

BOARD FOR WASTE MANAGEMENT FACILITY OPERATORS APPLICATION REVIEW MATRIX CRIMINAL HISTORY

Revised November 6, 2025

Delegation of Authority to DPOR Staff

The Board hereby delegates authority to the Department of Professional and Occupational Regulation to conduct predetermination and licensing informal fact-finding conferences in accordance with the applicable portions of the Administrative Process Act (Code of Virginia 2.2-4000 et. seq.).

Authorization to Approve Certain Prior Criminal Convictions

Applications and Predetermination Requests disclosing the following convictions will not be reviewed by the Board and may be approved by DPOR staff:

1. Felony convictions over five years old with no subsequent reportable convictions, unless the incarceration release date is under three years from the application date. This excludes convictions involving murder, manslaughter, sexual assault, rape, robbery, indecent liberties, fraud, embezzlement, abduction, assaulting a police officer, resisting arrest or environmental-related convictions.
2. Misdemeanor convictions over three years from the application date. This excludes any environmental-related convictions.
3. Misdemeanor convictions for possession or distribution of a controlled substance with no other convictions.
4. Felony convictions for possession of controlled substance over two years old, where the applicant completed a deterrence program.
5. Felony convictions under Title 46 of the *Code of Virginia* (Traffic Code) over three years old.
6. Misdemeanor convictions for simple assault (except domestic assault and assaulting a police officer), disorderly conduct, or trespassing.
7. Convictions of larceny, breaking and entering, or burglary, over five years old with no subsequent convictions, provided they did not result in incarceration where the release date is under three years from the application date.

8. DUI convictions where the applicant has completed VASAP or another similar program accepted by the court or DMV after the latest conviction. This excludes felony convictions.