

Office of Regulatory Management
Economic Review Form

Agency name	Virginia Department of Health
Virginia Administrative Code (VAC) Chapter citation(s)	12 VAC 5-650
VAC Chapter title(s)	Schedule of Civil Penalties
Action title	Periodic Review
Date this document prepared	June 6, 2023
Regulatory Stage (including Issuance of Guidance Documents)	Periodic Review

Impact on Local Partners

Table 2: Impact on Local Partners

(1) Direct & Indirect Costs & Benefits (Monetized)	<p>The regulations establish a uniform schedule of civil penalties for violations of 12VAC5-610 (Sewage Handling and Disposal Regulations) and 12VAC5-640 (Alternative Discharging Sewage Treatment Regulations for Individual Single-Family Dwellings).</p> <p>The penalties outlined in the regulations are only applicable when a local partner is noncompliant with a regulatory requirement; therefore, there are no direct or indirect monetized costs or benefits for local partners associated with this regulation.</p>	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) \$0	(b) \$0
(3) Other Costs & Benefits (Non-Monetized)	<ul style="list-style-type: none"> • Non-Monetized Costs: There are no non-monetized costs expected for local partners associated with this regulation. • Non-Monetized Benefits: The regulations provide an alternative to criminal enforcement as outlined in § 35.1-164 of the Code of Virginia. In addition, local partners such a state and local government agency have generally benefited from enforcement tools related to environmental protections to surface water, ground water, and natural resources afforded by the regulations. These regulations strengthen the agency’s enforcement capabilities. 	
(4) Assistance	N/A	
(5) Information Sources	N/A	

Impacts on Families

Table 3: Impact on Families

(1) Direct & Indirect Costs & Benefits (Monetized)	<p>The regulations establish a uniform schedule of civil penalties for violations of 12VAC5-610 (Sewage Handling and Disposal Regulations) and 12VAC5-640 (Alternative Discharging Sewage Treatment Regulations for Individual Single-Family Dwellings).</p> <p>The penalties outlined in the regulations are only applicable when a family is noncompliant with a regulatory requirement; therefore, there are no direct or indirect monetized costs or benefits for families associated with this regulation.</p>	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) \$0	(b) \$0
(3) Other Costs & Benefits (Non-Monetized)	<ul style="list-style-type: none"> • Non-Monetized Costs: There are no non-monetized costs to families associated with this regulatory action. • Non-Monetized Benefits: The regulations provide an alternative to criminal enforcement as outlined in § 35.1-164 of the Code of Virginia. In addition, families have generally benefited from enforcement tools related to environmental protections to surface water, ground water, and natural resources afforded by the regulations. These regulations strengthen the agency’s enforcement capabilities. 	
(4) Information Sources	N/A	

Impacts on Small Businesses

Table 4: Impact on Small Businesses

(1) Direct & Indirect Costs & Benefits (Monetized)	<p>The regulations establish a uniform schedule of civil penalties for violations of 12VAC5-610 (Sewage Handling and Disposal Regulations) and 12VAC5-640 (Alternative Discharging Sewage Treatment Regulations for Individual Single-Family Dwellings).</p> <ul style="list-style-type: none"> • Direct Monetized Costs: Small businesses governed by the regulations include alternative onsite sewage system installers, operators which perform maintenance, professional engineers, alternative onsite soil evaluators, and general contractors. Retaining the regulations does not appear to increase or decrease direct monetized costs to small businesses in compliance with applicable regulations. <p>There are no indirect monetized costs or direct or indirect monetized benefits to small businesses associated with this regulation.</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)	<ul style="list-style-type: none"> • Non-Monetized Costs: There are no non-monetized costs to small businesses associated with retaining this regulation as-is. • Non-Monetized Benefits: The regulations provide an alternative to criminal enforcement as outlined in §35.1-164 of the Code of Virginia. In addition, small business have generally benefited from enforcement tools related to environmental protections to surface water, ground water, and natural resources afforded by the regulations. These regulations strengthen the agency’s enforcement capabilities. 	
(4) Alternatives	These regulations are mandated under § 32.1-164 of the Code of Virginia. One alternative is to amend the regulations; however, the regulations in their current form sufficiently protect public health and the environment in the least burdensome and cost-effective manner.	
(5) Information Sources		