

Office of Regulatory Management  
Economic Review Form

<b>Agency name</b>	State Water Control Board
<b>Virginia Administrative Code (VAC) Chapter citation(s)</b>	9VAC25-31
<b>VAC Chapter title(s)</b>	Virginia Pollutant Discharge Elimination System (VPDES) Permit Regulation
<b>Action title</b>	Implementation of Chapters 709 and 710 of the 2026 Acts of Assembly
<b>Date this document prepared</b>	May 18, 2026
<b>Regulatory Stage (including Issuance of Guidance Documents)</b>	Final Exempt

**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**

(1a) Direct & Indirect Costs (Monetized)	<p><b>Background:</b> This regulatory action is the result of Chapters 709 and 710 of the 2026 Acts of Assembly (HB938 – Del Clark; SB138 – Sen McPike). This legislation amended §62.1-44.34:32 of the Code of Virginia to require every publicly owned treatment works (POTW) to mandate quarterly per- and polyfluoroalkyl substances (PFAS) discharge monitoring by specified categories of industrial users who are required to report the results to the POTW within 30 days of receipt from the laboratory. These include:</p>
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- Any facility manufacturing PFAS, any electroplating or metal finishing facility using PFAS, any semiconductor or circuit board facility using PFAS, any paper or packaging manufacturing facility using PFAS, and any textile mill, tannery, or leather, fabric, or carpet treater using PFAS;
- Centralized waste treatment industrial facilities;
- Industrial launderers defined by NAICS (North American Industry Classification System) 812332; and
- An airport, air base, air station, fire training facility, landfill, or other facility or site that the publicly owned treatment works has a reasonable basis to believe is a source of PFAS.

Currently, 9VAC25-31-200 (Additional conditions applicable to specified categories of VPDES permits) establishes permit conditions for specific categories of VPDES permit holders but does not address PFAS monitoring obligations for POTWs or their industrial users.

To implement Chapters 709 and 710 of the 2026 Acts of Assembly, 9VAC25-31-200 will be amended to include a new subsection F dedicated to PFAS monitoring by specified categories of industrial users that discharge to a POTW.

**Direct Costs:** Chapters 709 and 710 of the 2026 Acts of Assembly mandates that POTWs require PFAS monitoring by specified categories of industrial users. Industrial users will bear the cost of quarterly discharge monitoring for PFAS using Environmental Protection Agency (EPA) Method 1633, estimated at \$450 to \$550 per sample with a 15-day turnaround time. POTWs bear administrative costs associated with requiring, collecting, and reporting industrial user monitoring results to Department of Environmental Quality (DEQ) on a quarterly basis. Virginia has 368 POTWs that may be subject to the requirements of this subsection. Administrative costs to POTWs for requiring collecting, managing, and reporting industrial user PFAS monitoring results to DEQ will vary depending on the number of specified industrial users discharging to each POTW. Direct costs to industrial users for quarterly PFAS monitoring are estimated at \$450 to \$550 per sample for aqueous samples. Total cost cannot be precisely determined pending data on the number of industrial users in the specified categories discharging to Virginia POTWs.

**Indirect costs:** POTWs may incur additional administrative related costs to report industrial user PFAS monitoring results to DEQ. Industrial users detecting PFAS above the method detection limit face ongoing quarterly monitoring costs beyond the initial one-year characterization period.

<p>2 (a). Direct &amp; Indirect Benefits (Monetized)</p>	<p><b>Direct benefits:</b> POTWs and DEQ will gain access to information about PFAS concentrations discharged by industrial users, enabling more informed regulatory decision-making and identification of significant PFAS sources entering the wastewater treatment systems in the Commonwealth. Industrial users with results consistently below the method detection limit may have monitoring frequency reduced to annually by the POTW after two consecutive quarters with results less than the method detection level.</p> <p><b>Indirect benefits:</b> The exemption from the laboratory certification and accreditation requirements specifically for Method 1633 may expand the pool of available laboratories, potentially reducing testing costs and turnaround time for industrial users.</p>
<p>3 (a) Net monetized benefit</p>	<p>The net monetized benefit cannot be determined at this time. Virginia has 368 POTWs that may be subject to the requirements of this subsection; however, total cost cannot be precisely determined pending data on the number of industrial users in the specified categories discharging to POTWs in Virginia. Direct and indirect benefits cannot be monetized given the absence of state or federal PFAS standards for industrial wastewater discharges.</p>
<p>4 (a) Other costs and benefits that cannot be monetized</p>	<p>An indirect benefit of monitoring is expected to be protection of human health and the environment, including public water supplies. Having information about PFAS sources and concentrations can be used for source reduction and focusing resources on PFAS treatment and removal.</p>
<p>5 (a) Information Sources Used</p>	<p>Cost information about PFAS sampling and turnaround time provided by DEQ staff; permit information was provided by DEQ.</p>

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

<p>1 (b) Direct &amp; Indirect Costs (Monetized)</p>	<p><b>Direct Costs:</b> None <b>Indirect costs:</b> None</p>
<p>2 (b). Direct &amp; Indirect Benefits (Monetized)</p>	<p><b>Direct benefits:</b> None <b>Indirect benefits:</b> None</p>
<p>3 (b) Net monetized benefit</p>	<p>None</p>
<p>4 (b) Other costs and benefits that cannot be monetized</p>	<p>Without mandatory PFAS monitoring of wastewater discharges from industrial users, significant sources of PFAS may go unidentified, leaving a gap in environmental and public health data that cannot be quantified but represents a meaningful limitation on the ability to characterize and address PFAS passing through POTWs to surface waters or into sewage sludge intended for land application.</p>
<p>5 (b) Information Sources Used</p>	<p>Cost information about PFAS sampling and turnaround time provided by DEQ staff; permit information was provided by DEQ.</p>

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

This regulatory action is required by changes to state law as a result of Chapters 709 and 710 of the 2026 Acts of Assembly. No alternatives were considered because of the statutory requirement.

**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><b>Direct Costs:</b> Virginia has 368 POTWs that may be subject to the requirements of this subsection, most of which are owned and operated by localities. Administrative costs to POTWs for requiring, collecting, managing, and reporting industrial user PFAS monitoring results to DEQ will vary depending on the number of specified industrial users discharging to each POTW. Total cost cannot be precisely determined pending data on the number of industrial users in the specified categories discharging to Virginia POTWs.</p> <p><b>Indirect Costs:</b> POTWs may incur indirect costs associated with developing internal procedures and staff capacity to implement the new monitoring and reporting framework, including training staff on PFAS monitoring requirements and DEQ reporting formats.</p> <p><b>Direct Benefits:</b> See Table 1a.</p> <p><b>Indirect Benefits:</b> See Table 1a.</p>	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) <b>Direct costs:</b> None <b>Indirect costs:</b> None	(b) <b>Direct benefits:</b> <b>Indirect benefits:</b> None
(3) Other Costs & Benefits (Non-Monetized)	<p>Identification of industrial users discharging PFAS through mandatory monitoring may enable POTWs to pursue source reduction strategies that protect both treatment system performance and the quality of the effluent discharged and sewage sludge generated. Reduction in risks to public health and the environment cannot be quantified but represent a benefit to communities served by POTWs in the Commonwealth.</p>	
(4) Assistance	N/A	
(5) Information Sources	<p>Cost information about PFAS sampling and turnaround time provided by DEQ staff; permit information was provided by DEQ.</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)	No direct or indirect costs are expected to impact families because the changes do not impose any fees or requirements on households. No direct benefits are expected.	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) None	(b) None.
(3) Other Costs & Benefits (Non-Monetized)	Families living near effluent discharges from POTWs receiving flow from industrial users or biosolid land application sites may benefit from early identification of industrial users discharging PFAS to POTWs.	
(4) Information Sources	Cost information about PFAS sampling and turnaround time provided by DEQ; permit information was provided by DEQ.	

**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><b>Direct Costs:</b> Small businesses operating facilities as an industrial user may be subject to the monitoring requirements in this regulation and will bear the costs of quarterly PFAS discharge monitoring using EPA Method 1633, which is currently estimated to be in the range of \$450 to \$550 per sample. Small businesses may face a disproportionate cost burden relative to larger industrial users given their more limited resources and administrative capacity to implement new monitoring and reporting requirements.</p> <p><b>Indirect Costs:</b> Small businesses may incur costs for developing internal procedures for sample collection, chain of custody management, and reporting to the POTW within the required 30-day timeframe.</p> <p><b>Direct Benefits:</b> Small businesses with PFAS discharge results consistently below the method detection limit for two consecutive quarters may have monitoring frequency reduced to annually, reducing long-term monitoring costs.</p> <p><b>Indirect benefits:</b> None anticipated.</p>
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(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	None	None
(3) Other Costs & Benefits (Non-Monetized)	Small businesses that identify and address PFAS sources in their discharges may benefit from reduced regulatory risk as state and federal PFAS standards develop.	
(4) Alternatives	None. This regulatory effort is an optional choice for localities and does not impose a burden on small businesses.	
(5) Information Sources	Cost information about PFAS sampling and turnaround time provided by DEQ, PFAS staff; permit information was provided by DEQ.	

**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.

VAC Section(s) Involved*	Authority of Change	Initial Count	Additions <sup>1</sup>	Subtractions	Total Net Change in Requirements
9VAC25-31-200 F	(M/A):	0	1	0	1
	(D/A):	0	0	0	0
	(M/R):	0	8	0	8
	(D/R):	0	1	0	1
				<b>Grand Total of Changes in Requirements:</b>	(M/A): +1
					(D/A): 0
					(M/R): +8
					(D/R): +1

<sup>1</sup> The implementation of Chapters 709 and 710 of the 2026 Acts of Assembly (HB938 – Del Clark; SB138 – Sen McPike) requires every publicly owned treatment works to mandate quarterly PFAS discharge monitoring by specified categories of industrial users, with results reported to the Publicly Owned Treatment Works (POTW) within 30 days of receipt from the laboratory.

**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

*Cost Reductions or Increases (if applicable)*

<b>VAC Section(s) Involved*</b>	<b>Description of Regulatory Requirement</b>	<b>Initial Cost</b>	<b>New Cost</b>	<b>Overall Cost Savings/Increases</b>
9VAC25-31-200 F	Requires POTWs to mandate quarterly PFAS discharge monitoring by specified industrial user categories, with continued monitoring, frequency reduction, and quarterly reporting obligations to the department.	None	Industrial user costs for quarterly PFAS discharge monitoring are estimated at \$450-\$550 per sample; administrative costs to POTWs for managing and reporting results to DEQ cannot be determined at this time.	Net new cost to regulated community across 368 Virginia POTWs and their specified industrial users; total cost cannot be precisely determined pending data on the number of industrial users in the specified categories discharging to Virginia POTWs; potential long-term cost reduction for industrial users qualifying for annual monitoring frequency reduction.

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

<b>VAC Section(s) Involved*</b>	<b>Description of Regulatory Change</b>	<b>Overview of How It Reduces or Increases Regulatory Burden</b>
9VAC25-31-200 F	Adds a new standalone subsection establishing mandatory PFAS monitoring and reporting requirements for specified industrial users where none previously existed.	Increases regulatory burden on both POTWs and specified categories of industrial users by imposing new mandatory quarterly PFAS discharge monitoring and reporting

	<p>POTWs will require monitoring and reporting by affected industrial users that discharge wastewater to the POTW.</p>	<p>obligations. The increase in stringency is directly required by Chapters 709 and 710 of the 2026 Acts of Assembly.</p>
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*Length of Guidance Documents (only applicable if guidance document is being revised)*

<b>Title of Guidance Document</b>	<b>Original Word Count</b>	<b>New Word Count</b>	<b>Net Change in Word Count</b>
N/A			

\*If the agency is modifying a guidance document that has regulatory requirements, it should report any change in requirements in the app