

Office of Regulatory Management

Economic Review Form

<b>Agency name</b>	Virginia Department of Environmental Quality
<b>Virginia Administrative Code (VAC) Chapter citation(s)</b>	9VAC20-60
<b>VAC Chapter title(s)</b>	Virginia Hazardous Waste Management Regulations
<b>Action title</b>	Virginia Hazardous Waste Management Regulations Annual Update 2023
<b>Date this document prepared</b>	7/6/2023
<b>Regulatory Stage (including Issuance of Guidance Documents)</b>	Exempt Final Action

**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.

**Agency Note: This is a final exempt regulatory action necessary only to conform to changes in federal regulations. Therefore, Table 1c is not required and has been removed.**

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

<p>(1) Direct &amp; Indirect Costs &amp; Benefits (Monetized)</p>	<p>Direct Costs: There are no direct costs associated with the adoption of this regulatory change to conform the Virginia Hazardous Waste Management Regulations (VHWMR) with Title 40 of the Code of Federal Regulations as published on July 1, 2023.</p> <p>Indirect Costs: EPA likely absorbed some indirect costs when updating their Waste Import Export Tracking System (WIETS) for the Canada-specific operation codes and descriptions, but no other indirect costs associated with the adoption of this regulatory change are anticipated.</p> <p>Direct Benefits: This proposed change allows the VHWMR to maintain consistency with the federal waste management regulations at 40 CFR Parts 260 through 279 and DEQ to maintain EPA authorization to implement its hazardous waste program.</p> <p>The changes in the federal regulations to conform to Canada’s regulatory changes to Canada-specific operation codes and descriptions related to hazardous waste imports to and exports from Canada are administered by the Federal government. States are required to adopt this regulatory change to maintain equivalency with the Federal Program. This will keep any importers or exporters in Virginia aware of new requirements.</p> <p>The changes in the federal regulations delisting of waste for a company in Washington are made solely for the company in Washington and anyone receiving waste from that facility in Washington. This change will likely decrease waste management and disposal costs for the Washington-based company, but an actual estimate cannot be determined.</p> <p>The changes in test methods apply to companies with boilers and industrial furnaces and provide alternative test methods that could provide cost savings. We currently do not have any of these facilities in Virginia, so no direct benefits are estimated.</p> <p>Indirect Benefits: The Virginia Hazardous Waste Management Regulations adopt the federal Resource Conservation and Recovery Act requirements by reference. By maintaining environmental regulations at the state level, Virginia has been able to hire staff to ensure compliance and enforcement with these regulations, which has provided jobs.</p>
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(0) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) 0	(b) 0
(2) Net Monetized Benefit	0	
(3) Other Costs & Benefits (Non-Monetized)	0	
(4) Information Sources	<p>Final Rules:</p> <p><a href="https://www.federalregister.gov/documents/2021/10/01/2021-21417/conforming-changes-to-canada-specific-hazardous-waste-import-export-recovery-and-disposal-operation">https://www.federalregister.gov/documents/2021/10/01/2021-21417/conforming-changes-to-canada-specific-hazardous-waste-import-export-recovery-and-disposal-operation</a></p> <p><a href="https://www.federalregister.gov/documents/2022/07/13/2022-15009/hazardous-waste-management-system-final-exclusion-for-identifying-and-listing-hazardous-waste">https://www.federalregister.gov/documents/2022/07/13/2022-15009/hazardous-waste-management-system-final-exclusion-for-identifying-and-listing-hazardous-waste</a></p> <p><a href="https://www.federalregister.gov/documents/2023/03/20/2023-04958/epa-method-23-determination-of-polychlorinated-dibenzo-p-dioxins-and-polychlorinated-dibenzofurans">https://www.federalregister.gov/documents/2023/03/20/2023-04958/epa-method-23-determination-of-polychlorinated-dibenzo-p-dioxins-and-polychlorinated-dibenzofurans</a></p>	

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

<p>(1) Direct &amp; Indirect Costs &amp; Benefits (Monetized)</p>	<p>Direct Costs: The VHWMR would then be inconsistent with the federal regulations.</p> <p>Indirect Costs: There are no indirect costs associated with maintaining the regulations as currently written.</p> <p>Direct Benefits: Environmental regulations are necessary to ensure that the Commonwealth is a safe and healthy place for people to live and work. Having state-adopted regulations and having these regulations enforced at the state level gives the Commonwealth more control over what is taking place in Virginia. This also benefits the regulated community by causing less confusion.</p> <p>Indirect Benefits: The Virginia Hazardous Waste Management Regulations adopt the federal Resource Conservation and Recovery Act requirements by reference. By maintaining environmental regulations at the state level, Virginia has been able to hire staff to ensure compliance and enforcement with these regulations, which has provided jobs. Having state-adopted regulations and having these regulations enforced at the state level gives the Commonwealth more control over what is taking place in Virginia. This also benefits the regulated community by causing less confusion.</p>	
<p>(2) Present Monetized Values</p>	<p>Direct &amp; Indirect Costs</p>	<p>Direct &amp; Indirect Benefits</p>
	<p>(a) 0</p>	<p>(b) 0</p>
<p>(3) Net Monetized Benefit</p>	<p>0</p>	
<p>(4) Other Costs &amp; Benefits (Non-Monetized)</p>	<p>No conclusive statement can be made about other costs or benefits (non-monetized) of this regulatory adoption.</p>	

(5) Information Sources	<p>Final Rules:</p> <p><a href="https://www.federalregister.gov/documents/2021/10/01/2021-21417/conforming-changes-to-canada-specific-hazardous-waste-import-export-recovery-and-disposal-operation">https://www.federalregister.gov/documents/2021/10/01/2021-21417/conforming-changes-to-canada-specific-hazardous-waste-import-export-recovery-and-disposal-operation</a></p> <p><a href="https://www.federalregister.gov/documents/2022/07/13/2022-15009/hazardous-waste-management-system-final-exclusion-for-identifying-and-listing-hazardous-waste">https://www.federalregister.gov/documents/2022/07/13/2022-15009/hazardous-waste-management-system-final-exclusion-for-identifying-and-listing-hazardous-waste</a></p> <p><a href="https://www.federalregister.gov/documents/2023/03/20/2023-04958/epa-method-23-determination-of-polychlorinated-dibenzo-p-dioxins-and-polychlorinated-dibenzofurans">https://www.federalregister.gov/documents/2023/03/20/2023-04958/epa-method-23-determination-of-polychlorinated-dibenzo-p-dioxins-and-polychlorinated-dibenzofurans</a></p>
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**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**

(1) Direct & Indirect Costs & Benefits (Monetized)	<p>Direct Costs: There are no direct costs to local partners from the adoption of this regulatory change.</p> <p>Indirect Costs: No conclusive statements can be made about specific, indirect costs (monetized) of this regulatory change. However, failure to comply with the regulations on either a state or federal level can result in possible penalties for non-compliance being imposed.</p> <p>Direct Benefits: Environmental regulations are necessary to ensure that the Commonwealth is a safe and healthy place for people to live and work. Having state-adopted regulations and having these regulations enforced at the state level gives the Commonwealth more control over what is taking place in Virginia and is less confusing to the regulated community.</p> <p>Indirect Benefits: The Virginia Hazardous Waste Management Regulations adopt the federal Resource Conservation and Recovery Act requirements by reference. By maintaining environmental regulations at the state level, Virginia has been able to hire staff to ensure compliance and enforcement with these regulations, which has provided jobs. Having state-adopted regulations and having these regulations enforced at the state level gives the Commonwealth more control over what is taking place in Virginia. This also benefits the regulated community by causing less confusion.</p>
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(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) 0	(b) 0
(3) Other Costs & Benefits (Non-Monetized)	No conclusive statement can be made about other costs or benefits (non-monetized) of this regulatory adoption.	
(4) Assistance	N/A	
(5) Information Sources	<p>Final Rules:</p> <p><a href="https://www.federalregister.gov/documents/2021/10/01/2021-21417/conforming-changes-to-canada-specific-hazardous-waste-import-export-recovery-and-disposal-operation">https://www.federalregister.gov/documents/2021/10/01/2021-21417/conforming-changes-to-canada-specific-hazardous-waste-import-export-recovery-and-disposal-operation</a></p> <p><a href="https://www.federalregister.gov/documents/2022/07/13/2022-15009/hazardous-waste-management-system-final-exclusion-for-identifying-and-listing-hazardous-waste">https://www.federalregister.gov/documents/2022/07/13/2022-15009/hazardous-waste-management-system-final-exclusion-for-identifying-and-listing-hazardous-waste</a></p> <p><a href="https://www.federalregister.gov/documents/2023/03/20/2023-04958/epa-method-23-determination-of-polychlorinated-dibenzo-p-dioxins-and-polychlorinated-dibenzofurans">https://www.federalregister.gov/documents/2023/03/20/2023-04958/epa-method-23-determination-of-polychlorinated-dibenzo-p-dioxins-and-polychlorinated-dibenzofurans</a></p>	

**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)	<p>Families are not particularly impacted by this regulatory change and the change does not impose specific, direct, or indirect monetized costs to families or provide specific, direct, or indirect monetized benefits to families.</p> <p>Direct Costs: There are no direct costs as household hazardous waste is not regulated under the hazardous waste regulations.</p> <p>Indirect Costs: There are no indirect costs as household hazardous waste is not regulated under the hazardous waste regulations.</p> <p>Direct Benefits: The direct benefits of maintaining environmental regulations in Virginia are a clean, healthy, beautiful state where people want to live, raise their children and visit as tourist.</p> <p>Indirect Benefits:</p>
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	There are no indirect benefits to families from incorporating these changes into the VHWMR. However, the regulations help to ensure the Commonwealth’s environment is healthy and safe, and that people want to live here.	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) 0	(b) 0
(3) Other Costs & Benefits (Non-Monetized)	No conclusive statement can be made about specific, indirect costs or benefits (non-monetized) of this regulatory change. However, families generally benefit from the protection of the Commonwealth’s environment and natural resources from pollution, impairment, or destruction. The safe and secure generation and management of hazardous materials helps to maintain a certain quality of life and well-being for families. Incorporating these changes into the hazardous waste regulations ensures that hazardous waste requirements continue to be implemented and enforced leading to continued protection of the Commonwealth’s environment and natural resources.	
(4) Information Sources	N/A	

**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 & Benefits (Monetized)	<p>Direct Costs: There are no direct costs for small businesses associated with incorporating these changes into the VHWMR. This change in regulation does not impose any additional direct or indirect monetized costs for small businesses and is consistent with Federal requirements.</p> <p>Indirect Costs: There are no indirect costs for small business associated with incorporating these changes into the VHWMR.</p> <p>Direct Benefits: Direct benefits for small businesses include that regulating hazardous waste at a state level makes regulators more accessible to local companies should the business have questions or the need to better understand the regulations and requirements and is less confusing to the regulated community.</p>
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	Indirect Benefits: Indirect benefits for small businesses include operating a business in a state that attracts new residents because the state is beautiful, clean and a healthy place to raise children. These residents would likely become patrons of Virginia’s small businesses.	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) 0	(b) 0
(3) Other Costs & Benefits (Non-Monetized)	No conclusive statement can be made about other costs or benefits (non-monetized) of this regulatory adoption.	
(4) Alternatives	N/A	
(5) Information Sources	<p>Final Rules:</p> <p><a href="https://www.federalregister.gov/documents/2021/10/01/2021-21417/conforming-changes-to-canada-specific-hazardous-waste-import-export-recovery-and-disposal-operation">https://www.federalregister.gov/documents/2021/10/01/2021-21417/conforming-changes-to-canada-specific-hazardous-waste-import-export-recovery-and-disposal-operation</a></p> <p><a href="https://www.federalregister.gov/documents/2022/07/13/2022-15009/hazardous-waste-management-system-final-exclusion-for-identifying-and-listing-hazardous-waste">https://www.federalregister.gov/documents/2022/07/13/2022-15009/hazardous-waste-management-system-final-exclusion-for-identifying-and-listing-hazardous-waste</a></p> <p><a href="https://www.federalregister.gov/documents/2023/03/20/2023-04958/epa-method-23-determination-of-polychlorinated-dibenzo-p-dioxins-and-polychlorinated-dibenzofurans">https://www.federalregister.gov/documents/2023/03/20/2023-04958/epa-method-23-determination-of-polychlorinated-dibenzo-p-dioxins-and-polychlorinated-dibenzofurans</a></p>	



**Changes to Number of Regulatory Requirements**

**Table 5: Regulatory Reduction**

For each individual action, please fill out the appropriate chart to reflect any change in regulatory requirements, costs, regulatory stringency, or the overall length of any guidance documents.

*Change in Regulatory Requirements*

VAC Section(s) Involved	Authority of Change	Initial Count	Additions	Subtractions	Net Change
9VAC20-60-18	Statutory:	0	0	0	0
	Discretionary:	0	0	0	0

**Agency Note: This is a final exempt regulatory action necessary only to conform to changes in federal regulations.**

*Cost Reductions or Increases (if applicable)*

VAC Section(s) Involved	Description of Regulatory Requirement	Initial Cost	New Cost	Overall Cost Savings/Increases
N/A				

*Other Decreases or Increases in Regulatory Stringency (if applicable)*

VAC Section(s) Involved	Description of Regulatory Change	Overview of How It Reduces or Increases Regulatory Burden
N/A		

*Length of Guidance Documents (only applicable if guidance document is being revised)*

Title of Guidance Document	Original Length	New Length	Net Change in Length
N/A			