

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

The Virginia Board for Waterworks and Wastewater Works Operators and Onsite Sewage System Professionals met on October 24, 2024, 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.

Board member(s) present for the meeting:

Pamela Pruett, Chair (Arrived at 10:13am)
Erica Duncan, Vice-Chair
Caleb M. Taylor
D. Wayne Staples
Brandon Monnett
John Ewing
Josh Kirtley
Thomas Wayne Fore (Arrived at 9:54am)
Alvin Christian

Board member(s) absent from the meeting:

James N. Brockwell
Dwayne Roadcap

Josh Laws, Board Counsel, was present at the meeting.

Sathish Anabathula, Board Liaison, was not present at the meeting.

Staff members present for all or part of the meeting:

Brian P. Wolford, Agency Director
Jeb Wilkinson, Special Assistant to the Director
Steve Kirschner, LRPD Deputy Director
Marjorie King, Executive Director
Joe Haughwout, Regulatory Affairs Manager
Lisa Robinson, Licensing Operations Administrator
Cameron Parris, Regulatory Operations Administrator
Kyle Mathews, Regulatory Analyst
Christina Cottone, Licensing Specialist
Stephanie Keuther, Administrative Coordinator

1. **Vice Chair, Duncan** called the October 24, 2024, Board for Waterworks and Wastewater Works Operators and Onsite Sewage System Professionals Meeting to order at 9:39 A.M.

**Call
To Order**

Vice Chair, Duncan declared a quorum of Board members to be in attendance.

**Emergency
Egress**

Marjorie King, Executive Director reviewed the emergency egress procedures with the Board and members of the public.

2. **Mr. Staples made a motion, seconded by Mr. Taylor**, to adopt the agenda of the October 24, 2024, Board for Waterworks and Wastewater Works Operators and Onsite Sewage System Professionals.

**Approval of the
Agenda**

The motion was approved with a vote of 7-0-0. Ayes: Staples, Taylor, Monnett, Duncan, Ewing, Kirtley, and Christian. **Nays:** None. **Abstain:** None. **Absent:** Fore, Pruett, Brockwell, and Roadcap.

3. **Mr. Ewing made a motion, seconded by Mr. Kirtley**, to approve the following draft minutes as presented.

Minutes

- July 11, 2024, Board for Waterworks and Wastewater Works Operators and Onsite Sewage System Professionals Meeting
- July 11, 2024, Board for Waterworks and Wastewater Works Operators and Onsite Sewage System Professionals Committee Meeting
- August 26, 2024, Board for Waterworks and Wastewater Works Operators and Onsite Sewage System Professionals Regulatory Review Committee Meeting

The motion was approved with a vote of 7-0-0. Ayes: Staples, Taylor, Monnett, Duncan, Ewing, Kirtley, and Christian. **Nays:** None. **Abstain:** None. **Absent:** Fore, Pruett, Brockwell, and Roadcap.

4. Public Comment

**Public
Comment**

Vice Chair, Duncan opened the public comment period of the meeting.

Simon DeWater, asked for the Board to consider the question of who verifies experience and what counts as experience.

Simon DeWater, will receive 3 CPE credit hours for attending the WWWOSSP Board Meeting.

With no one else wishing to come forward, Vice Chair, Duncan closed the public comment section of the meeting.

Licensing Cases Files

**Licensing Cases
Files**

In the matter of License Application, File Number 2024-02004, Maurice Lynell Freeman, Jr., The Board members reviewed the record, which consisted of the application file, transcript and exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number
2024-02004
Maurice Lynell
Freeman, Jr.**

Maurice Lynell Freeman, Jr. (Applicant) participated in the Informal Fact-Finding Conference.

The Applicant did not attend the Board meeting in person, by counsel, or by any other qualified representative.

After discussion, a motion was made by Mr. Staples, seconded by Mr. Taylor, to approve the application for a Class 4 Wastewater Works Operator license based upon the record and recommendation.

The motion was approved with a vote of 7-0-0. Ayes: Staples, Taylor, Monnett, Duncan, Ewing, Kirtley, and Christian. **Nays:** None. **Abstain:** None. **Absent:** Fore, Pruett, Brockwell, and Roadcap.

In the matter of License Application, File Number 2024-02011, Cordell Meril Randolph, The Board members reviewed the record, which consisted of the application file, transcript and exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number
2024-02011
Cordell Meril
Randolph**

Cordell Meril Randolph (Applicant) participated in the Informal Fact-Finding Conference.

The Applicant did not attend the Board meeting in person, by counsel, or by any other qualified representative.

After discussion, a motion was made by Mr. Staples, seconded by Mr. Taylor, to approve the application for a Class 4 Wastewater Works Operator license based upon the record and recommendation.

The motion was approved with a vote of 7-0-0. Ayes: Staples, Taylor, Monnett, Duncan, Ewing, Kirtley, and Christian. **Nays:** None. **Abstain:** None. **Absent:** Fore, Pruett, Brockwell, and Roadcap.

In the matter of License Application, File Number 2024-02120, Lew Alcinder Fowler, The Board members reviewed the record, which consisted of the application file, transcript and exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number
2024-02120
Lew Alcinder
Fowler**

Lew Alcinder Fowler (Applicant) participated in the Informal Fact-Finding Conference.

The Applicant attended the Board meeting and agreed with the recommendation.

After discussion, a motion was made by Mr. Taylor, seconded by Mr. Staples, to approve the application for a Class 1 Wastewater Works Operator license based upon the record and recommendation.

The motion was approved with a vote of 7-0-0. Ayes: Staples, Taylor, Monnett, Duncan, Ewing, Kirtley, and Christian. **Nays:** None. **Abstain:** None. **Absent:** Fore, Pruett, Brockwell, and Roadcap.

In the matter of License Application, File Number 2024-02166, Jonathan Dane Larson, The Board members reviewed the record, which consisted of the application file, transcript and exhibits, and Summary of the Informal Fact-Finding Conference.

File Number
2024-02166
Jonathan Dane
Larson

Jonathan Dane Larson (Applicant) participated in the Informal Fact-Finding Conference.

The Applicant did not attend the Board meeting in person, by counsel, or by any other qualified representative.

After discussion, a motion was made by Mr. Staples, seconded by Mr. Taylor, to approve the application for a Class 4 Wastewater Works Operator license based upon the record and recommendation.

The motion was approved with a vote of 7-0-0. Ayes: Staples, Taylor, Monnett, Duncan, Ewing, Kirtley, and Christian. **Nays:** None. **Abstain:** None. **Absent:** Fore, Pruett, Brockwell, and Roadcap.

In the matter of License Application, File Number 2024-02275, Reggie Allen Stocks, Jr., The Board members reviewed the record, which consisted of the application file, transcript and exhibits, and Summary of the Informal Fact-Finding Conference.

File Number
2024-02275
Reggie Allen
Stocks, Jr.

Reggie Allen Stocks, Jr. (Applicant) participated in the Informal Fact-Finding Conference.

The Applicant did not attend the Board meeting in person, by counsel, or by any other qualified representative.

After discussion, a motion was made by Mr. Taylor, seconded by Mr. Staples, to approve the application for a Class 4 Wastewater Works Operator license based upon the record and recommendation.

The motion was approved with a vote of 7-0-0. Ayes: Staples, Taylor, Monnett, Duncan, Ewing, Kirtley, and Christian. **Nays:** None. **Abstain:** None. **Absent:** Fore, Pruett, Brockwell, and Roadcap.

Board Member Thomas Wayne Fore arrived at the meeting at 9:54am.

In the matter of License Application, File Number 2024-02485, Joshua Wills Evans, The Board members reviewed the record, which consisted of the application file, transcript and exhibits, and Summary of the Informal Fact-Finding Conference.

File Number
2024-02485
Joshua Wills
Evans

Joshua Wills Evans (Applicant) participated in the Informal Fact-Finding Conference.

The Applicant attended the Board meeting and agreed with the recommendation.

After discussion, a motion was made by Mr. Ewing, seconded by Mr. Kirtley, to approve the application for a Journeyman Alternative Onsite Soil Evaluator license based upon the record and recommendation.

The motion was approved with a vote of 8-0-0. Ayes: Staples, Taylor, Monnett, Duncan, Ewing, Kirtley, Fore, and Christian. **Nays:** None. **Abstain:** None. **Absent:** Pruett, Brockwell, and Roadcap.

In the matter of License Application, File Number 2024-02486, Joshua Wills Evans, The Board members reviewed the record, which consisted of the application file, transcript and exhibits, and Summary of the Informal Fact-Finding Conference.

File Number
2024-02486
Joshua Wills
Evans

Joshua Wills Evans (Applicant) participated in the Informal Fact-Finding Conference.

The Applicant attended the Board meeting and agreed with the recommendation.

After discussion, a motion was made by Mr. Ewing, seconded by Mr. Kirtley, to approve the application for a Journeyman Alternative Onsite Sewage System Operator license based upon the record and recommendation.

The motion was approved with a vote of 8-0-0. Ayes: Staples, Taylor, Monnett, Duncan, Ewing, Kirtley, Fore, and Christian. **Nays:** None. **Abstain:** None. **Absent:** Pruett, Brockwell, and Roadcap.

In the matter of License Application, File Number 2024-02487, Joshua Wills Evans, The Board members reviewed the record, which consisted of the application file, transcript and exhibits, and Summary of the Informal Fact-Finding Conference.

File Number
2024-02487
Joshua Wills
Evans

Joshua Wills Evans (Applicant) participated in the Informal Fact-Finding Conference.

The Applicant attended the Board meeting and agreed with the recommendation.

After discussion, a motion was made by Mr. Fore, seconded by Mr. Ewing, to approve the application for a Journeyman Alternative Onsite Sewage System Installer license based upon the record and recommendation.

The motion was approved with a vote of 8-0-0. Ayes: Staples, Taylor, Monnett, Duncan, Ewing, Kirtley, Fore, and Christian. **Nays:** None. **Abstain:** None. **Absent:** Pruett, Brockwell, and Roadcap.

In the matter of License Application, File Number 2024-02605, Danielle Nicole Dodson, The Board members reviewed the record, which consisted of the application file, transcript and exhibits, and Summary of the Informal Fact-Finding Conference.

File Number
2024-02605
Danielle Nicole
Dodson

Danielle Nicole Dodson (Applicant) participated in the Informal Fact-Finding Conference.

The Applicant did not attend the Board meeting in person, by counsel, or by any other qualified representative.

After discussion, a motion was made by Mr. Fore, seconded by Mr. Staples, to approve the application for a Class 4 Wastewater Works Operator license based upon the record and recommendation.

The motion was approved with a vote of 8-0-0. Ayes: Staples, Taylor, Monnett, Duncan, Ewing, Kirtley, Fore, and Christian. **Nays:** None. **Abstain:** None. **Absent:** Pruett, Brockwell, and Roadcap.

In the matter of License Application, File Number 2024-02607, Latoya Genevise Carter, The Board members reviewed the record, which consisted of the application file, transcript and exhibits, and Summary of the Informal Fact-Finding Conference.

File Number
2024-02607
Latoya
Genevise
Carter

Latoya Genevise Carter (Applicant) participated in the Informal Fact-Finding Conference.

The Applicant did not attend the Board meeting in person, by counsel, or by any other qualified representative.

After discussion, a motion was made by Mr. Staples, seconded by Mr. Taylor, to approve the application for a Class 4 Wastewater Works Operator license based upon the record and recommendation.

The motion was approved with a vote of 8-0-0. Ayes: Staples, Taylor, Monnett, Duncan, Ewing, Kirtley, Fore, and Christian. **Nays:** None. **Abstain:** None. **Absent:** Pruett, Brockwell, and Roadcap.

DISCIPLINARY CASES & RATIFICATION OF CONSENT ORDERS

CONSENT ORDER CASE FILES

Consent Order
Case Files

In the matter of Consent Order File Number 2024-01933, Enon Josh Wade, the Board reviewed the Consent Order as seen and agreed to by Enon Josh Wade.

File Number
2024-01933
Enon Josh
Wade

Presiding Board Member Ewing was not present, did not participate in the discussion, and did not vote.

Enon Josh Wade (Regulant) did not attend the Board meeting in person, by counsel, or by any other qualified representative.

A motion was made by Mr. Fore, seconded by Mr. Staples, to ratify the proposed Consent Order offer wherein Enon Josh Wade, acknowledges an understanding of the charges and admits to the violation(s) of the Counts as outlined in the Report of Findings.

Enon Josh Wade consents to the following violations of the Board's regulations:

Count 1: 18 VAC 160-40-470.1 \$150.00

Count 2: 18 VAC 160-40-470.3 \$150.00

Enon Josh Wade agrees to Board costs of **\$150.00**.

Total fines and costs of \$450.00

Further, Wade agrees to complete seven (7) continuing professional education (CPE) contact hours for the June 1, 2021, through the May 31, 2023, license cycle and provide proof of attendance and successful completion to the Board within thirty (30) days of the effective date of this Consent Order.

The motion was approved with a vote of 7-0-1. Ayes: Staples, Taylor, Monnett, Duncan, Kirtley, Fore, and Christian. **Nays:** None. **Abstain:** Ewing. **Absent:** Pruett, Brockwell, and Roadcap.

Prima Facie Disciplinary Cases

**Disciplinary
Case File**

In the matter of Prima Facie Disciplinary File Number 2024-01839, John C. Loving, the Board members reviewed the record, which consisted of the Notice, the Report of Findings, including exhibits, and the Recommendation.

**File Number
2024-01839
John C. Loving**

Presiding Board Member Ewing was not present, did not participate in the discussion, and did not vote.

John C. Loving (Regulant) did not request an Informal Fact-Finding conference.

John C. Loving (Regulant) did not attend the Board meeting in person, by counsel, nor by any other qualified representative.

A motion was made by Mr. Fore, seconded by Mr. Monnett, to adopt the report of findings including exhibits and the Recommendation. They are incorporated as part of the Order. The Board adopts the Recommendation.

The Board finds substantial evidence that John C. Loving violated the following:

Count 1: 18 VAC 160-40-470.1 \$150.00 and License Revocation
Count 2: 18 VAC 160-40-470.3 \$150.00 and License Revocation

The Board shall waive imposition of the total monetary penalty for Counts 1 and 2 and license revocation for Counts 1 and 2 provided John C. Loving terminates and returns his license within thirty (30) days of the effective date of the Board's Order.

If Loving fails to comply with these conditions, then the total monetary penalty and license revocation will be imposed for violations of Counts 1 and 2.

The motion was approved with a vote of 7-0-1. Ayes: Staples, Taylor, Monnett, Duncan, Kirtley, Fore, and Christian. **Nays:** None. **Abstain:** Ewing. **Absent:** Pruett, Brockwell, and Roadcap.

In the matter of Prima Facie Disciplinary File Number 2024-01956, Brian Lee Lynn, the Board members reviewed the record, which consisted of the Notice, the Report of Findings, including exhibits, and the Recommendation.

**File Number
2024-01956
Brian Lee Lynn**

Brian Lee Lynn (Regulant) did not request an Informal Fact-Finding conference.

The Regulant did not attend the Board meeting in person, by counsel, nor by any other qualified representative.

A motion was made by Mr. Ewing, seconded by Mr. Fore, to adopt the report of findings including exhibits and the Recommendation. They are incorporated as part of the Order. The Board adopts the Recommendation.

The Board finds substantial evidence that Brian Lee Lynn violated the following:

- Count 1: 18 VAC 160-40-470.1 \$1,000.00 and License Revocation**
- Count 2: 18 VAC 160-40-470.12 \$1,000.00 and License Revocation**
- Count 3: 18 VAC 160-40-500.A \$1,000.00 and License Revocation**

The motion was approved with a vote of 8-0-0. Ayes: Staples, Taylor, Monnett, Duncan, Kirtley, Fore, Ewing and Christian. **Nays:** None. **Abstain:** None. **Absent:** Pruett, Brockwell, and Roadcap.

Minutes – Re-open

Minutes – Re-open

A motion was made by Mr. Fore, seconded by Mr. Staples, to re-open the approved minutes of the Board for Waterworks and Wastewater Works Operators and Onsite Sewage System Professionals on July 11, 2024, for corrections required.

The motion was approved with a vote of 8-0-0. Ayes: Staples, Taylor, Monnett, Duncan, Kirtley, Fore, Ewing and Christian. **Nays:** None. **Abstain:** None. **Absent:** Pruett, Brockwell, and Roadcap.

The Board recessed from 11:30 a.m. to 11:48 a.m. ▼

Recess

5. EDUCATION

EDUCATION

Examination Updates

Examination Updates

Examination Statistics

- VA Tech Short School

Executive Director, Marjorie King, provided the Board pass/fail statistics from VA Tech Short School from August 2023, to August 2024. No action was taken

- Update from WPI

Vice President of WPI, Tom Healy, informed the Board of new standardized exams as of January 2024, and practice exams as of January 2025. Mr. Healy also discussed the development of remote proctoring in 2025/2026.

After discussion, a motion was made by Mr. Fore, and seconded by Mr. Staples, to approve remote examination proctoring.

The motion was approved with a vote of 8-0-0. Ayes: Staples, Taylor, Monnett, Duncan, Kirtley, Fore, Ewing and Christian. **Nays:** None. **Abstain:** None. **Absent:** Pruett, Brockwell, and Roadcap.

Chair, Pamela Pruett arrived at the meeting at 10:13am.

**OTHER
 BOARD
 BUSINESS**

6. OTHER BOARD BUSINESS

Regulatory Review update

**Regulatory
 Review update**

Waterworks and Wastewater Works Operators Licensing Regulations: General Regulatory Reduction Initiative	Board staff to file Proposed Stage followed by Executive Branch review.
Onsite Sewage System Professionals Licensing Regulations: 2022 General Review	Board staff to file Proposed Stage followed by Executive Branch review.
Waterworks and Wastewater Works Operators Licensing Regulations: 2021 Fee Adjustment	Board staff to file revised Proposed Stage.
Onsite Sewage System Professionals Licensing Regulations: 2021 Fee Adjustment	Board staff to file revised Proposed Stage.

Periodic Review of Regulations

**Periodic
 Review of
 Regulations**

Regulatory Operations Administrator, Cameron Parris informed the Board: Pursuant to Executive Order 19 (2022) and §§ 2.2-4007.1 and 2.2-4017 of the Code of Virginia, the Waterworks and Wastewater Works Operators Licensing Regulations, the Onsite Sewage System Professionals Licensing Regulations, and the Public Participation Guidelines underwent a periodic review.

Review of these regulations was guided by the principles in Executive Order 19.

The purpose of the review is to determine whether these regulations should be repealed, amended, or retained in their current form. Public comment was sought on the review of any issue relating to these regulations, including whether the regulations (i) are necessary for the protection of public health, safety, and welfare, or for

the economical performance of important governmental functions; (ii) minimize the economic impact on small businesses in a manner consistent with the stated objectives of applicable law; and (iii) are clearly written and easily understandable.

The public comment period for the Waterworks and Wastewater Works Operators Licensing Regulations began on July 29, 2024, and concluded on August 19, 2024. No comments were received.

The public comment period for the Onsite Sewage System Professionals Licensing Regulations began on July 19, 2024, and concluded on August 19, 2024. No comments were received.

At this time, the Board must vote to amend or retain the current regulations. Due to the Board's ongoing regulatory reduction efforts and current regulatory actions, Board staff recommends retaining the regulations in their current form.

After discussion, a motion was made by Mr. Staples, and seconded by Mr. Kirtley, to retain the Waterworks and Wastewater Works Operator Regulations, the Onsite Sewage System Professionals Regulations, and the Public Participation Guidelines in their current form.

The motion was approved with a vote of 9-0-0. Ayes: Pruett, Staples, Taylor, Monnett, Duncan, Kirtley, Fore, Ewing and Christian. **Nays:** None. **Abstain:** None. **Absent:** Brockwell, and Roadcap.

Onsite Sewage System Professionals: General Review

Regulatory Affairs Manager, Joe Haughwout provided the Board with draft Onsite Sewage System Professionals proposed licensing regulations.

After discussion, a motion was made by Mr. Fore, and seconded by Mr. Ewing, to adopt the proposed amendments as presented.

Executive Director Report

Marjorie King, Executive Director, informed the Board of current and past statistical data related to Board application, licensing, and emails.

Board Financial Statement

Board for Waterworks and Wastewater Works Operators and Onsite Sewage System Professionals- Board Financials will be available at the next meeting.

7. Completion of Paperwork

Marjorie King, Executive Director requested the Board members complete their Conflict-of-Interest Statements and Travel Reimbursement Forms.

Onsite Sewage System Professionals: General Review

Executive Director Report

Board Financial Statement

Completion of Paperwork

Adjournment

8. Adjournment

Chair, Pruett thanked the Board and adjourned the meeting at 12:09 P.M.

The next board meeting will be **January 21, 2025**.

Pamela Pruett, Chair

Date

Brian P. Wolford, Director

Date

Copy teste:

Custodian of the Record

Draft