



Economic Impact Analysis Virginia Department of Planning and Budget

9 VAC 25-720 – Water Quality Management Planning Regulation

Department of Environmental Quality

January 13, 2005

The Department of Planning and Budget (DPB) has analyzed the economic impact of this proposed regulation in accordance with Section 2.2-4007.G of the Administrative Process Act and Executive Order Number 21 (02). Section 2.2-4007.G 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. The analysis presented below represents DPB's best estimate of these economic impacts.

Summary of the Proposed Regulation

The General Assembly authorizes the State Water Control Board (board) in §62.1-44.15 of the Code of Virginia to adopt regulations deemed necessary to enforce the general water quality management program of the board. Water quality management plans are required under Section 303 (e) of the federal Clean Water Act.

The proposed regulation amends the section of the existing water quality planning regulation that deals with the Tennessee-Big Sandy River Basin. It establishes a standard format for the presentation of data, removes outdated and antiquated information and requirements, and updates waste load allocations to reflect the current waste load allocation in a discharger's Virginia Pollution Discharge Elimination System (VPDES) permit.

Estimated Economic Impact

The proposed regulation amends the section of the existing water quality planning regulation dealing with the Tennessee-Big Sandy River Basin. It establishes a standard format for the presentation of data. According to the Department of Environmental Quality (DEQ), the proposed regulation was promulgated a few years ago to replace 18 separate water quality planning regulations, each with a different format for data presentation. These regulations were grouped together by river basin and incorporated into the proposed regulation. The proposed change is intended to standardize the format for data presentation across all nine river basins. The proposed regulation also removes outdated and antiquated information and requirements from the existing regulation. For example, the consolidation of wastewater treatment plants over the past few years has led to some of the smaller treatment facilities shutting down. The proposed regulation is updated to reflect these and other such changes. Finally, the proposed regulation updates the non-TMDL¹ waste load allocation of facilities discharging into the Tennessee-Big Sandy River Basin. These are updated to reflect the current waste load allocation as established in a discharger's VPDES permit.

As none of the proposed changes are likely to affect current practice, the proposed regulation is not likely to have a significant economic impact. According to DEQ, the intent of the proposed regulation is to present all information relevant to water quality management planning in the Tennessee-Big Sandy River Basin in one place. In the absence of this regulation, this information would have to be collected from individual VPDES permits. To the extent that the proposed changes update the regulation to reflect current conditions and practice and, thus, improve understanding and implementation of the regulation, it could produce some economic benefits.

Businesses and Entities Affected

There are currently nine facilities with non-TMDL waste load allocations discharging into the Tennessee-Big Sandy River Basin.

¹ Total Maximum Daily Load

Localities Particularly Affected

The proposed regulation applies to all localities in the area of the Tennessee-Big Sandy River Basin. However, the proposed regulation is not likely to have a significant impact on these localities.

Projected Impact on Employment

The proposed regulation is not likely to have a significant impact on employment in the Commonwealth.

Effects on the Use and Value of Private Property

The proposed regulation is not likely to have a significant impact on the use and value of private property.