

**VIRGINIA BOARD FOR
WATERWORKS AND WASTEWATER WORKS OPERATORS AND ONSITE
SEWAGE SYSTEM PROFESSIONALS**

MINUTES OF MEETING

The Virginia Board for Waterworks and Wastewater Works Operators and Onsite Sewage System Professionals met on November 18, 2014, at the offices of the Department of Professional and Occupational Regulation (DPOR), Perimeter Center, 9960 Mayland Drive, 2nd Floor, Board Room 4, Richmond, Virginia 23233.

The following members of the Board were present:

John Aulbach, II, Chair
Kornell Davis, Jr.
Barry T. Dunkley
Thomas Fore
D. Perry Greene
Kristen Lentz
Gary Schafran
Ronald Thomas

Board members E. Brooke Philpy, Michelle Ann Magrino, and D. Wayne Staples were not present at the meeting.

DPOR staff present for all or part of the meeting included:

Jay W. DeBoer, Director
Trisha L. Henshaw, Executive Director
Kristin Marie Clay, Board Administrator
Betty C. Jones, Administrative Assistant

Elizabeth Peay from the Office of the Attorney General was present.

Finding a quorum of the Board present, Mr. Aulbach, Chair, called the meeting to order at 9:00 a.m.

Call to Order

Ms. Henshaw advised the Board of the emergency evacuation procedures.

**Emergency
Evacuation
Procedures**

Mr. Aulbach requested that agenda item VII. 8. Report on Virginia Department of Health (VDH) Waterworks Regulations be stricken from the agenda at this time. Mr. Dunkley moved to approve the revised agenda. Mr. Davis seconded the motion which was unanimously approved by: Aulbach, Davis, Dunkley, Fore, Greene, Lentz, Schafran, and Thomas.

**Approval of
Agenda**

Mr. Dunkley moved that the Board approve the minutes of the October 16, 2014, Board meeting. Mr. Thomas seconded the

**Approval of
Minutes**

motion which was unanimously approved by: Aulbach, Davis, Dunkley, Fore, Greene, Lentz, Schafran, and Thomas.

Mr. Aulbach opened the floor for public comment. No members of the public present requested to speak.

**Public Comment
Period**

Ms. Henshaw provided an updated preliminary timeline for developing the draft Waterworks and Wastewater Works Operators Regulations and Onsite Sewage System Professionals Regulations. The timeline will be revised throughout the review process to ensure the Board's objectives are accomplished within required timeframes. Staff must file proposed text for Executive Branch Review by June 29, 2015. The Notice of Intended Regulatory Action (NOIRA) public comment period ends December 31, 2014. Staff may need to schedule another meeting in order for the Board to adopt final regulations by April 16, 2015.

**Review of Timeline
for Regulations**

Ms. Henshaw provided the Board with a revised draft of the Waterworks and Wastewater Works Operators Regulations and Onsite Sewage System Professionals Regulations in accordance with the Board's comments from the September 16, 2014, Board meeting. The sections included:

**Review Draft
Regulations**

- Standards of Conduct (Waterworks and Wastewater Works Operators Regulations and Onsite Sewage System Professionals Regulations)
- Entry Requirements (Onsite Sewage System Professionals Regulations)

Ms. Henshaw also provided draft language of portions of the Waterworks and Wastewater Works Operators Regulations and Onsite Sewage System Professionals Regulations. The sections included:

- Entry Requirements Qualification for Licensure (Waterworks and Wastewater Works Operators Regulations)
- Renewal and CPE Requirements (Waterworks and Wastewater Works Operators Regulations)
- Entry Requirements Qualification for Licensure Onsite Soil Evaluator (Onsite Sewage System Professionals Regulations)

Ms. Henshaw also provided a handout indicating the Review Status of the draft regulations to ensure that all topic areas will be covered, and the status of review.

The Board began to review the draft regulations.

**Review Draft
Regulations**

The Board recessed for a break at 10:00 a.m. and reconvened at 10:15 a.m.

Break

The Board continued its review of the draft regulations. The Board agreed by consensus to table the consideration of the Qualifications for Licensure section until the next meeting.

**Review Draft
Regulations**

Mr. Aulbach suggested staff review the Waterworks and Wastewater Works Operator license requirements for other states, particularly those that border Virginia.

The Board recessed for lunch from 11:28 a.m. to 11:46 a.m.

Lunch

The Board continued its review of the draft regulations.

**Review Draft
Regulations**

Ms. Lentz and Mr. Schafran departed at 12:24 p.m.

**Departure of Board
Members**

The Board finalized its review of the draft regulations as provided by staff. Staff advised that all changes made at this meeting will be incorporated into the draft document and provided at the next regulatory review Board meeting. Ms. Henshaw provided a handout on Classification Requirements for waterworks and wastewater works and requested guidance from the Board on any areas that may need amendment. Mr. Aulbach indicated that he would review the classification requirements as they apply to waterworks in light of the regulatory changes underway with VDH.

**Review Draft
Regulations**

The Board discussed its plan for the next Board meeting. At the next Board meeting, the Board will continue review of the draft Waterworks and Wastewater Works Operators Regulations and Onsite Sewage System Professionals Regulations. Sections that have not been reviewed to date include:

**Plan Discussion
Topics for Next
Meeting**

- Training Approval and Definitions (Waterworks and Wastewater Works Operators Regulations and Onsite Sewage System Professionals Regulations)
- Classification Requirements (Waterworks and Wastewater Works Operators Regulations)
- Renewal/CPE (Onsite Sewage System Professionals Regulations)

The Board discussed setting another meeting date for the Board to

review the draft Regulations. Staff will poll the Board members on the availability of certain dates between February and April and will notify the Board members of the date with the most Board member availability.

At the October 16, 2014, Board meeting, Ms. Henshaw provided an update on exam vendors. Effective January 1, 2015, Ergometrics/National Testing Network (E-NTN) will be the new examination vendor. The last day to take the exam administered by PSI is December 19, 2014. Candidates who have paid for the exam but who do not take the exam on or before December 19, 2014 will receive a refund of their exam fee from PSI. Staff will post a notice on the DPOR website indicating the new vendor.

Update on Exam Vendors

There was no other Board business.

Other Board Business

The following meeting dates have been scheduled:

Future Meeting Dates

- Thursday, January 29, 2015
- Thursday, April 16, 2015
- Thursday, July 23, 2015
- Thursday, October 15, 2015

The Board members were reminded to complete their conflict of interest forms and travel vouchers.

Conflict of Interest Forms and Travel Vouchers

Mr. Aulbach thanked the staff for the preparation of the regulations and the Board members for their time and dedication.

Adjourn

There being no further business, the meeting was adjourned at 1:04 p.m.

John Aulbach, II, Chair

Jay W. DeBoer, Secretary