

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

***Tentative* AGENDA THURSDAY, APRIL 29, 2021
9:30 A.M.**

****VIRTUAL MEETING****

***MEMBERS OF THE PUBLIC: PLEASE SEE PAGE THREE OF THE AGENDA FOR VIRTUAL
MEETING ACCESS INSTRUCTIONS.***

- I. CALL TO ORDER**
- II. APPROVAL OF AGENDA**
a. Board Agenda, April 29, 2021
- III. ANNOUNCEMENTS**
- IV. APPROVAL OF MINUTES**
a. Board Meeting Minutes, January 14, 2021
b. OSSP Committee Meeting Minutes, March 30, 2021
- V. 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.**
- VI. CASE FILES****
a. File Number 2020-02557, Richard Richardson
Consent Order (Pruett)
- VII. REGULATORY ACTIONS**
a. Regulatory Action Update
- VIII. OTHER BUSINESS**
a. Examination Updates
i. Examination Statistics Report
b. Updates from OSSP Committee
i. Discuss Upcoming General Review of OSSP Licensing Regulations
ii. Discussion of Board Composition and Potential Legislative Suggestion(s)
c. Discussion on Statutory Authority and DPOR Policy Regarding the Issuing of Cease and Desist Orders
d. Discussion of CPE Credit for Board Meeting Attendance
e. DPOR Updates as it Relates to COVID-19 Response
f. Board Financial Statements
g. Update on Outreach Opportunities
h. Consider 2022 Meeting Dates
i. Other Business
- IX. FUTURE MEETING DATE**
a. July 8, 2021
- X. COMPLETE CONFLICT OF INTEREST FORMS**
- XI. ADJOURN**

Persons desiring to participate in the meeting and requiring special accommodations or interpretative services should contact the Department at (804) 367-0362 at least ten days prior to the meeting so that suitable arrangements can be made for an appropriate accommodation. The Department fully complies with the Americans with Disabilities Act.

** Agenda materials made available to the public do not include disciplinary case files or application files pursuant to §54.1-108 of the *Code of Virginia*.

DRAFT AGENDA
Materials contained in this agenda are proposed topics for discussion
and are not to be construed as regulation or official Board position.
DRAFT AGENDA



BOARD FOR WATERWORKS AND WASTEWATER WORKS OPERATORS AND ONSITE SEWAGE SYSTEM PROFESSIONALS PUBLIC PARTICIPATION IN APRIL 29 2021 BOARD MEETING

AUTHORITY | Virtual Meeting

Access to the Perimeter Center, where DPOR board meetings are normally held, is closed to the public as a result of the COVID-19 pandemic. The meeting will be conducted in accordance with the applicable provisions of the Freedom of Information Act (Chapter 37 of Title 2.2 of the Code of Virginia) and Amendment 28 to House Bill 29 (Budget Bill for 2018-2020).

ACCESSING THE MEETING | Google Meet

Members of the public may observe the meeting via the Google Meet platform using the link below:

Link:

meet.google.com/swo-ozvd-cqr

The public can also listen to the meeting via audio by calling the number below and entering the PIN:

Phone number: 1-775-319-7122

PIN: 292 590 567#

PUBLIC COMMENT | Registration Required

Members of the public who would like to provide comments to the Board during the public comment period must notify the Board in advance of the meeting in order to be registered. Please email the Board at waterwasteoper@dpor.virginia.gov by 12:00 p.m. on Wednesday, April 28, 2021 and provide your name and email address. You will receive an email confirmation once your registration is complete.

VIRTUAL BOARD MEETING INSTRUCTIONS

Providing Public Comment

- Members of the public who have registered to provide comment can do so after having their names announced during the public comment period.
- Commenters will be limited to 5 minutes.
- Participants are asked to call from a location without background noise.
- The public comment period is an opportunity to provide comments to the Board. If a member of the public has questions of the Board or needs information, please email your inquiry to the Board office at the email address above so that staff can handle it appropriately.
- At the close of the public comment period, all public participants' connections to the meeting will be muted, and they will only be able to view and listen to the meeting.
- Feedback on this electronic meeting can be provided to the FOIA Council on the *Electronic Meetings Public Comment* form at <http://foiacouncil.dls.virginia.gov/sample%20letters/welcome.htm>.

DURING THE MEETING | Broadcast Interruption

Should an interruption of the broadcast occur during the meeting, please email Tanya.Pettus@DPOR.Virginia.gov.

The Board and staff appreciate your patience as we work through any challenges associated with a virtual meeting. The safety of all participants is of utmost concern during these unprecedented times and we look forward to resuming in-person meetings once it is safe to do so.

ANNOUNCEMENTS

DRAFT AGENDA
Materials contained in this agenda are proposed topics for discussion
and are not to be construed as regulation or official Board position
DRAFT AGENDA

**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 (Board) met virtually via Google Meet on January 14, 2021, at 9:30 a.m. Board staff was present at the Department of Professional and Occupational Regulation (DPOR), 9960 Mayland Drive, Richmond, Virginia 23233. The meeting was held virtually due to the current public health emergency related to COVID-19 declared by the Governor, which made it impracticable or unsafe for the Board to assemble in a single location. The purpose of meeting was to discuss or transact business statutorily required or necessary to continue operations of the Board.

The following members of the Board were present:

James N. Brockwell
Rosa-Lee Cooke
Erica Duncan
W. Jordan Evans
John Ewing
Thomas Wayne Fore, Vice-Chair
Pamela M. Pruett, Chair
Don Riggelman
Dwayne Roadcap
D. Wayne Staples
Caleb Taylor

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

Mary Broz-Vaughan, Director
Trisha L. Henshaw, Executive Director
Shannon Webster, Director of Examinations
Joseph C. Haughwout, Jr., Board and Regulatory Administrator
Tanya M. Pettus, Administrative Assistant

Elizabeth Myers from the Office of the Attorney General was present at the meeting.

Ms. Pruett, Chair, called the meeting to order at 9:30 a.m.

Call to Order

Ms. Henshaw advised the Board of procedures in place for conducting the meeting virtually.

**Virtual Board
Meeting
Announcements**

Ms. Henshaw also took roll of Board members and advised those in attendance at the meeting of staff present. Ms. Henshaw introduced Lisa Robinson, Licensing Administrator, who was present to observe the meeting.

Mr. Fore moved to approve the agenda as presented. Mr. Staples seconded the motion which was unanimously approved by: Brockwell, Cooke, Duncan, Evans, Ewing, Fore, Pruett, Riggleman, Roadcap, Staples, and Taylor.

**Approval of
Agenda**

Ms. Henshaw advised those in attendance of procedures in place for conducting the meeting virtually.

**Announcements
Continued**

Mr. Staples advised of a typographical error in the minutes of the October 22, 2020 meeting, and moved to approve the Board meeting minutes as amended. Mr. Fore seconded the motion which was unanimously approved by: Brockwell, Cooke, Duncan, Evans, Ewing, Fore, Pruett, Riggleman, Roadcap, Staples, and Taylor.

**Approval of
Minutes**

There were no members of the public present to address the Board.

**Public Comment
Period**

Mr. Haughwout provided an update on the current status of the regulatory review processes for the Board's regulatory packages:

**Regulatory Action
Update**

Notice of a periodic review of the Waterworks and Wastewater Works Operators Licensing Regulations was published in the Virginia Register on October 26, 2020. A public comment period was held from October 26, 2020 to November 16, 2020. Mr. Haughwout advised the Board that one public comment was received, and will be presented to the Board later in the meeting.

Notice of a periodic review of the Onsite Sewage System Professionals Licensing Regulations was published in the Virginia Register on October 26, 2020. A public comment period was held from October 26, 2020 to November 16, 2020. Mr. Haughwout advised the Board that one public comment was received, and will be presented to the Board later in the meeting.

Mr. Haughwout and Ms. Henshaw presented the Board with one public comment received during the public comment period of the periodic review of the Waterworks and Wastewater Works Operators Licensing Regulations, as well as a draft Board response to the public comment for consideration.

**Periodic Review of
Regulations**

After review and discussion, Mr. Fore moved to adopt the Board response to the public comment. Mr. Riggleman seconded the motion which was unanimously approved by: Brockwell, Cooke, Duncan, Evans, Ewing, Fore, Pruett, Riggleman, Roadcap, Staples, and Taylor.

Mr. Staples moved to retain the current Board regulations as is. Mr. Fore seconded the motion which was unanimously approved by: Brockwell, Cooke, Duncan, Evans, Ewing, Fore, Pruett, Riggleman, Roadcap, Staples, and Taylor.

Mr. Haughwout and Ms. Henshaw presented the Board with one public comment received during the public comment period of the periodic review of the Onsite Sewage System Professionals Licensing Regulations, as well as a draft Board response to the public comment for consideration.

Discussion was held on the Board's jurisdiction over unlicensed practitioners. Ms. Broz-Vaughan gave a brief overview of the statutory authority and the agency's policy regarding the issuing of cease and desist notices to unlicensed practitioners. Per the Board's request, Ms. Henshaw advised that an overview of the policy would be provided at the next Board meeting.

After review and discussion, Mr. Fore moved to adopt the Board response to the public comment. Mr. Ewing seconded the motion which was unanimously approved by: Brockwell, Cooke, Duncan, Evans, Ewing, Fore, Pruett, Riggleman, Roadcap, Staples, and Taylor.

Mr. Evans moved to retain the current Board regulations as is. Mr. Ewing seconded the motion which was unanimously approved by: Brockwell, Cooke, Duncan, Evans, Ewing, Fore, Pruett, Riggleman, Roadcap, Staples, and Taylor.

Ms. Henshaw asked the Board to consider amending current licensing fees in order to remain in compliance with the Callahan Act. After review and discussion of three options for fee amendments, Mr. Fore moved to authorize staff to decrease initial application fees and license upgrade fees from \$100.00 to \$85.00, and increase renewal fees from \$80.00 to \$105.00. In addition, reinstatement fees would increase from \$25.00 to \$35.00. Mr. Taylor seconded the motion which was unanimously approved by: Brockwell, Cooke, Duncan, Evans, Ewing, Fore, Pruett, Riggleman, Roadcap, Staples, and Taylor.

**Consider
Regulatory Action
to Amend Fees**

Ms. Pettus provided an update on the 2020 onsite sewage system professionals CPE audit. The audit began on October 7, 2020, based on a random selection of 5% of current licensees.

**OSSP 2020 CPE
Audit Report**

Ms. Henshaw provided the Board with waterworks and wastewater works examination statistics from January 1, 2017 through January 3, 2021, as well as onsite examination statistics from January 1,

**Examination
Updates**

2017 to December 31, 2020, and July 1, 2018 to December 31, 2020.

Ms. Henshaw advised the Board that subject matter expert (SME) reviews of the 2019 modifications to the 2017 standardized ABC exams for waterworks operators and 2019 modifications to the 2017 standardized ABC exams for wastewater works operators were recently held. After review, the committees of SMEs recommended that the modified exams be implemented in Virginia. Ms. Webster confirmed that the updated exams are now live. Ms. Webster advised the Board that revisions suggested during the respective reviews have been forwarded to ABC for consideration.

Ms. Henshaw reminded the Board of temporary waivers of certain regulations pursuant to Executive Order 51 in response to COVID-19. During the current state of emergency, the validity of licenses, certifications, registrations, and other authorizations issued by the Board that would otherwise (i) expire during the state of emergency and (ii) be eligible for renewal or reinstatement during the state of emergency under applicable regulations, will be extended until the 30th day after the date by which the state of emergency is lifted. In addition, regulations that prohibit or limit online, electronic, or distance learning have also been waived until the 30th day after the date by which the state of emergency is lifted. Ms. Henshaw noted that the waivers do not apply to statutory requirements.

In addition, Ms. Henshaw advised the Board of a recent waiver that waives any regulatory requirement that a licensee be physically present at a place of business.

Ms. Henshaw advised the Board that the agency remains closed to the public and staff scheduling adjustments remain in place, including telework for those employees who are eligible.

Ms. Henshaw provided the Board with the most recent financial statements for review.

DPOR Updates as it Relates to COVID-19 Response

Board Financial Statements

Ms. Henshaw updated the Board on recent and upcoming virtual outreach opportunities.

Update on Outreach Opportunities

Ms. Broz-Vaughan reminded Board members to complete their annual conflict of interest and financial disclosures.

Other Business

Mr. Riggleman inquired about wall certificates for operator licensees who have upgraded in class. In the past wall certificates have stated the class of license; however, currently the wall certificates do not

list the class of license. Ms. Henshaw advised that this due to the way in which license information is stored in the agency's database that is responsible for printing the certificates. Ms. Henshaw advised that she hopes to address this issue when the database is replaced later in the year.

Ms. Henshaw advised the Board that the final report on the study being conducted to determine the need of continued regulation of various professions, including soil scientists and backflow prevention device workers, as recommended by the Joint Legislative Audit and Review Commission (JLARC) has been finalized and submitted to the General Assembly for review and consideration.

Update on JLARC Study

Ms. Henshaw reminded the Board that staff actively monitors legislation throughout General Assembly session and provides data and information regarding the Board and Department relevant to legislative proposals affecting the Board. Ms. Henshaw advised the Board that the 2021 General Assembly session began on January 13, 2021, and provided an update of legislative proposals that could affect DPOR and the Board.

Other Business, Continued

Ms. Henshaw advised the Board that public health workers are included in Phase 1C of COVID-19 vaccination efforts, and that wastewater workers are specifically mentioned in the latest iteration of vaccination phases.

Ms. Henshaw asked the Board to consider authorizing staff to develop a form for onsite sewage system professionals from other states applying for licensure in Virginia that would provide for an explanation of the out-of-state experience gained and a description of the out-of-state facility in which the applicant gained the experience. This form would be similar to the Out-of-State Facility Description & Experience Verification form currently used by water and wastewater works operator applicants. Ms. Henshaw asked the Board to consider forming a committee of SMEs to address areas specific to onsite occupations and facilities that should appear on the form, as well as other topics that Board staff may identify related to application processing and licensing. . Mr. Fore moved that Board members Brockwell, Ewing, and Pruett serve on the committee. Mr. Riggleman seconded the motion which was approved by: Brockwell, Cooke, Duncan, Evans, Ewing, Fore, Riggleman, Roadcap, Staples, and Taylor.

Ms. Pruett lost connectivity to the meeting at 11:22 a.m. Mr. Fore, Vice-Chair, assumed Chair of the Board.

Departure of Board Member

Ms. Henshaw advised that the Board for Professional and Occupational Regulation Final Report to the General Assembly on the JLARC study discussed earlier in the meeting has been published and is available to the public.

Mr. Fore reminded the Board that the next scheduled meeting date is April 29, 2021.

Future Meeting Dates

Mr. Fore reminded the Board members to complete and return their conflict of interest form.

Complete Conflict of Interest Forms

Ms. Henshaw advised that Board members who are also state employees or otherwise in positions that require completion of the Statement of Economic Interest form need only submit one form.

There being no further business, the meeting was adjourned at 11:27 a.m.

Adjourn

Pamela M. Pruett, Chair

Mary Broz-Vaughan, Secretary

**VIRGINIA BOARD FOR WATERWORKS AND WASTEWATER WORKS
OPERATORS AND ONSITE SEWAGE SYSTEM PROFESSIONALS
OSSP COMMITTEE MEETING MINUTES**

The OSSP Committee of the Virginia Board for Waterworks and Wastewater Works Operators and Onsite Sewage System Professionals (Board) met on March 30, 2021, 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 Committee were present:

James N. Brockwell
John Ewing, Chair
Pamela M. Pruett

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

Trisha L. Lindsey, Executive Director
Lisa Robinson., Licensing Operations Administrator
Tanya M. Pettus, Administrative Assistant

Mr. Ewing called the meeting to order at 10:04 a.m.

Call to Order

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

**Emergency
Evacuation
Procedures**

Ms. Lindsey reminded the Committee of safety measures currently in place due to COVID-19.

**COVID-19 Safety
Reminders**

Ms. Pruett moved to approve the agenda as presented. Mr. Brockwell seconded the motion which was unanimously approved by: Brockwell, Ewing, and Pruett.

Approval of Agenda

There were no member of the public present at the meeting.

**Public Comment
Period**

Ms. Lindsey provided an overview of the responsibilities before the Committee. The Board formed the Committee to review current staff procedures for processing applications for licensure and ensuring licensee compliance with the Board's regulations.

Overview

Ms. Lindsey introduced to the Committee Lisa Robinson, Licensing Operations Administrator.

The Committee reviewed current onsite sewage system professionals' regulations, as well as experience forms in use by other DPOR boards, and OSSP experience requirements from neighboring states.

**Resources and
Information**

Ms. Lindsey also provided the Committee with a breakdown of entry requirements for each onsite license type.

Ms. Lindsey asked the Committee to consider the technical duties performed by onsite sewage system professionals for the purpose of amending the current out-of-state experience verification form to reflect specific tasks that qualify as valid experience in Virginia.

**Discussion on
Reciprocity/Out-of-
State Experience
Verification**

Discussion was held on whether pumpers should be required to qualify as alternative operators.

After review of the current out-of-state experience verification form and experience forms used by other DPOR boards wherein a series of check boxes are used to convey an applicant's experience, the Committee agreed by consensus that the check box format should not be limited to the out-of-state experience verification form, and should be used on all experience forms.

The Committee reviewed experience requirements from neighboring states. Discussion was held on determining equivalencies of naming conventions and job titles, as well as regulatory bodies. Discussion was also held on who would qualify to sign the experience verification form and verify an applicant's experience.

The Committee worked to compile a list of specific tasks performed by each onsite license type to include on onsite experience verification forms.

The Committee recessed from 11:33 a.m. to 12:19 p.m.

Recess

Discussion continued on specific tasks performed by each onsite license type, including the differences between alternative and conventional licenses.

**Continue Discussion
on Reciprocity/Out-
of-State Experience
Verification**

Discussion was held on language that should be included on the out-of-state experience verification form regarding compliance with statutory code and regulations.

Discussion was held on equivalent verifiers for out-of-state experience verification forms and who would qualify to sign and verify an out-of-state applicant's experience.

Discussion was held on current qualifications for the master designation, as there is currently no time frame in which an individual

**Review Current
Application Processes**

who receives a journeyman license must wait to apply for a master license. Ms. Lindsey advised that the matter will be a topic to be considered during the next general review of licensing regulations.

Ms. Lindsey advised the Committee that the Board for Contractors has begun a regulatory action to convert the Sewage Disposal System (SDS) specialty into two categories, SDS-Alternative (SSA) and SDS-Conventional (SSC), in order to align the license of the Qualified Individual to the type of license held from the WWOOSSP Board.

Ms. Lindsey then asked the Committee to consider whether the highway/heavy contractor designation should still be accepted to meet entry requirements for onsite licensure. After discussion, the Committee agreed by consensus that the highway/heavy contractor designation is not accepted as a qualification for license; however, the SDS designations will continue to be accepted.

Ms. Lindsey advised the Committee that staff will work to amend the OSSP experience verification forms as discussed, and would distribute the amended forms to the Committee for review. As the forms are developed internally based on licensing staff processes, Board-approval of the forms is not necessary.

The Committee reviewed continuing professional education (CPE) audit statistics from 2017, 2018, and 2020 to determine if the random selection of 5% of the OSSP regulant population is sufficient for annual CPE audits. The Committee agreed by consensus that staff will continue conducting annual CPE audits on 5% of the regulant population.

**Consider Current
CPE Audit Processes**

Mr. Ewing discussed the possibility of adding seats to the Board in order to offer more representation of the OSSP industry, as it is currently difficult for Board members in OSSP seats to consider or vote on disciplinary matters because they are often required to recuse themselves based on their participation in the technical review or informal fact finding stages of the complaint or licensing review process. This is of particular concern due to the unprecedented growth the industry has seen over the past year as a result of more people staying at home during the pandemic. Ms. Lindsey advised that this would require a legislative change and that the matter would be put before the Board for further discussion.

Other Business

Mr. Ewing reminded the Committee members to complete their conflict of interest forms and travel vouchers.

**Complete Conflict of
Interest Forms and
Travel Vouchers**

Virginia Board for Waterworks and Wastewater Works Operators and Onsite Sewage System
Professionals' OSSP Committee
March 30, 2021
Page 4

There being no further business, the meeting was adjourned at 2:17 **Adjourn**
p.m.

Pamela M. Pruett, Chair

Mary Broz-Vaughan, Secretary

PUBLIC COMMENT PERIOD

Five minute public comment, per person, with the exception of any open disciplinary or application files.

DRAFT AGENDA
Materials contained in this agenda are proposed topics for discussion
and are not to be construed as regulation or official Board position
DRAFT AGENDA

Board for Waterworks and Wastewater Works Operators and Onsite Sewage Systems Professionals

Update on Regulatory Actions

(as of April 15, 2021)

Action: Waterworks and Wastewater Works Operators Licensing Regulations – Periodic Review

- Periodic Review Notice filed on 10/6/20.
- Notice published in Register on 10/26/20.
- Public comment period held from 10/26/20 to 11/16/20. One comment received.
- Board voted to retain regulation as is on 1/14/21.

Action: Onsite Sewage System Professionals Licensing Regulations – Periodic Review

- Periodic Review Notice filed on 10/6/20.
- Notice published in Register on 10/26/20.
- Public comment period held from 10/26/20 to 11/16/20. One comment received.
- Board voted to retain regulation as is on 1/14/21.

Action: Waterworks and Wastewater Works Operators Licensing Regulations – 2021 Fee Adjustment

Current Stage: NOIRA

- Board authorized filing of NOIRA on 1/14/21.
- NOIRA filed on 2/2/21; currently in executive branch review.

Next Step: Executive Branch Review/Public Comment

- Following completion of executive branch review, NOIRA to be submitted for publication in Virginia Register and open for 30-day public comment.

Action: Onsite Sewage System Professionals Licensing Regulations – 2021 Fee Adjustment

Current Stage: NOIRA

- Board authorized filing of NOIRA on 1/14/21.
- NOIRA filed on 2/2/21; currently in executive branch review.

Next Step: Executive Branch Review/Public Comment

- Following completion of executive branch review, NOIRA to be submitted for publication in Virginia Register and open for 30-day public comment.

EXAMINATION UPDATES

DRAFT AGENDA
Materials contained in this agenda are proposed topics for discussion
and are not to be construed as regulation or official Board position.
DRAFT AGENDA

PFA Summary

1/1/2017 through 3/31/2021

Delivery Method: ALL

Client: Virginia Board for Waterworks and Wastewater Works Operators and Onsite Sewage System Professionals(ABC-VA)

Test Program: Virginia Wastewater Works Operator Class 1 Examination - VAWW1

Exam Type: Virginia Wastewater Works Operator Class 1 Examination - CLASS1

	Total Tested	Pass	%	Fail	%	Absent	%	Total
First Time	195	32	16.4%	163	83.6%	5	2.5%	200
Repeater	324	67	20.7%	257	79.3%	10	3.0%	334
Total	519	99	19.1%	420	80.9%	15	2.8%	534

Test Program: Virginia Wastewater Works Operator Class 2 Examination - VAWW2

Exam Type: Virginia Wastewater Works Operator Class 2 Examination - CLASS2

	Total Tested	Pass	%	Fail	%	Absent	%	Total
First Time	321	90	28.0%	231	72.0%	5	1.5%	326
Repeater	335	76	22.7%	259	77.3%	15	4.3%	350
Total	656	166	25.3%	490	74.7%	20	3.0%	676

Test Program: Virginia Wastewater Works Operator Class 3 Examination - VAWW3

Exam Type: Virginia Wastewater Works Operator Class 3 Examination - CLASS3

	Total Tested	Pass	%	Fail	%	Absent	%	Total
First Time	327	103	31.5%	224	68.5%	9	2.7%	336
Repeater	347	100	28.8%	247	71.2%	5	1.4%	352
Total	674	203	30.1%	471	69.9%	14	2.0%	688

Test Program: Virginia Wastewater Works Operator Class 4 Examination - VAWW4

Exam Type: Virginia Wastewater Works Operator Class 4 Examination - CLASS4

	Total Tested	Pass	%	Fail	%	Absent	%	Total
First Time	358	108	30.2%	250	69.8%	8	2.2%	366
Repeater	459	110	24.0%	349	76.0%	10	2.1%	469
Total	817	218	26.7%	599	73.3%	18	2.2%	835

PFA Summary

1/1/2017 through 3/31/2021

Delivery Method: ALL

Client: Virginia Board for Waterworks and Wastewater Works Operators and Onsite Sewage System Professionals(ABC-VA)

Test Program: Virginia Waterworks Operator Class 1 Examination - VAWA1

Exam Type: Virginia Waterworks Operator Class 1 Examination - CLASS1

	Total Tested	Pass	%	Fail	%	Absent	%	Total
First Time	169	39	23.1%	130	76.9%	1	0.6%	170
Repeater	253	52	20.6%	201	79.4%	10	3.8%	263
Total	422	91	21.6%	331	78.4%	11	2.5%	433

Test Program: Virginia Waterworks Operator Class 2 Examination - VAWA2

Exam Type: Virginia Waterworks Operator Class 2 Examination - CLASS2

	Total Tested	Pass	%	Fail	%	Absent	%	Total
First Time	210	106	50.5%	104	49.5%	6	2.8%	216
Repeater	248	58	23.4%	190	76.6%	9	3.5%	257
Total	458	164	35.8%	294	64.2%	15	3.2%	473

Test Program: Virginia Waterworks Operator Class 3 Examination - VAWA3

Exam Type: Virginia Waterworks Operator Class 3 Examination - CLASS3

	Total Tested	Pass	%	Fail	%	Absent	%	Total
First Time	251	135	53.8%	116	46.2%	10	3.8%	261
Repeater	200	75	37.5%	125	62.5%	5	2.4%	205
Total	451	210	46.6%	241	53.4%	15	3.2%	466

Test Program: Virginia Waterworks Operator Class 4 Examination - VAWA4

Exam Type: Virginia Waterworks Operator Class 4 Examination - CLASS4

	Total Tested	Pass	%	Fail	%	Absent	%	Total
First Time	221	142	64.3%	79	35.7%	8	3.5%	229
Repeater	111	43	38.7%	68	61.3%	2	1.8%	113
Total	332	185	55.7%	147	44.3%	10	2.9%	342

PFA Summary

1/1/2017 through 3/31/2021

Delivery Method: ALL

Client: Virginia Board for Waterworks and Wastewater Works Operators and Onsite Sewage System Professionals(ABC-VA)

Test Program: Virginia Waterworks Operator Class 5 Examination - VAWA5

Exam Type: Virginia Waterworks Operator Class 5 Examination - CLASS5

	Total Tested	Pass	%	Fail	%	Absent	%	Total
First Time	81	70	86.4%	11	13.6%	2	2.4%	83
Repeater	14	4	28.6%	10	71.4%	0	0.0%	14
Total	95	74	77.9%	21	22.1%	2	2.1%	97

Test Program: Virginia Waterworks Operator Class 6 Examination - VAWA6

Exam Type: Virginia Waterworks Operator Class 6 Examination - CLASS6

	Total Tested	Pass	%	Fail	%	Absent	%	Total
First Time	47	29	61.7%	18	38.3%	0	0.0%	47
Repeater	21	11	52.4%	10	47.6%	2	8.7%	23
Total	68	40	58.8%	28	41.2%	2	2.9%	70

Exam Stats - Wastewater

Year	Wastewater 1			Wastewater 2			Wastewater 3			Wastewater 4		
	Tested	Passed	Pass %	Tested	Passed	Pass %	Tested	Passed	Pass %	Tested	Passed	Pass %
2021	27	5	18.5%	57	13	22.8%	46	11	23.9%	59	12	20.3%
2020	85	24	28.2%	132	36	27.3%	150	48	32.0%	169	76	45.0%
2019	157	31	19.7%	169	39	23.1%	168	44	26.2%	243	67	27.6%
2018	143	19	13.3%	151	41	27.2%	169	46	27.2%	229	50	21.8%
2017	107	20	18.7%	147	37	25.2%	141	54	38.3%	117	33	28.2%
2016	226	49	21.7%	194	89	45.9%	128	122	95.3%	112	104	92.9%
2015	114	26	22.8%	96	57	59.4%	104	95	91.3%	86	83	96.5%
2014	69	44	63.8%	158	55	34.8%	154	62	40.3%	101	74	73.3%
2013	68	30	44.1%	119	41	34.5%	185	89	48.1%	111	79	71.2%
2012	89	36	40.4%	146	47	32.2%	161	62	38.5%	104	74	71.2%
2011	36	19	52.8%	121	35	28.9%	118	53	44.9%	118	76	64.4%
2010	61	29	47.5%	133	43	32.3%	143	59	41.3%	114	59	51.8%

Through March 31, 2021

Exam Stats - Water

Year	Water 1			Water 2			Water 3			Water 4		
	Tested	Passed	Pass %	Tested	Passed	Pass %	Tested	Passed	Pass %	Tested	Passed	Pass %
2021	34	7	20.6%	30	15	50.0%	40	18	45.0%	21	12	57.1%
2020	107	22	20.6%	93	33	35.5%	95	49	51.6%	87	49	56.3%
2019	116	24	20.7%	136	53	39.0%	128	52	40.6%	61	35	57.4%
2018	88	15	17.0%	130	41	31.5%	106	45	42.5%	72	38	52.8%
2017	77	23	29.9%	69	22	31.9%	81	46	56.8%	91	51	56.0%
2016	115	50	43.5%	135	60	44.4%	97	61	62.9%	109	56	51.4%
2015	82	34	41.5%	76	35	46.1%	90	58	64.4%	78	41	52.6%
2014	67	33	49.3%	88	39	44.3%	121	58	47.9%	108	62	57.4%
2013	69	25	36.2%	113	40	35.4%	90	42	46.7%	108	58	53.7%
2012	72	26	36.1%	82	25	30.5%	106	39	36.8%	103	45	43.7%
2011	66	18	27.3%	110	38	34.5%	113	43	38.1%	103	44	42.7%
2010	84	31	36.9%	95	38	40.0%	112	58	51.8%	112	52	46.4%

Through March 31, 2021

Exam Stats – Water (cont'd)

	Water 5			Water 6		
Year	Tested	Passed	Pass %	Tested	Passed	Pass %
2021	6	5	83.3%	3	2	66.7%
2020	17	10	58.8%	9	5	55.6%
2019	26	18	69.2%	11	9	81.8%
2018	21	19	90.5%	28	15	53.6%
2017	25	22	88.0%	17	9	52.9%
2016	37	25	67.6%	11	11	100.0%
2015	14	13	92.9%	14	14	100.0%
2014	32	17	53.1%	7	6	85.7%
2013	35	15	42.9%	15	10	66.7%
2012	23	13	56.5%	25	17	68.0%
2011	49	29	59.2%	33	22	66.7%
2010	21	12	57.1%	25	13	52.0%

Through June 1, 2020

Comparison – Before & After Extra Hour

	Wastewater 1			Wastewater 2			Wastewater 3			Wastewater 4		
	Tested	Passed	Pass %	Tested	Passed	Pass %	Tested	Passed	Pass %	Tested	Passed	Pass %
1/1/17 - 8/31/19	365	57	15.6%	415	109	26.3%	412	127	30.8%	508	124	24.4%
9/1/19 – 3/31/2021	154	42	27.3%	241	57	23.7%	262	76	29.0%	309	94	30.4%

	Water 1			Water 2			Water 3			Water 4		
	Tested	Passed	Pass %	Tested	Passed	Pass %	Tested	Passed	Pass %	Tested	Passed	Pass %
1/1/17 - 8/31/19	238	52	21.8%	302	102	33.8%	281	128	45.6%	204	114	55.9%
9/1/19 – 3/31/2021	184	39	21.2%	156	62	39.7%	170	82	48.2%	128	71	55.5%

First Time vs. Repeat Exams

	Wastewater 1			Wastewater 2			Wastewater 3			Wastewater 4		
	Tested	Passed	Pass %	Tested	Passed	Pass %	Tested	Passed	Pass %	Tested	Passed	Pass %
First	195	32	16.4%	321	90	28.0%	327	103	31.5%	358	108	30.2%
Repeat	324	67	20.7%	335	76	22.7%	347	100	28.8%	459	110	24.0%

	Water 1			Water 2			Water 3			Water 4			Water 5		
	Tested	Passed	Pass %	Tested	Passed	Pass %	Tested	Passed	Pass %	Tested	Passed	Pass %	Tested	Passed	Pass %
First	169	39	23.1%	210	106	50.5%	251	135	53.8%	221	142	64.3%	81	70	86.4%
Repeat	253	52	20.6%	248	58	23.4%	200	75	37.5%	111	43	38.7%	14	4	28.6%

January 1, 2017 – March 31, 2021

VA Onsite Sewage Statistics
January 1, 2017 through March 31, 2021

Name of Exam	Number Took	Number Passed	Percentage Passed
Installer – Alternative	168	53	33.54%
Operator – Alternative	62	27	43.54%
Soil Evaluator- Alternative	42	41	97.61%
Installer – Conventional	73	29	39.72%
Operator – Conventional	31	18	58.06%
Soil Evaluator – Conventional	48	42	87.50%

VA Onsite Sewage Statistics
July 1, 2018 through March 31, 2021

Name of Exam	Number Took	Number Passed	Percentage Passed
Installer – Alternative	113	39	34.51%
Operator – Alternative	46	25	54.34%
Soil Evaluator- Alternative	29	28	96.55%
Installer – Conventional	55	23	41.81%
Operator – Conventional	15	11	73.33%
Soil Evaluator – Conventional	33	28	84.84%

UPDATES FROM OSSP COMMITTEE

DRAFT AGENDA
Materials contained in this agenda are proposed topics for discussion
and are not to be construed as regulation or official Board position
DRAFT AGENDA

DISCUSSION ON STATUTORY AUTHORITY AND DPOR
POLICY REGARDING THE ISSUING OF CEASE AND
DESIST ORDERS

DRAFT AGENDA
Materials contained in this agenda are proposed top for discussion
and are not to be construed as regulation or official Board position
DRAFT AGENDA



MEMORANDUM

TO: Members, Board for Waterworks and Wastewater Works Operators and Onsite Sewage System Professionals

FROM: Trisha L. Lindsey, Executive Director
Board for Waterworks and Wastewater Works Operators and Onsite Sewage System Professionals

DATE: April 12, 2021

SUBJECT: CPE Credit for Attending WWWOSSP Board Meetings

Request for Clarification or Guidance

Sections 18VAC160-30-200 and 210 and 18VAC160-40-340, 350, and 360 of the Board's regulations provide the topic areas for earning CPE credit as a licensee of the Board. Each of these regulation sections include the following in the list of acceptable CPE topics: administrative processes and procedures applicable to licensure, and laws and regulations applicable to the profession. As it has been previously suggested that licensees can earn CPE credit for attending Board meetings but there has not been any formal guidance established regarding earning CPE credit in this manner, staff requests the following be considered by the Board.

In order to earn CPE credit for attending a WWWOSSP Board meeting, each of the following must be met:

1. A licensee of the Board must sign in and out of the Board meeting on forms provided by staff to include providing, at a minimum, the licensee's name, address, and license number(s). For virtual Board meetings, Board staff will provide instructions in advance of the Board meeting on how a licensee is to confirm attendance at the meeting and provide their identifying information.
2. A licensee can only earn CPE credit for attending a Board meeting once per license cycle.
3. CPE credit will be awarded pursuant to the provisions in the regulations, including the



calculation of a “contact hour” as 50 minutes. However, the maximum credit that can be earned for attending a Board meeting is seven (7) hours of CPE credit.

4. A licensee who attends a Board meeting as a participant in a disciplinary matter being considered at that meeting is not eligible to earn CPE credit for attending that Board meeting.
5. Board staff may request additional information or documentation to ensure compliance with these guidelines. Failure to follow these instructions, including providing all necessary information, or failure for Board staff to confirm the licensee’s attendance at the Board meeting may result in CPE credit not being awarded.

In addition to the information above, it should be noted that a licensee could be subject to disciplinary action if he falsely claimed CPE credit or misrepresented his attendance at a Board meeting.

If the Board agrees with these guidelines, staff requests that the Board adopt a guidance document stipulating the requirements herein, along with any amendments or additional items the Board wishes to include. In accordance with § 2.2-4002.1, such guidance will be subject to public comment before becoming effective.

DPOR UPDATES AS IT RELATES TO COVID-19 RESPONSE

DRAFT AGENDA
Materials contained in this agenda are proposed topics for discussion
and are not to be construed as regulation or official Board policy.
DRAFT AGENDA

Department of Professional and Occupational Regulation
Statement of Financial Activity

Board for WWOSSP
954530

2020-2022 Biennium

February 2021

	February 2021 Activity	Biennium-to-Date Comparison	
		July 2018 - February 2019	July 2020 - February 2021
Cash/Revenue Balance Brought Forward			15,919
Revenues	112,060	163,720	210,770
Cumulative Revenues			226,689
Cost Categories:			
Board Expenditures	5,999	20,732	19,475
Board Administration	6,631	61,537	57,136
Administration of Exams	1,201	12,437	10,090
Enforcement	444	3,617	3,620
Legal Services	0	795	669
Information Systems	2,780	45,927	36,547
Facilities and Support Services	8,353	24,814	31,618
Agency Administration	3,501	27,998	26,560
Other / Transfers	0	0	0
Total Expenses	28,910	197,858	185,716
Transfer To/(From) Cash Reserves	0	0	(53,728)
Ending Cash/Revenue Balance			94,701

Cash Reserve Beginning Balance	121,501	0	175,229
Change in Cash Reserve	0	0	(53,728)
Cash Reserve Ending Balance	121,501	0	121,501

Number of Regulants

Current Month	5,967
Previous Biennium-to-Date	5,510

UPDATE ON OUTREACH OPPORTUNITIES

DRAFT AGENDA
Materials contained in this agenda are proposed topics for discussion
and are not to be construed as regulation or official Board positions
DRAFT AGENDA

2022 TENTATIVE BOARD MEETING SCHEDULE

WWWOSSP BOARD	
Education & Training Committee	Board Meeting
Thursday, January 27, 2022 @ 9:00 am Board Room 3	Thursday, January 27, 2022 @ 9:30 am Board Room 3
Thursday, April 21, 2022 @ 9:00 am Board Room 4	Thursday, April 21, 2022 @ 9:30 am Board Room 4
Thursday, July 14, 2022 @ 9:00 am Board Room 4	Thursday, July 14, 2022 @ 9:30 am Board Room 4
Thursday, October 27, 2022 @ 9:00 am Board Room 2	Thursday, October 27, 2022 @ 9:30 am Board Room 2

OTHER BUSINESS

DRAFT AGENDA
Materials contained in this agenda are proposed topics for discussion
and are not to be construed as regulation or official Board position
DRAFT AGENDA

COMPLETE CONFLICT OF INTEREST **FORMS**

DRAFT AGENDA
Materials contained in this agenda are proposed topics for discussion
and are not to be construed as regulation or official Board action.
DRAFT AGENDA

ADJOURN

Please return your document folders to Tanya Pettus.

DRAFT AGENDA
Materials contained in this agenda are proposed topics for discussion
and are not to be construed as regulation or official Board position
DRAFT AGENDA