

Office of Regulatory Management
Economic Review Form

Agency name	Virginia Department of Health
Virginia Administrative Code (VAC) Chapter citation(s)	12 VAC 5-610
VAC Chapter title(s)	Sewage Handling and Disposal Regulations
Action title	Periodic Review of the Sewage Handling and Disposal Regulations
Date this document prepared	January 30, 2023
Regulatory Stage (including Issuance of Guidance Documents)	Periodic Review

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.

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 or indirect costs or benefits to local partners anticipated with this regulatory action.
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(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) N/A	(b) N/A
(3) Other Costs & Benefits (Non-Monetized)	The Sewage Handling and Disposal Regulations (“Regulations”) are implemented throughout all 95 counties and 38 independent cities of Virginia. The local health departments of the Virginia Department of Health (VDH) operate in each of these counties and cities to provide environmental health services throughout Virginia. Through the Regulations, local health departments ensure sewage is handled and disposed of in a safe and sanitary manner with appropriate design and permitting. Updating the Regulations for consistency with current industry standards and other regulations, such as the Uniform Statewide Building Code administered by local government, provides non-monetized benefits to local partners.	
(4) Assistance	Local partners are represented on the Sewage Handling and Disposal Advisory Committee (SHADAC) by the Virginia Association of Counties and the Virginia Municipal League. The representatives on the SHADAC are responsible for making recommendations to the Commissioner regarding sewage handling and disposal policies, procedures, and programs. This representation provides local partners an avenue to share their thoughts and ideas on any proposed amendments to the Regulations.	
(5) Information Sources	Section 12VAC5-610-50 of the Regulations; appointments to the SHADAC.	

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>The cost of compliance with the Regulations on families and the benefits received by public health and environment are specific to each individual onsite sewage system. Approximately 1.1 million onsite sewage systems are currently in use in Virginia.</p> <p>The median installation cost (from a sample of 50 conventional onsite systems installed through funding from the Virginia Department of Health’s Septic and Well Assistance Program, “SWAP”) was \$19,188 per system. For the 18 alternative onsite sewage systems, the median per-system installation costs were \$35,726. If fully maintained, alternative onsite sewage systems tend to have an annual upkeep cost of about \$500</p>
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	Conventional onsite sewage systems should be pumped out every 3-5 years, with costs for that service ranging from around \$350-500.	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) NA	(b) NA
(3) Other Costs & Benefits (Non-Monetized)	The families impacted by the Regulations are those property owners using onsite sewage systems. These onsite sewage systems are designed, permitted, and installed in accordance with the Regulations. Updating the Regulations for consistency with current industry standards and other regulations provides non-monetized benefits to families. Inclusion of updated industry standards can reduce confusion in permitting and ensure that all tested and proven technologies are available for use in Virginia. Updating the Regulations to ensure proper public health and environmental protection also impacts families recreating and working in Virginia’s waters and consuming Virginia’s shellfish.	
(4) Information Sources	Estimates for the number of onsite sewage systems in Virginia are based on 1990 U.S. Census data on the use of onsite systems, and data from the Virginia Department of Health’s Environmental Health Database. Data for median costs of onsite sewage systems from Virginia Department of Health’s Septic and Well Assistance Program projects.	

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>The cost of compliance with the Regulations on small businesses and the benefits received by public health and environment are specific to each individual onsite sewage system. Approximately 1.1 million onsite sewage systems are currently in use in Virginia.</p> <p>The median installation cost (from a sample of 50 conventional onsite systems installed through funding from the Virginia Department of Health’s Septic and Well Assistance Program, “SWAP”) was \$19,188 per system. For the 18 alternative onsite sewage systems, the median per-system installation costs were \$35,726. If fully maintained, alternative onsite sewage systems tend to have an annual upkeep cost of about \$500. Conventional onsite sewage systems should be pumped out every 3-5 years, with costs for that service ranging from around \$350-500.</p>	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits

	(a) NA	(b) NA
(3) Other Costs & Benefits (Non-Monetized)	<p>The small businesses impacted by the Regulations are comprised of Licensed Onsite Soil Evaluators, Installers, and Operators, as well as Professional Engineers. These licensed professionals are respectively hired by property owners to evaluate site and soil conditions and design, install, and operate onsite sewage systems. There are approximately 1,500 licensed onsite sewage professionals in Virginia. The Regulations are used by onsite sewage system professionals to design systems that ensure the safe and sanitary handling and disposal of sewage in all stages of system development.</p> <p>Updating the Regulations for consistency with current industry standards and other regulations provides non-monetized benefits to small businesses. Inclusion of updated industry standards can reduce confusion in permitting, making it easier for licensed professionals to design, install, and operate onsite sewage systems. The Regulations also impact any small business that is served by an onsite sewage system or that is involved with the development of land served by onsite sewage systems. These businesses will receive similar benefits to updating the Regulations.</p>	
(4) Alternatives	<p>Agency staff will engage with representatives of small businesses during the development of the amendments to the Regulations to allow for a thorough evaluation of alternative approaches.</p>	
(5) Information Sources	<p>Department of Professional and Occupational Regulation, Board for Waterworks and Wastewater Works Operators and Onsite Sewage System Professionals data on licensed professionals. Data for median costs of onsite sewage systems from Virginia Department of Health’s Septic and Well Assistance Program projects.</p>	

Changes to Number of Regulatory Requirements

For each individual VAC Chapter amended, repealed, or promulgated by this regulatory action, list (a) the initial requirement count, (b) the count of requirements that this regulatory package is adding, (c) the count of requirements that this regulatory package is reducing, (d) the net change in the number of requirements. This count should be based upon the text as written when this stage was presented for executive branch review. Five rows have been provided, add or delete rows as needed. In the last row, indicate the total number for each column.

Table 5: Total Number of Requirements

Not applicable in periodic review phase.