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Exempt Action Final Regulation Agency Background Document

Agency name	Board for Waterworks and Wastewater Works Operators and Onsite Sewage System Professionals
Virginia Administrative Code (VAC) citation(s)	18 VAC 160-40
Regulation title(s)	Onsite Sewage System Professionals Licensing Regulations
Action title	2017 Temporary Fee Reduction
Final agency action date	October 26, 2017
Date this document prepared	October 26, 2017

When a regulatory action is exempt from executive branch review pursuant to § 2.2-4002 or § 2.2-4006 of the Virginia Administrative Process Act (APA) or an agency's basic statute, the agency is not required, however, is encouraged to provide information to the public on the Regulatory Town Hall using this form. Note: While posting this form on the Town Hall is optional, the agency must comply with requirements of the Virginia Register Act, Executive Orders 17 (2014) and 58 (1999), and the *Virginia Register Form, Style, and Procedure Manual*.

Brief summary

Please provide a brief summary of the proposed new regulation, proposed amendments to the existing regulation, or the regulation proposed to be repealed. Alert the reader to all substantive matters or changes. If applicable, generally describe the existing regulation.

The Board has adopted a reduction in: (1) renewal fees for onsite sewage system professional licenses that expire on or after January 31, 2018, and before January 31, 2020; and (2) reinstatement fees for reinstatement applications received after January 31, 2018, and on or before January 31, 2020.

The purpose of the fee reductions is to reduce an accumulated budget surplus and remain in compliance with the Callahan Act (§ 54.1-113 of the Code of Virginia). At the close of each biennium, the Department of Professional and Occupational Regulation is required to review each board's financial position to determine whether fees need to be adjusted to ensure that revenues are sufficient, but not excessive, to cover the board's operating expenses.

This action is exempt from the Administrative Process Act in Va. Code § 2.2-4006(A)(6):

Regulations of the regulatory boards served by (i) the Department of Labor and Industry pursuant to Title 40.1 and (ii) the Department of Professional and Occupational Regulation or the Department of Health Professions pursuant to Title 54.1 that are limited to reducing fees charged to regulants and applicants.

Statement of final agency action

Please provide a statement of the final action taken by the agency including: 1) the date the action was taken; 2) the name of the agency taking the action; and 3) the title of the regulation.

The Board for Waterworks and Wastewater Works Operators and Onsite Sewage System Professionals authorized an exempt action for the Onsite Sewage System Professionals Licensing Regulations on October 26, 2017.

Family impact

Please assess the impact of this regulatory action on the institution of the family and family stability including to what extent the regulatory action will: 1) strengthen or erode the authority and rights of parents in the education, nurturing, and supervision of their children; 2) encourage or discourage economic self-sufficiency, self-pride, and the assumption of responsibility for oneself, one's spouse, and one's children and/or elderly parents; 3) strengthen or erode the marital commitment; and 4) increase or decrease disposable family income.

The contemplated changes are not anticipated to have any significant impact on Virginia's families.