

**BOARD FOR WATERWORKS AND WASTEWATER WORKS OPERATORS  
AND ONSITE SEWAGE SYSTEM PROFESSIONALS  
MINUTES OF MEETING**

The Board for Waterworks and Wastewater Works Operators and Onsite Sewage System Professionals met on April 11, 2024, at the Department of Professional and occupational Regulation, 9960 Mayland Drive, Richmond, Virginia, 23233.

The following members of the Board were present:

Alvin Christian  
Thomas Wayne Fore  
Josh Kirtley  
Pamela M. Pruett, Chair  
Don Riggleman  
D. Wayne Staples  
Caleb M. Taylor

Board members James N. Brockwell, Erica Duncan, Vice-Chair, John Ewing, and Dwayne Roadcap were not present at the meeting.

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

Kishore S. Thota, Director  
Stephen Kirschner, Deputy Director, Licensing and Regulatory Programs  
Marjorie King, Executive Director  
Tanya M. Pettus, Deputy Executive Director  
Gregory Emerson, Examinations Director  
Cameron Parris, Regulatory Operations Administrator  
Rachel Harris, Administrative Coordinator

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

Ms. Pruett, Chair, finding a quorum of the Board present called the meeting to order at 9:35 a.m.

**Call to Order**

Ms. Pettus advised the Board of the emergency evacuation procedures.

**Emergency  
Evacuation  
Procedures**

Mr. Fore moved to approve the agenda as presented. Mr. Staples seconded the motion which was unanimously approved by Christian, Fore, Kirtley, Pruett, Riggleman, Staples, and Taylor.

**Approval of  
Agenda**

Ms. Pettus reminded the Board of the internal reorganization of the agency and introduced Marjorie King, Executive Director of the Board.

**Introduction of  
Executive  
Director**

Ms. Pettus also advised of an initiative across all Boards within the agency to standardize the format of Board meeting materials, such as agendas, reference materials, and meeting minutes.

Mr. Fore moved to approve the minutes of the January 25, 2024, Board meeting. Mr. Riggleman seconded the motion which was unanimously approved by: Christian, Fore, Kirtley, Pruett, Riggleman, Staples, and Taylor.

**Approval of Minutes**

Donnie Edmonds, a licensed Class III Wastewater Works Operator addressed the Board regarding his concerns about the current licensing qualifications and entry requirements. Mr. Edmonds feels that it is not necessary for an individual who already holds a license in a lower class to gain experience in the class of facility that directly precedes the next license. Mr. Edmonds inquired as to why a licensed Class III operator cannot qualify for a Class I license without first obtaining a Class II license.

**Public Comment Period**

In the matter of **File Number 2024-01334, Smith Kriengsakchai**, the Board members reviewed the record which consisted of the application file, transcript, and exhibits from the Informal Fact-Finding Conference (IFF), and the Presiding Officer's Summary and Recommendation.

**File Number 2024-01334, Smith Kriengsakchai**

Mr. Riggleman moved to accept the recommendation of the Presiding Officer and approve Mr. Kriengsakchai's application for a Class 4 Wastewater Works Operator license contingent upon completion of the Department of Corrections (DOC) Apprenticeship Program, meeting all entry requirements contained in the Board's regulations, and passing the applicable examination. Mr. Staples seconded the motion which was unanimously approved by: Christian, Fore, Kirtley, Pruett, Riggleman, Staples, and Taylor.

Mr. Fore recused himself from the meeting for discussion and deliberation of File Numbers 2024-00026 and 2023-02737.

**Recusal of Board Member**

In the matter of **File Number 2024-00026, Randall S. Fulcher**, the Board members reviewed the Consent Order and Report of Findings. Randall S, Fulcher admits to violations of 18 VAC 160-30-320.

1 as outlined in Counts 1 and 2, and consents to the monetary penalties totaling of \$500.00, and Board costs in the amount of \$150.00. In addition, Mr. Fulcher agrees to complete seven (7) hours of Board-approved continuing professional education (CPE) limited to the content areas covered by the Board's Class 4 Waterworks Operator examination and provide proof of successful completion within 60 days of the effective date of the Order.

**File Number 2024-00026, Randall S. Fulcher**

Mr. Staples moved to accept the terms of the Consent Order as written. Mr. Taylor seconded the motion which was unanimously approved by: Christian, Kirtley, Pruett, Riggleman, Staples, and Taylor.

In the matter of **File Number 2023-02737, Steven Matthew Marshall** the Board members reviewed the record which consisted of transcripts and exhibits from the IFF, and the Presiding Officer's Summary and Recommendation.

**File Number**  
**2023-02737,**  
**Steven Matthew**  
**Marshall**

Mr. Staples moved to accept the recommendation of the Presiding Officer and find Mr. Marshall in violation of the following Board regulations: 18 VAC 160-40-450.8 as outlined in Count 1. Mr. Taylor seconded the motion which was unanimously approved by: Christian, Kirtley, Pruett, Riggleman, Staples, and Taylor.

Mr. Riggleman then moved to accept the Presiding Officer's recommendation as to sanctions as follows: for violation as outlined in Count 1, imposition of a monetary penalty of \$1200.00. Mr. Staples seconded the motion which was unanimously approved by: Christian, Kirtley, Pruett, Riggleman, Staples, and Taylor.

Mr. Fore returned to the meeting.

**Return of Board**  
**Member**

In the matter of **File Number 2024-00025, George Bryant Baker** the Board members reviewed the record which consisted of transcripts and exhibits from the IFF, and the Presiding Officer's Summary and Recommendation.

**File Number**  
**2024-00025,**  
**George Bryant**  
**Baker**

Mr. Fore moved to accept the recommendation of the Presiding Officer and find Mr. Baker in violation of Board regulation 18 VAC 160-30-350.D as outlined in Count 1. Mr. Riggleman seconded the motion which was unanimously approved by: Christian, Fore, Kirtley, Pruett, Riggleman, Staples, and Taylor.

Mr. Fore moved to accept the Presiding Officer's recommendation as to sanctions as follows: for violation as outlined in Count 1, revocation of George Bryant Baker's Class 5 Waterworks Operator license. Mr. Staples seconded the motion which was unanimously approved by: Christian, Fore, Kirtley, Pruett, Riggleman, Staples, and Taylor.

Ms. Pettus asked the Board to revisit File Number 2023-02737 to verify that the Board voted to find Mr. Marshall in violation of 18VAC160-40-450.8 of the Board's regulations. After review, the Board agreed by consensus that Mr. Marshall was found in violation of 18VAC160-40-450.8, and that the Board's vote reflected the violation as such.

**Revisit File**  
**Number 2023-**  
**02737, Steven**  
**Matthew**  
**Marshall**  
**Regulatory**  
**Action Update**

Ms. Parris provided an update on the Board's regulatory actions.

Ms. Pettus provided the Board with waterworks and wastewater works examination statistics from January 1, 2017, through March 27, 2024, and January 1, 2024, through March 31, 2024, as well as onsite examination statistics from January 1, 2024, through March 31, 2024. In addition, as requested by the Board,

**Examination**  
**Updates**

onsite exam retake statistics from January 1, 2023, through December 30, 2023, were provided for informational purposes.

Tom Healy with WPI joined the meeting virtually to answer questions regarding remote proctoring of the WPI exam. Mr. Healy advised the Board of the remote proctoring process, security measures, and what to expect during the implementation of remote proctoring.

**WPI Exam Update**

After discussion, Mr. Fore moved to authorize the remote proctoring of the WPI exam for the Board's waterworks and wastewater works operator applicants. Mr. Staples seconded the motion which was unanimously approved by: Christian, Fore, Kirtley, Pruett, Riggleman, Staples, and Taylor.

Mr. Emerson advised that staff will work on the implementation of the remote proctoring, including parameters set forth by the Board as to what WPI refers to as business rules, which encompasses security and other factors specific to the Board's examination procedures.

The Board reviewed for approval the application for a Department of Environmental Quality (DEQ) course titled *DEQ 24 – Wastewater Utility Management*. After review and discussion, Mr. Fore moved to accept the Education & Training Committee's recommendation and approve the course application, for a total of 7 contact hours, and 0.7 training credits applicable to wastewater works operators, and onsite sewage system operators, installers, and soil evaluators; and 3.5 contact hours and .35 training credits applicable to waterworks operators.

**Department of Environmental Quality Course Application**

Mr. Taylor seconded the motion which was approved by: Christian, Fore, Kirtley, Pruett, Riggleman, and Taylor. Mr. Staples abstained from the vote as he is an employee of DEQ and an instructor of the course.

Jennifer Sayeigh, Policy and Legislative Affairs Manager, provided the Board with an update on the 2024 legislative session, and bills that may impact the Board.

**Legislative Update**

At its last meeting on January 25, 2024, Ms. Pettus advised the Board that staff has been copied on a number of communications to VDH regarding onsite sewage system installers performing electrical work when they are not licensed to do so. Ms. Pettus stated the Department has not received any formal complaints on the matter, and therefore can take no action. Discussion was held on the Board's regulations as well as the Board for Contractors' electrical tradesmen regulations.

**Discussion on Licensing Requirements for Onsite Sewage System Installations**

Per the Board's request, applicable statutes and regulations were provided for review and discussion. Discussion was also held on permitting procedures, as well as a Memorandum of Agreement between Virginia Department of Health and the Department of Housing and Community Development regarding permits for onsite installations.

Ms. Pettus provided an update of recent and upcoming outreach opportunities.

**Update on  
Outreach  
Opportunities**

Ms. King provided an update of the Board's current application, email, and licensing statistics. The Board requested that licensing statistics be broken down by profession for the next Board meeting.

**Executive  
Director Report**

Mr. Fore motioned to recognize and formally show appreciation for Rachel Harris and Tanya Pettus for serving the Board and the industry as a whole during a period of staffing shortages throughout 2023. Mr. Staples seconded the motion which was unanimously approved by: Christian, Fore, Kirtley, Pruett, Riggleman, Staples, and Taylor.

Pursuant to § 2.2-4023.1 of the Code of Virginia, a party may petition for reconsideration of a Board decision within fifteen days of the decision, after which, the Board or its agents must make the determination or reconsideration within thirty days of receipt of the request. In order to adhere to statutory timelines, Ms. King asked the Board to consider authorizing the Executive Director to consider petitions for the reconsideration of Board decisions on licensing and disciplinary cases. Mr. Fore moved to authorize the Executive Director to make determinations as to whether to reconsider Board decisions in such cases that a petition is received. Mr. Riggleman seconded the motion which was unanimously approved by: Christian, Fore, Kirtley, Pruett, Riggleman, Staples, and Taylor.

**Reconsideration  
of Case  
Decisions**

Ms. Pettus provided the Board with the most recent financial statements for informational purposes and advised that members of the finance department will provide an overview of the financial statements at the Board's next meeting.

**Board Financial  
Statements**

Ms. Pettus presented the Board with potential meeting dates for 2025, and advised that meetings for upcoming years will now be scheduled further in advance, in order to accommodate

**2025 Meeting  
Dates**

Ms. Pruett reminded the Board members of the upcoming Board Member Training Conference being held at Great Wolfe Lodge in Williamsburg, VA, on October 10<sup>th</sup> and 11<sup>th</sup>.

**2024 Board  
Member  
Training  
Conference**

Ms. Pruett reminded the Board that the next scheduled meeting date is July 11, 2024.

**Future Meeting  
Dates**

Ms. Pruett reminded the Board members to complete and return their conflict-of-interest forms and travel vouchers.

**Completion of  
Conflict of  
Interest Forms  
and Travel  
Vouchers**

There being no further business the meeting was adjourned at 11:28 a.m.

**Adjourn**

A handwritten signature in black ink, appearing to be 'P. Pruett', written over a horizontal line.

Pamela Pruett, Chair

A handwritten signature in blue ink, appearing to be 'Brian P. Wolford', written over a horizontal line.

Brian P. Wolford, Secretary

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

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

1. Name Alvin Christian  
(Name of Board Member)

2. Title: Board Member

3. Agency: DPOR/Board for WWWOOSSP  
(Name of Board)

4. Meeting/IFF Date: 04/11/2024

5. Do you have a personal interest in the following transaction?

No; I **do not** have a personal interest in any transactions taken at this meeting.

Yes - If yes, please answer the following questions.

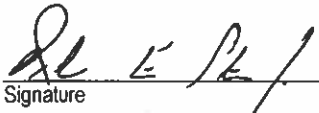
A. \_\_\_\_\_  
(Agenda Item)

B. Nature of Personal Interest Affected by Transaction:

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

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

6. Signature of Board Member:

  
Signature

April 11, 2024  
Date

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

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

1. Name Thomas Wayne Fore  
(Name of Board Member)

2. Title: Board Member

3. Agency: DPOR/Board for WWWOOSSP  
(Name of Board)

4. Meeting/IFF Date: 04/11/2024

5. Do you have a personal interest in the following transaction?

No; I **do not** have a personal interest in any transactions taken at this meeting.

Yes - If yes, please answer the following questions.

A. \_\_\_\_\_  
(Agenda Item)

B. Nature of Personal Interest Affected by Transaction:

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

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

I did not participate in the transaction.

6. Signature of Board Member:

  
Signature

April 11, 2024  
Date



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

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

1. Name Josh Kirtley  
(Name of Board Member)

2. Title: Board Member

3. Agency: DPOR/Board for WWWOOSP  
(Name of Board)

4. Meeting/IFF Date: 04/11/2024

5. Do you have a personal interest in the following transaction?

No; I **do not** have a personal interest in any transactions taken at this meeting.

Yes - If yes, please answer the following questions.

A. \_\_\_\_\_  
(Agenda Item)

B. Nature of Personal Interest Affected by Transaction:

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

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

I did not participate in the transaction.

6. Signature of Board Member:

Signature 

April 11, 2024  
Date

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

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

1. Name Pamela M. Pruett  
(Name of Board Member)

2. Title: Board Member

3. Agency: DPOR/Board for WWOOSSP  
(Name of Board)

4. Meeting/IFF Date: 04/11/2024

5. Do you have a personal interest in the following transaction?

No; I **do not** have a personal interest in any transactions taken at this meeting.

Yes - If yes, please answer the following questions.

A. \_\_\_\_\_  
(Agenda Item)

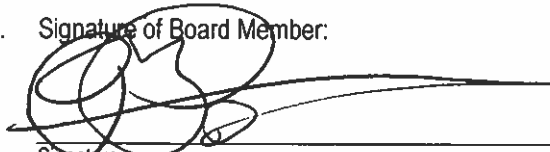
B. Nature of Personal Interest Affected by Transaction:

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

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

I did not participate in the transaction.

6. Signature of Board Member:

  
Signature

April 11, 2024  
Date

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

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

1. Name Don Riggleman  
(Name of Board Member)
2. Title: Board Member
3. Agency: DPOR/Board for WWWOSSP  
(Name of Board)

4. Meeting/IFF Date: 04/11/2024

5. Do you have a personal interest in the following transaction?

No; I **do not** have a personal interest in any transactions taken at this meeting.

Yes - If yes, please answer the following questions.

A. \_\_\_\_\_  
(Agenda Item)


B. Nature of Personal Interest Affected by Transaction:

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

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

I did not participate in the transaction.

6. Signature of Board Member:

  
Signature

April 11, 2024  
Date

STATE AND LOCAL GOVERNMENT  
CONFLICT OF INTERESTS ACT

TRANSACTIONAL DISCLOSURE STATEMENT  
for Officers and Employees of State Government

1. Name D. Wayne Staples  
(Name of Board Member)

2. Title: Board Member

3. Agency: DPOR/Board for WWWOSSP  
(Name of Board)

4. Meeting/IFF Date: 04/11/2024

5. Do you have a personal interest in the following transaction?

- No; I **do not** have a personal interest in any transactions taken at this meeting.
- Yes - If yes, please answer the following questions.

A. IX.b.i.1 DER 24 - Utility Management  
(Agenda Item)

B. Nature of Personal Interest Affected by Transaction:

co-developer of Program

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

Employee of DER office of Water Compliance - Operator Training

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

6. Signature of Board Member:

Donnell Wayne Staples  
Signature

April 11, 2024  
Date

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

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

1. Name Caleb Taylor  
(Name of Board Member)

2. Title: Board Member

3. Agency: DPOR/Board for WWOSSP  
(Name of Board)

4. Meeting/IFF Date: 04/11/2024

5. Do you have a personal interest in the following transaction?

No; I **do not** have a personal interest in any transactions taken at this meeting.

Yes - If yes, please answer the following questions.

A. \_\_\_\_\_  
(Agenda Item)

B. Nature of Personal Interest Affected by Transaction:

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

\_\_\_\_\_

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

I did not participate in the transaction.

6. Signature of Board Member:

Caleb M. Taylor  
Signature

April 11, 2024  
Date



