

Office of Regulatory Management  
Economic Review Form

<b>Agency name</b>	Virginia Waste Management Board
<b>Virginia Administrative Code (VAC) Chapter citation(s)</b>	9VAC20-121
<b>VAC Chapter title(s)</b>	Regulated Medical Waste Management Regulations
<b>Action title</b>	Document Incorporated by Reference Update
<b>Date this document prepared</b>	September 30, 2024
<b>Regulatory Stage (including Issuance of Guidance Documents)</b>	Fast-Track

### 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.

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

<p>(1) Direct &amp; Indirect Costs &amp; Benefits (Monetized)</p>	<p><b>Agency Background:</b> The Regulated Medical Waste Management Regulations, 9VAC20-121-160, reference a federal guidance document, Managing Solid Waste Contaminated with a Category A Infectious Substance, which is an existing document incorporated by reference. This regulatory action will update the document incorporated by reference to the latest (2024) federal Category A waste guidance document. The document incorporated by reference is a federal guidance document and does not create new regulatory requirements, nor does it remove the obligation to comply with existing applicable federal, state, and local laws and regulations. No other regulatory text is being revised.</p> <p>The federal Category A waste guidance document was updated in April 2024 by the National Security Council-led Countering Biological Threats Interagency Policy Committee, in collaboration with numerous federal agencies, including but not limited to the Centers for Disease Control and Prevention, Department of Transportation, Pipeline and Hazardous Materials Safety Administration, Environmental Protection Agency, and Occupational Safety and Health Administration.</p> <p>Category A waste is a subset of regulated medical waste that is contaminated with a Category A infectious substance, a substance which can cause permanent disability or life-threatening or fatal disease in otherwise healthy humans or animals when exposure occurs. Both federal and state regulations have more stringent management standards for Category A waste than for other types of regulated medical waste to prevent the spread of highly infectious disease (such as Ebola Virus). The federal Category A waste guidance document provides critical information about the management of Category A waste, including key procedures and applicable regulations, considerations for waste management planning and decision making, and treatment and inactivation information for specific pathogens classified as Category A infectious substances.</p> <p>Direct Costs: There are no direct costs associated with this regulatory action.</p> <p>Indirect Costs: There are no indirect costs associated with this regulatory action.</p> <p>Direct Benefits: The primary direct benefits of this regulatory action are that it makes the Commonwealth’s regulations consistent with the latest federal guidelines on Category A waste and ensures that both regulatory requirements and federal guidelines are accessible to the public and regulated community in one central location. This decreases confusion by</p>
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	<p>the public and regulated community and increases the ease of use of the regulations.</p> <p>Indirect Benefits: The primary indirect benefit of this regulatory action is an increased understanding of the most effective ways to manage highly infectious regulated medical waste, resulting in safer management of Category A waste in the Commonwealth.</p>	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) \$0	(b) \$0
(3) Net Monetized Benefit	\$0	
(4) Other Costs & Benefits (Non-Monetized)	There are no other costs and benefits associated with this regulatory action.	
(5) Information Sources	<a href="https://www.phmsa.dot.gov/sites/phmsa.dot.gov/files/2024-04/Managing%20Solid%20Waste%20Contaminated%20with%20a%20Category%20A%20Infectious%20Substance%20-%202024-04.pdf">https://www.phmsa.dot.gov/sites/phmsa.dot.gov/files/2024-04/Managing%20Solid%20Waste%20Contaminated%20with%20a%20Category%20A%20Infectious%20Substance%20-%202024-04.pdf</a>	

**Table 1b: Costs and Benefits under the Status Quo (No change to the regulation)**

(1) Direct & Indirect Costs & Benefits (Monetized)	<p>Direct Costs: The current regulations incorporate by reference an outdated (2022) version of the federal Category A waste guidance, making the regulations inconsistent with the latest federal guidelines. This increases confusion by the public and regulated community, and decreases the ease of use of the regulations.</p> <p>Indirect Costs: Continuing to incorporate by reference an outdated version of the federal Category A waste guidance could create a misunderstanding of the most effective ways to manage highly infectious regulated medical waste, which could potentially result in mismanagement of Category A waste in the Commonwealth.</p> <p>Direct Benefits: There are no direct benefits associated with maintaining the regulations as currently written.</p> <p>Indirect Benefits: There are no indirect benefits associated with maintaining the regulations as currently written.</p>	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) \$0	(b) \$0
(3) Net Monetized Benefit	\$0	
(4) Other Costs & Benefits (Non-Monetized)	There are no other costs and benefits associated with maintaining the regulations as currently written.	
(5) Information Sources	<a href="https://www.phmsa.dot.gov/sites/phmsa.dot.gov/files/2024-04/Managing%20Solid%20Waste%20Contaminated%20with%20a%20Category%20A%20Infectious%20Substance%20-%202024-04.pdf">https://www.phmsa.dot.gov/sites/phmsa.dot.gov/files/2024-04/Managing%20Solid%20Waste%20Contaminated%20with%20a%20Category%20A%20Infectious%20Substance%20-%202024-04.pdf</a>	

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

(1) Direct & Indirect Costs & Benefits (Monetized)	<p><b>Agency Background:</b> The document incorporated by reference is a federal guidance document and does not create new regulatory requirements, nor does it remove the obligation to comply with existing applicable federal, state, and local laws and regulations. Therefore, alternative regulatory methods are not applicable. The only alternative is to maintain the regulations as currently written, which incorporates by reference an outdated version of the document. See Table 1b.</p> <p>Direct Costs: N/A</p>
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	Indirect Costs: N/A  Direct Benefits: N/A  Indirect Benefits: N/A	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) \$0	(b) \$0
(3) Net Monetized Benefit	\$0	
(4) Other Costs & Benefits (Non-Monetized)	N/A	
(5) Information Sources	<a href="https://www.phmsa.dot.gov/sites/phmsa.dot.gov/files/2024-04/Managing%20Solid%20Waste%20Contaminated%20with%20a%20Category%20A%20Infectious%20Substance%20-%202024-04.pdf">https://www.phmsa.dot.gov/sites/phmsa.dot.gov/files/2024-04/Managing%20Solid%20Waste%20Contaminated%20with%20a%20Category%20A%20Infectious%20Substance%20-%202024-04.pdf</a>	

**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)	<p><b>Agency Background:</b> The Regulated Medical Waste Management Regulations, 9VAC20-121-160, reference a federal guidance document, Managing Solid Waste Contaminated with a Category A Infectious Substance, which is an existing document incorporated by reference. This regulatory action will update the document incorporated by reference to the latest (2024) federal Category A waste guidance document. The document incorporated by reference is a federal guidance document and does not create new regulatory requirements, nor does it remove the obligation to comply with existing applicable federal, state, and local laws and regulations. No other regulatory text is being revised.</p> <p>Direct Costs: There are no direct costs to local partners associated with this regulatory action.</p> <p>Indirect Costs: There are no indirect costs to local partners associated with this regulatory action.</p>
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	<p>Direct Benefits: The primary direct benefits of this regulatory action are that it makes the Commonwealth’s regulations consistent with the latest federal guidelines on Category A waste and ensures that both regulatory requirements and federal guidelines are accessible to the public and regulated community in one central location. This decreases confusion by the public and regulated community and increases the ease of use of the regulations.</p> <p>Indirect Benefits: The primary indirect benefit of this regulatory action is an increased understanding of the most effective ways to manage highly infectious regulated medical waste, resulting in safer management of Category A waste in the Commonwealth.</p>	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) \$0	(b) \$0
(3) Other Costs & Benefits (Non-Monetized)	There are no other costs and benefits associated with this regulatory action.	
(4) Assistance	N/A	
(5) Information Sources	<a href="https://www.phmsa.dot.gov/sites/phmsa.dot.gov/files/2024-04/Managing%20Solid%20Waste%20Contaminated%20with%20a%20Category%20A%20Infectious%20Substance%20-%202024-04.pdf">https://www.phmsa.dot.gov/sites/phmsa.dot.gov/files/2024-04/Managing%20Solid%20Waste%20Contaminated%20with%20a%20Category%20A%20Infectious%20Substance%20-%202024-04.pdf</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)	<p>Direct Costs: There are no direct costs to families associated with this regulatory action.</p> <p>Indirect Costs: There are no indirect costs to families associated with this regulatory action.</p> <p>Direct Benefits: The primary direct benefits of this regulatory action are that it makes the Commonwealth’s regulations consistent with the latest federal guidelines on Category A waste and ensures that both regulatory requirements and federal guidelines are accessible to the public and regulated community in one central location. This decreases confusion by</p>
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	<p>the public and regulated community and increases the ease of use of the regulations.</p> <p>Indirect Benefits: The primary indirect benefit of this regulatory action is an increased understanding of the most effective ways to manage highly infectious regulated medical waste, resulting in safer management of Category A waste in the Commonwealth.</p>	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) \$0	(b) \$0
(3) Other Costs & Benefits (Non-Monetized)	There are no other costs and benefits associated with this regulatory action.	
(4) Information Sources	<a href="https://www.phmsa.dot.gov/sites/phmsa.dot.gov/files/2024-04/Managing%20Solid%20Waste%20Contaminated%20with%20a%20Category%20A%20Infectious%20Substance%20-%202024-04.pdf">https://www.phmsa.dot.gov/sites/phmsa.dot.gov/files/2024-04/Managing%20Solid%20Waste%20Contaminated%20with%20a%20Category%20A%20Infectious%20Substance%20-%202024-04.pdf</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>Direct Costs: There are no direct costs to small businesses associated with this regulatory action.</p> <p>Indirect Costs: There are no indirect costs to small businesses associated with this regulatory action.</p> <p>Direct Benefits: The primary direct benefits of this regulatory action are that it makes the Commonwealth’s regulations consistent with the latest federal guidelines on Category A waste and ensures that both regulatory requirements and federal guidelines are accessible to the public and regulated community in one central location. This decreases confusion by the public and regulated community and increases the ease of use of the regulations.</p> <p>Indirect Benefits: The primary indirect benefit of this regulatory action is an increased understanding of the most effective ways to manage highly infectious regulated medical waste, resulting in safer management of Category A waste in the Commonwealth.</p>
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(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) \$0	(b) \$0
(3) Other Costs & Benefits (Non-Monetized)	There are no other costs and benefits associated with this regulatory action.	
(4) Alternatives	N/A	
(5) Information Sources	<a href="https://www.phmsa.dot.gov/sites/phmsa.dot.gov/files/2024-04/Managing%20Solid%20Waste%20Contaminated%20with%20a%20Category%20A%20Infectious%20Substance%20-%202024-04.pdf">https://www.phmsa.dot.gov/sites/phmsa.dot.gov/files/2024-04/Managing%20Solid%20Waste%20Contaminated%20with%20a%20Category%20A%20Infectious%20Substance%20-%202024-04.pdf</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.

**This regulatory amendment does not place any additional regulatory requirements on the regulated community. Rather, it updates the document incorporated by reference to conform to the latest (2024) federal guidelines on Category A waste management. The document incorporated by reference does not create new regulatory requirements, nor does it remove the obligation to comply with existing applicable federal, state, and local laws and regulations. No other regulatory text requires revision. This regulatory action provides the most accurate and up-to-date information from the federal government on Category A waste management, makes the Commonwealth’s regulations consistent with the latest federal guidelines, decreases confusion by the public and regulated community, and increases the ease of use of the regulations. This regulatory action will help generators and facilities more easily and more quickly locate applicable regulatory requirements and best management practices as well as increase understanding of the safest and most effective ways to manage more highly infectious regulated medical waste.**

*Change in Regulatory Requirements*

VAC Section(s) Involved*	Authority of Change	Initial Count	Additions	Subtractions	Total Net Change in Requirements
9VAC20-121 (Documents Incorporated)	(M/A):	0	0	0	0
	(D/A):	0	0	0	0
	(M/R):	0	0	0	0
	(D/R):	0	0	0	0



by Reference)					
				<b>Grand Total of Changes in Requirements:</b>	<b>(M/A):0</b>
					<b>(D/A):0</b>
					<b>(M/R):0</b>
					<b>(D/R):0</b>

**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

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

<b>Title of Guidance Document</b>	<b>Original Word Count</b>	<b>New Word Count</b>	<b>Net Change in Word Count</b>
N/A	N/A	N/A	N/A

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