STATE OF WISCONSIN
DEPARTMENT OF ADMINISTRATION
DOA-2049 (R03/2012)

DIVISION OF EXECUTIVE BUDGET AND FINANCE
101 EAST WILSON STREET, 10TH FLOOR
P.O. BOX 7864
MADISON, WI 53707-7864
FAX: (608) 267-0372

# ADMINISTRATIVE RULES
## Fiscal Estimate & Economic Impact Analysis

1. Type of Estimate and Analysis
☒ Original ☐ Updated ☐ Corrected

2. Administrative Rule Chapter, Title and Number
Chapter NR 600 Series

3. Subject
Proposed rules related to updating and correcting the Hazardous Waste, Universal Waste, and Used Oil Rules to reflect changes to changes adopted by the US Environmental Protection Agency (EPA)

4. Fund Sources Affected
☐ GPR ☐ FED ☒ PRO ☐ PRS ☐ SEG ☐ SEG-S

5. Chapter 20, Stats. Appropriations Affected
NA

6. Fiscal Effect of Implementing the Rule
☒ No Fiscal Effect ☐ Increase Existing Revenues ☐ Increase Costs
☐ Indeterminate ☐ Decrease Existing Revenues ☐ Could Absorb Within Agency's Budget
☐ Decrease Cost

7. The Rule Will Impact the Following (Check All That Apply)
☐ State's Economy ☒ Specific Businesses/Sectors
☐ Local Government Units ☐ Public Utility Rate Payers
☐ Small Businesses **(if checked, complete Attachment A)**

8. Would Implementation and Compliance Costs Be Greater Than $20 million?
☐ Yes ☒ No

9. Policy Problem Addressed by the Rule
The primary objective of the proposed rule is to meet the statutory requirement to maintain authorization to administer the federal hazardous waste program in Wisconsin. To do so, the Department is required to adopt rules that are at least equivalent to EPA's RCRA regulations. These rule revisions encompass all changes that EPA promulgated between 2002 and 2006 and are referred to individually by letters designated in the board order description.

10. Summary of the businesses, business sectors, associations representing business, local governmental units, and individuals that may be affected by the proposed rule that were contacted for comments.
The proposed rules affect the vehicle painting and coating industry, producers of dyes and pigments, academic laboratories, businesses or entities that handle mercury containing equipment, cathode ray tube processors, managers of used oil, and entities or businesses that handle solvent soaked wipes or rags.

11. Identify the local governmental units that participated in the development of this EIA.
In the creation of this economic impact analysis, comments were sought from the Wisconsin Towns Association (WTA) and The League of Wisconsin Municipalities (LWM).

12. Summary of Rule's Economic and Fiscal Impact on Specific Businesses, Business Sectors, Public Utility Rate Payers, Local Governmental Units and the State's Economy as a Whole (Include Implementation and Compliance Costs Expected to be Incurred)
We anticipate the economic and fiscal impact of this rule to be minimal. Federal rules require an economic impact analysis for promulgation, and without exception all of these changes were deemed by federal analysis to cause "minimal impact, with little or no change in market prices or production." Additionally, several of the rule changes are actually relaxations (C,D,E,F,I,M), and as such will actually result in either direct (decreased regulatory costs) or indirect (administrative time savings) cost savings for businesses and entities in affected business sectors. Additionally, the majority of these changes (and all that are not relaxations) were promulgated under the authority of RCRA as amended by the Hazardous and Solid Waste Amendments of 1984 (HSWA). Regulations promulgated under HSWA are immediately effective in all states, regardless of state authorization status. So, entities and businesses in affected sectors have already implemented many of the changes and will thus be unaffected by these rules.

13. Benefits of Implementing the Rule and Alternative(s) to Implementing the Rule

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Several of the changes included in this rule are actually relaxations (A, C, D, E, F, H, J, M) - and were found to result in minor cost savings to affected entities and businesses through decreased administrative (paperwork) costs and streamlined permitting processes. These entities and businesses will actually benefit from these changes. There is no alternative to implementing these rule changes. They are required to be adopted in order to maintain program authorization.

14. Long Range Implications of Implementing the Rule
The proposed changes will make Wisconsin rules consistent with Federal rules.

15. Compare With Approaches Being Used by Federal Government
These changes mirror changes to federal rules.

16. Compare With Approaches Being Used by Neighboring States (Illinois, Iowa, Michigan and Minnesota)
Iowa is not authorized to implement a hazardous waste program, and as a result they are not required to adopt these changes. Illinois, Michigan, and Minnesota are all adopting similar rules to reflect the federal changes. Currently, only Michigan has been authorized to administer the changes found in the proposed rules.

| 17. Contact Name | 18. Contact Phone Number |
|---|---|
| Ed Lynch, Section Chief - Hazardous Waste Prevention and Management | 608/267-0545 |

This document can be made available in alternate formats to individuals with disabilities upon request.

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# ADMINISTRATIVE RULES
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## ATTACHMENT A

1. Summary of Rule's Economic and Fiscal Impact on Small Businesses (Separately for each Small Business Sector, Include Implementation and Compliance Costs Expected to be Incurred)

2. Summary of the data sources used to measure the Rule's impact on Small Businesses

3. Did the agency consider the following methods to reduce the impact of the Rule on Small Businesses?
☐ Less Stringent Compliance or Reporting Requirements
☐ Less Stringent Schedules or Deadlines for Compliance or Reporting
☐ Consolidation or Simplification of Reporting Requirements
☐ Establishment of performance standards in lieu of Design or Operational Standards
☐ Exemption of Small Businesses from some or all requirements
☐ Other, describe:

4. Describe the methods incorporated into the Rule that will reduce its impact on Small Businesses

5. Describe the Rule's Enforcement Provisions

6. Did the Agency prepare a Cost Benefit Analysis (if Yes, attach to form)
☐ Yes ☐ No