

THE VIRGINIA BOARD FOR WASTE MANAGEMENT FACILITY OPERATORS
Draft MEETING MINUTES

The Virginia Board for Waste Management Facility Operators met on Tuesday, April 6, 2021, at the offices of the Department of Professional and Occupational Regulation, Perimeter Center, 9960 Mayland Drive, Richmond, Virginia.

The following members of the Board were present during all or part of the meeting:

Timothy P Torrez
Sathish Anabathula
Leslie Beckwith
Joyce Doughty
Ellen C Thacker
Jason Mitchell

The following members of the Board were not present:

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

Mary Broz-Vaughan, Director
Eric Olson, Executive Director
Mary Charity, Licensing Supervisor
Stephanie Keuther, Administrative Assistant
Shannon Webster, Exam Director
Jeff Waite, Financial Services Director

Board Counsel, Elizabeth Peay was not present during the meeting.

Board Liaison member of the Board for Professional and Occupational Regulation Liaison Program was not present during for meeting:

Laurence A. Benenson, Board Liaison

Call To Order

Tim Torrez, Chairman called the April 6, 2021 Board for Waste Management Facility Operators Meeting to order at 10:00 a.m.

Call To Order

Approval of the Draft Agenda

Ms. Thacker made a motion seconded by Ms. Beckwith to adopt the agenda as presented.

The motion was approved with a vote of 6-0-0 Ayes: Torrez, Thacker, Beckwith, Mitchell, Doughty and Anabathula **Nays:** None **Abstained:** None **Absent:** None

Approval of the Draft Agenda

Approval of Minutes

Ms. Thacker made a motion seconded by Mr. Anabathula to approve the Minutes of December 19, 2019 as presented.

The motion was approved with a vote of 6-0-0 Ayes: Torrez, Thacker, Beckwith, Mitchell, Doughty and Anabathula **Nays:** None **Abstained:** None **Absent:** None

Approval of Minutes

Public Comment Period

Chairman, Torrez opened the Public Comment section of the meeting.

Public Comment Period

Presentation of Resolution to Mr. Levine

Presentation of Resolution

**Department of Professional and Occupational Regulation
Board for Waste Management Facility Operators**

Resolution To

Joseph R. Levine

WHEREAS, Joseph R. Levine, faithfully and diligently served as Vice Chairman of the Virginia Board for Waste Management Facility Operators and a member of the Virginia Board for Waste Management Facility Operators from July 1, 2010 to January 19, 2021; and

WHEREAS, Joseph R. Levine has given generously of his time, talent and leadership to the Board, serving as a member providing expertise to the Board as needed; and

WHEREAS, Joseph R. Levine endeavored always to protect the health, safety and well-being of the public by rendering fair and wise decisions, which were in the best interest of the Board and the Commonwealth's citizens; and

WHEREAS, the Board for Waste Management Facility Operators wishes to acknowledge its gratitude and deepest appreciation for devoted service by Joseph R. Levine, who is held in high esteem by the members of the Board, the employees within the Department, and the citizens of the Commonwealth.

NOW, THEREFORE, BE IT RESOLVED, by the Board for Waste Management Facility Operators this sixth day of April, in the year two-thousand and twenty-one, that Joseph R. Levine, be given all honors and respect due him for his outstanding service to the Commonwealth, its citizens, and the Board for Waste Management Facility Operators; 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.

Mr. Levine thanked the Board and staff for his time on the Board.

In the matter of File Number 2021-01384 – Joshua Hoffman, the Board, members reviewed the record of the Informal Fact-Finding Conference, which consisted of the application file, transcripts, exhibits, and the Presiding Officer's Summary and Recommendation.

File Number
2021-01384
Joshua Hoffman

Mr. Hoffman was present, and agreed with the recommendation.

Mr. Anabathula made a motion seconded by Ms. Doughty to approve the hearing officer's recommendation.

The motion was approved with a vote of 6-0-0 Ayes: Torrez, Thacker, Beckwith, Mitchell, Doughty and Anabathula **Nays:** None **Abstained:** None **Absent:** None

There was no old business to discuss.

Old Business

New Business

New Business

Exam Pass Rates – Shannon Webster, Executive Director of Exams

Exam Pass Rates

Executive Director Shannon Webster updated the Board with the closed book exam statistics. The closed book exams started in August of 2020, since then staff has not received any complaints or concerns. Ms. Webster expects the pass rates to fluctuate for the first year before leveling out. Ms. Webster will return to the next meeting on August 3, 2021 with more updates, include the percentages of repeat exams of new applicants.

Fee Proposal Waste Management Facility Operators November 2020

Fee Proposals

Jeff Waite, Financial Services Director, presented to the Waste Management Facility Operators Board, a breakdown of its current financial status and fees.

		Current
Fee Type		Fees
Waste Management Facility Operator	New Applicant	75
Waste Management Facility Operator	Renewal	50
Waste Management Facility Operator	Late Renewal	25
Waste Management Facility Operator	Reinstatement	75
Waste Management Facility Operator	Add a Qualification	75
Waste Management Facility Operator	Certificate of Licensure	35
Waste Management Facility Operator	Bad Check Fee	50

The Board reviewed the fee proposals presented by Mr. Waite and after a discussion and clarification of the statutory requirements, selected fees that would keep the Board in compliance with §54.1-113 of the Code of Virginia pertaining to the setting of fees charged by the Board. Beginning in FY2023, proposal C sets fees for renewal to be higher than application fees, which remain the same as in place currently. All proposals achieve the same goal of increasing revenue to be sufficient to cover expenses.

		Current
Fee Type		Fees
Waste Management Facility Operator	New Applicant	75
Waste Management Facility Operator	Renewal	85
Waste Management Facility Operator	Late Renewal	35
Waste Management Facility Operator	Reinstatement	75
Waste Management Facility Operator	Add a Qualification	75
Waste Management Facility Operator	Certificate of Licensure	35
Waste Management Facility Operator	Bad Check Fee	50

Mr. Anabathula made a motion seconded by Ms. Beckwith to approve the fee adjustments and directed staff to commence the regulatory review process by submitting a Notice of Intended Regulatory Action.

The motion was approved with a vote of 6-0-0 Ayes: Torrez, Thacker, Beckwith, Mitchell, Doughty and Anabathula **Nays:** None **Abstained:** None **Absent:** None

Solar Panel Recycle Article

Solar Panel Recycle Article

Eric Olson, Executive Director shared with the Board an article regarding the recycling of Solar Panels. After discussion the Board agreed, without a vote, that it would be premature to discuss any changes to the current regulations until such time as the Waste Management Board (housed at DEQ) were to promulgate regulations regarding the disposal of such materials.

Election of Officers

Election of Officers

Mr. Torrez turned the chair to Eric Olson, Executive Director, for the purposes of conducting the Election of Officers.

Mr. Olson called for nominations from the floor for Chairman of the Board.

Ms. Thacker made a motion, seconded by Mr. Anabathula, to nominate Mr. Torrez as Chairman.

Mr. Olson called for other nominations, hearing none, the nominations for chairman were closed.

The motion was approved with a vote of 6-0-0 Ayes: Torrez, Thacker, Beckwith, Mitchell, Doughty and Anabathula **Nays:** None **Abstained:** None **Absent:** None

Mr. Olson called for nominations from the floor for Vice-Chairman of the Board.

Ms. Doughty made a motion, seconded by Ms. Beckwith, to nominate Ms. Thacker as Vice Chairman.

Mr. Olson called for other nominations, hearing none, the nominations for vice chairman were closed.

The motion was approved with a vote of 6-0-0 Ayes: Torrez, Thacker, Beckwith, Mitchell, Doughty and Anabathula **Nays:** None **Abstained:** None **Absent:** None

Mr. Olson returned the chair to Mr. Torrez.

There was no other board business to discuss.

Other Board Business

Completion of Paper work

Eric Olson, requested the Board members to complete their Conflict of Interest Statements and Travel Reimbursement Forms.

Completion of Paper work

Adjournment

Chairman, Torrez thanked the Board and Staff and adjourned the meeting at 11:13 A.M.

Adjournment

The next board meeting will be **August 3, 2021**

Timothy Torrez, Chairman

Mary Broz-Vaughan, Director

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Custodian of the Record

DRAFT