

Office of Regulatory Management  
Economic Review Form

<b>Agency name</b>	Virginia Board for Asbestos, Lead, and Home Inspectors
<b>Virginia Administrative Code (VAC) Chapter citation(s)</b>	18 VAC 15-20 18 VAC 15-30
<b>VAC Chapter title(s)</b>	Virginia Asbestos Licensing Regulations (18VAC15-20) Virginia Lead-Based Paint Activities Regulations (18VAC15-30)
<b>Action title</b>	Periodic Review
<b>Date this document prepared</b>	June 27, 2023
<b>Regulatory Stage (including Issuance of Guidance Documents)</b>	Periodic Review

**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.

## **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.

### **Description of Impact on Local Partners**

- **Identify the local partners impacted by your program (DOLI, DOE, DEQ, etc.).**
- **For each partner, describe the nature of the impact.**

These regulations implement applicable federal statutes and regulations under the Toxic Substances Control Act regulating the remediation of asbestos-containing materials or abatement of lead-based paint hazards.

Under § 54.1-502 of the Code of Virginia, the Board is required in conjunction with the Departments of General Services, Health, Labor and Industry, Education, and Environmental Quality, to develop an interdepartmental implementation plan specifying the duties of each agency.

The Board's responsibilities under each of the regulations include establishing the minimum requirements for licensure of individuals and firms engaged in either asbestos remediation or lead-based paint activities, criteria for approval of training programs, and standards of conduct and practice of regulants. For lead abatement, this includes establishing standards for conducting lead-based paint activities.

The Board does not oversee or monitor asbestos projects or lead abatement projects, however, these activities may be monitored by local partners, including the Department of Health and Department of Labor and Industry. In the event of non-compliance with applicable federal or state regulations, local partners may make complaints to the Board. The Board would be responsible for imposing any discipline if a regulant is found to have violated the requirements in regulation.

The regulations do not impose any obligations on local partners.

## **Impacts on Families**

Use this chart to describe impacts on families. See Part 8 of the ORM Cost Impact Analysis Guidance for additional guidance.

### **Description of Impact on Families**

- **Describe the specific ways in which your program impacts families (employability, transferability of license (i.e. military), impacts on children (i.e. child care needs, etc.)).**

These regulations do not have any impact on families.

### **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.

#### **Description of Impact on Small Businesses**

- **Identify the ways your program impacts small businesses (which licenses interact with small businesses, regulations that impact them directly or indirectly).**

Under Chapter 5 of Title 54.1 of the Code of Virginia, the Board is mandated to regulate those who perform asbestos remediation or lead-based paint activities by requiring licensure of both individuals and firms, and approval of accredited asbestos and lead training programs.

Licenses for asbestos contractors, asbestos analytical laboratories, and lead contractors are issued to firms. Approvals of accredited training programs are issued to firms. Many such firms would likely fall within the meaning of “small business” as defined in § 2.2-4007.1 of the Code of Virginia. In addition, other licenses are issued to individuals. These individuals may be owners or employees of firms that fall within the meaning of the term “small business.”

Under the statute and the regulations, individuals and firms are prohibited from engaging in the regulated activities without the required license or approval. Licensure requirements include the filing of an application, payment of an application fee, and submission of required documentation, including, where applicable, proof of training. Firms seeking approval as an accredited training program must adhere to similar requirements, including submission of syllabi and training materials.

Following initial licensure or training program approval, a regulant is required to renew and maintain the license or training program approval. This includes payment of renewal fees and making other filings in the event of a change. In addition, firms are required to keep and maintain certain records as required under the regulations.

The application and licensure requirements in these regulations impose costs on the regulated parties. These include payment of required fees. In addition, there are likely time and administrative costs associated with fulfilling the requirements imposed by the regulations.

**Changes to Number of Regulatory Requirements**

**Not Applicable.**