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## Exempt Action: Final Regulation Agency Background Document

<b>Agency name</b>	State Water Control Board
<b>Virginia Administrative Code (VAC) Chapter citation(s)</b>	9VAC25-410
<b>VAC Chapter title(s)</b>	Occoquan Policy
<b>Action title</b>	Exempt action to update citations and names
<b>Final agency action date</b>	June 29, 2020
<b>Date this document prepared</b>	June 25, 2020

Although a regulatory action may be exempt from executive branch review pursuant to § 2.2-4002 or § 2.2-4006 of the *Code of Virginia*, the agency is still encouraged to provide information to the public on the Regulatory Town Hall using this form. However, the agency may still be required to comply with the Virginia Register Act, Executive Order 14 (as amended, July 16, 2018), the Regulations for Filing and Publishing Agency Regulations (1VAC7-10), and the *Form and Style Requirements for the Virginia Register of Regulations and Virginia Administrative Code*.

### Brief Summary

*Provide a brief summary (preferably no more than 2 or 3 paragraphs) of this regulatory change (i.e., new regulation, amendments to an existing regulation, or repeal of an existing regulation). Alert the reader to all substantive matters. If applicable, generally describe the existing regulation.*

This amendment is being made as a result of a periodic review conducted for this regulation in 2019. The regulation was last revised in 1990 and the regulation is being amended to make editorial corrections to update the regulation.

### Mandate and Impetus

*Identify the mandate for this regulatory change and any other impetus that specifically prompted its initiation (e.g., new or modified mandate, internal staff review, petition for rulemaking, periodic review, or board decision). "Mandate" is defined as "a directive from the General Assembly, the federal government, or a court that requires that a regulation be promulgated, amended, or repealed in whole or part."*

This amendment is being made in response to a periodic review conducted for this regulation in 2019. The result of the periodic review was to amend the regulation to make editorial corrections to update the regulation.

### Acronyms and Definitions

*Define all acronyms used in this form, and any technical terms that are not also defined in the "Definitions" section of the regulation.*

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UOSA - Upper Occoquan Service Authority

### Statement of Final Agency Action

*Provide a statement of the final action taken by the agency including: 1) the date the action was taken; 2) the name of the agency taking the action; and 3) the title of the regulation.*

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On June 29, 2020, the State Water Control Board adopted the amendments to the Occoquan Policy and affirmed that the Board will receive, consider and respond to petitions by any interested person at any time with respect to reconsideration or revision.

### Legal Basis

*Identify (1) the agency or other promulgating entity, and (2) the state and/or federal legal authority for the regulatory change, including the most relevant citations to the Code of Virginia or Acts of Assembly chapter number(s), if applicable. Your citation must include a specific provision, if any, authorizing the promulgating entity to regulate this specific subject or program, as well as a reference to the agency or promulgating entity's overall regulatory authority.*

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The State Water Control Board (Board) adopted this regulation "to enforce the general water quality management program of the Board." (§62.1-44.15 (10) of the Code of Virginia). Section 62.1-44.15 (13) of the Code of Virginia authorizes the Board to "establish policies and programs for effective area-wide or basin-wide water quality control and management." This regulation establishes a comprehensive pollution abatement and water quality management policy for the Occoquan watershed, including stringent requirements for treatment and discharge of wastewater. One goal of this policy was the elimination of smaller treatment plants and the installation of regional high performance waste water treatment plants.

### Purpose

*Explain the need for the regulatory change, including a description of: (1) the rationale or justification, (2) the specific reasons the regulatory change is essential to protect the health, safety or welfare of citizens, and (3) the goals of the regulatory change and the problems it's intended to solve.*

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This amendment is being made in response to a periodic review conducted for this regulation in 2019. The result of the periodic review was to amend the regulation to make editorial corrections to update the regulation. This amendment contains only editorial corrections and the corrections will assist the reader with understanding the regulation.

### Substance

*Briefly identify and explain the new substantive provisions, the substantive changes to existing sections, or both. A more detailed discussion is provided in the "Detail of Changes" section below.*

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This amendment is being made in response to a periodic review conducted for this regulation in 2019. The result of the periodic review was to amend the regulation to make editorial corrections to update the regulation. This amendment contains only editorial corrections.

**Issues**

*Identify the issues associated with the regulatory change, including: 1) the primary advantages and disadvantages to the public, such as individual private citizens or businesses, of implementing the new or amended provisions; 2) the primary advantages and disadvantages to the agency or the Commonwealth; and 3) other pertinent matters of interest to the regulated community, government officials, and the public. If there are no disadvantages to the public or the Commonwealth, include a specific statement to that effect.*

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This amendment contains only editorial corrections and the corrections will assist the reader with understanding the regulation. The corrections benefit the public, regulated community, and the Commonwealth. There are no disadvantages to the public, regulated community or the Commonwealth.

**Requirements More Restrictive than Federal**

*Identify and describe any requirement of the regulatory change that is more restrictive than applicable federal requirements. Include a specific citation for each applicable federal requirement, and a rationale for the need for the more restrictive requirements. If there are no applicable federal requirements, or no requirements that exceed applicable federal requirements, include a specific statement to that effect.*

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This amendment contains only editorial corrections and does not change any requirements of this regulation.

**Agencies, Localities, and Other Entities Particularly Affected**

*Identify any other state agencies, localities, or other entities particularly affected by the regulatory change. "Particularly affected" are those that are likely to bear any identified disproportionate material impact, which would not be experienced by other agencies, localities, or entities. "Locality" can refer to either local governments or the locations in the Commonwealth where the activities relevant to the regulation or regulatory change are most likely to occur. If no agency, locality, or entity is particularly affected, include a specific statement to that effect.*

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This amendment contains only editorial corrections and does not change any regulatory requirements; therefore, no agency, locality, or entity is particularly affected.

**Detail of All Changes Proposed in this Regulatory Action**

*List all changes proposed in this exempt action and the rationale for the changes. Explain the new requirements and what they mean rather than merely quoting the text of the regulation. \*Please put an asterisk next to any substantive changes.*

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Current section number	New section number, if applicable	Current requirement	Change, intent, rationale, and likely impact of new requirements
10 B		References 9VAC25-300-10.	9VAC25-300-10 is a nonexistent citation. The citation is being corrected to 9VAC25-260-310.
10 C		Background references Upper Occoquan Sewage Authority-UOSA	Correcting the name of UOSA (the Upper Occoquan Service Authority -UOSA, formerly known as the Upper Occoquan Sewage Authority.)
20 B 1		Upper Occoquan Sewage Authority	Updating the name of the Upper Occoquan Service Authority.
20 D 1		References the Commonwealth of Virginia Sewerage Regulations	Corrected language updates the name of the Sewage Collection and Treatment Regulations and includes the Virginia Administrative Code citation for this regulation.
20 F 5 g		References the Virginia Sewerage Regulations	Corrected language updates the name of the Sewage Collection and Treatment Regulations.
20 G 1		References the Virginia Pollutant Discharge Elimination System (VPDES) permit regulation (9VAC25-30-10 et seq.)	Corrected the citation referencing the Virginia Pollutant Discharge Elimination System (VPDES) permit regulation (9VAC25-31-10 et seq.)

### Regulatory Flexibility Analysis

*Pursuant to § 2.2-4007.1B of the Code of Virginia, please describe the agency’s analysis of alternative regulatory methods, consistent with health, safety, environmental, and economic welfare, that will accomplish the objectives of applicable law while minimizing the adverse impact on small business. Alternative regulatory methods include, at a minimum: 1) establishing less stringent compliance or reporting requirements; 2) establishing less stringent schedules or deadlines for compliance or reporting requirements; 3) consolidation or simplification of compliance or reporting requirements; 4) establishing performance standards for small businesses to replace design or operational standards required in the proposed regulation; and 5) the exemption of small businesses from all or any part of the requirements contained in the regulatory change.*

This amendment contains technical corrections and does not change any requirements of the regulation. No alternative regulatory methods were identified that would achieve the goal of the regulation.

### Family Impact

*In accordance with § 2.2-606 of the Code of Virginia, please assess the potential impact of the proposed regulatory action on the institution of the family and family stability including to what extent the regulatory action will: 1) strengthen or erode the authority and rights of parents in the education, nurturing, and supervision of their children; 2) encourage or discourage economic self-sufficiency, self-pride, and the assumption of responsibility for oneself, one’s spouse, and one’s children and/or elderly parents; 3) strengthen or erode the marital commitment; and 4) increase or decrease disposable family income.*

This regulation does not have a direct impact on the family or family stability.