

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

**MINUTES**

The Virginia Board for Waterworks and Wastewater Works Operators and Onsite Sewage System Professionals met on June 8, 2010, at the Department of Professional and Occupational Regulation, 9960 Mayland Drive, Richmond, Virginia, with the following members present:

Douglas J. Crooks  
Frank L. Davis, Jr.  
Kornell Davis, Jr.  
Dr. Wesley Kleene  
Eileen M. Leininger  
Ronald Thomas  
John Vanderland

Board members Charles Bott, E. Brooke Philpy and Harold W. Walker were not present at the meeting.

Staff present for all or part of the meeting were:

Gordon Dixon, Director  
Mark N. Courtney, Deputy Director of Licensing and Regulation  
David Dick, Executive Director  
Jill Richardson, Board Administrator  
Michele Atkinson, Board Administrator  
Earlyne Perkins, Legal Analyst  
Michelle Gowen, Administrative Assistant

No representative was present from the Office of the Attorney General.

Mr. Crooks, finding a quorum of the Board present, called the meeting to order at 9:09 a.m.

**Call to Order**

Mr. F. Davis moved to approve the agenda as amended. Ms. Leininger seconded the motion which was unanimously approved by members: Crooks, F. Davis, K. Davis, Kleene, Leininger, Thomas and Vanderland.

**Approval of  
Agenda**

Mr. K. Davis moved to approve the minutes of the following meetings:

**Approval of  
Minutes**

March 24, 2010, Board Meeting Minutes;  
April 8, 2010, IFF Minutes;

April 15, 2010, IFF Minutes; and  
May 20, 2010, IFF Minutes.

Ms. Leininger seconded the motion which was unanimously approved by members: Crooks, F. Davis, K. Davis, Kleene, Leininger, Thomas and Vanderland.

There were no comments made to the Board.

**Public Comment  
Period**

In the matter of File Number 2010-04216, Davie Whorley, the Board members reviewed the record which consisted of the application file, transcript and exhibits from the Informal Fact-Finding Conference, and the Presiding Officer's Summary and Recommendation. Mr. Whorley was present and addressed the Board. Mr. F. Davis moved to accept the recommendation of the Presiding Officer and approve Mr. Whorley's application for a Class 6 Waterworks Operator license application. Mr. Thomas seconded the motion which was approved by members: Crooks, F. Davis, K. Davis, Kleene, Leininger, Thomas and Vanderland.

**File Number 2010-  
04216 - Davie  
Whorley**

In the matter of File Number 2010-04215, Tony Davis, the Board members reviewed the record which consisted of the application file, transcript and exhibits from the Informal Fact-Finding Conference, and the Presiding Officer's Summary and Recommendation. Tony and Angela Davis were present and addressed the Board. Mr. F. Davis moved to accept the recommendation of the Presiding Officer and approve Mr. Davis's Class 4 Waterworks Operator license application. Mr. K. Davis seconded the motion which was approved by members: Crooks, F. Davis, K. Davis, Kleene, Leininger, Thomas and Vanderland.

**File Number 2010-  
04215 - Tony  
Davis**

In the matter of File Number 2010-03056, Jessica Baker, the Board members reviewed the record which consisted of the application file, transcript and exhibits from the Informal Fact-Finding Conference, and the Presiding Officer's Summary and Recommendation. Ms. Baker was present and addressed the Board. Mr. K. Davis moved to accept the recommendation of the Presiding Officer and approve Ms. Baker's Class 4 Wastewater Works Operator license application. Ms. Leininger seconded the motion which was approved by members: Crooks, F. Davis, K. Davis, Kleene, Leininger, Thomas and Vanderland.

**File Number 2010-  
03056 - Jessica  
Baker**

In the matter of **File Number 2010-04993, Darrell Campbell**, the Board members reviewed the record which consisted of the application file, transcript and exhibits from the Informal Fact-Finding Conference, and the Presiding Officer's Summary and Recommendation. Mr. Campbell was not present to address the Board. Mr. K. Davis moved to accept the recommendation of the Presiding Officer and approve Mr. Campbell's Interim Alternative Onsite Sewage System Installer license application. Mr. Thomas seconded the motion which was approved by members: Crooks, F. Davis, K. Davis, Leininger, Thomas and Vanderland. Dr. Kleene voted in opposition of the motion. The motion carried by a majority vote.

**File Number 2010-04993 - Darrell Campbell**

In the matter of **File Number 2010-03057, Timothy Dawson**, the Board members reviewed the record which consisted of the application file, transcript and exhibits from the Informal Fact-Finding Conference, and the Presiding Officer's Summary and Recommendation. Mr. Dawson was not present to address the Board. Mr. Vanderland moved to accept the recommendation of the Presiding Officer and approve Mr. Dawson's Alternative Onsite Sewage System Installer license application. Ms. Leininger seconded the motion which was approved by members: Crooks, F. Davis, K. Davis, Kleene, Leininger, Thomas and Vanderland.

**File Number 2010-03057 - Timothy Dawson**

In the matter of **File Number 2010-02891, Daisy Burrell**, the Board members reviewed the record which consisted of the application file, transcript and exhibits from the Informal Fact-Finding Conference, and the Presiding Officer's Summary and Recommendation. Ms. Burrell was not present to address the Board. Mr. Thomas moved to accept the recommendation of the Presiding Officer and approve Ms. Burrell's Alternative Onsite Soil Evaluator license application. Mr. F. Davis seconded the motion which was approved by members: Crooks, F. Davis, K. Davis, Kleene, Leininger, Thomas and Vanderland.

**File Number 2010-02891 - Daisy Burrell**

In the matter of **File Numbers 2010-03532 and 2010-03531, Brent Hutchinson**, the Board members reviewed the records which consisted of the application files, transcripts and exhibits from the Informal Fact-Finding Conferences, and the Presiding Officer's Summaries and Recommendations. Mr. Hutchinson was not present to address the Board. Dr. Kleene moved to accept the recommendation of the Presiding Officer and approve Mr. Hutchinson's Class 3 Waterworks Operator and Class 3 Wastewater Works Operator license applications. Mr. Vanderland

**File Numbers 2010-03532 and 2010-03531 - Brent Hutchinson**

seconded the motion which was approved by members: Crooks, F. Davis, K. Davis, Kleene, Leininger, Thomas and Vanderland.

Mr. Dick introduced Gordon Dixon, DPOR's new Director, to the Board.

Mark Anderson, VDH, was present and addressed the Board regarding the Virginia Department of Health's Annual Report to the Environmental Protection Agency (EPA) concerning Virginia's regulations governing wastewater works operators. EPA required more information as to whether the Board has conducted an Internal Review of its wastewater works operator regulations. As a result of an Internal Review conducted by the Board, a regulatory program review was conducted in 2009. On January 1, 2010, regulation amendments concerning the regulation of waterworks operators took effect. Those amendments resulted from the Board's general regulation review (Internal Review) concluded in 2009. The Board is aware of no issues requiring amendments to their current regulations.

Mr. Dick informed the Board of the examination candidates with literacy deficiencies. After discussion, the Board requested that staff research the issues and report back to the Board at the September Board meeting.

Mr. Crooks and Mr. Vanderland recused themselves from the meeting due to conflicts of interest. Mr. Crooks appointed Dr. Kleene as Chair.

After review and discussion, Mr. K. Davis moved to accept the Committee's recommendation and approve AAWWP's training course application - Wastewater Math for 0.4 training credits as presented. Mr. Thomas seconded the motion which was unanimously approved by members: F. Davis, K. Davis, Kleene, Leininger and Thomas. Mr. Crooks and Mr. Vanderland were not present during the discussion or vote.

Mr. Crooks and Mr. Vanderland returned to the meeting. Mr. Crooks resumed the position of Chair.

After review and discussion, Ms. Leininger moved to accept the Committee's recommendation and approve DEQ's training course application - Wastewater Sampling & Testing - Phosphorus for 1.0 training credits. Mr. Vanderland seconded the motion which was

**Introduction of Staff**

**VDH/EPA "Internal Review" Request**

**OSSP Examination Administration Discussion**

**Recusal of Board Members and Transfer of Chair**

**Review of AAWWP Training Course Application**

**Return of Board Members**

**Review of DEQ Training Course Application**

unanimously approved by members: Crooks, F. Davis, K. Davis,  
Kleene, Leininger, Thomas and Vanderland.

Mr. Courtney informed the Board some of the questions on the PSI  
Waterworks examination may have been compromised. As a  
result, PSI permanently retired sixty questions and replaced them  
with alternate questions from the question bank.

**Discussion of PSI  
Examinations**

Future Board Meeting Dates:

**Future Meeting  
Dates**

- September 14, 2010
- December 9, 2010

Dr. Kleene informed the Board that the Director of Public Health,  
Dr. Burns, will be retiring as of June 11, 2010.


**Retirement**

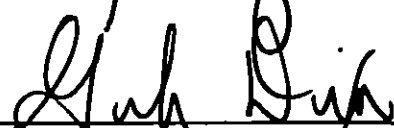
The Board members completed their conflict of interest forms and  
travel vouchers.

**Conflict of  
Interest Forms**

The Board adjourned at 10:45 a.m.

**Adjournment**

  
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Douglas J. Crooks, Chairperson

  
\_\_\_\_\_  
Gordon Dixon, Secretary

**STATE AND LOCAL GOVERNMENT  
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT  
for Officers and Employees of State Government**

1. Name: Douglas J. Crooks
2. Title: Board Member
3. Agency: WWWOSSP Board
4. Meeting/IFF Date: Board Meeting June 8, 2010

5. I have a personal interest in the following transaction:

\_\_\_\_\_

\_\_\_\_\_

Nature of Personal Interest Affected by Transaction:

\_\_\_\_\_

\_\_\_\_\_

I declare that I am a member of the following business, profession,  
occupation or group, the members of which are affected by the transaction:

\_\_\_\_\_

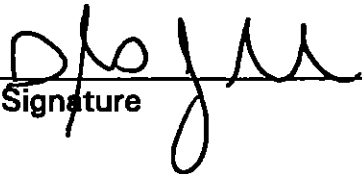
I am able to participate in this transaction fairly, objectively, and in the  
public interest.

or

I did not participate in the transaction.

6.  I do not have a personal interest in any transactions taken at this  
meeting.

Signature



Date

6-8-10

**STATE AND LOCAL GOVERNMENT  
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT  
for Officers and Employees of State Government**

1. Name: Frank L. Davis, Jr.  
2. Title: Board Member  
3. Agency: WWWOSSP Board  
4. Meeting/IFF Date: Board Meeting June 8, 2010

5. I have a personal interest in the following transaction:

\_\_\_\_\_  
\_\_\_\_\_

Nature of Personal Interest Affected by Transaction:

\_\_\_\_\_  
\_\_\_\_\_

I declare that I am a member of the following business, profession,  
occupation or group, the members of which are affected by the transaction:

\_\_\_\_\_

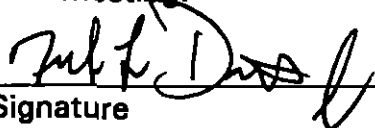
I am able to participate in this transaction fairly, objectively, and in the  
public interest.

or

I did not participate in the transaction.

6.  I do not have a personal interest in any transactions taken at this  
meeting.

Signature



Date

6-8-2010

**STATE AND LOCAL GOVERNMENT  
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT  
for Officers and Employees of State Government**

1. Name: Kornell R. Davis, Jr.  
2. Title: Board Member  
3. Agency: WWWOSSP Board  
4. Meeting/IFF Date: Board Meeting June 8, 2010

5. I have a personal interest in the following transaction:

\_\_\_\_\_  
\_\_\_\_\_

Nature of Personal Interest Affected by Transaction:

\_\_\_\_\_  
\_\_\_\_\_

I declare that I am a member of the following business, profession,  
occupation or group, the members of which are affected by the transaction:

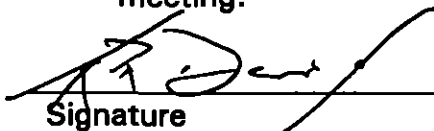
\_\_\_\_\_

I am able to participate in this transaction fairly, objectively, and in the  
public interest.

or

I did not participate in the transaction.

6.  I do not have a personal interest in any transactions taken at this  
meeting.

  
\_\_\_\_\_  
Signature

6-8-2010  
\_\_\_\_\_  
Date



**STATE AND LOCAL GOVERNMENT  
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT  
for Officers and Employees of State Government**

1. Name: Eileen M. Leininger  
2. Title: Board Member  
3. Agency: WWWOSSP Board  
4. Meeting/IFF Date: Board Meeting June 8, 2010

5. I have a personal interest in the following transaction:

none

Nature of Personal Interest Affected by Transaction:

none

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

water industry

I am able to participate in this transaction fairly, objectively, and in the public interest.

or

I did not participate in the transaction.

6.  I do not have a personal interest in any transactions taken at this meeting.

Eileen M. Leininger  
Signature

6/8/10  
Date

**STATE AND LOCAL GOVERNMENT  
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT  
for Officers and Employees of State Government**

1. Name: John Vanderland  
2. Title: Board Member  
3. Agency: WWWOSSP Board  
4. Meeting/IFF Date: Board Meeting June 8, 2010

5. I have a personal interest in the following transaction:

Item VI Other Business #16  
Review of AAWWP Training Course Application

Nature of Personal Interest Affected by Transaction:

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I declare that I am a member of the following business, profession,  
occupation or group, the members of which are affected by the transaction:

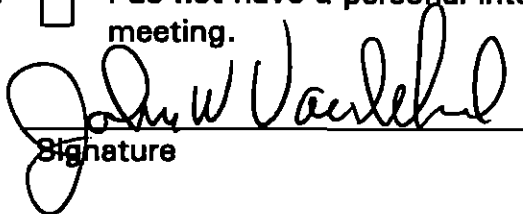
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I am able to participate in this transaction fairly, objectively, and in the  
public interest.

or

I did not participate in the transaction.

6.  I do not have a personal interest in any transactions taken at this  
meeting.

  
Signature

6/8/2010  
Date

**STATE AND LOCAL GOVERNMENT  
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT  
for Officers and Employees of State Government**

1. Name: Ronald R. Thomas
2. Title: Board Member
3. Agency: WWWOSSP Board
4. Meeting/IFF Date: Board Meeting June 8, 2010

5. I have a personal interest in the following transaction:

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Nature of Personal Interest Affected by Transaction:

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I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

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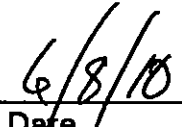
I am able to participate in this transaction fairly, objectively, and in the public interest.

or

I did not participate in the transaction.

6.  I do not have a personal interest in any transactions taken at this meeting

  
Signature

  
Date

**STATE AND LOCAL GOVERNMENT  
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT  
for Officers and Employees of State Government**

1. Name: J. Wesley Kleene  
2. Title: Committee Member  
3. Agency: WWWOSSP Board  
4. Meeting/IFF Date: Committee Meeting June 8, 2010

5. I have a personal interest in the following transaction:

\_\_\_\_\_  
\_\_\_\_\_

Nature of Personal Interest Affected by Transaction:

\_\_\_\_\_  
\_\_\_\_\_

I declare that I am a member of the following business, profession,  
occupation or group, the members of which are affected by the transaction:

\_\_\_\_\_

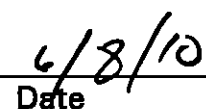
I am able to participate in this transaction fairly, objectively, and in the  
public interest.

or

I did not participate in the transaction.

6.  I do not have a personal interest in any transactions taken at this  
meeting.

  
Signature

  
Date