

**THE VIRGINIA BOARD FOR
WATERWORKS AND WASTEWATER WORKS OPERATORS AND ONSITE
SEWAGE SYSTEM PROFESSIONALS**

MINUTES

The Virginia Board for Waterworks and Wastewater Works Operators and Onsite Sewage System Professionals met on June 24, 2009, at the Department of Professional and Occupational Regulation, 9960 Mayland Drive, Richmond, Virginia, with the following members present:

Charles B. Bott Jr.
Douglas J. Crooks
Frank L. Davis, Jr.
Kornell Davis, Jr.
Marcia J. Degen
Wesley Kleene
Eileen M. Leininger
E. Brooke Philpy
John Vanderland
Harold W. Walker (arrived at 9:11 a.m.)

Board member Ronald R. Thomas was not present at the meeting.

Staff present for all or part of the meeting were:

Jay W. DeBoer, Director
Mark N. Courtney, Deputy Director of Licensing and Regulation
David Dick, Executive Director
Justin Garofalo, Board Administrator
Michelle Gowen, Administrative Assistant

Elizabeth Peay was present from the Office of the Attorney General.

Mr. Davis, finding a quorum of the Board present, called the meeting to order at 9:00 AM.

Call to Order

Ms. Leininger moved to approve the agenda. Ms. Degen seconded the motion which was unanimously approved by members: Bott, Crooks, F. Davis, Degen, Kleene, and Leininger. Mr. K. Davis, Mr. Vanderland and Mr. Philpy were present, but did not vote since by statute they are ineligible to vote on matters unrelated to Onsite Sewage System Professionals until July 1, 2009.

**Approval of
Agenda**

Ms. Leininger moved to approve the March 24, 2009, Board meeting minutes as amended. Mr. Bott seconded the motion which was unanimously approved by members: Bott, Crooks, F. Davis, Degen, Kleene, and Leininger. Mr. K. Davis, Mr. Vanderland and Mr. Philpy were present, but did not vote since by statute they are

**Approval of
Minutes**

ineligible to vote on matters unrelated to Onsite Sewage System Professionals until July 1, 2009.

There were no comments made to the Board.

Public Comment Period

Mr. Walker arrived at the meeting at 9:11 a.m.

Arrival of Mr. Walker

The Board members were provided with the summary of public comments received on the proposed general review of the regulations as well as the draft Board response for review. The Board members reviewed the summary of, and draft response to, the public comments. Lisa Ochsenhirt was present from VMWA to address the Board regarding the continuing education requirements for distance learning. After discussion, Ms. Leininger moved to adopt the response to the public comments as amended. Mr. Kleene seconded the motion which was approved by members: Bott, Crooks, F. Davis, Degen, Kleene, Leininger, and Walker. Mr. K. Davis, Mr. Vanderland and Mr. Philpy were present, but did not vote since by statute they are ineligible to vote on matters unrelated to Onsite Sewage System Professionals until July 1, 2009.

Review Public Comment on Proposed Regulations and Adopt Draft Board Response

Mr. Crooks moved to adopt the final regulations as amended. Mr. Walker seconded the motion which was approved by members: Bott, Crooks, F. Davis, Degen, Kleene, Leininger, and Walker. Mr. K. Davis, Mr. Vanderland and Mr. Philpy were present, but did not vote since by statute they are ineligible to vote on matters unrelated to Onsite Sewage System Professionals until July 1, 2009.

Adopt Final Regulations

Mr. Dick updated the Board members on the status of the OSSP Final regulations as well as the public comment period which ends at the close of business on June 24, 2009.

Update on Final OSSP Regulations

The Board members were presented with a request for an interpretation regarding installer license requirements. The Board discussed the concept that not all duties involved in the installation of an onsite sewage system are unique to the installation. After discussion, the Board agreed by consensus that the requirements to possess the onsite sewage system installer license shall be limited to one individual who is employed full-time by the company which signed the installation contract and who shall be responsible for all activities of that contract's onsite sewage system installation.

Board Interpretation Request

Mr. Garofalo provided the Board with a report from the Education Committee meeting held on June 24, 2009, and noted that the committee is requiring more information before the Layton

Education Committee Meeting Report

Wastewater Operator Certification training course can be evaluated.

Mr. Garofalo discussed the limits on education and training substitution for evaluator, installer, and operator licenses. The new OSSP regulations do not specify the Board's intended limitations of these experience substitutions. After discussion, the Board agreed by consensus that the limits of these substitutions will be addressed by the newly added definition of "Training Credit" which has been added to the Board's final regulations adopted today, June 24, 2009.

**Discussion of
Education &
Training
Substitution
Requirements for
OSSP Licenses**

Future Board Meeting Dates:

**Future Meeting
Dates**

September 23, 2009
December 2, 2009

Board members completed their conflict of interest forms and travel vouchers.

**Conflict of
Interest Forms**

The Board adjourned at 10:15 a.m.

Adjournment

Frank L. Davis, Jr., Chairperson

Jay W. DeBoer, Secretary