

Office of Regulatory Management
Economic Review Form

Agency name	State Water Control Board
Virginia Administrative Code (VAC) Chapter citation(s)	9VAC25-193
VAC Chapter title(s)	9VAC25-193- Virginia Pollutant Discharge Elimination System (VPDES) General Permit Regulation for Concrete Products Facilities
Action title	Reissuance of a general permit for the discharge of effluent resulting from manufacturing of concrete products and ready-mix concrete.
Date this document prepared	April 18, 2023- revised July 12, 2023
Regulatory Stage (including Issuance of Guidance Documents)	Final

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.

VPDES general permits expire every 5 years and must be re-issued in order for permit coverage to be available to new permittees and existing covered permittees. If the general permit is not re-issued, the regulated community will need to obtain an individual permit to conduct the regulated activity. For this reason, the costs associated with obtaining an individual permit are compared with the costs associated with general permit coverage. General permits provide the regulated community with a streamlined, less burdensome approach to obtain coverage for conducting a specific regulated activity.

Table 1a: Costs and Benefits of the Proposed Changes (Primary Option)

<p>(1) Direct & Indirect Costs & Benefits (Monetized)</p>	<p>Direct Costs:</p> <p>Regulating industrial discharges to state waters through the reissuance of a general permit regulation is an alternative streamlined approach that is used to regulate entities that conduct similar activities. A benefit of this general permit is its lower cost to permittees relative to the cost of obtaining an individual permit. The permit fee for owners to obtain coverage under this general permit is \$600. If this general permit were not available, these owners would be required to obtain an individual VPDES permit. Estimated expenses over the 5-year term of an individual permit include a \$3,300 application fee (assumes industrial minor, standard limits), approximately \$3,000 costs related to required sampling and time to prepare the application, an annual permit maintenance fee of \$2,388 (total of \$11,940 per permittee for a 5-year permit term) and approximately \$900 for publication of a public notice advertisement for a total of \$19,140 over the first 5-year permit term. This general permit represents a savings of approximately \$18,540 in the first permit term (\$19,140 minus \$600) and \$15,240 in subsequent permit terms when an application fee would not be required. There are currently 231 concrete products facilities covered under this permit representing a total savings of approximately \$4.3M for the permit sector in the first permit term (\$18,540 x 231 facilities).</p> <p>These costs do not account for the longer lead time to obtain an individual permit and the increased burden on DEQ staff resources that would result.</p> <p>Direct costs of individual modifications to the current general permit include:</p> <ul style="list-style-type: none"> • Rearranged the stormwater management requirements, added corrective actions, added an additional stormwater control measure to consider and added an additional stormwater control measure to implement (eliminate and minimize exposure of industrial areas). <p>Direct Costs: No direct economic cost to regulated entities expected beyond the additional administrative time permittees may spend to address the new control measures and rearrange the permit citations in their stormwater pollution prevention plans. It is not expected that permittees will need to install or construct additional control measures due to the new requirements. The new control measures add more tools in their toolbox to control stormwater pollution.</p>
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	<p>Direct Benefits: No direct economic benefit to regulated entities.</p> <p>Indirect Costs: There may be operating procedures that change because of the stormwater amendments.</p> <p>Indirect Benefits: None to the permittee.</p> <ul style="list-style-type: none"> • Added TMDL monitoring where a TMDL has been approved prior to the term of this permit and a numeric wasteload allocation has been assigned to that facility. <p>Direct Costs: There are currently no TMDLs approved prior to the term of this permit where a numeric wasteload allocation has been assigned with the exception of sediment TMDLs. This does not add additional direct costs because total suspended solids (TSS) are the pollutant of concern in sediment TMDLs and these facilities are already limited for and have controls installed to control TSS.</p> <p>Direct Benefits: No direct economic benefit to currently regulated entities.</p> <p>Indirect Costs: None</p> <p>Indirect Benefits: None currently. Should future TMDLs include wasteload allocations for a nonmetallic mineral mining operation for any parameters other than TSS, this provision will allow the facility to maintain coverage under the general permit and ensure the ongoing application/administrative savings outlined above.</p>
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(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) See above	(b) See above

(3) Net Monetized Benefit	See above
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(4) Other Costs & Benefits (Non-Monetized)	<p>In general, re-issuance of the general permit may indirectly benefit economic development since the general permit provides a streamlined approach to obtaining a permit to conduct a specified activity. Industries interested in operating in Virginia may be able to obtain general permit coverage, in lieu of obtaining an individual permit. These indirect benefits are unable to be monetized by DEQ.</p>
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(5) Information Sources	n/a
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Table 1b: Costs and Benefits under the Status Quo (No change to the regulation)

(1) Direct & Indirect Costs & Benefits (Monetized)	<p>Direct Costs: Maintaining the current requirements would have no direct economic cost to regulated entities.</p> <p>Indirect Costs: Maintaining the current requirements would have no indirect economic cost to regulated entities.</p> <p>Direct Benefits: Maintaining the current requirements would have no direct economic benefits to the regulated entities.</p> <p>Indirect Benefits: Maintaining the current requirements would have no indirect economic cost to regulated entities.</p>	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) n/a	(b) n/a
(3) Net Monetized Benefit	n/a	
(4) Other Costs & Benefits (Non-Monetized)	n/a	
(5) Information Sources	n/a	

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

(1) Direct & Indirect Costs & Benefits (Monetized)	<p>DEQ is not aware of any alternatives to the current proposal other than (1) reissuance of the current general permit with no modifications and (2) allowing the general permit regulation to lapse and issuing individual permits.</p> <p>As discussed in Table 5 below, DEQ anticipates no significant costs associated with the proposed amendments to the general permit. Reissuance of the existing permit without the new provisions would potentially eliminate eligibility for facilities subject to a TMDL and increasing the cost by \$18,540 for any such facility. Allowing the general permit regulation to lapse and issuing individual permits would increase costs to the sector by approximately \$4.3M as well as costs to</p>
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	the Commonwealth by approximately \$924,000 every 5 years for issuance of 231 individual permits (231 permits x 80 hrs/permit x \$50/hr salary/benefits/overhead).	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) See above	(b) See above
(3) Net Monetized Benefit	See above	
(4) Other Costs & Benefits (Non-Monetized)	n/a	
(5) Information Sources	9VAC25-20 Fees for Permits and Certificates	

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)	There are no direct costs and benefits for local partners in terms of real monetary costs and FTEs. This general permit coverage applies to private industries.	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) n/a	(b) n/a
(3) Other Costs & Benefits (Non-Monetized)	n/a	
(4) Assistance	n/a	
(5) Information Sources	n/a	

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)	There is no potential impact of the proposed regulatory action on the institution of the family and family stability.	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) n/a	(b) n/a
(3) Other Costs & Benefits (Non-Monetized)	n/a	
(4) Information Sources	n/a	

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>Small businesses would have the same impact as described in 1a above.</p> <p>General permits provide the regulated community with a streamlined, less burdensome approach to obtain coverage for conducting a specific regulated activity. Without this general permit regulation, an individual permit would be required to conduct the regulated activity at a cost of approximately \$18,540 more for each small business covered under the general permit. DEQ does not have access to information necessary to determine how many of the 231 facilities covered under this general permit qualify as small business as defined under the Administrative Process Act but it is safe to assume that there are some.</p>	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) n/a	(b) n/a

(3) Other Costs & Benefits (Non-Monetized)	n/a
(4) Alternatives	n/a
(5) Information Sources	n/a

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.

Change in Regulatory Requirements

VAC Section(s) Involved	Initial Count	Additions	Subtractions	Net Change
9VAC25-193-60 (Registration)	22	0	0	0
9VAC25-193-70 Part I (Limits and Special Conditions)	28	0	0	0
9VAC25-193-70 Part II Stormwater	22	3	0	+3
9VAC25-193-70 Part III (Conditions for All Permits)	26	0	0	0

Cost Reductions or Increases (if applicable)

VAC Section(s) Involved	Description of Regulatory Requirement	Initial Cost	New Cost	Overall Cost Savings/Increases
9VAC25-193	Cost of individual permit vs general permit regulation	Individual permit cost if general permit is not reissued-\$19,140	General permit cost \$600	The general permit represents a savings of \$18,540 per facility or a total of \$4.3M for the sector over a 5-year permit term based on the 231 facilities currently covered by the general permit. No additional expenses are expected from the 3 additional provisions

				included in Table 5. These additional provisions would also be included in any individual permits issued so they do not represent an increase in requirements/costs over the individual permit alternative.
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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
n/a	n/a	The regulatory burden of reissuing the general permit is much reduced compared to requiring an individual permit. See 1c above.

Length of Guidance Documents (only applicable if guidance document is being revised)

Title of Guidance Document	Original Length	New Length	Net Change in Length
n/a			