



Economic Impact Analysis Virginia Department of Planning and Budget

9 VAC 25-720 – Water Quality Management Planning Regulation
Department of Environmental Quality
April 23, 2007

Summary of the Proposed Regulation

The State Water Control Board (Board) proposes to add a 5-day Biochemical Oxygen Demand (BOD5) waste load allocation for the Skyline Swannanoa Sewage Treatment Plant to reflect the effluent limits outlined in the facility's Virginia Pollutant Discharge Elimination System (VPDES) permit. The current Water Quality Management Planning Regulation and the previous VPDES permit do not specify the BOD5 limits for the facility due to the use of an old model which did not consider the facility's discharge to an unnamed tributary with the South River. The effluent limits outlined in the current VPDES permit were reviewed by EPA and have been shown to be protective of water quality for the South River. The public was noticed of the permit and all public comment issues were addressed.

Results of Analysis

The proposed regulation will likely not have any economic impact.

Estimated Economic Impact

The Board proposes to add a 5-day Biochemical Oxygen Demand (BOD5) waste load allocation for the Skyline Swannanoa Sewage Treatment Plant (STP) to reflect the effluent limits outlined in the facility's VPDES permit. When the previous permit was developed, the original stream model utilized did not consider the potential residual oxygen demand at the confluence of the unnamed tributary with the South River. As a result, the current Water Quality Management Planning Regulation and the previous VPDES permit do not specify the BOD5 limits for the facility. The current VPDES permit for Skyline Swannanoa STP was re-issued on June 6, 2006 with an effective date of June 26, 2006 and has included the effluent limits for the facility based on the DEQ 2006 Regional Stream Model that has considered the facility's discharge to the

unnamed tributary of the South River. Once approved, the Skyline Swannanoa STP will be limited to a BOD5 waste load allocation of 8.5 kilogram/day (kg/d).

According to the Department of Environment Quality (DEQ), the addition of the BOD5 waste load allocation has used about one-eighth of the un-allocated BOD5 waste load allocation in the South River due to the cessation of discharge of two facilities – Crompton-Shenandoah that ceased discharging in 1984 and Wayn-Tex that ceases discharging in 1992. The effluent limits in the current VPDES permit were reviewed by EPA and have been shown to be protective of water quality for the South River. The public was noticed of the permit and all public comment issues were addressed. Since the facility has been discharging according to the effluent limits outlined in the current VPDES permit, incorporation of the permit limits into the current Water Quality Management Planning Regulation will likely not have any impact except for clarification.

Businesses and Entities Affected

The proposed amendment concerns the Skyline Swannanoa STP.

Localities Particularly Affected

The proposed regulation will particularly affect Skyline Swannanoa Inc., the owner of the Skyline Swannanoa STP.

Projected Impact on Employment

The proposed amendment will likely not have any impact on employment.

Effects on the Use and Value of Private Property

The proposed amendment will likely not have any impact on the use or value of private property.

Small Businesses: Costs and Other Effects

According to DEQ, Skyline Swannanoa STP is a small business. The proposed action will incorporate into the current regulation the effluent limits outlined in the facility's current VPDES permit. Since the facility has been discharging according to the effluent limits outlined in the current VPDES permit, the proposed regulation will likely not have any significant impact on the facility.

Small Businesses: Alternative Method that Minimizes Adverse Impact

Small businesses will likely not be adversely affected by the proposed regulation.

Legal Mandate

The Department of Planning and Budget (DPB) has analyzed the economic impact of this proposed regulation in accordance with Section 2.2-4007.H of the Administrative Process Act and Executive Order Number 21 (02). Section 2.2-4007.H requires that such economic impact analyses include, but need not be limited to, the projected number of businesses or other entities to whom the regulation would apply, the identity of any localities and types of businesses or other entities particularly affected, the projected number of persons and employment positions to be affected, the projected costs to affected businesses or entities to implement or comply with the regulation, and the impact on the use and value of private property. Further, if the proposed regulation has adverse effect on small businesses, Section 2.2-4007.H requires that such economic impact analyses include (i) an identification and estimate of the number of small businesses subject to the regulation; (ii) the projected reporting, recordkeeping, and other administrative costs required for small businesses to comply with the regulation, including the type of professional skills necessary for preparing required reports and other documents; (iii) a statement of the probable effect of the regulation on affected small businesses; and (iv) a description of any less intrusive or less costly alternative methods of achieving the purpose of the regulation. The analysis presented above represents DPB's best estimate of these economic impacts.