

**THE VIRGINIA BOARD FOR
WASTE MANAGEMENT FACILITY OPERATORS
MEETING MINUTES**

The Virginia Board for Waste Management Facility Operators met on Wednesday, April 2, 2003, in Room 395 at the offices of the Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia.

The following members of the Board were present:

John S. Austin (Chairman)
Harry E. Gregori, Jr.
Dr. Margot Garcia
Dan Miles (Vice Chairman)
W.A. Dennison
Thomas H. Wade
Mark E. Brandon

The following members of DPOR staff were present during some or all of the meeting:

Sandra Whitley Ryals, Chief Deputy Director
Karen O'Neal, Deputy Director, Regulatory Programs
Steven Arthur, Deputy Director, Administration and Finance
David E. Dick, Executive Director
Joseph Kossan, Regulatory Boards Administrator

Others who attended the meeting included:

Tara Hansen, Joyce Engineering, Inc.
Ray McGowan, Joyce Engineering, Inc.
Michael Dieter, Virginia Department of Environmental Quality
Tommy David, Virginia Department of Corrections
Karen Sabasteanski, Virginia Department of Environmental Quality

Mr. Austin finding a quorum of the Board present, called the **Call to Order** meeting to order at 10:09 AM.

Dr. Garcia moved that the Board approve the agenda. Mr. Gregori **Adopt Agenda** seconded the motion, which was carried unanimously by *seven* aye votes (Messrs. Austin, Brandon, Dennison, Gregori, Miles, and

Wade; and Dr. Garcia.) The agenda was as follows:

1. Call to Order
2. Approval of Agenda
3. Approval of Board Minutes of January 14, 2003
4. Public Comment Period – Five minute public comment, per person, on those items not included on the agenda with the exception of any open disciplinary files.
5. Election of Chairman
6. Response to Notice of Intended Regulatory Action (NOIRA) – David Dick
7. Consideration of amendments to the May 1, 2000, Board for Waste Management Facility Operators Regulations
8. Board Member Orientation – Steve Arthur, Finance
9. Complete Conflict of Interest Forms
10. Set Next Board Meeting Date: May 20, 2003
11. Adjourn

Dr. Garcia moved that the Board approve the minutes of its January 14, 2003 meeting. Mr. Dennison seconded the motion, which was carried unanimously by seven aye votes (Messrs. Austin, Brandon, Dennison, Gregori, Miles, and Wade; and Dr. Garcia.)

Approval of Board Minutes

Mr. Austin opened the floor for public comment. No member of the public present expressed a desire to speak.

Public Comment Period

Mr. Austin called for nominations for Chairman.

Elections

Mr. Gregori nominated Mr. Austin for the office of Chairman.

Hearing no further nominations, Mr. Austin declared the nominations closed.

Mr. Austin was elected Chairman by seven aye votes (Messrs. Austin, Brandon, Dennison, Gregori, Miles, and Wade; and Dr. Garcia.)

Mr. Austin called for nominations for Vice Chairman.

Mr. Dennison nominated Mr. Miles for the office of Vice Chairman.

Hearing no further nominations, Mr. Austin declared the

nominations closed.

Mr. Miles was elected Vice Chairman by seven aye votes (Messrs. Austin, Brandon, Dennison, Gregori, Miles, and Wade; and Dr. Garcia.)

Mr. Austin noted that four comments had been received from the public in response to the Board's Notice of Intended Regulatory Action (NOIRA), which closed on March 21, 2003.

NOIRA Response

The Board considered the comment from Katharine M. Webb of the Virginia Hospital and Healthcare Association, who suggested the elimination of the Board and the transfer of the Board's duties to the Virginia Department of Environmental Quality (DEQ).

Dr. Garcia moved that the Board respond to Ms. Webb by thanking her for her comment, pointing out that her suggestion was beyond the Board's statutory authority and stating that only the Virginia General Assembly has the authority to abolish the Board and move its responsibilities to DEQ. Mr. Miles seconded the motion, which was carried unanimously by seven aye votes (Messrs. Austin, Brandon, Dennison, Gregori, Miles, and Wade; and Dr. Garcia.)

The Board considered the comment from Bob Kerlinger of the Mid-Atlantic Composting Association, W. T. Tommy Davis of the Virginia Department of Corrections and Michael Dieter of DEQ, who commented that the requirement for those operating a municipal waste composting facility to meet the same training and examination standards as those operating a municipal landfill should be amended. The amendments should reflect criteria appropriate for the operation of a composting facility.

Mr. Davis and Mr. Dieter were present and answered the Board's questions.

Karen Sabastanski of DEQ addressed the Board on the current status of amendments to DEQ Air regulations.

The Board discussed the composting and Air regulations at length.

Dr. Garcia left the meeting at 1:53 PM.

Mr. Gregori left the meeting at 2:08 PM.

Mr. Miles moved that Mr. Davis, Mr. Dieter and Mr. Kerlinger be consulted further for specific regulation amendments that would address their concern. Mr. Dennison seconded the motion, which was carried unanimously by five aye votes (Messrs. Austin, Brandon, Dennison, Miles, and Wade.)

The Board took no action to propose amendments to its regulations.

**Consideration of
Amendments to
May 1, 2000
Regulations**

During its discussion of the NOIRA comment, the Board agreed without dissent to add the following regulation items to its agenda for the May 20, 2003 meeting:

Municipal composting
Continuing Professional Education
Entry standards for Class IV licensure

Mr. Austin asked the Board members to complete their conflict of interest forms and travel vouchers.

**Conflict of Interest
Forms**

The Board established its next meeting to be on May 20, 2003 at 10:00 AM.

Next Meeting

Mr. Austin, finding no further business to conduct, adjourned the meeting at 2:35 PM.

Adjournment

John Austin, Chairman

Louise Fontaine Ware, Secretary

COPY TESTE:

Custodian of the Records