



## **Economic Impact Analysis Virginia Department of Planning and Budget**

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**9 VAC 25-720 – Water Quality Management Planning Regulation**  
**Department of Environmental Quality**  
April 23, 2007

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### **Summary of the Proposed Regulation**

The State Water Control Board (Board) proposes to increase the 5-day Carbonaceous Biochemical Oxygen Demand (CBOD5) limits for the Middletown Sewage Treatment Plant (STP). The revised limits were outlined in the current Virginia Pollutant Discharge Elimination System (VPDES) permit as available to the facility once the Water Quality Management Planning Regulation is amended. The permit has been shown to be protective of water quality for Meadow Brook downstream of Middletown STP. The public was noticed of the permit and no public comments were received.

### **Results of Analysis**

There is insufficient data to accurately compare the magnitude of the benefits versus the costs. Detailed analysis of the benefits and costs can be found in the next section.

### **Estimated Economic Impact**

The Board proposes to increase the CBOD5 limits for the Middletown STP in the current Water Quality Management Planning Regulation. The revised effluent limits were outlined in the current VPDES permit as available to the facility once the current regulation is amended. Once approved, the CBOD5 waste load allocation for the Middletown STP will be increased from 20.8 kilogram/day (kg/d) to 24 kg/d, which will accommodate the facility's future expansion from 0.25 million gallons per day (MGD) to 0.4 MGD.

The proposed amendment will likely benefit the Middletown STP in that the facility will be able to expand and upgrade its capacity. On the other hand, the proposed amendment may increase the actual discharges to Meadow Brook, a tributary to Cedar Creek and the North Fork

Shenandoah River. According to DEQ, the current VPDES permit, with the revised effluent limits outlined as available to the facility once the regulation is amended, has been shown to be protective of water quality conditions in Meadow Brook. The public were noticed of the permit and no public comments were received. Therefore, the proposed amendment will likely not have any significant adverse impact on public health or the environment.

### **Businesses and Entities Affected**

The proposed regulation will affect the Middletown STP.

### **Localities Particularly Affected**

The proposed regulation will particularly affect the Town of Middletown, the owner of the Middletown STP.

### **Projected Impact on Employment**

The proposed amendment will likely have a positive impact on the number of people employed by the Middletown STP due to the facility's ability to operate at its expanded capacity.

### **Effects on the Use and Value of Private Property**

The proposed regulation will likely not have any significant impact on the use and value of the private property.

### **Small Businesses: Costs and Other Effects**

No small businesses will be affected.

### **Small Businesses: Alternative Method that Minimizes Adverse Impact**

No small businesses will be affected

### **Legal Mandate**

The Department of Planning and Budget (DPB) has analyzed the economic impact of this proposed regulation in accordance with Section 2.2-4007.H of the Administrative Process Act and Executive Order Number 21 (02). Section 2.2-4007.H 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. Further, if the proposed regulation has adverse effect on small businesses, Section 2.2-4007.H requires that such economic impact analyses include (i) an identification and estimate of the number of small businesses subject to the regulation; (ii) the projected reporting, recordkeeping, and other administrative costs required for small businesses to comply with the regulation, including the type of professional skills necessary for preparing required reports and other documents; (iii) a statement of the probable effect of the regulation on affected small businesses; and (iv) a description of any less intrusive or less costly alternative methods of achieving the purpose of the regulation. The analysis presented above represents DPB's best estimate of these economic impacts.