

**VIRGINIA BOARD FOR
ASBESTOS, LEAD, AND HOME INSPECTORS
MEETING MINUTES**

The Virginia Board for Asbestos, Lead, and Home Inspectors met on February 10, 2022, 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.

The following members of the Board were present:

Stacy J. Armentrout
Sandra Baynes, Vice-Chair
John E. Cranor
James E. Haltigan
Gene E. Magruder, Chair

Kevin Salva
Patrick Studley
Sharad Tandale
Paul D. Thomas

Board members Chadwick Bowman, Rick Holtz, and Louis Walker were not present at the meeting.

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

Demetrios J. Melis, Director
R. Thomas Payne, Deputy Director
Trisha L. Lindsey, Executive Director
Joseph C. Haughwout, Jr., Board and Regulatory Administrator
Tanya M. Pettus, Board Administrator

Joshua Laws from the Office of the Attorney General was present.

Mr. Magruder, finding a quorum of the Board present, called the meeting to order at 9:02 a.m. **Call to Order**

Ms. Lindsey advised the Board of the emergency evacuation procedures. **Emergency Evacuation Procedures**

Ms. Lindsey advised the Board of amendments to the agenda. Ms. Baynes moved to approve the agenda as amended. Mr. Tandale seconded the motion which was unanimously approved by: Armentrout, Baynes, Cranor, Haltigan, Magruder, Salva, Studley, Tandale, and Thomas. **Approval of Agenda**

Mr. Studley moved to approve the minutes of the November 4, 2021, Board meeting as presented. Ms. Baynes seconded the motion which was unanimously approved by: Armentrout, Baynes, Cranor, Haltigan, Magruder, Salva, Studley, Tandale, and Thomas. **Approval of Minutes**

Ms. Lindsey introduced to the Board DPOR Director, Demetrios “Mitch” Melis.

Introduction of Newly-Appointed DPOR Director

Ms. Lindsey introduced to the Board newly-appointed Board members. Stacy “Jamic” Armentrout will serve as the asbestos inspector/project monitor member. Kevin Salva will serve as a home inspector member. Sharad Tandale will serve as a citizen member.

Introduction of New Board Members

There were no members of the public present to address the Board on matters other than case files to be presented.

Public Comment Period

In the matter of **File Number 2021-01947, Royce Kapon Quitariano**, 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 2021-01947, Royce Kapon Quitariano

Mr. Quitariano was present at the meeting to answer any questions from the Board.

Mr. Haltigan moved to accept the recommendation of the Presiding Officer and approve Mr. Quitariano’s application for a home inspector license. Ms. Baynes seconded the motion which was unanimously approved by: Armentrout, Baynes, Cranor, Haltigan, Magruder, Salva, Studley, Tandale, and Thomas.

Mr. Haughwout recused himself from the meeting for discussion and deliberation of File Number 2021-02810.

Recusal of Staff Member

In the matter of **File Number 2021-02810, Ferdinand Nathaniel III**, 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 2021-02810, Ferdinand Nathaniel III

Mr. Nathaniel was present at the meeting to answer any questions from the Board.

Mr. Studley moved to accept the recommendation of the Presiding Officer and approve Mr. Nathaniel’s application for an asbestos supervisor license. Mr. Thomas seconded the motion which was unanimously approved by: Armentrout, Baynes, Cranor, Haltigan, Magruder, Salva, Studley, Tandale, and Thomas.

Mr. Haughwout returned to the meeting.

**Return of Staff
Member**

In the matter of **File Number 2021-02549, Timothy John Valaike**, the Board members reviewed the Consent Order and Report of Findings. After discussion and consultation with Board counsel, Mr. Cranor moved to refer the file for an Informal Fact Finding Conference in order to consider the facts in accordance with the requirements of § 54.1-204 of the Code of Virginia. Mr. Studley seconded the motion. After further discussion, the motion was unanimously approved by: Armentrout, Baynes, Cranor, Haltigan, Magruder, Salva, Studley, Tandale, and Thomas.

**File Number 2021-
02549, Timothy John
Valaike**

Mr. Haughwout provided an update on the current status of the regulatory review processes for the Board's regulatory packages.

**Regulatory Action
Update**

The Board adopted proposed amendments to the Home Inspector Licensing Regulations at its meeting on November 4, 2021. Proposed amendments have been submitted for Executive Branch review, after which a 60-day public comment period will commence.

Final Lead-Based Paint Renovation, Repair, and Painting Program (RRP) Regulations (Initial Promulgation) were submitted for Executive Branch review on January 18, 2022.

Final amendments to the Home Inspector Licensing Regulations regarding temporary fee reductions were published on January 31, 2022, and will become effective on March 2, 2022.

Ms. Pettus provided an update of home inspector CPE audits conducted on twenty-five percent of eligible certified home inspectors beginning on September 23, 2021.

**September 2021
Home Inspector CPE
Audit Report**

Ms. Lindsey and Ms. Pettus advised the Board that staff has received multiple inquiries as to whether virtual or online platforms are acceptable methods of delivery for asbestos and lead courses in light of the expiration of waivers of in-person training instituted during the height of the pandemic.

**Discussion of §54.1-
501.6 of the Code of
Virginia**

§54.1-501.6 of the Code of Virginia states, in part, that any regulation promulgated by the Board related to lead-based paint activities may not be more stringent than that of the Environmental Protection Agency (EPA). 40CFR 745.225(c)(6)(viii) of the Code of Federal Regulations allows for electronic delivery of classroom portions of lead-based paint activities courses, but not for the

hands-on portion of these courses.

While the Code of Virginia, the Board's regulations, and the Code of Federal Regulations are silent on the electronic delivery of asbestos courses, the EPA has issued guidance allowing for online Asbestos Model Accreditation Plan (MAP) annual refresher training.

Ms. Lindsey and Ms. Pettus asked the Board to consider guidance allowing for hybrid delivery of lead initial courses wherein theoretical instruction is permitted to be conducted by electronic means, while any required hands-on instruction is to be performed in person, and to permit electronic delivery of asbestos and lead refresher courses. After lengthy discussion, Mr. Thomas moved to authorize staff to draft guidance allowing for the electronic delivery of lead and asbestos refresher training only. Mr. Haltigan seconded the motion which was unanimously approved by: Baynes, Cranor, Haltigan, Magruder, Palmer, Rushton, Studley, and Thomas.

Ms. Lindsey reminded the Board that staff actively monitors legislation throughout General Assembly session and provides data and information regarding the Board and Department relevant to legislative proposals affecting the Board. Ms. Lindsey provided an update of legislative proposals that could affect DPOR and the Board.

2022 Legislative Update

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

Board Financial Statements

Ms. Lindsey updated the Board on recent and upcoming virtual and in-person outreach opportunities.

Outreach Update

Ms. Lindsey advised the Board that a Board Member Training Conference is being tentatively planned for October 2022.

Board members considered the following resolutions for former Board members:

Consideration of Resolutions for Service

Galappa D. Madhusudhan

WHEREAS, **Galappa Madhusudhan**, did faithfully and diligently serve the Virginia Board for Asbestos, Lead, and Home Inspectors from 2018 to 2021;

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

WHEREAS, **Galappa Madhusudhan**, 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 Virginia Board for Asbestos, Lead, and Home Inspectors 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 Virginia Board for Asbestos, Lead, and Home Inspectors this tenth day of February 2022, that **Galappa Madhusudhan** be given all honors and respect due him for his outstanding service to 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.

Peter D. Palmer

WHEREAS, **Peter Palmer**, did faithfully and diligently serve the Virginia Board for Asbestos, Lead, and Home Inspectors from 2009 to 2021;

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

WHEREAS, **Peter Palmer**, 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 Virginia Board for Asbestos, Lead, and Home Inspectors 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 Virginia Board for Asbestos, Lead, and Home Inspectors this tenth day of February 2022, that **Peter Palmer** be given all honors and respect due him for his outstanding service to 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.

David P. Rushton

WHEREAS, **Dave Rushton**, did faithfully and diligently serve the Virginia Board for Asbestos, Lead, and Home Inspectors from 2017 to 2021;

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

WHEREAS, **Dave Rushton**, 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 Virginia Board for Asbestos, Lead, and Home Inspectors 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 Virginia Board for Asbestos, Lead, and Home Inspectors this tenth day of February 2022, that **Dave Rushton** be given all honors and respect due him for his outstanding service to 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.

Ms. Baynes moved to adopt the resolutions as written. Mr. Cranor seconded the motion which was unanimously approved by: Baynes, Cranor, Haltigan, Magruder, Palmer, Rushton, Studley, and Thomas.

Ms. Lindsey advised the Board of a change in the process for Notifications of Demolition and Renovation for informational purposes. This notification was previously required to be sent to both the EPA and the state or local authority where the renovation or demolition project occurs. It is no longer required for this notification to be sent to the EPA.

Other Business

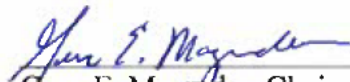
Discussion was held on Board members performing technical reviews on disciplinary cases as well as serving as presiding officers.

Mr. Magruder reminded Board members to complete their conflict of interest forms.

**Conflict of Interest
Forms and Travel
Vouchers**

There being no further business, the meeting adjourned at 10:37 a.m.

Adjourn


Gene E. Magruder, Chair


Demetrios J. Melis, Secretary

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: Sandra Baynes
2. Title: Board Member
3. Agency: Board for Asbestos, Lead, & Home Inspectors
4. Meeting/IFF Date: February 10, 2022
5. I have a personal interest in the following transaction:

Nature of Personal Interest Affected by Transaction: _____

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

- _____
- I am able to participate in this transaction fairly, objectively, and in the public interest.
- or
- I did not participate in the transaction.

6. I do not have a personal interest in any transactions taken at this meeting.


Signature

2.10.2021
Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: Kevin Salva
2. Title: Board Member
3. Agency: Board for Asbestos, Lead, & Home Inspectors
4. Meeting/IFF Date: February 10, 2022
5. I have a personal interest in the following transaction:

Nature of Personal Interest Affected by Transaction: _____


I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

I am able to participate in this transaction fairly, objectively, and in the public interest.

or

I did not participate in the transaction.

6. I do not have a personal interested in any transactions taken at this meeting.



Signature

2.10.22

Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: Paul D. Thomas
2. Title: Board Member
3. Agency: Board for Asbestos, Lead, & Home Inspectors
4. Meeting/IFF Date: February 10, 2022
5. I have a personal interest in the following transaction:

Nature of Personal Interest Affected by Transaction: _____

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

- I am able to participate in this transaction fairly, objectively, and in the public interest.
- or
- I did not participate in the transaction.

6. I **do not** have a personal interested in any transactions taken at this meeting.

Paul D. Thomas
Signature

02/10/2022
Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**


**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: Sharad Tandale
2. Title: Board Member
3. Agency: Board for Asbestos, Lead, & Home Inspectors
4. Meeting/IFF Date: February 10, 2022
5. I have a personal interest in the following transaction:

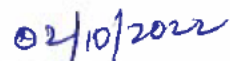
Nature of Personal Interest Affected by Transaction: _____

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

- I am able to participate in this transaction fairly, objectively, and in the public interest.
- or
- I did not participate in the transaction.
6. I **do not** have a personal interested in any transactions taken at this meeting.



Signature



Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: James Haltigan
2. Title: Board Member
3. Agency: Board for Asbestos, Lead, & Home Inspectors
4. Meeting/IFF Date: February 10, 2022
5. I have a personal interest in the following transaction:

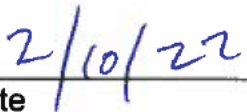
Nature of Personal Interest Affected by Transaction: _____

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

- _____
- I am able to participate in this transaction fairly, objectively, and in the public interest.
- or
- I did not participate in the transaction.

6. I do not have a personal interested in any transactions taken at this meeting.


Signature


Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

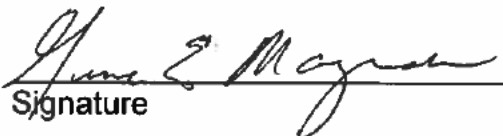
1. Name: Gene Magruder
2. Title: Board Member
3. Agency: Board for Asbestos, Lead, & Home Inspectors
4. Meeting/IFF Date: February 10, 2022
5. I have a personal interest in the following transaction:

Nature of Personal Interest Affected by Transaction: _____

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

- I am able to participate in this transaction fairly, objectively, and in the public interest.
- or
- I did not participate in the transaction.

6. I do not have a personal interested in any transactions taken at this meeting.


Signature

2-10-22
Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

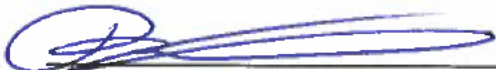
1. Name: Patrick Studley
2. Title: Board Member
3. Agency: Board for Asbestos, Lead, & Home Inspectors
4. Meeting/IFF Date: February 10, 2022
5. I have a personal interest in the following transaction:

Nature of Personal Interest Affected by Transaction: _____

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

- I am able to participate in this transaction fairly, objectively, and in the public interest.
- or
- I did not participate in the transaction.

6. I do not have a personal interested in any transactions taken at this meeting.



Signature

2/10/2022

Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**


1. Name: John E. Cranor
2. Title: Board Member
3. Agency: Board for Asbestos, Lead, & Home Inspectors
4. Meeting/IFF Date: February 10, 2022
5. I have a personal interest in the following transaction:

Nature of Personal Interest Affected by Transaction: _____

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

- I am able to participate in this transaction fairly, objectively, and in the public interest.
- or
- I did not participate in the transaction.

6. I do not have a personal interested in any transactions taken at this meeting.



Signature

2-10-22

Date

BOARD FOR ASBESTOS, LEAD, AND HOME INSPECTORS

**Thursday, February 10, 2022
Board Room 4 - 2nd Floor
9:00 A.M.**

Department of Professional and Occupational Regulation
Perimeter Center, 9960 Mayland Drive, Richmond, Virginia

THE FOLLOWING PEOPLE ATTENDED THE ABOVE COMMITTEE MEETING:

NAME	AFFILIATION	PHONE #	E-MAIL ADDRESS
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Ferdinand Nathaniel		804-442-1607	
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Royce G. Hordano		540 656 8247	royce.r332@me.com
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check address

Ferdinand Nathaniel			
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Richmond VA 23235