

**THE VIRGINIA BOARD FOR WASTE MANAGEMENT FACILITY OPERATORS  
MEETING MINUTES**

The Virginia Board for Waste Management Facility Operators met on Tuesday, August 3, 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, Chairman  
Sathish Anabathula  
Joyce Doughty  
Jason Mitchell

The following members of the Board were not present:

Ellen C Thacker, Vice Chairman  
Leslie Beckwith

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  
Shannon Webster, Exam Director  
Stephanie Keuther, Administrative Assistant

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 August 3, 2021 Board for Waste Management Facility Operators Meeting to order at 10:02 a.m.

**Call  
To Order**

**Approval of the Draft Agenda**

**Eric Olson, Executive Director** amended 7c. on the agenda from Regulatory Review to Executive Order updates.

**Approval of the Draft  
Agenda**

**Ms. Doughty made a motion seconded by Mr. Mitchell** to adopt the agenda with the amendment of 7c.

**The motion was approved with a vote of 4-0-0 Ayes:** Torrez, Mitchell, Doughty and Anabathula  
**Nays:** None **Abstained:** None **Absent:** Thacker, Beckwith.

**Approval of Minutes**

**Ms. Doughty made a motion seconded by Mr. Mitchell** to approve the Minutes of April 6, 2021 as presented.

**Approval of Minutes**

**The motion was approved with a vote of 4-0-0 Ayes:** Torrez, Mitchell, Doughty and Anabathula  
**Nays:** None **Abstained:** None **Absent:** Thacker, Beckwith.

**Public Comment Period**

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

**Public Comment  
Period**

Jenny Johnson, with the Waste Management Facility Association in Southwest VA addressed the Board with concerns of the Waste Management Facility Operators pass rate statistics since the closed book exams started in August 2020. Ms. Johnson asked if the closed book exam questions had changed since the closed booked exams started in August 2020.

With no one else wishing to come forward **Chairman, Torrez** closed the Public Comment section of the meeting.

**In the matter of File Number 2021-01006 – Calvin Curtis Hinton**, 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  
2021-01006  
Calvin Curtis Hinton**

Mr. Calvin Curtis Hinton did not attend the Board meeting in person or by counsel or by any other qualified representative.

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

**The motion was approved with a vote of 4-0-0 Ayes:** Torrez, Mitchell, Doughty and Anabathula  
**Nays:** None **Abstained:** None **Absent:** Thacker, Beckwith.

There was no old business to discuss.

**New Business**

**Exam Pass Rates – Shannon Webster, Executive Director of Exams**

Executive Director Shannon Webster provided the Board with one year of closed booked exams pass rates from August 1, 2020 to August 1, 2021.

Exam Name	Number Took	Number Passed	Pass Percentage
VWMFO CLASS I	22	13	59.09%
VWMFO CLASS II	32	15	46.87%
VWMFO CLASS III	2	1	50.00%
VWMFO CLASS IV	13	3	23.07%

After discussion, the Board showed concerns with WMFO Class IV exam pass rate percentages.

Ms. Webster informed the Board opened book to closed book exams are the biggest transition, and expects the pass rates to fluctuate for the first year before leveling out, but will continue to monitor this closely. Ms. Webster will return to the next meeting on November 9, 2021 with more updates, including the percentages of repeat exams of new applicants.

**Marijuana Legalization and Criminal Convictions**

Eric Olson, Executive Director informed the Board with information on the recent legalization of marijuana as it relates to criminal convictions. Applicants are no longer required to disclose any marijuana related misdemeanors; however, applicants with a record of marijuana-related felonies will continue to have their applications reviewed by the Board. Mr. Olson advised the Board that application forms will need to be amended to reflect this change. In order to do so, staff will need to open an Exempt Regulatory Action to bring the language into compliance.

**A motion was made by Mr. Anabathula and seconded by Mr. Mitchell** to allow staff to open an Exempt Regulatory Action to bring the language of application forms into compliance.

**The motion was approved with a vote of 4-0-0 Ayes:** Torrez, Mitchell, Doughty and Anabathula  
**Nays:** None **Abstained:** None **Absent:** Thacker, Beckwith.

**Executive Order– COVID update**

Mr. Olson, Executive Director informed the Board as of June 30, 2021 Executive Order 55 has ended and waivers extending examination eligibility have expired. Staff has notified its examination candidates by mail on 3 occasions and has posted the information to the DPOR Website. Mr. Olson informed the Board as of August 2, 2021 DPOR has opened its public customer service

**Old Business**

**New Business**

**Exam Pass Rates**



**Marijuana  
Legalization and  
Criminal Convictions**

**Executive Order–  
COVID update**

window, opening the building back up to the public outside of the board meetings. It's been determined board members will continue to enter the building through the Auxiliary West entrance while public customers will use the main entrance on the first floor.

**Executive Order 77**

Eric Olson, Executive Director informed the Board the Governor issued Executive Order 77 that addresses the purchase of single use disposable plastic items. Specifically, the Executive Order requires state agencies to cease the purchase of disposable plastic bags, single-use plastic and polystyrene food service containers, plastic straws, plastic cutlery and single use plastic water bottles.

**Executive Order 77**

**COIA Training**

Eric Olson, Executive Director reminded the Board every two years they are required to complete COIA training. Mr. Olson informed the Board that he had received permission to provide the COIA training at its meeting.

**COIA Training**

Timothy Torrez, Joyce Doughty, Jason Mitchell, and Sathish Anabathula completed the necessary COIA training at it Board Meeting on Tuesday, August 3, 2021.

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 11:28 A.M.

**Adjournment**

The next board meeting will be **November 9, 2021**

  
Timothy Torrez, Chairman

  
Demetrios Melis, Director

**Copy teste:**

\_\_\_\_\_  
Custodian of the Record

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

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

1. Name Timothy P Torrez  
(Name of Board Member)
2. Title: Board Member
3. Agency: DPOR/Board for Waste Management Facility Operators  
(Name of Board)

4. Meeting/IFF Date: 08/03/2021

5. I have a personal interest in the following transaction:

\_\_\_\_\_  
(Agenda Item)

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.

 08/03/2021  
Signature Date

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

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

1. Name Joyce M. Doughty  
(Name of Board Member)
2. Title: Board Member
3. Agency: DPOR/Board for Waste Management Facility Operators  
(Name of Board)
4. Meeting/IFF Date: 08/03/2021
5. I have a personal interest in the following transaction:

\_\_\_\_\_  
(Agenda Item)

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 

08/03/2021

Date

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

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

1. Name Jason Mitchell  
(Name of Board Member)
2. Title: Board Member
3. Agency: DPOR/Board for Waste Management Facility Operators  
(Name of Board)
4. Meeting/IFF Date: 08/03/2021
5. I have a personal interest in the following transaction:

\_\_\_\_\_  
(Agenda Item)

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

08/03/2021

Date

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

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

1. Name Sathish Anabathula  
(Name of Board Member)
2. Title: Board Member
3. Agency: DPOR/Board for Waste Management Facility Operators  
(Name of Board)
4. Meeting/IFF Date: 08/03/2021
5. I have a personal interest in the following transaction:

\_\_\_\_\_  
(Agenda Item)

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.

Sathish Anabathula  
Signature

08/03/2021  
Date



# BOARD FOR WASTEMANAGEMENT FACILITY OPERATORS

## SIGN IN SHEET

*DEPARTMENT OF PROFESSIONAL AND OCCUPATIONAL REGULATION  
9960 Mayland Drive  
Richmond, VA 23233*

*Tuesday, August 3, 2021 – 2<sup>nd</sup> Floor Conference Center  
Board Room 4  
10:00 A.M.*

NAME	PHONE NUMBER	FILE NUMBER	RESPONDENT OR COMPLAINANT	HOW MANY PEOPLE ATTENDING	WILL YOU ADDRESS THE BOARD Y/N
Jenny Johnson	804-357-0697			1	Yes