



Exempt Action Final Regulation Agency Background Document

Agency name	Virginia Department of Health
Virginia Administrative Code (VAC) citation	12VAC5-600
Regulation title	<i>Waterworks Operation Fee</i>
Action title	This action revises the existing regulations by increasing the community waterworks operation fee from \$2.05 per connection to \$2.95 per connection in accordance with Item 298 B. of the 2012-14 Biennium Budget Bill adopted in the 2012 General Assembly Special Session I.
Final agency action date	
Document preparation date	July 18, 2012

When a regulatory action is exempt from executive branch review pursuant to § 2.2-4002 or § 2.2-4006 of the Virginia Administrative Process Act (APA), the agency is encouraged to provide information to the public on the Regulatory Town Hall using this form.

Note: While posting this form on the Town Hall is optional, the agency must comply with requirements of the Virginia Register Act, Executive Orders 14 (2010) and 58 (1999), and the *Virginia Register Form, Style, and Procedure Manual*.

Summary

Please provide a brief summary of all regulatory changes, including the rationale behind such changes. Alert the reader to all substantive matters or changes. If applicable, generally describe the existing regulation.

Item 298 of the Department of Health, Operating Expense, of the 2012-14 Biennium Budget Bill reduces the Drinking Water Regulation (50801) Line Item from \$9,393,590 to \$8,293,590. To allow the Department of Health to recover the diminished funds, Item 298 B of the 2012-14 Budget Bill allows for the increase of the Waterworks Technical Assistance Program Fee from the existing \$2.05 per connection to a maximum level of \$3.00 per connection for community waterworks.

Calculations by Department of Health staff indicate a fee of \$2.95 per connection for community waterworks is necessary to recover the required funds.

This regulatory revision would establish the maximum fee to be collected from community waterworks to no more than \$3.00 per connection for community waterworks. The statutory maximum fee for community waterworks would remain at \$160,000 per waterworks.

In addition, several necessary technical changes were made in accordance with § 2.2-4006 (A) 3 of the Code of Virginia.

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 September 5, 2012, the State Health Commissioner, vested with the authority of the State Board of Health pursuant to § 32.1-20 of the Code of Virginia, adopted final amendments to the Waterworks Operation Fee.

Family impact

Assess the impact of this regulatory action on the institution of the family and family stability.

No impact is expected.