

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

The Virginia Board for Waste Management Facility Operators met on Thursday, May 23, 2013, at the offices of the Department of Professional and Occupational Regulation, Perimeter Center, 9960 Mayland Drive, Richmond, Virginia.

The following members of the Board were present:

Joyce Doughty
Debra Harris
Joseph Levine
Maurice Witcher

The following members of the Board were not present:

Danielle Davis and Peter Cao

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

Mark N. Courtney, Senior Director Regulatory and Public Affairs
Gordon Dixon, Director
Eric Olson, Executive Director
Sheila Watkins, Administrative Assistant
Mindy Spruill, Regulatory Board Administrator

Elizabeth Peay, Legal Counsel from the Office of the Attorney General was not present.

Mrs. Harris, Chair, finding a quorum of the Board present, called the meeting to order at 10:08 a.m. **Call to Order**

All Board members and Staff present at the meeting introduced themselves. **Introduction of Staff**

Mr. Witcher moved to approve the agenda after rearranging the order in which the new business would be heard. Mrs. Doughty seconded the motion which was unanimously approved by members: Levine, Doughty, Harris, and Witcher. **Approval of Agenda**

The Board members reviewed the minutes of the last Board meeting. Mr. Levine moved to approve the following minutes: **Approval of Minutes**

February 14, 2013 – Board Meeting

Mr. Witcher seconded the motion, which was unanimously approved by members: Doughty, Harris, Levine and Witcher.

There were no comments made to the Board.

**Public Comment
Period**

Regulatory Reform Regulations: Mindy Spruill, Regulatory Board Administrator facilitated the Regulatory Reform Regulation report to the Board members. She shared that the NORIA was published from February 27th to March 27th, 2013. Staff recommends that the NORIA be cancelled and a new NORIA be opened with additional Regulation review. Staff feels that the Board should perform an additional review in order to come into compliance with the Governor's request to identify burdensome, obsolete or unnecessary sections in the Regulations. There was much discussion about the process. After discussion Mrs. Doughty offered a motion to rescind the NORIA and start a new Regulation review. Mr. Levine seconded the motion, which was unanimously approved by members: Doughty, Harris, Levine and Witcher.

Old Business

Matrix Discussion: Mindy Spruill provided the Board with a copy of the matrix shell they were reviewing at the February 14th, 2013 meeting. She asked the chair to have the Board share what their pleasure is concerning development of a matrix for the Waste Management Board. Mr. Olson shared that the use of a matrix provides a cost savings to the commonwealth because it eliminates numerous Informal Fact Finding Hearings. After discussion it was determined that a matrix would provide staff with assistance in processing applications that have a criminal history. Members shared with Ms. Spruill they wish to include environmental related convictions in item number 1 and except for environmental related convictions in item number 2. A motion was offered by Mr. Witcher and seconded by Mr. Levine to adopt a criminal matrix to be used by staff when processing applications. The motion was unanimously approved by members: Doughty, Harris, Levine and Witcher.

Eagles Update: Mindy Spruill shared that on May 1st, 2013 PSI took over the examinations for the Waste Management Board.

New Business

Course Information: Nothing to report at this time.

Election of Officers: **Gordon Dixon**, Board Secretary took over chairing the meeting during the election of officers. The floor was opened for the nomination of chairperson. A motion was offered by Harris and seconded by Doughty to nominate Levine as a candidate for Chairman. The nomination was closed by a motion offered by Harris and seconded by Doughty. The motion was unanimously approved to elect Levine as chair by members: Harris, Levine, Doughty and Witcher.

The floor was opened for the nomination of vice chairperson. A motion was offered by Doughty and seconded by Levine to nominate Witcher for vice chair. The nomination was closed by a motion offered by Levine and seconded by Doughty. The motion was unanimously approved to elect Witcher as vice chair by members: Harris, Levine, Doughty and Witcher.

Mr. Dixon shared that these nominations go into effect with the next meeting of the Waste Management Board. He turned the chairing of the meeting over to Mrs. Harris.

Exam Review Request: Justin Willis of the Department of Environmental Quality updated the Board on the review of the examination material by PSI, as part of the transition to the new exam vendor. Justin Willis and Linda Shultz both participated as subject matter experts for development and review of the new exam. They performed a line by line, question by question review. Suggestions were made and they were considered by PSI in creating the final examination. This process was performed for both Class I and Class II. Board chairman Harris thanked them both for their participation and for sharing with the Board.

Regulatory Review: Doughty shared her thoughts about the request of the Governor to have us do a line by line review and to meet specific regulatory requirements. There was Board member discussion and it was shared there is a composting concern and the members would like to add a "class V" license. There was

additional discussion about initiating a regulatory action. The members asked Mr. Olson and Ms. Spruill and Mr. Courtney to assist them with their Regulation review. Levine offered a motion seconded by Witcher to initiate a regulatory action. The motion was unanimously approved by members: Harris, Levine, Doughty and Witcher.

Board Meeting Schedule: A proposed Board meeting schedule was presented to the Board members for consideration. After review and discussion Mr. Levine moved to have the staff draft another schedule for the Board's future meeting schedule giving preference to Thursday meeting dates. Ms. Doughty seconded the motion which was unanimously approved by members: Doughty, Harris, Levine and Witcher.

The Board agreed that the next meeting date will be October 22, 2013. The rest of the meeting dates are to be determined by Staff at the Board's request. Staff has been asked to secure additional meeting dates for 2014 and report back to Board for approval.

**Future Meeting
Date**

Mrs. Harris requested that the Board members complete their conflict of interest forms and travel vouchers.

**Conflict of Interest
Forms and Travel
Vouchers**

There being no further business to conduct, the meeting adjourned at 11:02 a.m.

Adjournment

Debra A. Harris, Chair

Gordon N. Dixon, Secretary