



[townhall.virginia.gov](http://townhall.virginia.gov)

## Exempt Action Final Regulation Agency Background Document

<b>Agency name</b>	State Water Control Board
<b>Virginia Administrative Code (VAC) citation(s)</b>	9VAC25-401
<b>Regulation title(s)</b>	Sewage Treatment in the Dulles Area Watershed
<b>Action title</b>	Amendment to make technical corrections in response to periodic review conducted in 2019
<b>Final agency action date</b>	December 13, 2019
<b>Date this document prepared</b>	October 7, 2019

While a regulatory action may be exempt from executive branch review pursuant to § 2.2-4002 or § 2.2-4006 of the *Code of Virginia*, the agency is still encouraged to provide information to the public on the Regulatory Town Hall using this form. However, the agency may still be required to comply with the Virginia Register Act, Executive Order 14 (as amended, July 16, 2018), the Regulations for Filing and Publishing Agency Regulations (1 VAC7-10), and the *Virginia Register Form, Style, and Procedure Manual for Publication of Virginia Regulations*.

### Brief Summary

*Please provide a brief summary (preferably no more than 2 or 3 paragraphs) of this regulatory change (i.e., new regulation, amendments to an existing regulation, or repeal of an existing regulation). Alert the reader to all substantive matters. If applicable, generally describe the existing regulation.*

During the 2019 periodic review of this regulation, errors were identified in the regulation. This amendment corrects a citation and a typographical error in the regulation.

### Mandate and Impetus

*Please identify the mandate for this regulatory change, and any other impetus that specifically prompted its initiation (e.g., new or modified mandate, internal staff review, petition for rulemaking, periodic review, board decision, etc.). "Mandate" is defined as "a directive from the General Assembly, the federal government, or a court that requires that a regulation be promulgated, amended, or repealed in whole or part."*

This regulatory action is being taken in response to the completion of a periodic review of this regulation in 2019. During the periodic review an incorrect citation and a typographical error were identified. This amendment includes the needed corrections.

### Statement of Final Agency Action

*Please provide a statement of the final action taken by the agency including: 1) the date the action was taken; 2) the name of the agency taking the action; and 3) the title of the regulation.*

On December 13, 2019 the State Water Control Board adopted amendments to the Sewage Treatment in the Dulles Area Watershed (9VAC25-401) regulation.

**All changes made in this regulatory action**

*Please detail all changes that are being made and the consequences of the changes. Detail new provisions and/or all changes to existing sections.*

**[For changes to existing regulation(s), please use the following chart otherwise delete:]**

<b>Current section number</b>	<b>New section number, if applicable</b>	<b>Current requirement</b>	<b>Change, intent, rationale, and likely impact of new requirements</b>
30 B		maximum effluent limitations	Correcting the spelling of the word "phosphous" to "Phosphorus"
40 1.		Exception for current sewage treatment plants	Correcting a citation from 9VAC25-400-30 A to 9VAC25-401-30 A.

The amendments are corrections of technical errors and are being made using the exempt final process as allowed by § 2.2-4006 A 3 of the Administrative Process Act.

**Regulatory Flexibility Analysis**

*Pursuant to § 2.2-4007.1B of the Code of Virginia, please describe the agency’s analysis of alternative regulatory methods, consistent with health, safety, environmental, and economic welfare, that will accomplish the objectives of applicable law while minimizing the adverse impact on small business. Alternative regulatory methods include, at a minimum: 1) establishing less stringent compliance or reporting requirements; 2) establishing less stringent schedules or deadlines for compliance or reporting requirements; 3) consolidation or simplification of compliance or reporting requirements; 4) establishing performance standards for small businesses to replace design or operational standards required in the proposed regulation; and 5) the exemption of small businesses from all or any part of the requirements contained in the regulatory change.*

This amendment contains corrections of technical errors and does not change any requirements of the regulation. No alternative regulatory methods were identified that would achieve the goal of the regulation.

**Family Impact**

*In accordance with § 2.2-606 of the Code of Virginia, please assess the potential impact of the proposed regulatory action on the institution of the family and family stability including to what extent the regulatory action will: 1) strengthen or erode the authority and rights of parents in the education, nurturing, and supervision of their children; 2) encourage or discourage economic self-sufficiency, self-pride, and the assumption of responsibility for oneself, one’s spouse, and one’s children and/or elderly parents; 3) strengthen or erode the marital commitment; and 4) increase or decrease disposable family income.*

This amendment does not impact the institution of the family or family stability.