

Office of Regulatory Management
Economic Review Form

Agency name	Virginia Department of Environmental Quality
Virginia Administrative Code (VAC) Chapter citation(s)	9 VAC 20-60
VAC Chapter title(s)	Virginia Hazardous Waste Management Regulations
Action title	Virginia Hazardous Waste Management Regulations Annual Update 2023
Date this document prepared	July 6, 2023, revised June 6, 2025
Regulatory Stage (including Issuance of Guidance Documents)	Exempt Final Action

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.

Agency Note: This is a final exempt regulatory action necessary only to conform to changes in federal regulations. Therefore, Table 1c is not required and has been removed.

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

<p>(1) Direct & Indirect Costs & Benefits (Monetized)</p>	<p>Note: Hazardous waste is a solid waste that is ignitable, corrosive, reactive, toxic or acutely toxic. A waste can be a hazardous waste because it exhibits a characteristic of hazardous waste, or because that waste has been specifically listed in the regulations as a hazardous waste. It is a generator’s responsibility to determine if his waste is hazardous, and to manage that hazardous waste from “cradle to grave.” Hazardous waste is regulated under the federal Resource Conservation and Recovery Act (RCRA) Subtitle C. This final exempt regulatory action is necessary to maintain consistency between federal requirements and Virginia’s Hazardous Waste Management Regulations, which allows Virginia to maintain its status as an EPA-authorized state. This allows Virginia to maintain authorization to implement national hazardous waste management programs. The regulated community benefits from having local access to regulators (as opposed to having to go to federal regulators). Consistency between federal and state regulations also reduces regulatory confusion.</p> <p>The practical effect of this action is three changes to maintain consistency with federal requirements:</p> <ol style="list-style-type: none"> 1. Conforming Changes to Canada-Specific Hazardous Waste Import-Export Recovery and Disposal Operation Codes. (86 FR 54381, 10/1/2021). This change came about because Canada changed the codes on its manifests, since hazardous waste is exchanged back and forth across the border this required EPA to change certain federal regulations. States are required to adopt this change to maintain federal equivalency. 2. Final Exclusion for Identifying and Listing Hazardous Waste. (87 FR 41604, 7/13/2022). This change came about because of a petition from Emeral Kalama Chemical, LLC, in Washington State, and delists certain waste coming from that facility, specifically an annual volume of up to 3,500 cubic yards of wastewater treatment solids 7019 (benzene) and U220 (toluene) as long as it is managed in a Subtitle D landfill. The change, to the extent it affects Virginia (i.e., to
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	<p>the extent any entity in Virginia receives waste from that facility), is deregulatory in nature.</p> <p>3. EPA Method 23 – Determination of Polychlorinated Dibenzo-p Dioxins and Polychlorinated Dibenzofurans from Stationary Sources. (88 FR 16732, 3/20/2023). This change provides regulatory flexibility for companies with boilers and industrial furnaces by adding a second option for those facilities for sampling and measuring polychlorinated dibenzo-p dioxins and polychlorinated dibenzofurans (PCDD/PCDF), PAH, and PCB. Because it provides flexibility it is deregulatory in nature.</p> <p>Direct Costs: There are no direct costs associated with the adoption of this regulatory change. Because these are also federal requirements regulated entities would have to comply with these requirements, either as administered by the federal government or Virginia.</p> <p>Indirect Costs: There are no indirect costs associated with the adoption of this regulatory change.</p> <p>Direct Benefits: This proposed change allows the Virginia Hazardous Waste Management Regulations to maintain consistency with the federal waste management regulations at 40 CFR Parts 260 through 279. This allows Virginia to maintain its status as an EPA-authorized state, which means Virginia maintains authorization to implement national hazardous waste management programs. The regulated community benefits from having local access to regulators (as opposed to having to go to federal regulators). Having state-adopted regulations and having these regulations enforced at the state level gives the Commonwealth more control over what is taking place in Virginia.</p> <p>Indirect Benefits: Consistency between federal and state regulations also reduces regulatory confusion.</p>	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) \$0	(b) Indeterminate but positive.
(3) Net Monetized Benefit	Indeterminate but positive.	
(4) Other Costs & Benefits (Non-Monetized)	\$0	

(5) Information Sources	<p>Final Rules: https://www.federalregister.gov/documents/2021/10/01/2021-21417/conforming-changes-to-canada-specific-hazardous-waste-import-export-recovery-and-disposal-operation https://www.federalregister.gov/documents/2022/07/13/2022-15009/hazardous-waste-management-system-final-exclusion-for-identifying-and-listing-hazardous-waste https://www.federalregister.gov/documents/2023/03/20/2023-04958/epa-method-23-determination-of-polychlorinated-dibenzo-p-dioxins-and-polychlorinated-dibenzofurans</p>
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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: The Virginia Hazardous Waste Management Regulations would be inconsistent with federal regulations. This would potentially jeopardize Virginia’s status as an EPA-authorized state.</p> <p>Indirect Costs: Inconsistency could also create regulatory confusion.</p> <p>Direct Benefits: There are no direct benefits to maintaining the status quo.</p> <p>Indirect Benefits: There are no indirect benefits to maintaining the status quo.</p>	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) Indeterminate but negative.	(b) \$0
(3) Net Monetized Benefit	Indeterminate but negative.	
(4) Other Costs & Benefits (Non-Monetized)	\$0	
(5) Information Sources	<p>Final Rules: https://www.federalregister.gov/documents/2021/10/01/2021-21417/conforming-changes-to-canada-specific-hazardous-waste-import-export-recovery-and-disposal-operation https://www.federalregister.gov/documents/2022/07/13/2022-15009/hazardous-waste-management-system-final-exclusion-for-identifying-and-listing-hazardous-waste</p>	

	https://www.federalregister.gov/documents/2023/03/20/2023-04958/epa-method-23-determination-of-polychlorinated-dibenzo-p-dioxins-and-polychlorinated-dibenzofurans
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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)	Direct Costs: There are no unique costs to local partners. See Table 1a. Indirect Costs: There are no unique indirect costs to local partners. See Table 1a. Direct Benefits: There are no unique direct benefits to local partners. See Table 1a. Indirect Benefits: There are no unique indirect benefits to local partners. See Table 1a.	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) See Table 1a.	(b) See Table 1a.
(3) Other Costs & Benefits (Non-Monetized)	See Table 1a.	
(4) Assistance	Not applicable.	
(5) Information Sources	See Table 1a.	

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 &	Direct Costs: Families are not affected by this action. Household hazardous waste is not regulated under the hazardous waste regulations.
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Benefits (Monetized)	<p>Indirect Costs: Families are not affected by this action. Household hazardous waste is not regulated under the hazardous waste regulations.</p> <p>Direct Benefits: Families are not affected by this action. Household hazardous waste is not regulated under the hazardous waste regulations.</p> <p>Indirect Benefits: Families are not affected by this action. Household hazardous waste is not regulated under the hazardous waste regulations.</p>	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) Not applicable.	(b) Not applicable.
(3) Other Costs & Benefits (Non-Monetized)	Not applicable.	
(4) Information Sources	Not applicable.	

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>Direct Costs: There are no unique costs to small businesses. See Table 1a.</p> <p>Indirect Costs: There are no unique indirect costs to small businesses. See Table 1a.</p> <p>Direct Benefits: There are no unique direct benefits to small businesses. See Table 1a.</p> <p>Indirect Benefits: There are no unique indirect benefits to small businesses. See Table 1a.</p>	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) See Table 1a.	(b) See Table 1a.

(3) Other Costs & Benefits (Non-Monetized)	See Table 1a.
(4) Alternatives	Not applicable.
(5) Information Sources	See Table 1a.

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*	Authority of Change	Initial Count	Additions	Subtractions	Total Net Change in Requirements
9VAC20-60-18	(M/A):	0	N/A	N/A	0
	(D/A):	0	N/A	N/A	0
	(M/R):	0	N/A	N/A	0
	(D/R):	0	N/A	N/A	0
				Grand Total of Changes in Requirements:	(M/A): 0 (D/A): 0 (M/R): 0 (D/R): 0

Key:

Please use the following coding if change is mandatory or discretionary and whether it affects externally regulated parties or only the agency itself:

(M/A): Mandatory requirements mandated by federal and/or state statute affecting the agency itself

(D/A): Discretionary requirements affecting agency itself

(M/R): Mandatory requirements mandated by federal and/or state statute affecting external parties, including other agencies

(D/R): Discretionary requirements affecting external parties, including other agencies

Cost Reductions or Increases (if applicable)

VAC Section(s) Involved*	Description of Regulatory Requirement	Initial Cost	New Cost	Overall Cost Savings/Increases
Not applicable.				

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
Not applicable.		

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

Title of Guidance Document	Original Word Count	New Word Count	Net Change in Word Count
Not applicable.			

*If the agency is modifying a guidance document that has regulatory requirements, it should report any change in requirements in the appropriate chart(s).