



DELBERT HOSEMANN
Secretary of State

ECONOMIC IMPACT STATEMENT

An Economic Impact Statement is required for this proposed rule by Section 25-43-3.105 of the Administrative Procedures Act. An Economic Impact Statement must be attached to this Form and address the factors below. A **PDF** document containing this executed Form and the Economic Impact Statement must be filed with any proposed rule, if required by the aforementioned statute.

AGENCY NAME Mississippi State Department of Health	CONTACT PERSON Mike Lucius	TELEPHONE NUMBER 601-576-7847
ADDRESS PO Box 1700/570 E Woodrow Wilson Blvd.	CITY Jackson	STATE MS
EMAIL Bob.Fagan@msdh.state.ms.us	DESCRIPTIVE TITLE OF PROPOSED RULE On-site Wastewater Regulation – Chapter 5 Subchapter 7 (Spray Irrigation) and Chapter 7 Fees	
Specific Legal Authority Authorizing the promulgation of Rule: Specific Legal Authority Authorizing the promulgation of Rule: 41-67-3	Reference to Rules repealed, amended or suspended by the Proposed Rule: 5.7.2.1, 5.7.2.4, 5.7.2.6, 5.7.3.4, 5.7.3.5.a, 5.7.4.6.g, 5.7.5, 5.7.9.4, 5.7.10, Table I, Table II, Figure I, Figure II, 7.1, Subchapter 1, Subchapter 2, Subchapter 3, 7.2	

SIGNATURE 	TITLE Deputy State Health Officer/Chief Administrative Officer
DATE 9/4/13	PROPOSED EFFECTIVE DATE OF RULE 30 days after filing

- Describe the need for the proposed action: To ensure uniform products are being provided to the consumer by requiring all certified manufacturers to register the spray irrigation system as a complete packet.
- Describe the benefits which will likely accrue as the result of the proposed action: The consumer will be protected against unauthorized spray equipment and only authorized representatives of the manufacturer can install and service such products. Also the consumer will be provided with a more uniform product and will be capable of getting the certified components from the manufacturer.
- Describe the effect the proposed action will have on the public health, safety, and welfare: The consumer will be protected based on the uniformity and consistency with the product being registered as well as a single party being held responsible for the items being utilized in the wastewater process.

4. Estimate the cost to the agency and to any other state or local government entities, of implementing and enforcing the proposed action, including the estimated amount of paperwork, and any anticipated effect on state or local revenues: The cost of will be minimal since on the Division of On-site Wastewater will be conducting the review and listing of the spray components. Since the Division already reviews and list the other components for registered wastewater products, the increase in the workload will be absorbed without notice.
5. Estimate the cost or economic benefit to all persons directly affected by the proposed action: The manufacturers will have no additional cost while the benefit will be that uniformity among the treatment and disposal will be validated by registration. The installers of the product may see some increase in cost due to the registration of the product, but it will be only the difference between the current components that are not registered being utilized by unscrupulous installers. The economic benefit to the consumer is the most notable, the consumer will be guaranteed a product that has been reviewed by listed by the State with the limited warranty being included in the price of the installation.
6. Provide an analysis of the impact of the proposed rule on small business: See 5 above.
 - a. Identify and estimate the number of small businesses subject to the proposed regulation: All certified installers in the State of Mississippi totaling 473 and certified manufacturer, 17.
 - b. Provide the projected reporting, recordkeeping, and other administrative costs required for compliance with the proposed regulation, including the type of professional skills necessary for preparation of the report or record: The manufacturer will be required to submit to the Division, an annual report on those authorized to install the components.
 - c. State the probable effect on impacted small businesses: Since the listing of authorized representatives is already required for the advanced treatment system (unit) to utilize a spray irrigation system components, the certified manufacturer should have little to no impact based on this rule change.
 - d. Describe any less intrusive or less costly alternative methods of achieving the purpose of the proposed regulation including the following regulatory flexibility analysis:
 - i. The establishment of less stringent compliance or reporting requirements for small businesses;
 - ii. The establishment of less stringent schedules or deadlines for compliance or reporting requirements for small businesses;
 - iii. The consolidation or simplification of compliance or reporting requirements for small businesses;
 - iv. The establishment of performance standards for small businesses to replace design or operational standards required in the proposed regulation; and
 - v. The exemption of some or all small businesses from all or any part of the requirements contained in the proposed regulations: Since only annual reporting is required the reporting has already been minimized. The use of performance standards are part of the registration required under these rules.
7. Compare the costs and benefits of the proposed rule to the probable costs and benefits of not adopting the proposed rule or significantly amending an existing rule: The cost currently being seen by the consumer is that replacement parts that are similar can be purchased or installed but do not meet the original installation requirements.

8. Determine whether less costly methods or less intrusive methods exist for achieving the purpose of the proposed rule where reasonable alternative methods exist which are not precluded by law: Only requesting the certified manufacturer to ensure that the components are being provided could the State be less intrusive. This has not been productive to this point since the certified installer can adjust his price by purchasing improper components.

9. Describe reasonable alternative methods, where applicable, for achieving the purpose of the proposed action which were considered by the agency: The original concept was to register each component to the unique manufacturer of the component. This was found to be overly restrictive and time consuming. This would have made the task overly burdensome on the installer.

10. State reasons for rejecting alternative methods that were described in #9 above: This was found to be overly restrictive and time consuming.

11. Provide a detailed statement of the data and methodology used in making estimates required by this subsection: Data obtained from conferring with manufacturers and installers of Spray Irrigation systems