview CLG staff will consider changes to streamline the commission's guidance documents (all documents).	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	Streamline guidance documents.
Expected Date	August 2023

Action/Stage or Guidance Document Forum ID (if available)	
Title of Proposed Regulatory Action or Guidance Document Virginia Telecommunication Initiative (VATI) Program Guidelines	
Brief Overview The budget language enabling the VATI program (Item 115 L 2, 2022 Special Session I Budget) requires DHCD to create program guidelines. Through a significant public engagement process, DHCD updates program guidelines on a regular basis to ensure efficient use of state resources and to ensure all new legislative objectives are being achieved.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute ☐ Discretionary action
Deregulatory Component	Update to include stakeholder input and comply with the most recent legislation.
Expected Date	August 2023

Action/Stage or Guidance Document Forum ID (if available)	
Title of Proposed Regulatory Action or Guidance Document Affordable and Special Needs Housing Program Guidelines	
Brief Overview This document provides program guidelines for certain DHCD Housing programs, including the Virginia Housing Trust Fund.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	Update to improve program administration and an effort to decrease reapplication, as well as provide more appropriate funding amounts.
Expected Date	August 2023

Action/Stage or Guidance Document Forum ID (if available)	
Title of Proposed Regulatory Action or Guidance Document Virginia Broadband Availability Map Internet Service Provider Service Territory Data Submission Guidelines	
Brief Overview Section P of Item 115 (2022) of the Budget Bill directs DHCD to develop a statewide broadband availability map indicating broadband coverage, including maximum broadband speeds available in service territories in Virginia. As directed in the Budget Bill, all broadband service providers shall be required to submit updated service territory data to DHCD annually, including the locations to which they provide broadband service. This guidance document specifies internet service provider service territory data submission guidelines in order to create the statewide availability map.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute ☐ Discretionary action
Deregulatory Component	Update to include stakeholder input and comply with most recent legislation.
Expected Date	October 2023

Action/Stage or Guidance Document Forum ID (if available)	
Title of Proposed Regulatory Action or Guidance Document Virginia Enterprise Zone Job Creation Grant Instruction Manual	
Brief Overview - This manual provides instructions for qualifying for the Enterprise Zone (EZ) Job Creation Grant (JCG), which is part of the Enterprise Zone Grant Program (13VAC5-112). It has been compiled for the applicant (the business firm) and addresses the applicant's responsibilities in completing the application materials. BHCD adopts regulations regarding the EZ Grant Program.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	Yearly update to improve program administration.
Expected Date	January 2024

Action/Stage or Guidance Document Forum ID (if available)	
Title of Proposed Regulatory Action or Guidance Document Virginia Enterprise Zone Real Property Improvement Grant Instruction Manual	
Brief Overview - This manual provides instructions for qualifying for the EZ Real Property Improvement Grant (JCG), which is part of the Enterprise Zone Grant Program (13VAC5-112). It has been compiled for the applicant (the business firm) and addresses the applicant's responsibilities in completing the application materials. BHCD adopts regulations regarding the EZ Grant Program.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	Yearly update to improve program administration.
Expected Date	January 2024

Action/Stage or Guidance Document Forum ID (if available)	
Title of Proposed Regulatory Action or Guidance Document Virginia Enterprise Zone CPA Agreed Upon Procedures Manual	
Brief Overview - This document provides instructions for CPAs performing the Agreed-Upon Procedures outlined by DHCD. These procedures test and report on the assertion of a business or qualified zone investor as to their qualification to receive JCGs or RPIGs related to the EZ Grant Program (13VAC5-112). The findings from these procedures are reported in the CPA Attestation Report. This report is a required application component for both the Job Creation Grant and Real Property Investment Grant.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	Yearly update to improve program administration.
Expected Date	January 2024

Action/Stage or Guidance Document Forum ID (if available)	
Title of Proposed Regulatory Action or Guidance Document Virginia Enterprise Zone Local Zone Administrators Manual	
Brief Overview - While DHCD administers the statewide Enterprise Zone program, the day-to-day administration of a designated zone is the responsibility of the participating jurisdiction. Each locality is required to designate a local zone administrator who is responsible for administering, managing and marketing the locality's zone(s). This document is a program manual for local zone administrators.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	Yearly update to improve program administration.
Expected Date	January 2024

Department of Juvenile Justice/ Total = 5

Action/Stage or Guidance Document Forum ID (if available)	
Guidance Document Forum ID 2231	
Title of Proposed Regulatory Action or Guidance Document	
Revise the Virginia Community Crime Control Act Manual Guidance Document	
Brief Overview	
DJJ proposes to update the VJCCCA Manual, which was last revised in 2014. The proposed revisions include language describing a 2019 legislative change that modified the VJCCCA statute to allow resources for youth who are not currently involved in the juvenile justice system but who have been screened for needing community diversion or community-based services using an approved assessment protocol. This change allows localities who elect to participate to use VJCCCA funding for prevention services. Additionally, the proposed revision updates language and formatting to make the document clearer, more concise, and more user friendly. Finally, the revised manual includes hyperlinks to provide easier access to relevant sections of the Code of Virginia, regulations, and VJCCCA forms.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final ☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	This revision will reduce the size of the guidance document by approximately half by streamlining the information. The largest reductions will come from eliminating restatements of regulatory provisions, opting instead to provide hyperlinks to the Virginia Administrative Code. This will have the added benefit of ensuring users have access to the most up-to-date regulatory language.
Expected Date	September 1, 2023

Action/Stage or Guidance Document Forum ID (if available) Not Available	
Title of Proposed Regulatory Action or Guidance Document Action to Amend Compliance Manual for the Regulation Governing Juvenile Secure Detention Centers	
Brief Overview This action seeks to amend the Compliance Manual for the Regulation Governing Juvenile Secure Detention Centers. The document governs all compliance audits of juvenile detention centers, and proposed amendments will provide interpretive guidance to staff in JDCs and the department's Certification Unit.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final ☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	The proposed amendments will align with changes and reductions to 6VAC35-101. Additionally, proposed changes will shorten and simplify the document by removing extraneous purpose statements and unnecessary rationales, as well as repetitive language.
Expected Date	March 1, 2024 (contingent on proposed changes to 6VAC35-101 completing the Final Stage by this date)

Action/Stage or Guidance Document Forum ID (if available) N/A		
Title of Proposed Regulatory Action or Guidance Document Action to Amend Compliance Manual for the Regulation Governing Juvenile Group Homes and Halfway Houses (6VAC35-41)		
Brief Overview This action seeks to amend the Compliance Manual for the Regulation Governing Juvenile Group Homes and Halfway Houses. The document governs all compliance audits of juvenile group homes funded, in part, by the Virginia Juvenile Community Crime Control Act. Proposed amendments will provide interpretive guidance to staff in such facilities and in the department's Certification Unit.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Discretionary action ☐ Action required by state statute	
Deregulatory Component	The proposed amendments will align with changes and reductions to 6VAC35-41. Additionally, proposed changes will shorten and simplify the document by removing extraneous purpose statements and unnecessary rationales, as well as repetitive language.	
Expected Date	May 15, 2024 (contingent on proposed amendments to 6VAC35-41 nearing completion of the Final Stage by this date).	

Action/Stage or Guidance Document Forum ID (if available)	
Not available	
Title of Proposed Regulatory Action or Guidance Document	
Action to Amend Compliance Manual for the Regulation Governing Juvenile Correctional Centers	
Brief Overview	
This action seeks to amend the Compliance Manual for the Regulation Governing Juvenile Correctional Centers. The document governs all compliance audits of state and locally operated juvenile correctional centers, and proposed amendments will provide interpretive guidance to staff in JCCs and the department's Certification Unit.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final ☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	The proposed amendments will align with changes and reductions to 6VAC35-71. Additionally, proposed changes will shorten and simplify the document by removing extraneous purpose statements and unnecessary rationales, as well as repetitive language.
Expected Date	May 15, 2024 (contingent on proposed amendments to 6VAC35-71 nearing completion of the Final Stage by this date).

Action/Stage or Guidance Document Forum ID (if available)		
Not available		
Title of Proposed Regulatory Action or Guidance Document		
Action to Simplify Guidance Document Interpreting 6VAC35-170		
Brief Overview		
This action is intended to modify the guidance document interpreting the Regulation Governing Juvenile Data Requests and Research Proposals (6VAC35-170) to align with proposed changes to 6VAC35-170.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Discretionary action ☐ Action required by state statute	
Deregulatory Component	Although the department has not completed its review of the guidance document or finalized a plan for reduction, the department hopes to align the document with changes to 6VAC35-170, including removing provisions that impose unnecessarily burdensome requirements on researchers and individuals making requests for juvenile data. Additionally the proposal will shorten and simplify the document by removing extraneous or duplicative provisions and striking unnecessary details of the process.	
Expected Date	May 15, 2024 (contingent on proposed changes to 6VAC35-170 nearing completion of the Final Stage by this date).	

Department of Medical Assistance Services (DMAS) / Total = 1

Title of Proposed Regulatory Action or Guidance Document	
DMAS Provider Manuals and Medicaid Memos	
Brief Overview	
The Department will release updated provider manuals and Medicaid Memos as needed in SFY2023 to reflect changes in federal and state requirements.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☒ Action required by federal statute ☒ Discretionary action ☒ Action required by state statute
Deregulatory Component	These guidance documents will communicate important updates to providers.
Expected Date	As needed throughout SFY2024

Department of Military Affairs (DMA) / Total = 1

Action/Stage or Guidance Document Forum ID (If Available)	
7250	
Title of Proposed Regulatory Action or Guidance Document	
Command Policy 22-023; Virginia National Guard State Tuition Assistance Program (VANG-STAP), Potential amendment to this guidance document if requested legislation during the 2024 Session is passed, to reflect those process improvements and administrative process changes for Soldiers and Airmen who use VANGSTAP.	
Brief Overview	
Pursuant to legislative changes to Virginia Code §23.1-610 effective July 2022, the VNG state tuition assistance program (STAP) changed from a direct pay to colleges/universities to a reimbursement model to NG members. STAP participants are now reimbursed for tuition payments once certain requirements are met. This creates a burden not only on our National Guard members but requires a significant and cumbersome staffing requirement to administer this program.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Discretionary action ☒ Action required by state statute
Deregulatory Component	Proposed STAP program changes in 2024 (Tuition Waiver for NG members at state schools) will reduce the staffing and administrative footprint and time required to administer the program as it is in its current configuration and will decrease the burden on our Guard members and their families to pay tuition up front and then seek reimbursement of tuition funds paid at the end of each semester.
Expected Date	If successful, STAP changes will be effective 1 July 2024

Department of Motor Vehicles (DMV) / Total = 13

Action/Stage or Guidance Document Forum ID (if available) 2213	
Title of Proposed Regulatory Action or Guidance Document DMV Visual Field Policy	
Brief Overview Add “(including but not limited to)” to the “High Risk Ophthalmic Conditions” header on page 1. This change will clarify that the list of High Risk Ophthalmic Conditions in the guidance document is not exhaustive.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final ☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☐ Discretionary action
Deregulatory Component	
Expected Date	July 6, 2023

Action/Stage or Guidance Document Forum ID (if available) 2214	
Title of Proposed Regulatory Action or Guidance Document DMV Seizure/Blackout Policy	
Brief Overview Change "other" to "or" in the first paragraph under Seizures on page 1. This change will correct a minor typo in the guidance document.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final ☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☐ Discretionary action
Deregulatory Component	
Expected Date	July 6, 2023

Action/Stage or Guidance Document Forum ID (if available) 2215	
Title of Proposed Regulatory Action or Guidance Document DMV Policy for Adaptive Equipment and Certified Driving Rehabilitation Specialist (CDRS) Referrals	
Brief Overview Amend guidance document section regarding minor vehicle modifications that assist individuals in fitting into their vehicle to clarify length of the pedal extender under this section.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final ☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☐ Discretionary action
Deregulatory Component	
Expected Date	August 3, 2023

Action/Stage or Guidance Document Forum ID (if available) 2210	
Title of Proposed Regulatory Action or Guidance Document Virginia Rider Training Program Training Site License Application	
Brief Overview The document will be revised to account for changes to the motorcycle training program caused by Chapter 361 of the 2023 Acts of Assembly. These changes include removing the sidecar and three-wheeled motorcycle course, adding a three-wheeled motorcycle course, changes to the helmet requirement for motorcycle training courses to allow any lawful motorcycle helmet, and removing the specific motorcycle training course requirements for student-to-instructor ratio, students per range at any one time, and the features of motorcycles used in training. Additionally, DMV has stopped using a contractor to administer certain portions of the motorcycle rider training program and will revise the document to reflect that change.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final ☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute ☐ Discretionary action
Deregulatory Component	
Expected Date	August – September 2023

Action/Stage or Guidance Document Forum ID (if available) 2211		
Title of Proposed Regulatory Action or Guidance Document Virginia Motorcycle Rider Training Program, Virginia Rider Training Program Policy and Procedures		
Brief Overview The document will be revised to account for changes to the motorcycle training program caused by Chapter 361 of the 2023 Acts of Assembly. These changes include removing the sidecar and three-wheeled motorcycle course, adding a three-wheeled motorcycle course, and changes to the helmet requirement for motorcycle training courses to allow any lawful motorcycle helmet. Additionally, the document will be revised to include approved and currently available motorcycle rider training curriculum. Finally, DMV has stopped using a contractor to administer certain portions of the motorcycle rider training program and will revise the document to reflect that change.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute	☐ Discretionary action
Deregulatory Component		
Expected Date	August – September 2023	

Action/Stage or Guidance Document Forum ID (if available) 2217	
Title of Proposed Regulatory Action or Guidance Document Requirements for being added to the DMV driver rehabilitation specialists listing	
Brief Overview Establish guidance document detailing the requirements for being added to the DMV driver rehabilitation specialists listing.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final ☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☐ Discretionary action
Deregulatory Component	
Expected Date	August – October 2023

Action/Stage or Guidance Document Forum ID (if available) 2189	
Title of Proposed Regulatory Action or Guidance Document Personalized License Plate Guidelines and Restrictions	
Brief Overview Amend the portion of the Guidelines for Issuing a Personalized License Plate to provide clearer criteria regarding license plates that reference violence.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final ☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☐ Discretionary action
Deregulatory Component	
Expected Date	August – September 2023

Action/Stage or Guidance Document Forum ID (if available)		
Title of Proposed Regulatory Action or Guidance Document Virginia Motor Carrier Manual		
Brief Overview The document will be revised to account for changes resulting from Chapter 242 of the 2023 Acts of Assembly, which cleared up inconsistencies in the financial responsibility requirements that apply to motor carriers transporting property in passenger cars and other smaller vehicles. Specifically, pages 18 and 19 of the guidance document will be updated to reflect the new statutory insurance requirements for property carriers and household goods carriers.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☐ Discretionary action
Deregulatory Component		
Expected Date	August – September 2023	

Action/Stage or Guidance Document Forum ID (if available)	
Title of Proposed Regulatory Action or Guidance Document DMV Cognitive Impairment Policy	
Brief Overview DMV anticipates making amendments to this guidance document based on the review and recommendation from the Medical Advisory Board. As the board has not issued its recommendations, DMV is unable to predict the substance of the changes, but anticipates that such changes will be minor in scope.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final ☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☐ Discretionary action
Deregulatory Component	Declining to make changes to the guidance document except as specifically required by the Medical Advisory Board.
Expected Date	June 2024

Action/Stage or Guidance Document Forum ID (if available)	
Title of Proposed Regulatory Action or Guidance Document DMV Policy for Drivers Experiencing a Crash Due to a Pedal Application Error	
Brief Overview DMV anticipates making amendments to this guidance document based on the review and recommendation from the Medical Advisory Board. As the board has not issued its recommendations, DMV is unable to predict the substance of the changes, but anticipates that such changes will be minor in scope.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final ☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☐ Discretionary action
Deregulatory Component	Declining to make changes to the guidance document except as specifically required by the Medical Advisory Board.
Expected Date	June 2024

Action/Stage or Guidance Document Forum ID (if available)	
Title of Proposed Regulatory Action or Guidance Document DMV Policy for Drivers with Heart-Assist Devices	
Brief Overview DMV anticipates making amendments to this guidance document based on the review and recommendation from the Medical Advisory Board. As the board has not issued its recommendations, DMV is unable to predict the substance of the changes, but anticipates that such changes will be minor in scope.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final ☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☐ Discretionary action
Deregulatory Component	Declining to make changes to the guidance document except as specifically required by the Medical Advisory Board.
Expected Date	June 2024

Action/Stage or Guidance Document Forum ID (if available)	
Title of Proposed Regulatory Action or Guidance Document DMV Policy for Drivers with Respiratory Conditions Requiring Supplemental Oxygen and/or Sleep Disorders	
Brief Overview DMV anticipates making amendments to this guidance document based on the review and recommendation from the Medical Advisory Board. As the board has not issued its recommendations, DMV is unable to predict the substance of the changes, but anticipates that such changes will be minor in scope.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final ☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☐ Discretionary action
Deregulatory Component	Declining to make changes to the guidance document except as specifically required by the Medical Advisory Board.
Expected Date	June 2024

Action/Stage or Guidance Document Forum ID (if available)	
Title of Proposed Regulatory Action or Guidance Document Virginia Medical Waiver Guidance	
Brief Overview DMV anticipates making amendments to this guidance document based on the review and recommendation from the Medical Advisory Board. As the board has not issued its recommendations, DMV is unable to predict the substance of the changes, but anticipates that such changes will be minor in scope.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final ☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☐ Discretionary action
Deregulatory Component	Declining to make changes to the guidance document except as specifically required by the Medical Advisory Board.
Expected Date	June 2024

Department of Professional and Occupational Regulation (DPOR) / Total = 7

Action/Stage or Guidance Document Forum ID (if available)	
Not Available	
Title of Proposed Regulatory Action or Guidance Document	
Initial Auditing of Out-of-State Asbestos Courses Already Approved by MAP States	
Brief Overview	
The Virginia Board for Asbestos, Lead, And Home Inspectors is proposing a guidance document associated with the Virginia Asbestos Licensing Regulations (18VAC15-20). The proposed guidance pertains to the auditing of asbestos courses that are conducted exclusively outside of Virginia. The proposed guidance provides that onsite audits are not required for final approval of asbestos courses with a primary location that is out-of-state, to be conducted solely out-of-state, so long as the course is currently approved by a federal model accreditation plan (MAP) state. Proof of MAP state approval must be submitted for verification purposes. If an out-of-state course has not received MAP state approval, an onsite audit will be conducted as part of the approval process.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	None.
Expected Date	July 2023

Action/Stage or Guidance Document Forum ID (if available)	
Not Available	
Title of Proposed Regulatory Action or Guidance Document	
Experience Verification when Applying under Universal License Recognition	
Brief Overview The Virginia Board for Asbestos, Lead, And Home Inspectors is proposing a guidance document associated with the Home Inspector Licensing Regulations (18VAC15-40). The proposed guidance pertains to the verification of experience for home inspectors seeking recognition of work experience from a state that does not require home inspector licensure as provided for under § 54.1-205(B) of the Code of Virginia (Universal License Recognition) (Effective July 1, 2023). The proposed guidance provides that in addition to the requirements in subdivisions 2-4 of subsection B of § 54.1-205 of the Code of Virginia, the Board will recognize work experience with a similar scope of practice of a home inspector as defined in § 54.1-500 of the Code of Virginia, as applicable, if the applicant has at least three years of documented experience performing home inspections as defined in § 54.1-500 of the Code of Virginia and as verified by a licensed or certified home inspector, real estate licensee, supervisor, attorney, or financial institution representative.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	None.
Expected Date	July 2023

Action/Stage or Guidance Document Forum ID (if available)	
Not Available	
Title of Proposed Regulatory Action or Guidance Document	
Insurance Requirements for Home Inspectors when Applying under Universal License Recognition	
Brief Overview	
The Virginia Board for Asbestos, Lead, And Home Inspectors is proposing a guidance document associated with the Home Inspector Licensing Regulations (18VAC15-40). The proposed guidance pertains to minimum insurance requirements for home inspectors seeking licensure under § 54.1-205 of the Code of Virginia (Universal License Recognition) (Effective July 1, 2023). The proposed guidance provides that the Board will require a home inspector that is licensed under Universal License Recognition to obtain and maintain general liability insurance with minimum limitations of \$250,000 per occurrence within 30 days of the license as a home inspector being issued by the Board. Such insurance is required of all other applicants for licensure. A business liability insurance policy or a commercial general liability insurance policy with minimum limits of \$250,000 may be considered to meet such requirement, so long as the home inspector is listed as an additional insured. If for any reason the Board cannot reasonably ensure that the home inspector is sufficiently covered in accordance with this policy, the Board may require that requisite coverage be obtained in the name of the home inspector. Proof of such insurance policy must be submitted in order to be in compliance with the Board's regulations. The home inspector is subject to all other requirements for maintaining such insurance and submitting proof of such upon renewal of the home inspector license. A regulant that fails to comply with the Board's regulations may be subject to discipline by the Board.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	None.
Expected Date	July 2023

Action/Stage or Guidance Document Forum ID (if available) Not Available.	
Title of Proposed Regulatory Action or Guidance Document Non-Traditional Classroom Instruction	
Brief Overview The Board for Barbers and Cosmetology is proposing an amendment to an existing guidance document associated with the Barbering and Cosmetology Regulations (18VAC41-20), the Tattooing Regulations (18VAC41-50), the Body-Piercing Regulations (18VAC41-60), and the Esthetics Regulations (18VAC41-70). The guidance document pertains to theory topics offered by non-traditional or online schools. The Board plans to amend the guidance document to provide guidance on which theory topics may be taught online and which topics are practical and must be completed in a “brick-and-mortar” classroom.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	None.
Expected Date	September 2023

Action/Stage or Guidance Document Forum ID (if available)	
Not Available	
Title of Proposed Regulatory Action or Guidance Document	
PSI Examination Equivalency	
Brief Overview	
The Board for Contractors proposes amending a current guidance document associated with the Board for Contractors Regulations (18VAC50-22) and Individual License and Certification Regulations (18VAC50-30). The guidance document pertains to licensure or certification examinations in other jurisdictions that the Board has determined are substantially equivalent to examinations required by the Board for licensure or certification. The Board will amend the guidance document to reflect licenses or certifications from other jurisdictions that the Board accepts as substantially equivalent to current Board requirements. The proposed amendment will add the Backflow Prevention Device Tester License previously issued by the City of Norfolk, Virginia as a substantially equivalent credential to the Backflow Prevention Device Worker certification issued by the Board.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	None.
Expected Date	August 2023

Action/Stage or Guidance Document Forum ID (if available)	
Not Available	
Title of Proposed Regulatory Action or Guidance Document	
18 VAC 80-30-20 – Approved Related Technical Instruction	
Brief Overview	
The Board for Hearing Aid Specialists and Opticians is proposing an amendment to an existing guidance document associated with the Opticians Regulations (18VAC80-30). The guidance document pertains to optician technical instruction curriculums that are approved by the Board. The Board plans to amend the guidance document by adding an additional program to those that have previously been approved.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	None.
Expected Date	July 2023

Brief Overview

The Board for Waterworks and Wastewater Works Operators and Onsite Sewage System Professionals is proposing a guidance document associated with Onsite Sewage System Professionals Licensing Regulations (18VAC160-40). The guidance document pertains to the verification of experience for onsite sewage system professionals seeking recognition of work experience from a state that does not require licensure as provided for under § 54.1-205(B) of the Code of Virginia (Universal License Recognition) (effective July 1, 2023).

The proposed guidance provides that in addition to the requirements in subdivisions 2-4 of subsection B of § 54.1-205 of the Code of Virginia, the Board will recognize work experience with a similar scope of practice for a conventional or alternative onsite sewage system installer, conventional or alternative onsite sewage system operator, or conventional or alternative onsite soil evaluator in lieu of the qualifications for these professions established in the Onsite Sewage System Professionals Licensing Regulations, if the applicant has at least three years of documented experience as a conventional or alternative onsite sewage system installer, conventional or alternative onsite sewage system operator, or conventional or alternative onsite soil evaluator in another state that does not issue an occupational or professional license for such work and as verified by a master conventional or alternative onsite soil evaluator, master conventional or alternative onsite sewage system installer, master conventional or alternative onsite sewage system operator, professional engineer, health department employee, registered environmental health specialist, registered sanitarian, or an equivalent credential to these licenses.

Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	None.	
Expected Date	July 2023	

Department of Rail and Public Transportation (DRPT) / Total = 4

Action/Stage or Guidance Document Forum ID (if available) N/A	
Title of Proposed Regulatory Action or Guidance Document Grant Administration Guidance for Public Transportation and Commuter Service	
Brief Overview DRPT created this document to assist Virginia's transit agencies. This document outlines all the state and federal rules that agencies must follow when receiving state and federal funds.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☒ Action required by federal statute ☒ Action required by state statute ☐ Discretionary action
Deregulatory Component	DRPT is reviewing the document to simplify it and reduce the number of pages contained within the document. It should be noted that much of this document simplified voluminous federal regulations to assist Virginia's transit agencies with federal compliance which DRPT is responsible for.
Expected Date	August 2023

Action/Stage or Guidance Document Forum ID (if available) 7041	
Title of Proposed Regulatory Action or Guidance Document Incentive Program Guidelines	
Brief Overview Created during the 2020 General Assembly, the Transit Ridership Incentive Program provides funding to transit agencies for programs and projects that support regional connectivity or provide assistance to low-income individuals. This document outlines the program guidelines and sets forth the process to apply.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute ☐ Discretionary action
Deregulatory Component	DRPT is reviewing the document to simplify it and reduce the number of pages contained within the document. It should be noted that much of this document simplified voluminous federal regulations to assist Virginia's transit agencies with federal compliance which DRPT is responsible for.
Expected Date	October 2023

Action/Stage or Guidance Document Forum ID (if available) 7065	
Title of Proposed Regulatory Action or Guidance Document FREIGHT (Commonwealth Rail Fund) Program Guidelines and Procedures	
Brief Overview Created during the 2020 General Assembly, DRPT maintains seven percent of the Commonwealth Rail Funds for projects not administered by the Virginia Passenger Rail Authority. This document outlines the program guidelines and set forth the process to apply.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute ☐ Discretionary action
Deregulatory Component	DRPT is exploring opportunities with the Commonwealth Transportation Board that will allow the agency more flexibility in using these funds.
Expected Date	October 2023

Action/Stage or Guidance Document Forum ID (if available) 7088	
Title of Proposed Regulatory Action or Guidance Document Rail Industries Access Program Guidelines and Procedures	
Brief Overview The Rail Industrial Access Program was created in the 1980s and is used to spur economic development throughout the Commonwealth by connecting business to rail line to transport goods. This document outlines the program guidelines and set forth the process to apply.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute ☐ Discretionary action
Deregulatory Component	DRPT is currently conducting a review of the program to better use the funds to spur economic development in the Commonwealth
Expected Date	October 2023

Department of Social Services (DSS) / Total = 7

Action/Stage or Guidance Document Forum ID (if available) Not available.	
Title of Proposed Regulatory Action or Guidance Document Child & Family Services Manual-CPS Manual	
Brief Overview This manual provides guidance to local departments of social services on CPS. It is expected that the manual will need updating in October 2023 to reflect legislative changes that went into effect in July 2023.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute ☐ Discretionary action
Deregulatory Component	None
Expected Date	October 2023

Action/Stage or Guidance Document Forum ID (if available)	
Not available.	
Title of Proposed Regulatory Action or Guidance Document	
Child & Family Services Manual- TANF Manual	
Brief Overview	
This manual provides guidance to local departments of social services on TANF. It is expected that the manual will need updating in October 2023 to reflect the new federal poverty levels and the standard deduction figures based on federal directives. In the event of any other new federal directives, the manual may require further updates.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☒ Action required by federal statute ☐ Discretionary action ☐ Action required by state statute
Deregulatory Component	N/A
Expected Date	October 2023

Action/Stage or Guidance Document Forum ID (if available) Not available.	
Title of Proposed Regulatory Action or Guidance Document Child & Family Services Manual- SNAP Manual	
Brief Overview This manual provides guidance to local departments of social services on SNAP. It is expected that the manual will need updating in October 2023 to reflect changes in the gross and net income limits, standard deductions, and SNAP benefit allotments based on the annual update provided by the USDA. In the event of any other new federal directives, the manual may require further updates.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☒ Action required by federal statute ☐ Discretionary action ☐ Action required by state statute
Deregulatory Component	None
Expected Date	October 2023
Action/Stage or Guidance Document Forum ID (if available) Not available.	

Title of Proposed Regulatory Action or Guidance Document Child & Family Services Manual, Foster Care Manual	
Brief Overview This manual provides guidance to local departments of social services on CPS. It is expected that the manual will need updating in October 2023 to reflect legislative changes that went into effect in May 2023 and July 2023.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute ☐ Discretionary action
Deregulatory Component	None
Expected Date	October 2023

Action/Stage or Guidance Document Forum ID (if available) Not available.	
Title of Proposed Regulatory Action or Guidance Document Child & Family Services Manual- Resource Family Manual	
Brief Overview This manual provides guidance to local departments of social services on resource families. It is expected that the manual will need updating in December 2023 to reflect legislative changes that go into effect in January 2024.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute ☐ Discretionary action
Deregulatory Component	None
Expected Date	December 2023

Action/Stage or Guidance Document Forum ID (if available)	
Not available	
Title of Proposed Regulatory Action or Guidance Document	
Child Support State Plan Update	
Brief Overview	
The Division of Child Support Enforcement maintains a State Plan as a condition of federal funding. The State Plan communicates policy elections and routine organizational information to the federal Office of Child Support Enforcement. A possible legislative update in the 2024 General Assembly session will be necessary to comply with federal regulations. If relevant legislation passes, updates to the State Plan will likely occur in March of 2024.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☒ Action required by federal statute ☐ Discretionary action ☐ Action required by state statute
Deregulatory Component	NA
Expected Date	April 2024

Action/Stage or Guidance Document Forum ID (if available)	
Not available	
Title of Proposed Regulatory Action or Guidance Document	
Administrative Human Resources Manual for Local Departments of Social Services	
Brief Overview	
This manual sets forth policies and procedures for local departments of social services that follow Virginia Department of Social Services personnel policies (non-deviating). Chapters of the manual will require updating, as amendments to 22VAC40-675 become final.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final ☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☐ Discretionary action
Deregulatory Component	N/A
Expected Date	April 2024

Department of Taxation (TAX) / Total = 7

Title of Proposed Regulatory Action or Guidance Document	
Market-Based Sourcing Guidelines for Qualifying Property Information and Analytics Firms	
Brief Overview	
During the 2022 Session, the Virginia General Assembly enacted House Bill 453 (2022 Acts of Assembly, Chapter 256) and Senate Bill 346 (2022 Acts of Assembly, Chapter 257), which allow property information and analytics firms that have a signed memorandum of understanding with the Virginia Economic Development Partnership Authority (“the Authority”), and meet certain job creation and investment criteria to use a hybrid sales factor when filing Virginia corporate income tax returns. For sales of other than sales of tangible personal property, the hybrid sales factor uses a market-based sourcing rule for sales of services and the standard cost of performance rule for all other non-service sales. Under this legislation, market-based sourcing is based upon where the benefit of the service is received. This legislation requires the Department to promulgate guidelines regarding the use of market-based sourcing for certain property information and analytics firms. Preliminary guidelines shall be promulgated and made publicly available no later than December 31, 2022, and final guidelines shall be promulgated and made publicly available no later than December 31, 2023.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute ☐ Discretionary action
Deregulatory Component	Although this action will not reduce the number of guidance documents maintained by the Department, by providing guidance regarding the legislation, the action will remove a potential source of confusion to taxpayers and tax practitioners.
Expected Date	December 2022 for the preliminary guidelines and December 2023 for the final guidelines

Title of Proposed Regulatory Action or Guidance Document	
Elective Pass-Through Entity Tax Guidelines	
Brief Overview	
During the 2022 Session, the Virginia General Assembly enacted House Bill 1121 (2022 Acts of Assembly, Chapter 690) and Senate Bill 692 (2022 Acts of Assembly, Chapter 689), which permit a qualifying pass-through entity (“PTE”) to make an annual election to pay an elective income tax at a rate of 5.75 percent at the entity level. The legislation also allows a corresponding refundable income tax credit to certain PTE owners for any amount of income tax paid by a PTE having Virginia taxable income if such PTE makes the election and pays the elective income tax imposed at the entity level. The legislation allows an individual to claim a credit for taxes paid to other states under laws that are substantially similar to the pass-through entity income tax. This overrules Public Document 21-156 (December 29, 2021), which generally denied a credit for a tax paid to Maryland under that state’s elective pass-through entity income tax. This provision only applies to taxes paid by a pass-through entity under the law of another state that is substantially similar to Va. Code § 58.1-390. Therefore, it does not apply to any other entity-level taxes, such as any franchise, privilege, business, license, or occupation taxes described in Va. Code § 58.1-332.2. The legislation requires the Department to promulgate guidelines regarding the elective pass-through income tax. These guidelines will provide general guidance on the elective pass-through entity income tax, the corresponding income tax credit available to certain PTE owners, and the changes made to the credit for taxes paid to other states.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute ☐ Discretionary action
Deregulatory Component	Although this action will not reduce the number of guidance documents maintained by the Department, by providing guidance regarding the legislation, the action will remove a potential source of confusion to taxpayers and tax practitioners.
Expected Date	December 2022 for the preliminary guidelines and December 2023 for the final guidelines

Title of Proposed Regulatory Action or Guidance Document	
Beneficial Hardwood Management Practices Tax Credit Guidelines	
Brief Overview	
During the 2022 Session, the Virginia General Assembly enacted House Bill 1319 (2022 Acts of Assembly, Special Session I, Chapter 18), which provides a nonrefundable individual income tax credit for expenses incurred by a taxpayer for the implementation of beneficial hardwood management practices. The credit is equal to the taxpayer's eligible expenditures up to \$1,000. The credit Is subject to an annual credit cap of \$1 million. The legislation requires the Department, in consultation with the Department of Forestry, to develop guidelines implementing the credit.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Emergency Rule ☐ Proposed Rule ☐ Fast-Track Rule ☐ Final Rule
Additional Description	☐ Expedited Rule ☒ Guidance Document ☐ Exempt Rule
Legal Authority	☐ Action required by federal statute ☐ Discretionary action ☒ Action required by state statute
Deregulatory Component	Although this action will not reduce the number of guidance documents maintained by the Department, by providing guidance regarding the legislation, the action will remove a potential source of confusion to taxpayers and tax practitioners.
Expected Date	December 2023

Title of Proposed Regulatory Action or Guidance Document	
Updated Worker Misclassification Guidelines	
Brief Overview	
During the 2023 Session, the Virginia General Assembly enacted House Bill 1684 (Chapter 518, 2023 Acts of Assembly) and Senate Bill 1354 (Chapter 519, 2023 Acts of Assembly), which clarify the procedures under which an employer may be debarred from public contracts for misclassification of workers. Under prior law, it was unclear whether the employer had a right to appeal a determination that the employer failed to properly classify an employee and what procedures the employer must follow to make such an appeal. These Acts clarify that, upon being notified by the Department of Taxation that a worker has been misclassified, an employer has a right to file an administrative or judicial appeal. In addition, these Acts clarify that no employer can be debarred due to worker misclassification unless such employer has exhausted all rights of administrative and judicial appeals or the time period for bringing such appeals has expired. Prior legislation required the Department to publish guidelines, which it has done. However, such guidelines will have to be updated to reflect the clarifications made by these Acts.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute ☐ Discretionary action
Deregulatory Component	Although this action will not reduce the number of guidance documents maintained by the Department, by providing guidance regarding the legislation, the action will remove a potential source of confusion to taxpayers and tax practitioners.
Expected Date	September 2023

Title of Proposed Regulatory Action or Guidance Document	
Updated Food Donation Tax Credit Guidelines	
Brief Overview	
During the 2023 Session, the Virginia General Assembly enacted House Bill 2445 (Chapter 165, 2023 Acts of Assembly) and Senate Bill 1525 (Chapter 166, 2023 Acts of Assembly), which extend the sunset date for the Food Crop Donation Tax Credit by five years and rename it as to be called the Food Donation Tax Credit. In addition, these Acts increase the amount of the tax credit from 30 percent to 50 percent of the fair market value of qualifying donations, and increase the maximum annual amount of tax credits that a taxpayer could earn from \$5,000 to \$10,000. These Acts also expand the credit to include wholesome food donations. Previously, only donations of food crops qualified for the credit. "Wholesome food" is defined as food that meets all quality and labeling standards imposed by federal, state, and local laws or regulations, including food that may not be readily marketable due to appearance, age, freshness, grade, surplus, or other condition Prior legislation required the Department to publish guidelines, which it has done. However, such guidelines will have to be updated to reflect the enhancements made by these Acts.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute ☐ Discretionary action
Deregulatory Component	Although this action will not reduce the number of guidance documents maintained by the Department, by providing guidance regarding the legislation, the action will remove a potential source of confusion to taxpayers and tax practitioners.
Expected Date	September 2023

Title of Proposed Regulatory Action or Guidance Document Firearm Safety Device Tax Credit Guidelines	
Brief Overview During the 2023 Session, the General Assembly enacted House Bill 2387 (Chapter 220, 2023 Acts of Assembly), which establishes an individual income tax credit for the purchase of one or more firearm safety devices in an eligible transaction. “Eligible transaction” means a transaction in which a taxpayer purchases one or more firearm safety devices from a dealer that is federally licensed. An individual who properly applies may be allowed a credit in an amount of up to \$300 for the cost incurred in the purchase. A taxpayer is allowed only one credit per taxable year. The total amount of credits permitted under this legislation cannot exceed \$5 million per taxable year. Credits will be allocated on a first-come, first served basis. The amount of credit claimed in a single year cannot exceed the individual’s tax liability for that year. If the amount is exceeded, then it can be carried over for credit in the next five years or until the total amount is depleted, whichever happens sooner. This Act requires the Department to promulgate guidelines regarding the firearm safety device tax credit.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute ☐ Discretionary action
Deregulatory Component	Although this action will not reduce the number of guidance documents maintained by the Department, by providing guidance regarding the legislation, the action will remove a potential source of confusion to taxpayers and tax practitioners.
Expected Date	December 2023

Title of Proposed Regulatory Action or Guidance Document	
Market-Based Sourcing Guidelines for Internet Root Infrastructure Provider	
Brief Overview	
During the 2023 Session, the Virginia General Assembly enacted House Bill 1481 (Chapter 405, 2023 Acts of Assembly) and Senate Bill 1349 (Chapter 406, 2023 Acts of Assembly), which allow an internet root infrastructure provider (“Provider”) that meets certain criteria and chooses to enter into a memorandum of understanding (“MOU”) with the Virginia Economic Development Partnership Authority (“the Authority”) to use a hybrid sales factor when filing Virginia corporate income tax returns. To qualify for this hybrid sales factor, a Provider must operate one of the internet root servers of the Internet Assigned Names Authority and enter into an MOU with the Authority that, among other criteria, have at least 550 employees in Planning District 8 with an average annual salary of \$175,000. An internet service provider, cable service provider, or similar company is not considered a Provider for purposes of these Acts. This legislation requires the Department to promulgate guidelines regarding the use of market-based sourcing for certain property information and analytics firms. Preliminary guidelines shall be promulgated and made publicly available no later than December 31, 2023, and final guidelines shall be promulgated and made publicly available no later than December 31, 2024.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute ☐ Discretionary action
Deregulatory Component	Although this action will not reduce the number of guidance documents maintained by the Department, by providing guidance regarding the legislation, the action will remove a potential source of confusion to taxpayers and tax practitioners.
Expected Date	December 2023 for the preliminary guidelines and December 2024 for the final guidelines

Department of Transportation (VDOT) / Total = 10

Action/Stage or Guidance Document Forum ID (if available)		
Not available.		
Title of Proposed Regulatory Action or Guidance Document		
Administrative Services Division Procurement Procedures Manual removal by VDOT		
Brief Overview		
Upon detailed review of this document, and discussion with the Office of the Attorney General, VDOT has determined that this document is erroneously listed as a guidance document, because it does not meet the definition of a guidance document. VDOT will remove the Manual from its guidance document list.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	The ASD Procurement Procedures Manual includes only internal agency procedures and imposes no requirements on any regulants. Removing the document from the agency's guidance document list will not affect the number of the agency's discretionary regulatory requirements imposed on the public. It will reduce the agency's guidance document aggregate word count by approximately 62,000 words.	
Expected Date	July 2023	

Action/Stage or Guidance Document Forum ID (if available) Not available.		
Title of Proposed Regulatory Action or Guidance Document Manual for the Procurement and Management of Professional Services updates by VDOT		
Brief Overview The Manual will be updated to reflect current procurement practices consistent with best practice. The updates will streamline the guidance document into procurement phases. Changes include updates and clarifications to the solicitation and award process for professional services, and updated responsibilities associated with the successful administration of professional services contracts.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	The amendments are expected to reduce the length of the guidance document.	
Expected Date	July-September 2023	

Action/Stage or Guidance Document Forum ID (if available)		
Not available.		
Title of Proposed Regulatory Action or Guidance Document		
Revenue Sharing Program Guidelines updates by the CTB		
Brief Overview		
The guidelines are expected to be updated in connection with expected revisions to the CTB Policy on Revenue Sharing.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	Specific reductions cannot be identified at this time.	
Expected Date	August-October 2023	

Action/Stage or Guidance Document Forum ID (if available)		
Not available.		
Title of Proposed Regulatory Action or Guidance Document		
Transportation Alternatives Program Guide updates by the CTB		
Brief Overview		
The guide is expected to be updated to address: changes to the local government allocation process; changes associated with federal law; content to reflect current federal guidance; and incorporation of any new policies set by the CTB.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☒ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	Specific reductions cannot be identified at this time, however, the document is expected to be streamlined to remove duplicated information.	
Expected Date	August-October 2023	

Action/Stage or Guidance Document Forum ID (if available)		
Not available.		
Title of Proposed Regulatory Action or Guidance Document		
Guide to Highway System Changes updates by VDOT		
Brief Overview		
A review of the Guide is expected to be conducted and targeted revisions are expected to be made due to changes in practice.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	Specific reductions cannot be identified at this time.	
Expected Date	September-November 2023	

Action/Stage or Guidance Document Forum ID (if available)		
Not available.		
Title of Proposed Regulatory Action or Guidance Document		
Locally Administered Projects Manual updates by VDOT		
Brief Overview		
Regular updates to the Manual are made twice per year and are based on issues identified in practice.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	Specific reductions cannot be identified at this time.	
Expected Date	October 2023	

Action/Stage or Guidance Document Forum ID (if available)		
Not available.		
Title of Proposed Regulatory Action or Guidance Document		
Locally Administered Projects Manual updates by VDOT		
Brief Overview		
Regular updates to the Manual are made twice per year and are based on issues identified in practice.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	Specific reductions cannot be identified at this time.	
Expected Date	March 2024	

Action/Stage or Guidance Document Forum ID (if available)		
Not available.		
Title of Proposed Regulatory Action or Guidance Document		
Manual for the Procurement and Management of Professional Services updates by VDOT		
Brief Overview		
The Manual may be updated with clarifications regarding process changes resulting from ongoing business process improvement efforts.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	Specific reductions cannot be identified at this time.	
Expected Date	March-May 2024	

Action/Stage or Guidance Document Forum ID (if available)		
Not available.		
Title of Proposed Regulatory Action or Guidance Document		
Traffic Impact Analysis Regulation Administrative Guidelines updates by VDOT		
Brief Overview		
A review of the Guidelines is expected to be conducted and targeted revisions are expected to be made due to changes in practice.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	Specific reductions cannot be identified at this time.	
Expected Date	March-May 2024	

Action/Stage or Guidance Document Forum ID (if available)		
Not available.		
Title of Proposed Regulatory Action or Guidance Document		
Economic Development Access Program Guide updates by VDOT		
Brief Overview		
Update expected to improve the Guide's readability by reorganizing the document to mirror the steps needed to receive EDA program funding. The update will consolidate information listed in several different sections within the document, and remove language associated with Locally and VDOT Administered projects already listed in VDOT's Locally Administered Projects Manual.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	Specific reductions cannot be identified at this time.	
Expected Date	May 2024	

Department of Veterans Services (DVS) / Total = 1

Action/Stage or Guidance Document Forum ID (if available) 7176		
Title of Proposed Regulatory Action or Guidance Document Policy and Guidelines for Commissioners of the Revenue and other Assessing Officials		
Brief Overview This document implements the Code of Virginia §§ 58.1-3219.5 through 58.1-3219.16, and provides guidance to Commonwealth veterans, surviving spouses of qualified veterans, and to Commissioners of Revenue and assessing officials on the administration of the various real estate tax exemptions applicable to them. It also provides guidance on real estate tax exemptions available to the qualified surviving spouses of members of the Armed Forces of the United States killed in action or who died in the line of duty. It incorporates the official advisory opinions of the Attorney General. These regulations are designed to promote uniformity in the application and qualification process for those citizens who qualify for the real property tax exemption as provided for in Article X, Section 6-A of the Constitution of Virginia, and Title 58.1 of the Code of Virginia. Finally, this document also provides guidance on the personal property tax exemption for veterans rated 100% permanent and totally disabled by the United States Department of Veterans Affairs.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☒ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Discretionary action ☒ Action required by state statute	
Deregulatory Component	Updates and streamlines existing guidance document. Reorganized the way information is presented to facilitate ease of access	
Expected Date	Updated in May 2023. Next review May 2024	

Department of Wildlife Resources (DWR) / Total = 1

Action/Stage or Guidance Document Forum ID: TBD	
Title of Proposed Regulatory Action or Guidance Document Guidance Document Review	
Brief Overview Chapter 390 of the 2023 Acts of Assembly (House Bill 2101) requires that existing documents used by the Department in making comments or providing consultation to the Department of Environmental Quality or the Virginia Marine Resources Commission, as well as documents pertaining to the administration of the Virginia Threatened and Endangered Species Act (§29.1-563 et seq.) be filed for publication with the Registrar of Regulations and made available for public comment by November 1, 2023. The Department will review its documents and make any necessary submissions accordingly.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Emergency Rule ☐ Proposed Rule ☐ Fast-Track Rule ☐ Final Rule
Additional Description	☐ Expedited Rule ☒ Guidance Document ☐ Exempt Rule
Legal Authority	☐ Action required by federal statute ☒ Discretionary action ☒ Action required by state statute
Deregulatory Component	In the course of its review, the Department will consider the necessity and length of each affected document and any other matters relevant.
Expected Date	November 1, 2023

George Mason University (GMU) / Total = 1

Title of Proposed Regulatory Action or Guidance Document University Policy and Handbook Revisions	
Brief Overview George Mason University has no plans for regulatory action in FY23 associated with 8 VAC 35 <i>et seq.</i> Revisions of guidance documents contained in University Policy and Handbooks will be made as needed to comply with state and federal law and to improve the effectiveness of University processes.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☒ Action required by federal statute ☒ Discretionary action ☒ Action required by state statute
Deregulatory Component	Through Policy and Handbook revisions, the University anticipates that new guidance will comply with federal and state statutes, and will endeavor to further streamline and clarify University procedures by eliminating outdated guidance.
Expected Date	

Office of Children's Services (OCS) / Total = 3

Action/Stage or Guidance Document Forum ID (if available)		
Title of Proposed Regulatory Action or Guidance Document Special Education and the Children's Services Act (CSA): Guidance for Community Policy and Management Teams (CPMT), Family Assessment and Planning Teams (FAPT), CSA Coordinators, and Local School Divisions		
Brief Overview Special Education and the Children's Services Act (CSA) provides guidance related to the interface of special education services and the Children's Services Act. Revisions are necessary to reflect changes to §2.2-5211 which extended eligibility for CSA funding to include services necessary to transition students from private day schools back to the public school setting.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	This guidance document is not a deregulatory effort.	
Expected Date	July 2023	

Action/Stage or Guidance Document Forum ID (if available)		
Title of Proposed Regulatory Action or Guidance Document User Guide for the Children's Services Act (CSA)		
Brief Overview The User Guide for the Children's Services Act (CSA) provides guidance on the major areas of CSA implementation and administration at the local level. Revisions are necessary to reflect changes in policy adopted by the State Executive Council for Children's Services and update links and program resources.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	This guidance document is not a deregulatory effort.	
Expected Date	January 2024	

Action/Stage or Guidance Document Forum ID (if available)		
Title of Proposed Regulatory Action or Guidance Document Policy Manual for the Children's Services Act (CSA)		
Brief Overview The Policy Manual for the Children's Services Act (CSA) provides a single reference to the policies adopted by the State Executive Council for Children's Services in accordance with its statutory responsibility to establish interagency programmatic and fiscal policies which support the purposes of the Act. Revisions are necessary to remove repealed, reflect changes in policy, and update links to State Statutes.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	This proposal seeks to remove policies that are redundant, as they simply restate information contained in the Code of Virginia. Additionally, existing policies will be reviewed and revised for clarity and consistency.	
Expected Date	June 2024	

Virginia Housing Development Authority (VHDA) / Total = 2

Title of Proposed Regulatory Action or Guidance Document	
Virginia Housing Homeownership Originations Guide (Guidance Document)	
Brief Overview	
The Guide describes Virginia Housing's homeownership programs and eligibility requirements. It is utilized primarily by the lenders which originate Virginia Housing mortgage loans.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☒ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	Not known at this time.
Expected Date	The Originations Guide is expected to be updated late 2023.

Title of Proposed Regulatory Action or Guidance Document	
Virginia Housing Low Income Housing Tax Credit Manual (Guidance Document)	
Brief Overview	
The Internal Revenue Code requires that Virginia Housing, as administrator of the federal low-income housing tax credit program (LIHTC) in Virginia, adopt a “qualified allocation plan” or “QAP” (in the form of regulations) governing the award and compliance monitoring of the LIHTC program. The QAP begins in 13 VAC 180. To provide additional clarity, guidance and forms related to the QAP to developers applying for an award of LIHTC, Virginia Housing annually updates its LIHTC manual as a Guidance Document.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☒ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	Not known at this time.
Expected Date	The LIHTC Manual is expected to be updated in January of 2024.

Virginia Information Technologies Agency (VITA) / Total = 15

Title of Proposed Regulatory Action or Guidance Document Project Management Guideline (CPM-110-04)	
Brief Overview The primary objective of the Commonwealth Project Management Guideline is to provide guidance on the application of the COV Project Management Standard and the use of common industry best practices in the management of IT projects within Virginia Executive Branch Commonwealth agencies.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute ☐ Discretionary action
Deregulatory Component	Recent and emerging project management methodologies are being employed in the Commonwealth. The update will include additional information on these emerging methodologies.
Expected Date	December 2023

Title of Proposed Regulatory Action or Guidance Document	
Project Management Standard (CPM 112-04.2)	
Brief Overview	
This standard applies to Commonwealth-level IT projects and IT procurements. It establishes the mandatory procedures and required documentation for governance and oversight over the lifecycle of these IT projects and investments.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute ☐ Discretionary action
Deregulatory Component	Procurement and approval processes are being streamlined. The update will include such improvements.
Expected Date	December 2023

Title of Proposed Regulatory Action or Guidance Document	
Technology Management Policy (GOV-105-05)	
Brief Overview	
The Chief Information Officer of the Commonwealth (CIO) and VITA have a broad range of statutory technology management responsibilities. These assignments cover specific tasks related to technology security, reporting, budgets, sourcing and projects, and overarching responsibilities for technology policy, IT strategic planning, value creation, and leadership. The Commonwealth Technology Management Policy is intended to provide overarching guiding principles for use by executive branch agencies and institutes of higher education for the management of IT. Standards are issued to implement this policy and provide specific direction and requirements on particular topics. Guidelines are issued to assist agencies with the execution of standards or this policy.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute ☐ Discretionary action
Deregulatory Component	This policy has not been reviewed since 2018. It is an overall policy for IT policies, standards, and guidelines pertaining to IT investments, and the intent is to review and update it to ensure appropriate changes are made, if necessary.
Expected Date	June 2024

Title of Proposed Regulatory Action or Guidance Document	
Information Technology Investment Management (ITIM) Standard (CPM 516-03)	
Brief Overview	
The intent of the Information Technology Investment Management (ITIM) Standard is to establish a methodology for the identification, selection, management, and evaluation of IT investments in order to maximize the business value of those investments. The ITIM methodology uses a lifecycle approach and portfolio management process to minimize risks and maximize the return on IT investments while supporting executive branch agency decisions to maintain, migrate, improve, retire, or initiate IT investments. The standard will define the ITIM methodology, describe the phases of the ITIM lifecycle, establish the basis for measuring the value of an IT investment, identify the required actions associated with each phase, position those actions within a portfolio management process, and assign roles and responsibilities for those actions. Since the Commonwealth and agency IT strategic planning process embodies the ITIM methodology, the standard also defines and describes related portions of that process.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute ☐ Discretionary action
Deregulatory Component	The intent is to incorporate an IT Planning Standard into the ITIM Standard.
Expected Date	June 2024

Title of Proposed Regulatory Action or Guidance Document	
IT Procurement: Telecommunications Waiver Policy	
Brief Overview	
This document provides guidance on the waiver process component of telecommunications procurement – namely, the granting of waivers to agencies to allow them to use non-VITA contracts for the procurement of telecommunications goods and services.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute ☐ Discretionary action
Deregulatory Component	Updates will be made as necessary, in compliance with statutory and executive policy changes.
Expected Date	June 2024

Title of Proposed Regulatory Action or Guidance Document	
IT Procurement: Small Purchase Policy	
Brief Overview	
This document provides the details of VITA’s small purchase card policy, defines small purchases up to \$200,000, specifies the delegation of small purchases up to \$250,000, and describes the set asides that apply to small purchase up to \$100,000 under EO35.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Emergency Rule ☐ Proposed Rule ☐ Fast-Track Rule ☐ Final Rule
Additional Description	☐ Expedited Rule ☒ Guidance Document ☐ Exempt Rule
Legal Authority	☐ Action required by federal statute ☐ Discretionary action ☒ Action required by state statute
Deregulatory Component	Updates will be made as necessary, in compliance with statutory and executive policy changes.
Expected Date	June 2024

Title of Proposed Regulatory Action or Guidance Document	
IT Procurement: Sole Source Policy	
Brief Overview	
This document delineates the criteria for when executive branch state agencies can use a sole source procurement method for IT goods and services; and provides the process for agencies to obtain sole source approval.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute ☐ Discretionary action
Deregulatory Component	Updates will be made as necessary, in compliance with statutory and executive policy changes.
Expected Date	August/September 2023

Title of Proposed Regulatory Action or Guidance Document	
IT Procurement: Emergency Procurement Policy	
Brief Overview	
This document provides the criteria and guidance to executive branch agencies for their use of the emergency procurement of IT goods and services pursuant to Virginia Code § 2.2- 4303(F). It also provides the process for obtaining emergency procurement approval.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute ☐ Discretionary action
Deregulatory Component	Updates will be made as necessary, in compliance with statutory and executive policy changes.
Expected Date	June 2024

Title of Proposed Regulatory Action or Guidance Document	
IT Procurement Policy for Enhancing and Expanding Contracting Opportunities for Small, Women- and Minority-owned Businesses	
Brief Overview	
This document provides procurement guidelines to executive branch agencies, and is designed to enhance and expand contracting opportunities for small businesses, including micro businesses, women-owned, minority owned, and service-disabled veterans (SWaM) owned IT and telecommunications small businesses, to participate in the Commonwealth's procurement process. This document interprets EO 35 for agencies purchasing IT; includes definitions for what is a SWaM business; and informs agencies of set asides under certain procurement amounts and required processes.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute ☐ Discretionary action
Deregulatory Component	Updates will be made as necessary, in compliance with statutory and executive policy changes.
Expected Date	June 2024

Title of Proposed Regulatory Action or Guidance Document	
ITCL Policy for Procuring and Managing Contingent Labor Resources	
Brief Overview	
This document provides policies for the procurement and management of contingent labor resources; specifically, it provides guidance on the procurement of IT contingent workers through Staff Augmentation or a Statement of Work (SOW) through the managed service provider (MSP) program for all executive branch agencies and institutions of higher learning.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute ☐ Discretionary action
Deregulatory Component	The intended update reduces the burden by eliminating the requirement for agencies to provide to VITA justification for named exceptions.
Expected Date	June 2024

Title of Proposed Regulatory Action or Guidance Document IT Procurement Manual (Buy IT)	
Brief Overview This manual contains guidance and best practices for executive branch agencies procuring IT goods and services within their delegated authority limits.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute ☐ Discretionary action
Deregulatory Component	In addition to reflecting statutory and executive policy changes, the intended update will eliminate situations where this manual was perceived as imposing requirements that reduced flexibility for agencies. VITA also intends to look to shorten the manual where that can be done without losing valuable information.
Expected Date	August 2023 & June 2024

Title of Proposed Regulatory Action or Guidance Document Policy, Standard, and Guideline Formulation Standard (GOV101-03)	
Brief Overview This standard establishes a comprehensive and uniform process for developing, adopting, maintaining, and retiring, Commonwealth of Virginia Information Technology policies, standards, and guidelines (PSGs).	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute ☐ Discretionary action
Deregulatory Component	Updates will be made as necessary, in compliance with statutory and executive policy changes.
Expected Date	June 2024

Title of Proposed Regulatory Action or Guidance Document Enterprise Architecture Policy (EA200-03.1)	
Brief Overview Establishes the Commonwealth's Enterprise Architecture as the primary source for providing IT direction and technical requirements that govern the acquisition, use, and management of IT resources by executive branch agencies. This document contains policy statements related to applications systems development and open source software and the process used to govern agency requests for changes and exceptions to EA requirements and to ensure that all recommendations and requests for changes or exceptions are logged, reviewed, and responded to in a timely manner	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute ☐ Discretionary action
Deregulatory Component	Updates will be made as necessary, in compliance with statutory and executive policy changes.
Expected Date	June 2024

Title of Proposed Regulatory Action or Guidance Document Commonwealth Security and Cloud Requirements	
Brief Overview This document provides clarification and guidance to executive branch agency procurement personnel on Commonwealth Security and Risk Management requirements for Enterprise Cloud Oversight Service.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute ☐ Discretionary action
Deregulatory Component	Updates will be made as necessary, in compliance with statutory and executive policy changes.
Expected Date	June 2024

Title of Proposed Regulatory Action or Guidance Document Information Technology Resource Management Policy (GOV 102-02)	
Brief Overview This policy establishes a framework for the development and governance of Commonwealth of Virginia Information Technology Resource Management (ITRM) Policies, Standards, and Guidelines. The management of information technology (IT) resources requires the establishment and control of a set of documents that convey purpose, direction, and required activities. The documents that accomplish this are ITRM policies, standards, and guidelines (PSGs).	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute ☐ Discretionary action
Deregulatory Component	Updates will be made as necessary, in compliance with statutory and executive policy changes.
Expected Date	June 2024

Virginia Innovation Partnership Corporation (VIPIC) / Total = 1

Title of Proposed Regulatory Action or Guidance Document	
Extend the Regional Innovation Fund Match Requirement Reduction to Entrepreneurial Support Organizations Found to be in Fiscal Distress or for an Exceptional Economic Opportunity in a Region	
Brief Overview	
The 2020 Session formed 2.2-2357.D, the Regional Innovation Fund. A 1:1 match is required for participation. This action extends the match requirement reduction to 2:1 for entrepreneurial support organizations found to be in fiscal distress or for an exceptional economic opportunity in a region. This provides the opportunity for greater participation by entrepreneurial support organizations in underserved regions, serving underserved founders.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	This action reduces the match participation burden by up to 50% or up to an estimated \$1M.
Expected Date	July 2023