

**THE VIRGINIA BOARD FOR
WATERWORKS AND WASTEWATER WORKS OPERATORS**

MEETING MINUTES

The Virginia Board for Waterworks and Wastewater Works Operators met on Thursday, September 19, 2002 at the offices of the Virginia Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia 23230.

The following members of the Board were present:

Dan E. French, Chairman
Steve W. Cawthron, Vice Chairman
Mark A. Haley
Larry G. Lawson
Eugene K. Potter, Jr.
Robert B. Taylor

Board member Thomas J. Grizzard, Jr. was unable to attend the meeting.

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

Louise Fontaine Ware, Director
Sandra Whitley Ryals, Chief Deputy Director
Karen O'Neal, Deputy Director for RPD
David Dick, Assistant Director
Joseph Kossan, Board Administrator
Adrienne Mayo, Office Manager

Others who attended the meeting included:

William A. Diamond, Assistant Attorney General
Mark Anderson, Department of Health

Chairman French, finding a quorum of the Board present, called **Call to Order** the meeting to order at 8:30 AM.

Mr. Cawthron moved that the Board approve the agenda prepared by staff and amended by the Chair. Mr. Lawson seconded the motion, which was carried unanimously by five aye votes (Messrs. Haley, Potter, Cawthron, Taylor, and Lawson). As Chairman, Mr. French did not vote. The agenda was as follows: **Agenda Adopted**

1. Call to Order
2. Approval of Agenda
3. Electronic Exams – Mark Anderson
4. Approval of Board Minutes of June 20, 2002 and of Committee minutes of July 19, 2002.
5. Public Comment period – Five minute public comment, per person, on those items not included on the agenda with the exception of any open disciplinary files.
6. Examination Issues – Sharon Sweet
 - ABC response concerning examination question concerns
 - Letter from ABC concerning examination reviews
7. Report of the Licensing Procedure Review Committee – Dan French
8. DPOR legislation for the 2003 Session of the Virginia General Assembly
 - Concerns from previous years
 - Recent concern for pretreatment plant operators
 - DPOR legislation initiatives
9. Response from foreign academic credential evaluation firms
10. Other Business
 - Application for Training Course Approval – Tom Grizzard and Mark Anderson
 - Chlorination with Sodium Hypochlorite – Control Equipment Company, Inc.
 - Ultraviolet Light and Drinking Water Applications – Control Equipment Company, Inc.
 - Electrical Troubleshooting – Maryland Center for Environmental Training
 - Groundwater Production – Technical Learning College
 - Water and Wastewater Sampling – Technical Learning College

11. Election of Officers

12. Confirm Meeting Date for December 12 2002 and establish meeting dates for 2003:

- Thursday, March 13, 2003
- Thursday, June 19, 2003
- Thursday, September 11, 2003
- Thursday, December 11, 2003

11. Complete Conflict of Interest Forms

12. Adjourn

Mark Anderson of the Virginia Department of Health (VDH) addressed the Board concerning his activities with the Association of Boards of Certification (examination vendor) in developing a Class VI examination to be administered via electronic means. VDH has an EPA Expenditure Reimbursement Grant (ERG) to cover some of the start-up expenses for the new Class VI program regulating very small water systems. The funding is sufficient to cover a feasibility study for Class VI electronic examinations and for the other five classes of water examinations. Mr. Anderson sought the Board's support to explore a feasibility study for electronic examinations for all water classifications.

Electronic Exams

Mr. Cawthron moved that the Board authorize Mark Anderson of the Virginia Department of Health (VDH) to work with the Association of Boards of Certification (ABC) to explore a feasibility study for an electronic examination for all classes of water examinations rather than just the Class VI water examination. Mr. Haley seconded the motion, which was carried unanimously by five aye votes (Messrs. Potter, Haley, Taylor, Cawthron, and Lawson). Serving as Chairman, Mr. French did not vote.

Mr. Cawthron moved that the Board approve the minutes of its June 20, 2002 meeting as prepared by staff, and amended by the Board. Mr. Potter seconded the motion, which was carried unanimously by five aye votes (Messrs. Potter, Haley, and Lawson; Taylor, and Cawthron). As Chairman, Mr. French did not vote.

Approval of Minutes

Mr. Potter moved that the Board approve the minutes of the July 19, 2002 Committee meeting as prepared by staff, and amended by the Board. Mr. Haley seconded the motion, which was carried unanimously by five aye votes (Messrs. Potter, Haley, and Lawson; Taylor, and Cawthron). As Chairman, Mr. French did

not vote.

Chairman French opened the floor for public comment. No members of the public were present.

No Public Comment Period

Examination Issues – Sharon Sweet

Examinations Issues

Ms. Sweet addressed the Board concerning the Association of Boards of Certification's (ABC) response to examination question concerns, and a letter from ABC indicating that ABC, upon the effective date of ABC's new contract with the Board, would no longer provide examination material allowing the Department to afford failing examinees the opportunity to review the examination questions they failed to answer correctly. Concern for the examination's security is the reason cited. The Board briefly discussed the impact of the information and took no action.

The Board recessed from 10:40 AM until 10:58 AM.

Board Recess

Mr. French provided the following report to the Board:

Report of the Licensing Procedure Review Committee

Report to the Board for Waterworks and Wastewater Works Operators
By
The Licensing Procedure Review Committee

This Committee was appointed by Vice Chairman Steve Cawthron, while acting as Board chairman during the June 20, 2002 Board meeting, to examine a number of issues surrounding the Board's February 15, 2001 regulations, the new Class VI waterworks restricted license and the reclassification of a number of waterworks facilities by the Virginia Department of Health.

The Committee was composed of Dan French, Chairman, Bob Taylor and Mark Anderson.

The Committee met on July 19, 2002 and, with the assistance of DPOR staff, addressed each of the identified issues in detail.

The Committee agreed without dissent to recommend that the Board consider the following motion during its September 19, 2002 Board meeting:

That, in accordance with 18 VAC 160-20-90 A, staff accept the signature of the applicant's supervisor as certification of the applicant's

experience at any facility that has been classified as a Class IV Wastewater Works by the Virginia Department of Environmental Quality (DEQ) or has been classified as a Class IV, Class V or Class VI Waterworks by the Virginia Department of Health (DOH) within the two years immediately preceding the date the application is received by the Board.

The Committee determined that no further action by the Board is necessary.

Respectfully submitted,

Dan French, Committee Chairman

Mr. Cawthron moved to rescind the action taken by the Board during the June 20, 2002 meeting concerning applicant qualifications under 18 VAC 160-20-90 A and that, in accordance with 18 VAC 160-20-90 A, staff accept the signature of the applicant's supervisor as certification of the applicant's experience at any facility that has been classified as a Class III or Class IV Wastewater Works by the Virginia Department of Environmental Quality (DEQ) or has been classified as a Class IV, Class V or Class VI Waterworks by the Virginia Department of Health (VDH) within the two years immediately preceding the date the application is received by the Board. This shall not apply to experience obtained after the date of the classification. Mr. Taylor seconded the motion, which was carried unanimously by five aye votes (Messrs. Potter, Haley, Taylor, Cawthron, and Lawson). Serving as Chairman, Mr. French did not vote

Mr. Dick advised the Board that the bill they had asked for during the past several years would not be going forward as a part of the Department's Executive Package because of other priorities this year. The Board's bill has been placed in consideration for the 2004 Session of the Virginia General Assembly.

**Legislation for the
2003 Session**

The Board briefly discussed a concern with the regulation of pre-treatment wastewater facilities. Mr. Dick was asked to obtain information concerning the number of states that regulate pre-treatment facilities from the Association of Boards of Certification (ABC).

Ms. Ryals described for the Board a number of legislation initiatives

that the Department has developed, many of which impact all of the Department's affiliated boards. Additional information will be provided at the Board's December meeting, at which time the Board will be asked for their support.

The Board agreed without dissent to defer this agenda item until its December 2002 meeting.

**Response from
foreign academic
credential
evaluation firms**

The Board recessed for lunch from 11:52 AM until 12:25 PM.

Board Recess

Mr. Cawthron moved that the Board approve the training course approval application submitted by Control Equipment Company for the course entitled Sodium Hypochlorite Disinfection for 0.4 TCs and the training course approval application submitted by Control Equipment Company for the course entitled UV Disinfection for 0.4 TCs. Mr. Taylor seconded the motion, which was carried unanimously by five aye votes (Messrs. Potter, Haley, Taylor, Cawthron, and Lawson). Serving as Chairman, Mr. French did not vote.

**Applications for
Training Course
Approval**

No action was taken on the remaining applications for training course approval.

Mr. French opened the floor for nominations for Chairman and Vice Chairman.

**Election of
Officers**

Mr. French nominated Mr. Cawthron for Chairman. Mr. Potter nominated Mr. Haley for Vice Chairman. Mr. Lawson seconded the nomination. Hearing no further nominations for Chairman or Vice Chairman, Mr. French closed the nominations.

Mr. French called for a vote on the nominees for Chairman and Vice Chairman. The Board unanimously elected Mr. Cawthron as Chairman and Mr. Haley as Vice Chairman by five aye votes (Messrs. Lawson, Potter, Haley, Taylor, and Cawthron). As Chairman, Mr. French did not vote.

The Board confirmed December 12 for their next meeting and agreed to the following meeting dates for the upcoming year:

**Set Meeting Dates
for 2003**

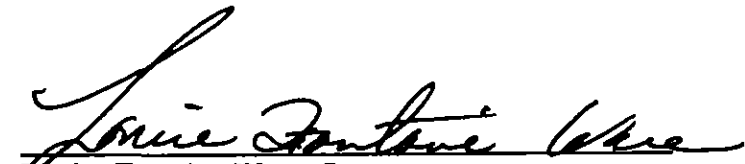
- Tuesday, March 11, 2003
- Thursday, June 19, 2003
- Tuesday, September 9, 2003
- Tuesday, December 9, 2003

Finding no other business to conduct, Chairman French asked the Board members to complete their conflict of interest forms and travel vouchers. **Conflict of Interest Forms**

Having exhausted the Board's agenda, Chairman French adjourned the meeting at 12:49 PM. **Adjournment**



Steve W. Cawthron, Chairman



Louise Fontaine Ware, Secretary

COPY TESTE:

Custodian of the Records