

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

Tentative **AGENDA THURSDAY, APRIL 11, 2024 9:30 A.M.**

**DPOR, PERIMETER CENTER 9960
MAYLAND DRIVE
RICHMOND, VIRGINIA 23233
BOARD ROOM 2, SECOND FLOOR**

- I. CALL TO ORDER**
- II. EMERGENCY EVACUATION PROCEDURES**
- III. APPROVAL OF AGENDA**
 - a. Board Agenda, April 11, 2024
- IV. INTRODUCTION OF EXECUTIVE DIRECTOR**
- V. APPROVAL OF MINUTES**
 - a. Board Meeting Minutes, January 25, 2024
- VI. 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.**
- VII. CASE FILES**
 - a. Licensing
 - i. L-1 2024-01334, Smith Kriengsakchai
Fore
 - b. Disciplinary
 - i. C-1 2024-00026, Randall S. Fulcher
Fore
 - ii. D-1 2023-02737, Steven Matthew Marshall
Fore, Blackwell
 - iii. PFD-1 2024-00025, George Bryant Baker
- VIII. REGULATORY ACTIONS**
 - a. Regulatory Action Update
- IX. OTHER BUSINESS**
 - a. Examination Updates
 - i. Examination Statistics Reports
 - ii. WPI Exam Updates
 - b. Education & Training Committee
 - i. Department of Environmental Quality, course titled:
 - 1. DEQ 24 – Wastewater Utility Management
 - c. Discussion on Licensing Requirements for Onsite Sewage System Installations
 - d. 2024 Legislative Update
 - e. Update on Outreach Opportunities
 - f. Executive Director Report

- g. Reconsideration of Case Decisions
- h. Board Financial Statements
- i. 2025 Meeting Dates
- j. 2024 Board Member Training Conference
- k. Other Business

X. FUTURE MEETING DATES

- a. July 11, 2024
- b. October 24, 2024

XI. COMPLETE CONFLICTS OF INTEREST FORMS AND TRAVEL VOUCHERS

XII. 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.

PERIMETER CENTER CONFERENCE CENTER
EMERGENCY EVACUATION OF BOARD AND TRAINING ROOMS
(Script to be read at the beginning of each meeting.)

PLEASE LISTEN TO THE FOLLOWING INSTRUCTIONS ABOUT EXITING THE PREMISES IN THE EVENT OF AN EMERGENCY.

In the event of a fire or other emergency requiring the evacuation of the building, alarms will sound. When the alarms sound, leave the room immediately. Follow any instructions given by Security staff

Board Room 1

Exit the room using one of the doors at the back of the room. Upon exiting the room, turn **RIGHT**. Follow the corridor to the emergency exit at the end of the hall.

Upon exiting the building, proceed straight ahead through the parking lot to the fence at the end of the lot. Wait there for further instructions.

Board Room 2

Exit the room using one of the doors at the back of the room. (Point) Upon exiting the room, turn **RIGHT**. Follow the corridor to the emergency exit at the end of the hall.

Upon exiting the building, proceed straight ahead through the parking lot to the fence at the end of the lot. Wait there for further instructions.

You may also exit the room using the side door, turn **Right** out the door and make an immediate **Left**. Follow the corridor to the emergency exit at the end of the hall.

Upon exiting the building, proceed straight ahead through the parking lot to the fence at the end of the lot. Wait there for further instructions.

Board Rooms 3 and 4

Exit the room using one of the doors at the back of the room. Upon exiting the room, turn **RIGHT**. Follow the corridor to the emergency exit at the end of the hall.

Upon exiting the building, proceed straight ahead through the parking lot to the fence at the end of the lot. Wait there for further instructions.

Training Room 1

Exit the room using one of the doors at the back of the room. Upon exiting the room, turn **LEFT**. Follow the corridor to the emergency exit at the end of the hall.

Upon exiting the building, proceed straight ahead through the parking lot to the fence at the end of the lot. Wait there for further instructions.

Training Room 2

Exit the room using one of the doors at the back of the room. Upon exiting the doors, turn **LEFT**. Follow the corridor to the emergency exit at the end of the hall.

Upon exiting the building, proceed straight ahead through the parking lot to the fence at the end of the lot. Wait there for further instructions.

INTRODUCTION
OF
EXECUTIVE DIRECTOR

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

MINUTES OF MEETING

The Board for Waterworks and Wastewater Works Operators and Onsite Sewage System Professionals met on January 25, 2024, at the Department of Professional and Occupational Regulation, 9960 Mayland Drive, Richmond, Virginia 23233.

The following members of the Board were present:

James N. Brockwell
Alvin Christian
Erica Duncan, Vice-Chair
John Ewing
Thomas Wayne Fore
Joshua Kirtley
Pamela M. Pruett, Chair
Don Riggleman
D. Wayne Staples

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

Brian Wolford, Chief Deputy Director
Steve Kirschner, Licensing and Regulatory Programs Division Deputy Director
Tanya M. Pettus, Associate Director
Joseph Haughwout, Regulatory Affairs Manager
Cameron Parris, Regularity Operations Administrator
Lisa Robinson, Licensing Operations Administrator
Rachel Harris, Administrative Coordinator

Joshua Laws, Assistant Attorney General with the Office of the Attorney General, was present.

Ms. Pruett, Chair, finding a quorum of the Board present, called the meeting to order at 9:33 a.m.

Call to Order

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

**Emergency
Evacuation
Procedures**

Mr. Fore moved to approve the agenda as presented. Mr. Staples seconded the motion which was unanimously approved by: Brockwell, Christian, Duncan, Ewing, Fore, Kirtley, Pruett, and Staples. **Approval of Agenda**

Ms. Pettus introduced to the Board newly-appointed Board member Alvin Christian, who will serve as the citizen member. **Introduction of New Board Member**

Ms. Pettus advised the Board of an internal reorganization of the agency wherein Board staff will now be under the same management team as the Board for Contractors. Ms. Pettus advised that Marjorie King is now Executive Director of the Board, and introduced Cameron Parris as the Board's Regulatory Operations Administrator, and Bill Ferguson as the Board's Education and Compliance Analyst. Ms. Pettus also informed the Board that Brian Wolford has been appointed as the Department's Chief Deputy Director. **DPOR Staff Updates**

Mr. Kirschner informed the Board that Ms. Pettus has taken the role of Associate Director and will be taking on more management duties as part of the management team, but will remain the contact for the majority of the Board's communications.

Mr. Fore moved to approve the minutes of the October 19, 2023, Board meeting. Mr. Staples seconded the motion which was approved by: Brockwell, Christian, Duncan, Ewing, Fore, Kirtley, Pruett, and Staples. **Approval of Minutes**

Mr. Fore moved to approve the minutes of the November 9, 2023, WWHO Licensing Regulatory Review Committee meeting. Mr. Staples seconded the motion which was approved by: Brockwell, Christian, Duncan, Ewing, Fore, Kirtley, Pruett, and Staples.

Mr. Fore moved to approve the minutes of the November 27, 2023, Examination Advisory Task Force Committee meeting. Ms. Duncan seconded the motion which was approved by: Brockwell, Christian, Duncan, Ewing, Fore, Kirtley, Pruett, Riggleman, and Staples.

Ms. Duncan moved to approve the minutes of the December 11, 2023, WWHO Licensing Regulatory Review Committee meeting. Mr. Staples seconded the motion which was approved by: Brockwell, Christian, Duncan, Ewing, Fore, Kirtley, Pruett, Riggleman, and Staples.

Mr. Riggleman arrived at the meeting at 9:40 a.m.

Arrival of Board Member

Mark Hollifield addressed the Board regarding his concerns about the waterworks and wastewater works exams and reciprocity with neighboring states. Mr. Hollifield asked the Board to consider offering both the national exam as well as a Virginia specific exam. **Public Comment Period**

Ms. Duncan and recused herself from the meeting for discussion and deliberation of File Numbers 2023-01324 and 2023-01327. **Recusal of Board Members**

Mr. Fore recused himself from the meeting for discussion and deliberation of File Number 2023-01324.

In the matter of **File Number 2023-01324, Harold Russell Washington**, the Board members reviewed the record which consisted of transcripts and exhibits from the Informal Fact Finding Conference (IFF), and the Presiding Officer's Summary and Recommendation. **File Number 2023-01324, Harold Russell Washington**

Mr. Riggleman moved to accept to the recommendation of the Presiding Officer and find Mr. Washington in violation of the following Board regulations: 18 VAC 160-40-450.B as outlined in Count 1, and 18 VAC 160-40-500.B as outlined in Count 2. Mr. Staples seconded the motion and was unanimously approved by: Brockwell, Christian, Ewing, Kirtley, Pruett, Riggleman, and Staples.

Mr. Brockwell then moved to accept the Presiding Officer's recommended sanctions as follows: for violation as outlined in Count 1, imposition of a \$50.00 monetary penalty, and for violation as outlined in Count 2, imposition of a \$250.00 monetary penalty. Mr. Riggleman seconded the motion and was unanimously approved by: Brockwell, Christian, Ewing, Kirtley, Pruett, Riggleman, and Staples.

Mr. Fore returned to the meeting. **Return of Board Members**

Mr. Brockwell recused himself from the meeting for discussion and deliberation of File Number 2023-01327. **Recusal of Board Member**

In the matter of **File Number 2023-01327, Kenneth Edward Carbaugh**, the Board members reviewed the record which consisted of transcripts and exhibits from the Informal Fact Finding Conference (IFF), and the Presiding Officer's Summary and Recommendation. **File Number 2023-01327, Kenneth Edward Carbaugh**

Mr. Ewing moved to accept to the recommendation of the Presiding Officer and find Mr. Carbaugh in violation of the following Board regulations: 18 VAC 160-40-500.D as outlined in Count 1, and 18 VAC 160-40-470.3 as outlined in Count 2. Mr. Fore seconded the motion and was unanimously approved by: Christian, Ewing, Fore, Kirtley, Pruett, Riggleman, and Staples.

Mr. Fore then moved to accept the Presiding Officer's recommendations as to sanctions as follows: for violation as outlined in Count 1, imposition of a \$50.00 monetary penalty, and no sanction for violation as outlined in Count 2. Mr. Staples seconded the motion and was unanimously approved by: Christian, Ewing, Fore, Kirtley, Pruett, Riggleman, and Staples.

Mr. Brockell and Ms. Duncan returned to the meeting.

Return of Board Members

In the matter of **File Number 2024-00550, Thomas Renaldo Johnson**, 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.

File Number 2024-00550, Thomas Renaldo Johnson

Mr. Fore moved to accept the recommendation of the Presiding Officer and approve Mr. Johnson's application for a Class 4 Wastewater Works Operator license contingent upon completion of the Department of Corrections (DOC) Apprenticeship Program, meeting all entry requirements contained in the Board's regulations, and passing the applicable examination. Mr. Riggleman seconded the motion which was unanimously approved by: Brockwell, Christian, Duncan, Ewing, Fore, Kirtley, Pruett, Riggleman, and Staples.

In the matter of **File Number 2024-00753, Timothy Lamont Booker, Jr.**, 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.

File Number 2024-00753, Timothy Lamont Booker, Jr.

Mr. Fore moved to accept the recommendation of the Presiding Officer and approve Mr. Booker's application for a Class 4 Wastewater Works Operator license contingent upon completion of the Department of Corrections (DOC) Apprenticeship Program, meeting all entry requirements contained in the Board's regulations, and passing the applicable examination. Mr. Staples seconded the motion which was unanimously approved by: Brockwell, Christian, Duncan, Ewing, Fore, Kirtley, Pruett, Riggelman, and Staples.

Ms. Pettus provided an update on the Board's regulatory actions.

Regulatory Action Update
Recess

The Board recessed from 11:26 a.m. to 11:50 a.m.

Ms. Pettus provided the Board with draft proposed amendments to the Waterworks and Wastewater Works Operator Licensing Regulations as recommended by the Waterworks and Wastewater Works Operator Regulatory Review Committee

Consider Proposed Draft Amendments to Waterworks & Wastewater Works Operator Regulations

After thorough review, Ms. Pettus asked the Board to consider adopting the draft proposed amendments as amended. Mr. Fore moved to adopt the draft proposed amendments as amended, authorizing staff to make stylistic and non-substantive changes as needed. Mr. Staples seconded the motion which was unanimously approved by: Brockwell, Duncan, Ewing, Fore, Kirtley, Pruett, Riggelman, and Staples.

Mr. Kirschner commended the Board on their work to reduce regulatory requirements in accordance with Governor Youngkin's Executive Order 1.

Ms. Pettus provided a report on the 2023 onsite sewage system professionals CPE audit. The audit began October 13, 2023, based on a random selection of 5% of current licensees.

Update on OSSP CPE Audit

Ms. Pettus provided the Board with waterworks and wastewater works examination statistics from January 1, 2017, through December 31, 2023, and October 19, 2023, through January 17, 2024, as well as onsite examination statistics from October 1, 2023, to December 11, 2023, for informational purposes.

Examination Updates

Ms. Pettus provided the Board with updates from WPI regarding water and wastewater examinations. WPI is working to revise the Need to Know Criteria for all exam types in order to narrow the scope of the exam study materials. In addition, the exam vendor is developing practice exams and currently working to translate exams into Spanish. It is also expected that new exam questions will be ready for subject matter expert (SME) review at the end of 2024. Ms. Pettus also advised that there is an updated version of the Class 1 wastewater works operator exam available for SME review. The Board briefly discussed individuals who could potentially serve as SMEs. After discussion, Mr. Riggleman moved to authorize Board staff to begin planning an SME review of the updated exam in conjunction with WPI and the Board Chair. Mr. Fore seconded the motion which was unanimously approved by: Brockwell, Duncan, Ewing, Fore, Kirtley, Pruett, Riggleman, and Staples.

**WPI Exam
Update**

Mr. Emerson asked the Board to consider whether there is interest in pursuing remote exam proctoring currently being offered by PSI. The Board agreed by consensus that they would like more information on remote proctoring of examinations.

Mr. Emerson advised he will begin working to get confirmation and more information on all examination updates relayed to the Board, to be presented at its next meeting.

Ms. Pettus advised the Board that the last meeting of the WWW Examinations Task Force was held on November 27, 2023. The Task Force declined to make a formal recommendation to the Board; however, asked that the Board continue to monitor exam results and identify training opportunities.

**Update on
WWW
Examinations
Task Force**

Ms. Pettus advised that individual members of the Task Force formed their own group of industry professionals to evaluate a number of issues affecting the industry.

Ms. Pettus advised the Board that staff has been copied on a number of communications to VDH regarding onsite sewage system installers performing electrical work when they are not licensed to do so. Ms. Pettus stated the Department has not received any formal complaints on the matter, and therefore can take no action. Discussion was held on the Board's regulations as well as the Board for Contractors' electrical tradesmen regulations. The Board agreed by consensus to discuss the matter further at its next Board meeting.

**Discussion on
Licensing
Requirements for
Onsite Sewage
System
Installations**

Ms. Pettus provided the Board with an update on bills being considered during the current legislative session that may impact the Board.

**2024 Legislative
Update**

Ms. Pettus provided the Board with the most recent financial statements for informational purposes.

Board Financial Statements

Ms. Pettus provided an update of recent and upcoming outreach opportunities.

Update on Outreach Opportunities

The Board members considered the following for Resolutions for Service.

Consider Resolutions for Service

Westley Jordan Evans

WHEREAS, **Jordan Evans** did faithfully and diligently serve the Board for Waterworks and Wastewater Works Operators and Onsite Sewage System Professionals, and the Department of Professional and Occupational Regulation from 2016 to 2023;

WHEREAS, **Jordan Evans**, did devote generously of his time, talent and leadership to the Board;

WHEREAS, **Jordan Evans**, did endeavor at all times to render decisions with fairness and good judgement in the best;

interest of the citizens of the Commonwealth and these professions; and

WHEREAS, the Board for Waterworks and Wastewater Works Operators and Onsite Sewage System Professionals

wishes to acknowledge its gratitude for devoted service of a person who is held in high esteem by the members of the

Board and the citizens of the Commonwealth;

NOW THEREFORE BE IT RESOLVED, by the Board for Waterworks and Wastewater Works Operators and Onsite

Sewage System Professionals this twenty-fifth day of January 2024, that **Jordan Evans** be given all honors and respect due

him for his outstanding service to this Board and the Commonwealth and its citizens; and

BE IT FURTHER RESOLVED, that this Resolution be presented to him and be made a part of the official minutes of

the Board so that all may know of the high regard in which he is held by this Board.

WWW Examinations Task Force

Erica Duncan

Tom Fore

Doug Grimes

Ryan Hendricks

Barry Matthews

Jamie Morris

Mike Ritchie
Wayne Staples
Caleb Taylor
Mark Titcomb
David Van Gelder

WHEREAS, these individuals did faithfully and diligently serve as members of the Waterworks and Wastewater Works Examinations Task Force;
WHEREAS, these individuals did devote generously of their time, talent and leadership to the Board;
WHEREAS, these individuals did endeavor at all times to render decisions with fairness and good judgement in the best interest of the citizens of the Commonwealth and these professions; and
WHEREAS, the Board for Waterworks and Wastewater Works Operators and Onsite Sewage System Professionals wishes to acknowledge its gratitude for devoted service of those who are held in high esteem by the members of the Board and the citizens of the Commonwealth;
NOW THEREFORE BE IT RESOLVED, by the Board for Waterworks and Wastewater Works Operators and Onsite Sewage System Professionals this twenty-fifth day of January 2024, that these individuals be given all honors and respect due them for outstanding service to the Commonwealth and its citizens; and
BE IT FURTHER RESOLVED, that this Resolution be made a part of the official minutes of the Board so that all may know of the high regard in which they are held by this Board.

Mr. Fore moved to adopt the resolutions as written. Mr. Kirtley seconded the motion which was unanimously by: Brockwell, Christian, Duncan, Ewing, Fore, Kirtley, Pruett, Riggleman, and Staples.

Ms. Pettus commended the Board on its 100% completion of the submission of financial disclosure statements to the Conflict of Interest and Ethics Advisory Council.

Other Business

Ms. Pettus advised the Board to save the date for the Board Member Training Conference which is scheduled for October 10th & 11th, 2024.

Ms. Pruett reminded the Board that the next scheduled meeting date is April 11, 2024.

Future Meeting Dates

Ms. Pruett reminded the Board members to complete and return their conflict-of interest forms and travel vouchers.

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

There being no further business, the meeting was adjourned at 1:50 p.m.

Adjourn

Pamela M. Pruett, Chair

Kishore Thota, Secretary

PUBLIC COMMENT PERIOD

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

REGULATORY
ACTON UPDATE

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

Update on Regulatory Actions

(as of March 26, 2024)

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

Current Stage: NOIRA

- The WWWO Regulatory Review Committee adopted proposed amendments on 12/11/2023.
- The Board adopted the proposed amendments on 1/25/2024.

Next Step: Proposed

- Board staff to file Proposed Stage

Action: Onsite Sewage System Professionals Licensing Regulations – 2022 General Review

Current Stage: NOIRA

- Board adopted OSSP Regulatory Review Committee’s recommended proposed amendments on 4/20/2023.

Next Step: Proposed

- Board staff to file Proposed Stage.

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

Current Stage: Proposed

- Board reviewed and adopted proposed amendment on 4/21/22.
- Submitted for Executive Branch review on 7/28/22.

Next Step: Executive Branch Review/Public Comment

- Completion of Executive Branch Review.
- Publication in the Virginia Register and 60-day public comment period, to include public hearing.

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

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

Current Stage: Proposed

- Board reviewed and adopted proposed amendment on 4/21/22.
- Submitted for Executive Branch review on 7/28/22.

Next Step: Executive Branch Review/Public Comment

- Completion of Executive Branch Review.
- Publication in the Virginia Register and 60-day public comment period, to include public hearing.

OTHER BUSINESS

PFA Summary

1/3/2017 through 3/27/2024

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	374	71	19.0%	303	81.0%	20	5.1%	394
Repeater	587	130	22.1%	457	77.9%	22	3.6%	609
Total	961	201	20.9%	760	79.1%	42	4.2%	1003

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	625	159	25.4%	466	74.6%	21	3.3%	646
Repeater	792	178	22.5%	614	77.5%	33	4.0%	825
Total	1417	337	23.8%	1080	76.2%	54	3.7%	1471

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	641	212	33.1%	429	66.9%	24	3.6%	665
Repeater	714	205	28.7%	509	71.3%	25	3.4%	739
Total	1355	417	30.8%	938	69.2%	49	3.5%	1404

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	653	207	31.7%	446	68.3%	26	3.8%	679
Repeater	807	202	25.0%	605	75.0%	30	3.6%	837
Total	1460	409	28.0%	1051	72.0%	56	3.7%	1516

PFA Summary

1/3/2017 through 3/27/2024

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	366	93	25.4%	273	74.6%	10	2.7%	376
Repeater	515	128	24.9%	387	75.1%	25	4.6%	540
Total	881	221	25.1%	660	74.9%	35	3.8%	916

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	431	219	50.8%	212	49.2%	20	4.4%	451
Repeater	447	126	28.2%	321	71.8%	15	3.2%	462
Total	878	345	39.3%	533	60.7%	35	3.8%	913

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	476	246	51.7%	230	48.3%	21	4.2%	497
Recredentialing	10	1	10.0%	9	90.0%	0	0.0%	10
Repeater	374	136	36.4%	238	63.6%	12	3.1%	386
Total	860	383	44.5%	477	55.5%	33	3.7%	893

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	392	222	56.6%	170	43.4%	17	4.2%	409
Repeater	225	90	40.0%	135	60.0%	6	2.6%	231
Total	617	312	50.6%	305	49.4%	23	3.6%	640

PFA Summary

1/3/2017 through 3/27/2024

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	141	121	85.8%	20	14.2%	6	4.1%	147
Repeater	27	10	37.0%	17	63.0%	1	3.6%	28
Total	168	131	78.0%	37	22.0%	7	4.0%	175

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	95	46	48.4%	49	51.6%	1	1.0%	96
Repeater	53	27	50.9%	26	49.1%	3	5.4%	56
Total	148	73	49.3%	75	50.7%	4	2.6%	152

Date Range: 1/25/2024 - 3/25/2024

	Total Tested	Pass	Pass %	Fail	Fail %	Absent	%
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Virginia Waterworks Class 1

Total	26	9	35%	17	65%		
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Virginia Waterworks Class 2

Total	25	13	52%	12	48%		
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Virginia Waterworks Class 3

Total	26	11	42%	15	58%		
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Virginia Waterworks Class 4

Total	14	6	43%	8	57%		
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Virginia Waterworks Class 5

Total	12	7	58%	5	42%		
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Virginia Waterworks Class 6

Total	2	0	0%	2	100%		
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Va. Wastewater Works Class 1

Total	54	12	22%	43	78%		
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Va. Wastewater Works Class 2

Total	57	20	35%	37	65%		
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Va. Wastewater Works Class 3

Total	43	17	40%	26	60%		
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Va. Wastewater Works Class 4

Total	61	11	18%	50	82%		
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VA ONSITE SEWAGE SYSTEM PROFESSIONALS (OSSP)

STATISTICAL OVERALL SUMMARIES

ALTERNATIVE AND CONVENTIONAL EXAMINATIONS

JANUARY 1, 2023 TO DECEMBER 30, 2023

Alternative	Took	Pass	Pass Percentage
System Installer	47	13	27.66%
System Operator	23	10	43.48%
Soil Evaluator	13	09	69.23%
Overall	83	32	38.55%

Conventional	Took	Pass	Pass Percentage
System Installer	38	11	28.95%
System Operator	10	06	60.00%
Soil Evaluator	16	13	81.25%
Overall	64	30	46.87%

January 12, 2024

EXAMS -RGS

VA ONSITE SEWAGE SYSTEM PROFESSIONALS (OSSP)

STATISTICAL OVERALL SUMMARIES

ALTERNATIVE AND CONVENTIONAL EXAMINATIONS

(REPEATERS)

JANUARY 1, 2023 TO DECEMBER 30, 2023

Alternative	Overall Took	Repeats Took	Repeats Pass	Pass Percentage
System Installer	47	26	11	42.31%
System Operator	23	09	04	44.44%
Soil Evaluator	13	03	01	33.33%
Overall	83	38	16	42.10%%

Conventional	Overall Took	Repeats Took	Repeats Pass	Pass Percentage
System Installer	38	17	09	52.94%
System Operator	10	04	06	75.00%
Soil Evaluator	16	01	01	100.00%
Overall	64	22	16	72.72%

February 8, 2024

EXAMS -RGS

WPI EXAM UPDATES

DEPARTMENT OF
ENVIRONMENTAL QUALITY:

COURSE TITLED

DEQ 24

WASTEWATER UTILITY
MANAGEMENT

DISCUSSION ON LICENSING
REQUIREMENTS FOR
ONSITE SEWAGE SYSTEM
INSTALLATIONS

SB 554	Department of Professional and Occupational Regulation; waterworks and wastewater works operators; reciprocal licensing. Requires the Board for Waterworks and Wastewater Works Operators and Onsite Sewage System Professionals, upon application, to recognize current and valid licenses or certificates issued by a neighboring state, defined in the bill, as fulfillment of qualifications for licensure as a waterworks and wastewater works operator in the Commonwealth if there are no pending investigations or complaints, no disqualifying criminal records, and no discipline imposed by another state.	Referred to Committee
HB248	Department of Professional and Occupational Regulation; autonomous agent. Authorizes regulatory boards to promulgate regulations for an applicant requesting licensure of an autonomous agent that is owned or operated by such applicant. Autonomous agent is defined in the bill as software or hardware that operates independently, without real-time human intervention, and is capable of performing tasks that, when executed by a human, would require licensure by a regulatory board.	Assigned to Sub-Committee
SB 80	Prisoner reentry; Department of Corrections The bill also provides that no person shall be refused a license, certificate, or registration to practice, pursue, or engage in any regulated occupation or profession within the Department of Health Professions solely because of a prior criminal conviction, unless the criminal conviction directly relates to the occupation or profession for which the license, certificate, or registration is sought.	Referred to Committee
HB 33	Commissioner of Health; work group to study the occurrence of microplastics in the Commonwealth's public drinking water; report. Directs the Commissioner of Health to convene a work group to study the occurrence of microplastics in the Commonwealth's public drinking water and develop recommendations for the reduction of microplastics in the Commonwealth's public drinking water. The bill requires the work group to report its findings and recommendations to the Governor and the Chairmen of the House Committees on Agriculture, Chesapeake and Natural Resources and Health, Welfare and Institutions and the Senate Committees on Agriculture, Conservation and Natural Resources and Education and Health by December 1, 2024.	Referred to Committee
HB 220	Water facilities; staffing; licensed operators. Requires sewage treatment works, classified waterworks, and classified water treatment facilities to employ a licensed operator. The bill establishes protocol for an unexpected vacancy of the licensed operator position. The bill also permits remote monitoring of the facility by the licensed operator upon a demonstration of adequate monitoring technology.	Assigned to Sub-Committee
HB 1295	Drinking water; maximum contaminant levels; water treatment systems; Rural Water Supply Program and Fund established. Directs the State Board of Health to adopt regulations to utilize point-of-use or point-of-entry drinking water treatment or filtration to remove or significantly reduce concentrations of contaminants of concern that meet or exceed any maximum contaminant level or health advisory for the same contaminant adopted by the U.S. Environmental Protection Agency. The bill also establishes the Rural Water Supply Program and Fund to allow the Department of Health's Office of Drinking Water to test and treat contaminated drinking water for individuals on private wells and small rural public water systems.	Referred to Committee
SB 243	Department of Environmental Quality; PFAS; identification; monitoring; PFAS Advisory Committee established; report. Requires the owner or operator of a publicly owned treatment works to monitor PFAS levels, as defined in the bill, in effluent, influent, and biosolids at least quarterly and report all such monitoring data on an applicable discharge monitoring report required by federal regulations. The bill requires the Department of Environmental Quality (the Department), in certain circumstances, to develop a PFAS action plan to identify and address sources of certain PFAS detected in a public water system's raw water source, perform outreach efforts regarding PFAS contamination, report annually on its activities, and work with certain entities in developing its PFAS action plans. The bill requires certain facilities that manufacture or use PFAS to report the use of such chemicals to the Department and to monitor such PFAS at least quarterly unless at another frequency at the direction of the Director of the Department. The bill also directs the Department and the Virginia Department of Health to jointly establish a PFAS Advisory Committee to assist with PFAS-related activities and appoint such committee's members to include legislative members and a wide range of nonlegislative citizen members and to report annually to the Governor and the General Assembly on the Committee's activities and recommendations.	Referred to Committee

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 54.1-205 of the Code of Virginia, relating to Department of Professional*
 3 *and Occupational Regulation; reciprocal licensing for neighboring states.*

4 [S 554]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That § 54.1-205 of the Code of Virginia is amended and reenacted as follows:**8 **§ 54.1-205. Universal license recognition.**9 *A. For purposes of this section,*10 *"Another state" or "other state" means any state, territory, possession, or jurisdiction of the United*
11 *States.*12 *"Neighboring state" means the District of Columbia, Maryland, North Carolina, Kentucky, Tennessee,*
13 *or West Virginia.*14 ~~The~~ *B. Except as provided in subsection D, the regulatory boards within the Department of*
15 *Professional and Occupational Regulation shall, upon application by an individual, recognize licenses or*
16 *certificates issued by another state as fulfillment of qualifications for licensure or government*
17 *certification in the Commonwealth if the following conditions are met:*18 1. *The individual holds a current and valid professional or occupational license or government*
19 *certification in another state in a profession or occupation with a similar scope of practice, as determined*
20 *by the board in the Commonwealth;*21 2. *The individual has held the professional or occupational license or government certification in the*
22 *other state for at least three years;*23 3. *The board in the other state or state of original licensure required the individual to pass an*
24 *examination and to meet certain standards related to education, training, or experience;*25 4. *There are no pending investigations or unresolved complaints against the individual, and the board*
26 *in the other state holds the individual in good standing;*27 5. *The individual does not have a disqualifying criminal record as determined by the board in the*
28 *Commonwealth in accordance with § 54.1-204;*29 6. *No board in another state has imposed discipline on the licensee, except for discipline involving*
30 *only a financial penalty and no harm to the health or economic well-being of the public; and*31 7. *The individual pays all applicable fees.*32 ~~B. The~~ *C. Except as provided in subsection D, the regulatory boards within the Department of*
33 *Professional and Occupational Regulation shall, upon application by an individual, recognize work*
34 *experience in another state as fulfillment of qualifications for licensure or government certification in the*
35 *Commonwealth if the following conditions are met:*36 1. *The individual worked in another state that does not use a professional or occupational license or*
37 *government certification to regulate a profession or occupation, but the Commonwealth uses a*
38 *professional or occupational license or government certification to regulate a profession or occupation*
39 *with a similar scope of practice, as determined by the board;*40 2. *The individual has worked in the profession or occupation for at least three years;*41 3. *The individual passes any examination required by the board of applicants for licensure or*
42 *certification; and*43 4. *The individual satisfies the conditions outlined in subdivisions A B 5, 6, and 7.*44 *D. The Real Estate Appraiser Board, the Real Estate Board, the Board for Waste Management*
45 *Facility Operators, and the Board for Waterworks and Wastewater Works Operators and Onsite Sewage*
46 *System Professionals shall, upon application by an individual, and without examination, immediately*
47 *recognize the licenses or certificates issued by a neighboring state as fulfillment of qualifications for*
48 *licensure in the Commonwealth if the following conditions are met:*49 1. *The individual holds a current and valid professional or occupational license or government*
50 *certification in a neighboring state in a profession or occupation with a similar scope of practice, as*
51 *determined by the board in the Commonwealth;*52 2. *There are no pending investigations or unresolved complaints against the individual, and the other*
53 *state holds the individual in good standing;*54 3. *The individual does not have a disqualifying criminal record as determined by the Board in*
55 *accordance with § 54.1-204; and*56 4. *No other state has imposed discipline on the licensee, except for discipline involving only a*

57 *financial penalty and no harm to the health or economic well-being of the public.*

58 ~~C. E.~~ The regulatory boards within the Department of Professional and Occupational Regulation may
59 require an individual seeking a professional or occupational licensure or government certification
60 pursuant to this section to pass a jurisprudential examination specific to relevant state laws and
61 administrative rules that regulate such profession or occupation if such an examination is required of
62 other applicants for the same license or certification.

63 ~~D.~~ For purposes of this section, "other state" or "another state" means any state, territory, possession,
64 or jurisdiction of the United States.

65 ~~E. F.~~ This section shall not apply to any professional services, as defined in § 2.2-4301.

UPDATE ON OUTREACH

OPPORTUNITIES

EXECUTIVE
DIRECTOR
REPORT

RECONSIDERATION
OF
CASE DECISIONS

**Department of Professional and Occupational Regulation
Statement of Financial Activity**

**Board for WWOOSSP
954530**

2022-2024 Biennium

February 2024

	February 2024 Activity	Biennium-to-Date Comparison	
		July 2020 - February 2022	July 2022 - February 2024
Cash/Revenue Balance Brought Forward			126,089
Revenues	116,100	530,284	595,088
Cumulative Revenues			721,177
Cost Categories:			
Board Expenditures	11,587	48,163	72,424
Board Administration	8,451	143,197	152,490
Administration of Exams	2,197	33,831	25,445
Enforcement	451	9,144	9,332
Legal Services	226	2,125	1,989
Information Systems	11,904	100,536	102,408
Facilities and Support Services	4,707	76,877	66,654
Agency Administration	5,117	66,328	104,906
Other / Transfers	0	(0)	(75)
Total Expenses	44,638	480,201	535,573
Transfer To/(From) Cash Reserves	(1,433)	0	(18,371)
Ending Cash/Revenue Balance			203,976

Cash Reserve Beginning Balance	82,264	0	99,203
Change in Cash Reserve	(1,433)	0	(18,371)
Cash Reserve Ending Balance	80,832	0	80,832

Number of Regulants

Current Month	6,097
Previous Biennium-to-Date	5,978

**Department of Professional and Occupational Regulation
Statement of Financial Activity**

Agency Total

2022-2024 Biennium

February 2024

	February 2024 Activity	Biennium-to-Date Comparison	
		July 2020 - February 2022	July 2022 - February 2024
Cash/Revenue Balance Brought Forward			3,453,476
Revenues	1,180,098	33,353,632	33,733,253
Cumulative Revenues			37,186,729
Cost Categories:			
Board Expenditures	173,613	2,737,565	3,214,087
Board Administration	428,694	7,411,067	7,973,299
Administration of Exams	28,077	502,172	496,672
Enforcement	652,978	11,673,616	12,150,367
Legal Services	36,417	404,520	429,005
Information Systems	618,566	5,340,053	5,485,482
Facilities and Support Services	158,749	3,225,366	3,228,046
Agency Administration	265,886	3,516,935	5,624,916
Other / Transfers	0	4,862	554
Total Expenses	2,362,980	34,816,155	38,602,429
Transfer To/(From) Cash Reserves	(853,722)	0	(4,385,334)
Ending Cash/Revenue Balance			2,969,634

Cash Reserve Beginning Balance	14,462,339	0	17,993,950
Change in Cash Reserve	(853,722)	0	(4,385,334)
Ending Cash Reserve Balance	13,608,617	0	13,608,617

Number of Regulators

Current Month	320,070
Previous Biennium-to-Date	308,696

WWWOSSP BOARD	
Education & Training Committee	Board Meetings
9:30 AM	10:00 AM
All meetings are in BOARD ROOM 2	
Thursday, January 21, 2025	
Thursday, April 10, 2025	
Thursday, July 10, 2025	
Thursday, October 23, 2025	



SAVE THE DATE!

The 2024 DPOR Board Member
Training Conference,
*The Spirit of Service & Innovation:
Advancing Regulatory Excellence*,
will be held

October 10-11, 2024, at Great Wolf Lodge in
Williamsburg. The conference will include high
profile guest speakers, relevant training sessions,
breakout sessions, and
networking opportunities.

Stay tuned— additional information regarding
registration and reservations will be provided
as we get closer to the date.



549 E. Rochambeau Drive

Williamsburg, VA 23188

<https://www.greatwolf.com/williamsburg>

OTHER BUSINESS

COMPLETE CONFLICT OF INTEREST
FORMS AND
TRAVEL VOUCHERS

ADJOURN