

Office of Regulatory Management
Economic Review Form

Agency name	Department of Labor and Industry
Virginia Administrative Code (VAC) Chapter citation(s)	16 VAC 25-40
VAC Chapter title(s)	Chapter 40. Standard for Boiler and Pressure Vessel Operator Certification
Action title	Periodic Review of Regulations
Date this document prepared	June 1, 2023
Regulatory Stage (including Issuance of Guidance Documents)	Periodic Review of Regulations

Cost Benefit Analysis

Complete Tables 1a and 1b for all regulatory actions. You do not need to complete Table 1c if the regulatory action is required by state statute or federal statute or regulation and leaves no discretion in its implementation.

Table 1a should provide analysis for the regulatory approach you are taking. Table 1b should provide analysis for the approach of leaving the current regulations intact (i.e., no further change is implemented). Table 1c should provide analysis for at least one alternative approach. You should not limit yourself to one alternative, however, and can add additional charts as needed.

Report both direct and indirect costs and benefits that can be monetized in Boxes 1 and 2. Report direct and indirect costs and benefits that cannot be monetized in Box 4. See the ORM Regulatory Economic Analysis Manual for additional guidance.

Table 1a: Costs and Benefits of the Proposed Changes (Primary Option)

(1) Direct & Indirect Costs & Benefits (Monetized)	<p>Direct Costs: Describe the direct costs of this proposed change here.</p> <p>Indirect Costs: Describe the indirect costs of the proposed change.</p> <p>Direct Benefits: Describe the direct benefits of this proposed change here.</p> <p>Indirect Benefits: Describe the indirect benefits of the proposed change.</p>	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) Not applicable.	(b) Not applicable.
(3) Net Monetized Benefit	Not applicable.	
(4) Other Costs & Benefits (Non-Monetized)	Not applicable.	
(5) Information Sources	Not applicable.	

Table 1b: Costs and Benefits under the Status Quo (No change to the regulation)

(1) Direct & Indirect Costs & Benefits (Monetized)	<p>Direct Costs: Describe the direct costs of this proposed change here.</p> <p>Indirect Costs: Describe the indirect costs of the proposed change.</p> <p>Direct Benefits: Describe the direct benefits of this proposed change here.</p> <p>Indirect Benefits: Describe the indirect benefits of the proposed change.</p>	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) Not applicable.	(b) Not applicable.
(3) Net Monetized Benefit	Not applicable.	

(4) Other Costs & Benefits (Non-Monetized)	Not applicable.
(5) Information Sources	Not applicable.

Table 1c: Costs and Benefits under Alternative Approach(es)

(1) Direct & Indirect Costs & Benefits (Monetized)	<p>Direct Costs: Describe the direct costs of this proposed change here.</p> <p>Indirect Costs: Describe the indirect costs of the proposed change.</p> <p>Direct Benefits: Describe the direct benefits of this proposed change here.</p> <p>Indirect Benefits: Describe the indirect benefits of the proposed change.</p>	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) Not applicable.	(b) Not applicable.
(3) Net Monetized Benefit	Not applicable.	
(4) Other Costs & Benefits (Non-Monetized)	Not applicable.	
(5) Information Sources	Not applicable.	

Impact on Local Partners

Use this chart to describe impacts on local partners. See Part 8 of the ORM Cost Impact Analysis Guidance for additional guidance.

Table 2: Impact on Local Partners

<p>(1) Direct & Indirect Costs & Benefits (Monetized)</p>	<ul style="list-style-type: none"> • Direct Costs: Describe the direct costs of this proposed change here. • Indirect Costs: Describe the indirect costs of the proposed change. • Direct Benefits: Describe the direct benefits of this proposed change here. • Indirect Benefits: Describe the indirect benefits of the proposed change. <p>The regulation neither disproportionately affects particular localities, nor affects costs for local governments, unless and to the extent that a local government chooses to adopt a regulation that would “require boiler pressure vessel operators to obtain a certification from the locality before engaging in the operation and maintenance of boiler and pressure vessels in its jurisdiction, pursuant to Va. Code § 15.2-910.</p> <p>If a local government chose to adopt an ordinance, it would likely incur costs for establishing staffing, policies, procedures, fiscal processes, etc., to implement the certification process.</p> <p>The DOLI regulation, 16VAC25-40-30, permits local governments to charge a fee for the certification process, the proceeds of which could be used to partially or wholly fund the costs of implementing the ordinance.</p> <p>The statute permits local governments to impose penalties for violations of its local ordinance.</p> <p>To the Department's knowledge no locality has chosen to adopt an ordinance pursuant to Va. Code § 15.2-910.</p> <p>The Department recommends repealing the regulation contingent on the Department successfully obtaining General Assembly approval to repeal Va. Code § 15.2-910.</p>	
<p>(2) Present Monetized Values</p>	<p>Direct & Indirect Costs</p> <p>(a) See (1) above.</p>	<p>Direct & Indirect Benefits</p> <p>(b) See (1) above.</p>
<p>(3) Other Costs & Benefits (Non-Monetized)</p>	<p>None identified.</p>	

(4) Assistance	Not applicable.
(5) Information Sources	Va. Code § 15.2-910

Impacts on Families

Use this chart to describe impacts on families. See Part 8 of the ORM Cost Impact Analysis Guidance for additional guidance.

Table 3: Impact on Families

(1) Direct & Indirect Costs & Benefits (Monetized)	<ul style="list-style-type: none"> • Direct Costs: Describe the direct costs of this proposed change here. • Indirect Costs: Describe the indirect costs of the proposed change. • Direct Benefits: Describe the direct benefits of this proposed change here. • Indirect Benefits: Describe the indirect benefits of the proposed change. <p>None identified. The regulation only applies to the certification of commercial operators of boilers and pressure vessels.</p>	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) See (1) above.	(b) See (1) above.
(3) Other Costs & Benefits (Non-Monetized)	None identified.	
(4) Information Sources	None.	

Impacts on Small Businesses

Use this chart to describe impacts on small businesses. See Part 8 of the ORM Cost Impact Analysis Guidance for additional guidance.

Table 4: Impact on Small Businesses

(1) Direct & Indirect Costs &	<ul style="list-style-type: none"> • Direct Costs: Describe the direct costs of this proposed change here. • Indirect Costs: Describe the indirect costs of the proposed change.
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Benefits (Monetized)	<ul style="list-style-type: none"> • Direct Benefits: Describe the direct benefits of this proposed change here. • Indirect Benefits: Describe the indirect benefits of the proposed change. <p>If a local government chose to adopt an ordinance pursuant to Va. Code § 15.2-910 and the DOLI regulation, covered small business owners who employed boiler and pressure vessel operators would have to assure that their operators were certified in accordance with the local ordinance. The small business owner could choose to make the cost of certification a condition of employment for its employee and pass the cost of certification along to the employee, or it could choose to pay the costs associated with certification.</p> <p>If the small business failed to comply with the ordinance, they could be subject to penalties set and enforced by the local government.</p>	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) See (1) above.	(b) See (1) above.
(3) Other Costs & Benefits (Non-Monetized)	None identified.	
(4) Alternatives	The Department recommends repealing the regulation contingent on the Department successfully obtaining General Assembly approval to repeal Va. Code § 15.2-910 .	
(5) Information Sources	None identified.	

Changes to Number of Regulatory Requirements

For each individual VAC Chapter amended, repealed, or promulgated by this regulatory action, list (a) the initial requirement count, (b) the count of requirements that this regulatory package is adding, (c) the count of requirements that this regulatory package is reducing, (d) the net change in the number of requirements. This count should be based upon the text as written when this stage was presented for executive branch review. Five rows have been provided, add or delete rows as needed. In the last row, indicate the total number for each column.

Table 5: Total Number of Requirements

	Number of Requirements			
Chapter number	Initial Count	Additions	Subtractions	Net Change
16VAC25-40-10	0	0	0	0
16VAC25-40-20	0	0	0	0
16VAC25-40-30	8	0	0	0
16VAC25-40-40	0	0	0	0
16VAC25-40-50	0	0	0	0
16VAC25-40-60	0	0	0	0
16VAC25-40-70	0	0	0	0
TOTAL	8	0	0	0