

Office of Regulatory Management
Economic Review Form

Agency name	State Water Control Board
Virginia Administrative Code (VAC) Chapter citation(s)	9VAC 25-110
VAC Chapter title(s)	Virginia Pollutant Discharge Elimination System (VPDES) General Permit Regulation for Domestic Sewage Discharges Less Than or Equal to 1,000 gallons per day (GPD)
Action title	CH110- 2026 Amendment and Reissuance of the Existing Regulation
Date this document prepared	October 22, 2024
Regulatory Stage (including Issuance of Guidance Documents)	Proposed

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)	Background: General permits provide the regulated community with a streamlined, less burdensome approach to obtain coverage for conducting a specific regulated activity.
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	<p>VPDES general permit regulations expire every 5 years and must be re-issued in order for permit coverage to be available to new permittees and existing permittees that do not submit a registration statement in a timely manner. If the general permit is not re-issued, the regulated community will need to obtain an individual permit to conduct the regulated activity.</p> <p>This general permit expires on July 31, 2026, and must be reissued to make coverage available for discharges of treated domestic sewage from treatment works with a design discharge flow of less than or equal to 1,000 GPD that discharge to surface waters after July 31, 2026.</p> <p>Presently there are 3,032 regulated entities covered by this general permit (2,462 individual single family dwellings and 570 buildings or dwellings other than individual single family dwellings). Reissuance of this general permit allows owners of currently permitted treatment works and new entities to be able to maintain or obtain coverage for conducting this regulated activity. The proposed regulatory changes are necessary to issue the general permit for a new 5-year term.</p> <p>Direct Costs: The fee for filing a registration statement for coverage under 9VAC25-110 (General VPDES Permit for Domestic Sewage Discharges of Less Than or Equal to 1,000 GPD) is \$0. 9VAC25-20-130. Chapter 20, the Fee Regulation, is not being amended in this action so the fee for the general permit, \$0, will not change.</p> <p>Annual compliance costs for disinfection, sampling, analysis, and inspection are estimated to be \$1,075 per permittee (total of \$3,259,400/year for 3,032 permittees). This is based on anecdotal data provided by Technical Advisory Committee (TAC) members during the 2021 reissuance and adjusted for inflation (these estimates were reaffirmed by the 2026 TAC).</p> <p>Changes to the general permit regulation are limited to revisions that ensure consistency with other recently issued VPDES general permit regulations and do not include any new requirements. As a result, there are no new or additional direct costs associated with reissuing this general permit.</p> <p>Indirect Costs: None identified.</p> <p>Direct Benefits: Reissuing this general permit provides the regulated community with a streamlined, less burdensome approach to obtain coverage for conducting a specific regulated activity, the discharge of treated domestic sewage to surface waters from treatment works with a design discharge flow of less than or equal to 1,000 GPD, while continuing to be protective of human health and the environment.</p>
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	<p>Indirect Benefits: The reissuance of the general permit may indirectly benefit economic development because it allows for the issuance of a general permit that is protective of human health and the environment that is less burdensome on the regulated community than an Individual VPDES permit. Regulating discharges into state waters benefits tourism and the seafood industry. Cleaner waters may also increase tourism related to recreational uses of state waters.</p>	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) See above regarding direct costs. No indirect costs or benefits are expected due to the limited extent and nature of changes being made to the general permit regulation.	(b) See above regarding direct and indirect benefits. No indirect benefits are expected due to the limited extent of changes being made to the general permit regulation.
(3) Net Monetized Benefit	None	
(4) Other Costs & Benefits (Non-Monetized)	None	
(5) Information Sources	Technical Advisory Committee members, 9VAC25-110.	

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

(1) Direct & Indirect Costs & Benefits (Monetized)	<p>Direct Costs: The fee for filing a registration statement for coverage under 9VAC25-110 (General VPDES Permit for Domestic Sewage Discharges of Less Than or Equal to 1,000 GPD) is \$0. 9VAC25-20-130.</p> <p>Annual compliance costs for disinfection, sampling, analysis, and inspection are estimated to be \$1,075 per permittee (total of \$3,259,400/year for 3032 permittees). This is based on anecdotal data provided by TAC members during the 2021 reissuance and adjusted for inflation (these estimates were reaffirmed by the 2026 TAC).</p> <p>Indirect Costs: None identified.</p> <p>Direct Benefits: None, the general permit will expire on June 30, 2026, and permit holders will need to seek coverage for discharges under an individual VPDES permit. See Table 1 c.</p>
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	Indirect Benefits: See Table 1c.	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) See above regarding direct costs.	(b) Unknown
(3) Net Monetized Benefit	None	
(4) Other Costs & Benefits (Non-Monetized)	None	
(5) Information Sources	Compliance costs are based on anecdotal data provided by TAC members during the 2021 permit reissuance and adjusted for inflation.	

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

<p>(1) Direct & Indirect Costs & Benefits (Monetized)</p>	<p>Point source discharges of pollutants including domestic wastewater must be authorized by a VPDES permit under the federal Clean Water Act and State Water Control Law. Thus, no non-regulatory options were determined to be available.</p> <p>Regulating activities through the issuance of general permit regulations is an alternative streamlined approach that is used to regulate a category of entities that conduct similar activities. A benefit of this general permit is its lower cost to permittees relative to the cost of obtaining an individual VPDES permit. The permit fee for operators to obtain coverage under this general permit is \$0 and no permit maintenance fee is imposed under this general permit.</p> <p>If this general permit were not available these operators would be required to obtain an individual VPDES permit. The initial application fee would be \$2,000 (assumes municipal minor, 1,000 GPD or less). An annual permit maintenance fee of \$656 would also apply in years two through five of the permit term.</p> <p>Thus, individual permit application costs for 3032 facilities would cost permittees \$6,064,000 in year one. Maintenance costs for years 2-5 would be \$7,955,968 (for a permit term total of \$14,019,968). Compliance costs are the would be the same under an individual permit and a general permit (\$1075 per permittee per year). This does not account for the longer lead time to obtain an individual permit and the increased burden on DEQ staff resources that would result.</p>
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	<p>Direct Costs: Over a five-year permit term the total for the alternative approach of issuing individual permits would be \$14,019,968 (excluding compliance costs, which are the same under an individual permit and a general permit). With compliance costs, individual permits for 3032 permittees would cost \$30,316,968 over 5 years.</p> <p>For electronic submission of registration statement and Discharge Monitoring Reports (DMRs), no regulatory alternatives were considered during this phase of general permit reissuance. This is because the electronic submission of these items is required under federal and state regulations (9VAC25-31-1020).</p> <p>EPA developed cost and benefit estimates for electronic reporting. Upon full implementation, EPA estimates that the net savings for authorized NPDES programs will be \$22.6 million, and \$0.5 million for regulated entities. EPA acknowledges that there will be up-front costs and predicts the break-even point in the fourth year. EPA economic analysis documents do not provide analysis at the level of this general permit.</p> <p>Indirect Costs: None identified.</p> <p>Direct Benefits: See Table 1 a.</p> <p>Indirect Benefits: See Table 1 a.</p>	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) \$30,316,968 (total over permit term; includes compliance costs).	(b) Unknown
(3) Net Monetized Benefit		
(4) Other Costs & Benefits (Non-Monetized)		
(5) Information Sources	<p>DEQ Water Fee Form.</p> <p>9VAC25-20-142. Permit maintenance fees.</p> <p>Economic Analysis of the National Pollutant Discharge Elimination System (NPDES) Electronic Reporting Final Rule, Enforcement Targeting and Data Division, Office of Compliance, Office of Enforcement and Compliance Assurance, U.S. EPA, DCN 0197, September 14, 2015, Page ES xii, Docket No. EPA-HQ-OECA-2009-0274.</p>	

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)	No cost or benefit impacts on local partners are expected due to the limited extent of changes being made to the general permit regulation. General permits provide the regulated community with a streamlined, less burdensome approach to obtain coverage for conducting a specific regulated activity. Without this general permit regulation, an individual permit would be required to conduct the regulated activity.	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a)	(b)
(3) Other Costs & Benefits (Non-Monetized)		
(4) Assistance		
(5) Information Sources		

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)	No direct costs or benefit impacts on families are expected due to the limited extent of changes being made to the general permit regulation.	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) See table 1a.	(b) These benefits are unable to be monetized but are positive for families.

(3) Other Costs & Benefits (Non-Monetized)	Families could potentially benefit from industry’s use of general permits. Under this general permit 2462 of the permittees are individual single family homes. This general permit accommodates housing where septic systems cannot be used and no centralized waste treatment is available. No quantification of these benefits at the appropriate level have been identified.
(4) Information Sources	DEQ CEDS data system.

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)	No direct costs or benefit impacts on small businesses are expected due to the limited extent of changes being made to the general permit regulation. General permits provide the regulated community with a streamlined, less burdensome approach to obtain coverage for conducting a specific regulated activity. Without this general permit regulation, an individual permit would be required to conduct the regulated activity.	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) See table 1a.	(b) These benefits are unable to be monetized but are positive for small businesses.
(3) Other Costs & Benefits (Non-Monetized)	Under this general permit 570 permittees are categorized as buildings or dwellings other than individual single family dwellings. A subset of this group includes small businesses. This general permit allows for the development of non-single family dwellings including small businesses where septic systems cannot be used and no centralized waste treatment is available. No quantification of these benefits at the appropriate level have been identified.	
(4) Alternatives		
(5) Information Sources	DEQ CEDS data system.	

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	Total Net Change in Requirements
9VAC 25-110-10 Definitions	(M/A):	0	0	0	0
	(D/A):	0	0	0	0
	(M/R):	0	0	0	0
	(D/R):	0	0	0	0
9VAC 25-110-15 Incorp. Ref.	(M/A):	0	0	0	0
	(D/A):	0	0	0	0
	(M/R):	0	0	0	0
	(D/R):	0	0	0	0
9VAC 25-110-20 Purpose; Effective date	(M/A):	0	0	0	0
	(D/A):	0	0	0	0
	(M/R):	0	0	0	0
	(D/R):	0	0	0	0
9VAC 25-110-60 Auth. To discharge	(M/A):	1	0	0	0
	(D/A):	1	0	0	0
	(M/R):	3	0	0	0
	(D/R):	0	0	0	0
9VAC 25-110-70 Reg. Statement	(M/A):	0	0	0	0
	(D/A):	0	0	0	0
	(M/R):	4	0	0	0
	(D/R):	0	0	0	0
9VAC 25-110-80 General Permit	(M/A):	0	0	0	0
	(D/A):	0	0	0	0
	(M/R):	36	3	0	+3
	(D/R):	3	0	2	-2
					(M/A): 0
					(D/A): 0

	Grand Total of Changes in Requirements:	(M/R): +3¹
		(D/R): -2

Key:

Please use the following coding if change is mandatory or discretionary and whether it affects externally regulated parties or only the agency itself:

(M/A): Mandatory requirements mandated by federal and/or state statute affecting the agency itself

(D/A): Discretionary requirements affecting agency itself

(M/R): Mandatory requirements mandated by federal and/or state statute affecting external parties, including other agencies

(D/R): Discretionary requirements affecting external parties, including other agencies

¹ The two changes from discretionary requirements (DR) to mandatory requirements (MR) in 9VAC25-110-80 – General Permits Part II I 3 were made to align regulatory language for e-reporting and make it consistent with the VPDES regulation (9VAC25-31-1020) and other general permits (i.e. the industrial stormwater general permit, 9VAC25-151-70 Part II C). The one, new mandatory requirement is for emergency calls, outside of normal working hours, to be made to the Management Emergency Operations Center.

Cost Reductions or Increases (if applicable)

VAC Section(s) Involved*	Description of Regulatory Requirement	Initial Cost	New Cost	Overall Cost Savings/Increases
9VAC25-110 Entire chapter-see Table 1a for further explanation	This is the reissuance of a general permit. If the general permit regulation did not exist, individual permits would be required to be obtained for these regulated activities.	\$4624 per permittee for 5-years of coverage under an individual permit (includes permit application fee and permit maintenance fees).	\$0 per permittee for 5-year general permit coverage (includes application fee; no maintenance fee is applicable).	Currently 3032 regulated entities are covered by this general permit. Costs savings of \$4624 per permittee covered by the general permit. Cost savings to the regulated community is \$14,019,968 over 5 year permit term which represents a 100% cost savings

				over the cost of an individual permit.
9VAC25-110-80	Estimated compliance costs under general permit for disinfection, sampling and analysis and inspection.	\$1075 per permittee.	\$1075 per permittee.	Costs savings of \$0 per permittee covered by the general permit. Compliance costs are the same under the general permit and under individual permits.
9VAC25-110 Entire chapter	Reissuance of the general permit reduces the time required to obtain permit coverage.	Average amount of time to issue an individual permit (FY2021 data*) - 322 days	Average amount of time to issue general permit coverage (FY2021 data*) – 79 days	Permittee obtains permit coverage on average 243 days sooner under the general permit. This represents a 75% reduction in the time required to obtain permit coverage

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
NA	NA	

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

Title of Guidance Document	Original Word Count	New Word Count	Net Change in Word Count
NA			

*If the agency is modifying a guidance document that has regulatory requirements, it should report any change in requirements in the appropriate chart(s).