

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

The Virginia Board for Waste Management Facility Operators met on Tuesday, January 14, 2003, in Conference Room 5 West 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 (Vice Chairman)
Harry E. Gregori, Jr.
Dr. Margot Garcia
Dan Miles
W.A. Dennison
Thomas H. Wade
Mark E. Brandon

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

Louise Fontaine Ware, Director
Sandra Whitley Ryals, Chief Deputy Director
Karen O'Neal, Deputy, Regulatory Programs
Bonnie Rhea, Assistant Director of Enforcement
Cynthia Platt, Legal Assistant
David E. Dick, Assistant Director
Joseph Kossan, Regulatory Boards Administrator
Adrienne Mayo, Office Manager

Others who attended the meeting included:

David Lee Smith
John L. Jordan
Erin Doyle

Vice-Chairman Austin finding a quorum of the Board present, **Call to Order** called the meeting to order at 10:05 AM.

Dr. Garcia moved that the Board approve the agenda as prepared **Adopt Agenda**

by staff and amended by the Board. Mr. Gregori 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 October 3, 2002
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. Welcome to new Board members – Vice Chairman John Austin
6. Board Member Orientation – DPOR staff
7. Enforcement case – 2003-01534, Board v. David Lee Smith, Applicant
8. Status of Notice of Intended Regulatory Action (NOIRA)
9. Complete Conflict of Interest Forms
10. Set Next Board Meeting Date
11. Adjourn

Mr. Gregori moved that the Board approve the minutes of its October 3, 2002 meeting as prepared by staff. Dr. Garcia 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

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

Public Comment Period

In the matter of File Number 2003-015340040, Board v. David Lee Smith, the Board reviewed the record, which consisted of the application file, transcript and exhibits from the IFF, and the summary prepared by the Board's designee. David Lee Smith

File Number 2003-01534

(Respondent) was present and addressed the Board. Mr. John L. Jordan, supervisor, was present and addressed the Board in support of Mr. Smith. Upon a motion by Dr. Garcia and seconded by Mr. Miles, the Board adopted the summary and issued to sit for next available exam, and approved Mr. Smith's application to sit for the Class II Waste Management Facility Operator license by examination. The motion carried unanimously. Members voting aye were Messrs. Austin, Brandon, Dennison, Gregori, Miles, and Wade, and Dr. Garcia.

Ms. O'Neal, Deputy Director for the Regulatory Programs Division, gave the Board an orientation covering Board Meetings and regulatory review.

New Business

Mr. Dick gave the Board an update on the progress of its Notice of Intended Regulatory Action (NOIRA) and a summary of the events leading up to the Board's decision to consider amending its regulations. The NOIRA was approved by the Virginia Department of Planning and Budget on December 30, 2002. Under the provisions of the Executive Order #21, the NOIRA will be filed with the Registrar of Regulations and published for public comment on February 10, 2003

Vice-Chairman 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 April 2, 2003 at 10:00 AM.

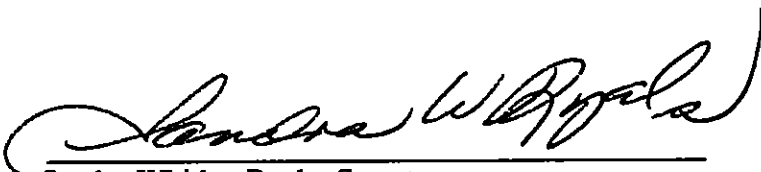
Next Meeting

Vice-Chairman Austin, finding no further business to conduct, adjourned the meeting at 12:35 PM.

Adjournment



John Austin, Vice Chairman



Sandra Whitley Ryals, Secretary

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Custodian of the Records