

Office of Regulatory Management
Economic Review Form

Agency name	State Water Control Board
Virginia Administrative Code (VAC) Chapter citation(s)	9VAC25-20
VAC Chapter title(s)	Fees for Permits and Certificates
Action title	Implementation of Chapter 933 of the 2026 Acts of Assembly (HB1072 – Del Laufer)
Date this document prepared	April 24, 2026
Regulatory Stage (including Issuance of Guidance Documents)	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>Background: This regulatory action is the result of Chapter 933 of the 2026 Acts of Assembly (HB1072 – Del Laufer). The legislation amended § 62.1-44.1:3 of the Code of Virginia authorizing localities to adopt ordinances for the testing and monitoring of the land application of sewage sludge within their political boundaries for perfluoroalkyl and polyfluoroalkyl substances (PFAS), as defined in §62.1-44.34:29 of the Code of Virginia, and that expenses incurred by a locality for such testing and monitoring are not eligible for reimbursement from the Sludge Management Fund established under §62.1-44.19:3 G.</p>
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	<p>To implement this statutory change, the Board is amending the Fees for Permits and Certificates regulation (9VAC25-20) to establish that expenses incurred by localities for PFAS testing and monitoring pursuant to a local ordinance authorized under §62.1-44.19:3 are not eligible for reimbursement from the Sludge Management Fund.</p> <p>Direct Costs: The regulatory amendment does not impose any new mandatory requirements on the regulated community. Adoption of a local ordinance for PFAS testing and monitoring is discretionary. Costs will vary by locality depending on the number of locality/source combinations and sampling frequency. Based on 2024 data reflecting 47 localities and 338 unique locality/source combinations, and assuming a cost of \$525 per sample, total costs could reach approximately \$710,000 per year if all localities adopted quarterly testing ordinances. Because PFAS testing and monitoring costs are not eligible for reimbursement from the Sludge Management Fund, any costs incurred would be borne directly by the locality, and the frequency of the testing, if any, would be established through local ordinance.</p> <p>Indirect costs: None</p>
<p>2 (a). Direct & Indirect Benefits (Monetized)</p>	<p>Direct benefits: The direct benefits of this regulatory amendment cannot be monetized at this time.</p> <p>Indirect benefits: The indirect benefits of this regulatory amendment cannot be monetized at this time.</p>
<p>3 (a) Net monetized benefit</p>	<p>Because adoption of a local ordinance for PFAS testing and monitoring is discretionary, net monetized benefits will vary by locality depending on the decision to adopt an ordinance and the scope of testing undertaken. Monetized benefits are unable to be determined.</p>
<p>4 (a) Other costs and benefits that cannot be monetized</p>	<p>PFAS testing and monitoring by localities may reduce environmental and public health risks by providing early detection of elevated concentrations</p>
<p>5 (a) Information Sources Used</p>	<p>Cost information about PFAS sampling and turnaround time provided by DEQ, PFAS staff; permit information was provided by DEQ, VPA program staff.</p>

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

<p>1 (b) Direct & Indirect Costs (Monetized)</p>	<p>Direct Costs: None Indirect costs: None</p>
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2 (b). Direct & Indirect Benefits (Monetized)	Direct benefits: None Indirect benefits: None
3 (b) Net monetized benefit	None
4 (b) Other costs and benefits that cannot be monetized	. None
5 (b) Information Sources Used	N/A

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

This regulatory action is required by changes to state statute, Chapter 933 of the 2026 Acts of Assembly (HB1072 – Del. Laufer). 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>Direct Costs: Localities are the primary local partners affected by this regulatory amendment. Chapter 933 of the 2026 Acts of Assembly (HB1072 – Del Laufer) authorizes localities to adopt ordinances for the testing and monitoring of the land application of sewage sludge within their political boundaries for PFAS and clarifies that associated costs are not eligible for reimbursement from the Sludge Management Fund. Localities that elect to adopt such ordinances will bear the full cost of PFAS testing and monitoring without state assistance through the Fund. Based on 2024 data, if all 47 localities with biosolids land application adopted quarterly testing ordinances, costs could reach approximately \$710,000 per year.</p> <p>Indirect Costs: None</p> <p>Direct Benefits: See Table 1a.</p> <p>Indirect Benefits: See Table 1a.</p>	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) Direct costs: None Indirect costs: None	(b) Direct benefits: Indirect benefits: None
(3) Other Costs & Benefits (Non-Monetized)	<p>Indirect benefit: PFAS testing and monitoring by localities may reduce environmental and public health risks by providing early detection of elevated concentrations</p>	
(4) Assistance	N/A	
(5) Information Sources	<p>Cost information about PFAS sampling and turnaround time provided by DEQ, PFAS staff; permit information was provided by DEQ, VPA program staff.</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)	If localities choose to conduct PFAS monitoring and testing, indirect benefits that cannot be monetized may include identification of elevated concentrations in land applied sewage sludge for families living near application sites.	
(4) Information Sources	Cost information about PFAS sampling and turnaround time provided by DEQ, PFAS staff; permit information was provided by DEQ, VPA program staff.	

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)	Direct Costs: None Indirect Costs: None Direct Benefits: (See Table 1a) Indirect benefits: (See Table 1a)	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) (See Table 1a)	(b) (See Table 1a)
(3) Other Costs & Benefits (Non-Monetized)	(See Table 1a)	
(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, VPA program staff.
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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	Subtractions	Total Net Change in Requirements
9VAC20-90 A	(M/A):	1	0	0	0
	(D/A):	0	0	0	0
	(M/R):	1	0	0	0
	(D/R):	1	0	0	0
9VAC25-20- 148 C	(M/A):	1	0	0	0
	(D/A):	0	0	0	0
	(M/R):	0	0	0	0
	(D/R):	1	0	0	0
				Grand Total of Changes in Requirements:	(M/A): 0 (D/A): 0 (M/R): 0 (D/R): 0

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)

VAC Section(s) Involved*	Description of Regulatory Requirement	Initial Cost	New Cost	Overall Cost Savings/Increases
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9VAC25-20-90 A	Establishing authority for localities to test and monitor for PFAS and such expenses are excluded from permissible Sludge Management Fund disbursements	None	None; Localities bear testing costs voluntarily if ordinance is adopted	No change to Sludge Management Fund expenditures because PFAS testing costs are currently not eligible for reimbursement
9VAC20-148 C	New subsection excluding PFAS testing costs from reimbursable expenses from Sludge Management Fund	None	None	None; clarifying provision only

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
9VAC25-20-90 A	Adds statement at the Fund scope level authorizing localities to adopt ordinances for PFAS testing and monitoring of sewage sludge land application pursuant to §62.1-44.19:3; and establishing that expenses incurred for such testing are not eligible for reimbursement from the Sludge Management Fund.	No new burden. Localities have the option to adopt an ordinance concerning PFAS monitoring and testing of sewage sludge.
9VAC25-20-148 C	Adds new subsection C expressly providing those expenses incurred for PFAS testing and monitoring pursuant to a local ordinance authorized under §62.1-44.19:3 are not eligible for reimbursement with cross-reference to 9VAC25-20-90.	No new burden: ensures eligible cost types under 9VAC25-20-148 are directed to the Fund scope exclusion established in 9VAC25-20-90 A.

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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
N/A			

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