



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

Guidance Document: Out of State Applicants for Onsite Sewage System Professional Licensure Adopted April 10, 2014

I. **Background**

Board staff has received a number of inquiries from out-of-state applicants seeking licensure related to onsite sewage systems (installer, operator, and onsite soil evaluator). The specificity to Virginia licenses in the entry requirements may inhibit the ability of an otherwise qualified individual from obtaining licensure in Virginia.

II. **Applicable Regulation and Policy**

18 VAC 160-20-80 of the Board's Regulations states:

Any applicant holding a valid license or certificate in another jurisdiction who **meets the requirements of this chapter**, including experience and education, shall pass the appropriate Virginia examination to become licensed [*emphasis added*].

18 VAC 160-20-10 of the Board's Regulations states in part:

"Board" means the Board for Waterworks and Wastewater Works Operators and Onsite Sewage System Professionals or any successor agency.

"Alternative onsite sewage system installer" means an individual licensed by the board...*[emphasis added]*

"Alternative onsite sewage system operator" means an individual licensed by the board...*[emphasis added]*

"Alternative onsite soil evaluator" means an individual licensed by the board...*[emphasis added]*

"Conventional onsite sewage system operator" means an individual licensed by the board...*[emphasis added]*

"Conventional onsite soil evaluator" means an individual licensed by the board...*[emphasis added]*

III. Issue

The current regulatory requirements for licensure as an installer, operator or soil evaluator contain language wherein the applicant must pass a board approved examination in addition to obtaining a combination of education and/or experience. Typically, experience must be under the direct supervision or verified by another Virginia licensee (which under the current licensure scheme, a licensee is limited to a Virginia license by definition.) In addition, documentation provisions are specific to the Virginia Department of Health (VDH) which would preclude a person doing similar work in another state.

The requirements for a conventional/alternative onsite sewage system installer license under 18 VAC 160-20-97 C provides several options to qualify for licensure. Options require either experience or employment under or with a licensee, the certification/documentation of installations be completed by a licensee or authorized onsite soil evaluator, or documentation associated with VDH. "Licensee" in this section, by definition, must be licensed in Virginia with the exception of conventional installers.
The requirements for a conventional/alternative onsite sewage system operator under 18 VAC 160-20-98 C provides several options to qualify for licensure. Each option requires either permitting by the Virginia Department of Health, experience gained under or employment of a licensee, or Class IV or higher wastewater works operator license. "Licensee" in this section, by definition, must be licensed in Virginia with the exception of conventional installers.
The requirements for a conventional/alternative soil

evaluator under 18 VAC 160-20-96 C provides several options to qualify for licensure. Options require certification from another regulatory board, certification/documentation completed by a licensee or authorized onsite soil evaluator, or employment with VDH. "Licensees" in this section, by definition, must be licensed in Virginia with the exception of conventional installers.

IV. Policy

An applicant for onsite sewage professional licensure, who wishes the Board to consider experience gained outside of Virginia, must provide documentation of experience in a form acceptable to the Board that demonstrates substantial equivalency to the experience requirements of the Board. Once all applicable documentation has been submitted, staff shall review the application and supplemental documentation to establish whether the out-of-state experience is equivalent to the experience requirements in the regulations. Such review may include reviewing the requirements of the other state to determine whether the entry requirements for the applicable license type are at least as rigorous as the equivalent license requirements in Virginia. Board staff may consult with a Board member to assist with technical review of the application and supporting documentation. Board staff may request additional information as needed in order to ensure compliance with this policy and the Board's regulations. If Board staff is unable to satisfactorily determine whether the experience gained in a jurisdiction outside of Virginia is substantially equivalent to the experience requirements proscribed in the Board's regulations, the application will not be approved and the applicant will be afforded the opportunity to request an informal fact-finding conference pursuant to the Administrative Process Act (Chapter 40 of Title 2.2 of the Code of Virginia).