

WAC 173-226-120 Economic impact analysis. (1) The department shall prepare an economic impact analysis on all draft general permits which are intended to directly cover small business. The economic impact analysis shall be prepared on the draft general permit for which public notice is being provided pursuant to WAC 173-226-130(3).

(2) The purpose of the economic impact analysis is to reduce the economic impact of the general permit on small business by doing one or more of the following when it is legal and feasible in meeting the stated objectives of the FWPCA and chapter 90.48 RCW:

(a) Establishing differing compliance or reporting requirements or timetables for small businesses;

(b) Clarifying, consolidating, or simplifying the compliance and reporting requirements under the general permit for small businesses;

(c) Establishing performance rather than design standards;

(d) Exempting small businesses from parts of the general permit.

(3) The contents of an economic impact analysis of a proposed general permit shall include, at a minimum, the following:

(a) A brief description of the compliance requirements of the general permit, including:

(i) The minimum technology based treatment requirements identified as necessary under WAC 173-226-070;

(ii) The monitoring requirements contained in the general permit;

(iii) The reporting and recordkeeping requirements; and

(iv) Any plan submittal requirements;

(b) The estimated costs of compliance, based upon existing data for facilities intended to be covered under the general permit. Costs shall include, consistent with subsection (2) of this section the following:

(i) The costs associated with (a) of this subsection; and

(ii) The costs of equipment, supplies, labor, and any increased administrative costs;

(c) A comparison, to the greatest extent possible, of the cost of compliance for small businesses with the cost of compliance for the largest ten percent of the facilities intended to be covered under the general permit. The economic impact analysis shall use one or more of the following as a basis for comparing costs:

(i) Cost per employee;

(ii) Cost per hour of labor;

(iii) Cost per one hundred dollars of sales.

(4) The following compliance costs associated with a general permit shall not be included in the economic impact analysis:

(a) The costs necessary to comply with chapters 173-200, 173-201, 173-204, and 173-224 WAC; and

(b) The costs associated with requirements of the general permit which result from conformity or compliance, or both, with federal law or regulations.

[Statutory Authority: Chapter 90.48 RCW. WSR 93-10-099 (Order 92-55), § 173-226-120, filed 5/5/93, effective 5/19/93.]