



Economic Impact Analysis Virginia Department of Planning and Budget

12 VAC 5-615 – Regulations for Authorized Onsite Soil Evaluators
Virginia Department of Health
June 21, 2013

Summary of the Proposed Amendments to Regulation

The Virginia Department of Health (VDH) proposes to repeal these regulations.

Result of Analysis

The benefits likely exceed the costs for all proposed changes.

Estimated Economic Impact

The 2007 Virginia General Assembly enacted House Bill 3134, which transferred implementation, administration, and enforcement of licensing requirements for onsite soil evaluators from VDH to the Department of Professional and Occupational Regulation with administration by the Board for Waterworks and Wastewater Works Operators and Onsite Sewage System Professionals. The Board for Waterworks and Wastewater Works Operators and Onsite Sewage System Professionals promulgated regulations for onsite soil evaluators on July 1, 2009 (18 VAC 160-20). House Bill 3134 abrogated the Board of Health's authority to license Authorized Onsite Soil Evaluators (AOSEs); and while Title 32.1 of the Code of Virginia contains other references to the Board of Health's regulation of AOSEs, VDH has successfully implemented those statutory provisions independent of 12 VAC 5-615. Thus, the proposed repeal of these regulations will have no impact beyond potentially reducing confusion as toward the licensure rules for AOSEs in effect.

Businesses and Entities Affected

As mentioned above, the proposed repeal of these regulations will have no impact beyond potentially reducing confusion as toward the licensure rules for onsite soil evaluators in effect. Firms involved on onsite soil evaluation would be most interested in the rules.

Localities Particularly Affected

The proposed repeal of these regulations does not disproportionately affect particular localities.

Projected Impact on Employment

The proposed repeal of these regulations is unlikely to significantly affect employment.

Effects on the Use and Value of Private Property

The proposed repeal of these regulations is unlikely to significantly affect the use and value of private property.

Small Businesses: Costs and Other Effects

The proposed repeal of these regulations is unlikely to significantly affect small businesses.

Small Businesses: Alternative Method that Minimizes Adverse Impact

The proposed repeal of these regulations is unlikely to significantly affect small businesses.

Real Estate Development Costs

The proposed repeal of these regulations is unlikely to significantly affect real estate development costs.

Legal Mandate

The Department of Planning and Budget (DPB) has analyzed the economic impact of this proposed regulation in accordance with Section 2.2-4007.04 of the Administrative Process Act and Executive Order Number 14 (10). Section 2.2-4007.04 requires that such economic impact analyses include, but need not be limited to, a determination of the public benefit, the projected number of businesses or other entities to whom the regulation would apply, the identity of any localities and types of businesses or other entities particularly affected, the projected number of persons and employment positions to be affected, the projected costs to affected businesses or entities to implement or comply with the regulation, and the impact on the use and value of private property. Further, if the proposed regulation has an adverse effect on small businesses, Section 2.2-4007.04 requires that such economic impact analyses include (i) an identification and

estimate of the number of small businesses subject to the regulation; (ii) the projected reporting, recordkeeping, and other administrative costs required for small businesses to comply with the regulation, including the type of professional skills necessary for preparing required reports and other documents; (iii) a statement of the probable effect of the regulation on affected small businesses; and (iv) a description of any less intrusive or less costly alternative methods of achieving the purpose of the regulation. The analysis presented above represents DPB's best estimate of these economic impacts.