

Office of Regulatory Management
Economic Review Form

Agency name	Board for Professional Soil Scientists, Wetland Professionals, and Geologists
Virginia Administrative Code (VAC) Chapter citation(s)	18 VAC 145-40
VAC Chapter title(s)	Regulations for the Geology Certification Program
Action title	General Review of Regulations for the Geology Certification Program
Date this document prepared	September 27, 2024
Regulatory Stage (including Issuance of Guidance Documents)	Proposed (Action 6300 / Stage 10509)

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 & Indirect Costs & Benefits (Monetized)</p>	<p>1. This action revises the entry qualifications for certification to establish criteria for an individual to meet the statutory requirement to “be of ethical character.” Applicants would be required to provide information to the Board pertaining to the criteria, including disclosure of prior criminal history and prior regulatory discipline.</p> <p>2. This action revises the qualifying education provisions for an individual to sit for the Fundamentals of Geology (FG) examination. As revised, an individual may qualify by holding a baccalaureate or higher degree from an accredited college or university with at least 30 semester hours of geological science courses. An individual would not be required to have a minimum number of hours in specified course subjects.</p> <p>3. This action revises the provisions for qualifications to obtain a Geologist-in-Training (GIT) designation. This includes (i) providing for qualification requirements for an applicant to establish “ethical character;” (ii) simplifying and reduce qualifying education requirements; and (iii) removing the requirement that an applicant make application on a Board-provided form.</p> <p>4. This action removes provisions that are duplicative of statutory provisions.</p> <p>5. This action eliminates requirements that are not necessary to protect the health, safety, and welfare of the public or effectively administer the licensure program and seeks to provide clarity to the regulation and make the regulation easier to understand.</p> <p>Direct Costs: There are no anticipated monetizable direct costs associated with the regulatory change.</p> <p>Indirect Costs: There are no anticipated monetizable indirect costs associated with the regulatory change.</p> <p>Direct Benefits: There are no anticipated monetizable direct benefits associated with the regulatory change.</p> <p>Indirect Benefits: There are no anticipated monetizable indirect benefits associated with the regulatory change.</p>	
<p>(2) Present Monetized Values</p>	<p>Direct & Indirect Costs</p>	<p>Direct & Indirect Benefits</p>

	(a) \$0	(b) \$0
(3) Net Monetized Benefit	\$0	
(4) Other Costs & Benefits (Non-Monetized)	<p>Costs:</p> <ul style="list-style-type: none"> Individuals seeking to qualify for certification or a GIT designation would have to meet the criteria to establish that an applicant is of “ethical character.” This would require submission of information related to the criteria, including submitting information on prior criminal history or past regulatory discipline when applicable. Currently, applicants are requested to provide prior criminal history and prior regulatory information. The change adds these specific requirements into the regulation. Compliance with the requirements may add an administrative cost and time costs for some applicants. <p>Benefits:</p> <ul style="list-style-type: none"> Individuals seeking to qualify to sit for the FG examination based on holding a degree in a major other than a geological science will have less stringent requirements to meet the education qualification. Individuals seeking to obtain a GIT designation may experience a reduced administrative or time cost to qualify for the designation. Removes requirements that are not necessary to protect the health, safety, and welfare of the public or effectively administer the licensure program. Provides needed updating and clarification to the regulation. Aligns provisions in the regulation to current agency practice. Ensures the regulation complements current Virginia law and is clearly written and understandable. 	
(5) Information Sources	Agency staff.	

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

(1) Direct & Indirect Costs & Benefits (Monetized)	<p>Direct Costs: There are no new direct costs associated with maintaining the status quo.</p> <p>Indirect Costs: There are no new indirect costs associated with maintaining the status quo.</p>
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	<p>Direct Benefits: There are no new direct benefits associated with maintaining the status quo.</p> <p>Indirect Benefits: There are no new indirect benefits associated with maintaining the status quo.</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 new non-monetizable costs or benefits associated with maintaining the status quo.	
(5) Information Sources	Agency staff.	

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

(1) Direct & Indirect Costs & Benefits (Monetized)	Refer to Box #4.	
(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)	No less intrusive or less costly alternatives to achieve the purpose of the regulatory change were identified.	
(5) Information Sources	N/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)	Refer to Box #3.	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) N/A	(b) N/A
(3) Other Costs & Benefits (Non-Monetized)	There are no anticipated direct or indirect costs to local partners. There are no anticipated direct or indirect benefits to local partners	
(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)	Refer to Box #3.	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) N/A	(b) N/A
(3) Other Costs & Benefits (Non-Monetized)	There are no anticipated direct or indirect costs to families. There are no anticipated direct or indirect benefits to families.	
(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)	Refer to Box #3.	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) N/A	(b) N/A
(3) Other Costs & Benefits (Non-Monetized)	<p>As indicated in the ABD, certifications issued under this regulation are issued to individuals, and not to business entities. However, individuals who are certificated may be owners or employees of business entities that may fall within the meaning of “small business” as defined in § 2.2-4007.1 of the Code of Virginia.</p> <p>The costs and benefits of this regulatory change are identified in Table 1(a). To the extent that any additional costs are assumed by a small business entities owned by certificate holders or that employ certificate holders, this regulatory change would impact small businesses.</p>	
(4) Alternatives	No less intrusive or less costly alternatives to achieve the purpose of the regulatory change were identified.	
(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*	Authority of Change	Initial Count	Additions	Subtractions	Total Net Change in Requirements
40-30	(M/A):	0	0	0	0
	(D/A):	4	0	1	-1
	(M/R):	0	0	0	0
	(D/R):	5	0	1	-1
40-60	(M/A):	0	0	0	0
	(D/A):	0	0	0	0
	(M/R):	0	0	0	0
	(D/R):	4	1	1	0
40-70	(M/A):	1	0	1	-1
	(D/A):	0	0	0	0
	(M/R):	4	4	2	+2
	(D/R):	5	8	3	+5
40-80	(M/A):	0	0	0	0
	(D/A):	0	0	0	0
	(M/R):	2	0	2	-2
	(D/R):	0	0	0	0
40-85	(M/A):	0	0	0	0
	(D/A):	0	0	0	0
	(M/R):	0	0	0	0
	(D/R):	8	0	3	-3
40-90	(M/A):	0	0	0	0
	(D/A):	0	0	0	0
	(M/R):	0	0	0	0
	(D/R):	7	0	3	-3
40-120	(M/A):	0	0	0	0
	(D/A):	0	0	0	0
	(M/R):	0	0	0	0
	(D/R):	3	1	1	0
40-140	(M/A):	1	0	1	-1
	(D/A):	0	0	0	0
	(M/R):	4	0	4	-4
	(D/R):	0	0	0	0

40-150	(M/A):	0	0	0	0
	(D/A):	0	0	0	0
	(M/R):	0	0	0	0
	(D/R):	2	0	2	-2
				Grand Total of Changes in Requirements:	(M/A): -2 (D/A): -1 (M/R): -4 (D/R): -4

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
N/A	N/A	N/A	N/A	N/A

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
40-83	The provisions for applicants seeking to qualify for the FG examination on the basis of a degree in a major other than in a geological science are revised to provide that applicant must have at least 30 semester hours in geological science courses. The requirement that courses be in specific subjects is removed.	This change reduces the stringency of one of the pathways to qualify for the examination. The change applies to one D/R requirement in the section.
40-90	The disclosure provisions of the section are revised to remove the requirement that a certificate holder disclose any	This change reduces the stringency of the current requirement by 50%.

	<p>transaction involving payments made to any person for the purpose of securing a contract, assignment, or engagement.</p> <p>Currently, certificate holders must disclose (i) any transaction involving payments made to any person for the purpose of securing a contract, assignment, or engagement; or (ii) any monetary, financial, or beneficial interest the certificate holder may have in any contract or entity providing goods or services, other than the certificate holder's professional services, to a project or engagement.</p>	<p>This change applies to one D/R requirement in the section.</p>
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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
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).