

Revised Regulatory Flexibility Analysis for Small Businesses and Local Governments

6 NYCRR Part 830

Lake Champlain Drainage Basin

1. Effect of Rule

DEC staff have reviewed all permitted dischargers of pollutants into the waters of the state covered by this rule to determine whether the rule would have an adverse economic impact on small businesses or local governments. This rule would have no adverse economic impact on any local governments permitted to discharge pollutants into the waters of the state. This rule would have no adverse economic impact on any small businesses permitted to discharge pollutants into the waters of the state, with one exception. DEC staff have identified one small business, a campground, which may need to upgrade its wastewater treatment system to meet a revised limit for ammonia due to the reclassification of a stream in this drainage basin. The potentially affected facility has been notified of this potential impact and DEC staff have engaged the facility to find a cost-effective solution.

2. Compliance Requirements

This rulemaking will not impose any reporting, record keeping, or other compliance requirements on small businesses or local governments or their permitted facilities, with one exception mentioned in section 1 above.

3. Professional Services

There may be professional engineering services needed for the one facility mentioned in section 1 above.

4. Compliance Costs

There may be a regulatory impact to one SPDES-permitted facility, a campground, which may need to modify its wastewater treatment to meet a revised effluent limit for ammonia due to the reclassification of a stream in this drainage basin. Estimated costs to this facility are approximately \$10,000 to \$50,000, depending on the method of compliance. There may be additional annual costs of up to \$500 per year for operation and maintenance. The potentially affected facility has been notified of this potential impact and DEC staff have engaged the facility to find a cost-effective solution.

5. Economic and Technological Feasibility

The DEC has concluded that compliance by regulated parties is both economically and technologically feasible. The only potential cost is the approximately \$10K-50K cost and up to \$500 per year for operation and maintenance to one campground, as discussed under Compliance Costs above.

6. Minimizing Adverse Impact

In developing this rulemaking, consideration was given to approaches that would minimize adverse economic impacts of the rule on small businesses and local governments such as differing requirements, outcome standards, and potential exemptions from coverage. Given

the nature of this rule, and in order to adequately protect the waters of the State and to meet the requirements of federal law, differing requirements or potential exemptions for small businesses and local governments were not feasible. However, for the one potentially impacted facility mentioned above, multiple potential methods of compliance were identified. The potentially affected facility has been notified of this potential impact and DEC staff have engaged the facility to find a cost-effective solution.

7. Small Business and Local Government Participation

The Department informed the public about the proposed rule through the DEC website, letters to dischargers and municipalities, and notices in the Environmental Notice Bulletin and the State Register. DEC held both a public information meeting and a public hearing within the Lake Champlain drainage basin. The public had the opportunity to comment on the proposed rule by attending the public hearing or by submitting written comments to the Department. The potentially affected facility has been notified of this potential impact and DEC staff have engaged the facility to find a cost-effective solution.