



Virginia
Regulatory
Town Hall

Final Regulation Agency Background Document

Agency Name:	155
VAC Chapter Number:	20
Regulation Title:	Board for Waste Management Facility Operators Regulations
Action Title:	Final
Date:	February 23, 2000

Please refer to the Administrative Process Act (§ 9-6.14:9.1 *et seq.* of the *Code of Virginia*), Executive Order Twenty-Five (98), Executive Order Fifty-Eight (99) , and the *Virginia Register Form, Style and Procedure Manual* for more information and other materials required to be submitted in the final regulatory action package.

Summary

Please provide a brief summary of the new regulation, amendments to an existing regulation, or the regulation being repealed. There is no need to state each provision or amendment; instead give a summary of the regulatory action. If applicable, generally describe the existing regulation. Do not restate the regulation or the purpose and intent of the regulation in the summary. Rather, alert the reader to all substantive matters or changes contained in the proposed new regulation, amendments to an existing regulation, or the regulation being repealed. Please briefly and generally summarize any substantive changes made since the proposed action was published.

The final amendments to the regulations will revise definitions; delete the interim certification provisions (which were sunsetted in the language of the current regulation); delete the Class V license provisions; empower on license to be issued with all qualifying classifications; revise the continuing education requirements; and delete the CPE sponsor approval provisions.

Changes Made Since the Proposed Stage

Please detail any changes, other than strictly editorial changes, made to the text of the proposed regulation since its publication. Please provide citations of the sections of the proposed regulation that have been altered since the proposed stage and a statement of the purpose of each change.

The following changes, other than strictly editorial changes, have been made since the publication of the proposed regulations:

18 VAC 155-20-175: This is an entirely new section added to the regulation.

The Board proposed the elimination of the CPE requirement as unnecessary given the oversight of waste management facilities by DEQ and the necessity for permitted waste management facilities to assure operator competence in order to maintain their permit to operate. At its meeting on November 4, 1999, the Board conducted a detailed discussion of the comments received concerning the proposed elimination of the CPE requirement. The objective was to balance the Department's interests to minimize the intrusion of government into commerce while, at the same time, to provide regulations adequate to assure that licensees are properly qualified. As a result of this discussion, the Board decided, during its meeting on December 10, 1999, to continue to have a CPE requirement, however, the revised CPE requirement will significantly reduce the burden on regulants and on private industry by allowing CPE credit for those activities often performed as a necessary aspect of maintaining compliance with DEQ permit requirements. Further, the revised CPE requirement will allow more flexibility in designing CPE activities and significantly expand the number of options for training and education that are acceptable to meet the CPE requirement. The expanded options will minimize the burden on private industry, allow more flexibility and creativity in designing CPE activities, and assure the continued competency of licensees.

First, the CPE hours required will be reduced from ten hours to eight. The Board feels this is adequate time for the individuals to learn the necessary material.

Second, the requirement for prior approval of CPE training programs and sponsors will be deleted from the regulations as proposed. From the beginning, the regulations have provided a means for any regulant to have a specific training program or seminar that he feels meets his needs approved by the Board without charge. Very few have taken advantage of this option. This option will be continued in the final regulations, allowing licensees to document completion of an "organized program" as evidence of CPE compliance. "Organized program" is defined in the final regulations and includes any formal course, seminar or conference.

Third, a new "project" option for CPE is being added. This allows a licensee to be assigned specific work by his supervisor that will add to the licensee's knowledge and competence. The assigned work is to be performed under the supervision of a knowledgeable person. This could include activities such as work to complete an application for a DEQ permit modification or undergoing training on a piece of equipment. The owner, operator or manager of the permitted

facility must design, assign and document satisfactory completion of the project in order for the licensee to receive CPE credit.

Fourth, the term “continuing professional education” is being changed to “continuing professional education/training (CPE/T)” to recognize the new “project” option.

Individuals desiring to renew their licenses will submit evidence of the eight hours of CPE/T to the Department. Those found to be deficient will be so advised in writing and allowed a reasonable amount of time to correct the deficiency. The Board encourages licensees to submit the required CPE/T evidence as soon as possible after completion to allow adequate time for approval before their license expires. If a license expires before the CPE/T deficiency has been corrected, those CPE/T hours may not be reported for future license renewal.

The Board feels that the above very effectively balances the Commonwealth’s proper concern that the government not intrude into the conduct of commerce any more than is absolutely necessary, the concern expressed by the public that CPE/T be retained to assure minimal competence of licensees, and the Board’s statutory mandate to assure the public’s protection.

18 VAC 155-20-10: Definitions for "contact hour", "continuing professional education/training", "organized program", and "project" have been added to the regulation for reasons of clarity.

18 VAC 155-20-120.E.: Clarify that the applicant must pass the Board-approved examination for Class III.

18 VAC 155-20-120.F.: Clarify that the applicant must pass the Board-approved examination for Class IV.

18 VAC 155-20-160.A.: Clarify that the renewal applicant must provide evidence of completion of continuing professional education/training.

18 VAC 155-20-160.D.: Clarify that the renewal applicant must provide evidence of completion of continuing professional education/training.

Statement of Final Agency Action

Please provide a statement of the final action taken by the agency: including the date the action was taken, the name of the agency taking the action, and the title of the regulation.

On December 10, 1999, the Virginia Board for Waste Management Facility Operators adopted a final regulation entitled “Waste Management Facility Operators Regulations” (18 VAC 155-20-10 et seq.).

Basis

Please identify the state and/or federal source of legal authority to promulgate the regulation. The discussion of this statutory authority should: 1) describe its scope and the extent to which it is mandatory or discretionary; and 2) include a brief statement relating the content of the statutory authority to the specific regulation. In addition, where applicable, please describe the extent to which proposed changes exceed federal minimum requirements. Full citations of legal authority and, if available, web site addresses for locating the text of the cited authority, shall be provided. If the final text differs from that of the proposed, please state that the Office of the Attorney General has certified that the agency has the statutory authority to promulgate the final regulation and that it comports with applicable state and/or federal law

Chapter 22.1 of Title 54.1 of the Code of Virginia creates the statutory authority for the waste management facility operators regulatory program.

Sections 54.1-2211 and 54.1-2212 of the Code of Virginia mandate that the Board for Waste Management Facility Operators implement Chapter 22.1 of Title 54.1 of the Code of Virginia, by promulgating regulations that include requirements for:

1. Training and licensing;
2. Classes of training and licensing based upon the type of waste management facility for which a waste management facility operator seeks a license;
3. Training and licensing requirements based upon the type of facility and the type of waste managed at the facility;
4. Training programs approval;
5. License required for all waste management facility operators.

The final regulations implement each of the above in a manner believed to be the least burdensome on the regulated industry while providing protection to the public against incompetent or unqualified persons engaging in the profession of waste management facility operators.

Purpose

Please provide a statement explaining the need for the new or amended regulation. This statement must include the rationale or justification of the final regulatory action and detail the specific reasons it is essential to protect the health, safety or welfare of citizens. A statement of a general nature is not acceptable, particular rationales must be explicitly discussed. Please include a discussion of the goals of the proposal and the problems the proposal is intended to solve.

This is an amendment to the existing regulation (18 VAC 155-20-10, et seq.) adopted November 2, 1994 as the Board for Waste Management Facility Operators Rules and Regulations. The purpose of the final regulations is to set standards for the licensing and conduct of individuals who are responsible for the operation of waste management facilities. It is necessary to regulate these individuals to protect the health, safety and welfare of our citizens and our environment.

Substance

Please identify and explain the new substantive provisions, the substantive changes to existing sections, or both where appropriate. Please note that a more detailed discussion is required under the statement of the regulatory action's detail.

The final amendments will:

- ? Revise definitions;
- ? Delete the interim certification (which is sunsetted by the current regulation language);
- ? Delete the Class V certification;
- ? Issue one license with all qualifying classifications;
- ? Modify the continuing education requirement;
- ? Delete the approval of CPE sponsors;
- ? (The fees charged under these regulations were reduced in compliance with § 54.1-113 of the Code of Virginia. Section 9-6.14:4.1(C)(9) of the Code of Virginia exempts fee reductions from the operation of Article 2 of the Administrative Process Act (public participation.) For this reason, the fee reduction was filed as a separate, exempt regulatory action.

Issues

Please provide a statement identifying the issues associated with the final regulatory action. The term "issues" means: 1) the advantages and disadvantages to the public of implementing the new provisions; 2) the advantages and disadvantages to the agency or the Commonwealth; and 3) other pertinent matters of interest to the regulated community, government officials, and the public. If there are no disadvantages to the public or the Commonwealth, please include a sentence to that effect.

The Board has determined that the Public will benefit from waste management facilities being operated only by individuals who have met the valid and reasonable licensing standards established by the current regulations and these revisions thereto.

Decreasing the fees charged to the regulants will work towards putting the generated revenue in line with the Callahan Act (§ 54.1-113 of the Code of Virginia). The fee reduction will be less burdensome to the regulants (see Attachment 12 for details on this separate, exempt regulatory action).

Revising the definitions to reflect the terms currently used by the industry will provide a common vocabulary to enhance the understanding of the regulations by the public, the Board and those regulated.

Deleting the interim certification removes a sunsetted portion of the existing regulation and the deletion of the interim certification is merely housekeeping.

Changing the method of issuing and renewing licenses to one license listing all qualifying classifications will simplify licensing and lower costs.

Deleting the Class V license (a license which merely denotes Class I through IV) because it is no longer needed under the new licensing scheme.

The Board initially proposed to eliminate the CPE requirement as unnecessary given the oversight of waste management facilities by DEQ. In response to public comment the Board decided to continue the CPE requirement with the following modifications:

1. The CPE hours required are reduced from ten to eight.
2. A new “project” option for CPE is being added, allowing licensees to be assigned specific work by a supervisor to be performed under the supervision of a knowledgeable person that adds to the licensee’s knowledge and competence. This option is in addition to the existing option to attend a formal training course for CPE credit.

The Board decided to delete the requirement for prior approval of CPE sponsors and programs. Licensees must document completion of an “organized program” that established they have completed training which adds to their competence. Organized program has been defined in the final regulations and includes any formal course, seminar or conference.

Revising the language to enhance clarity and correct errors in grammar, etc., enables the public and those regulated to more clearly understand what the Board expects from its regulants and the consequences of failing to comply.

It is anticipated that the Board will review its regulations within two years after adoption. Fee structures are reviewed biennially by Department of Professional and Occupational Regulation staff for compliance with § 54.1-113 of the Code of Virginia.

Public Comment

Please summarize all public comment received during the public comment period and provide the agency response. If no public comment was received, please include a statement indicating that fact.

Ten written comments were received during the public comment period and three individuals provided oral comment during the public hearing.

The following is a summary of that public comment and the response of the Board for Waste Management Facility Operators:

Written Comment:

Matthew P. Curtis, AEP Environmental Services, American Electrical Power provided the following comments:

Supports the proposed elimination of the CPE requirement and describes several programs in use by his firm to assure continued competence.

Board response:

The Board's response to this and all comments concerning its proposed elimination of the CPE requirement may be found under the heading "Board Response to Comments on the CPE Requirement" found below.

George Ball-Ilovera, Vice President, Mid-Atlantic Region, Ogden Martin Systems of Fairfax, Inc. provided the following comments:

Further amend the proposed regulations to recognize and implement the EPA memorandum "Municipal Waste Combustors (MWC) – Control Room Operator "Stand-in" Provisions" to address his concerns with temporary licensed operator absences and licensed operator turnover. The EPA "stand-in" provisions set procedures for notifying the EPA of licensed operator absences that last up to two weeks and of actions being taken to fill vacancies that will last two weeks or longer.

Amend 18 VAC 155-20-120 B 5 b to add the words "at least one of" following "include" to make clear that experience must be evidenced in only one of the enumerated activities.

Amend 18 VAC 155-20-120 C, D, E and F to delete the words "specific requirements" and replace with "facility specific training requirements" to avoid confusion with the language in 18 VAC 155-20-120 B 5, which uses the term "facility specific training requirements."

Amend 18 VAC 155-20-120 F 1 and 2 to make clear that applicants must meet EITHER the training and examination requirement of the Board, OR the training and examination requirements of a federal or state agency under the federal Clean Air Act and complete the basic training course within one year.

Amend 18 VAC 155-20-120 F 2 to include the EPA MWC Operator Training Course as a separate alternative to the Clean Air Act training thereby allowing those who complete the course to be eligible for licensure the same as those who complete the Clean Air Act training. This would avoid the requirement to apply and receive the Board's approval prior to conducting the EPA MWC Operator Training Course. The EPA course would be given by private industry instructors who have been approved by the EPA. The course was developed as a model for states, can be used "as-is" in any state, and covers such matter as federal, state and local environmental regulations, solid waste storage, etc. Recognize this course as a course sponsored by "state and federal governmental bodies."

Board response:

The Board does not have the statutory authority to implement the EPA "stand-in" provisions as the regulation of waste management facilities themselves falls under the authority of DEQ.

The Board accepts and will make the amendments suggested to 18 VAC 155-20-120, except the amendment to 18 VAC 155-20-120 C, D, E and F concerning "specific requirements" and the

amendment concerning the EPA MWC Operator Training Course. The Board feels the “specific requirements” language in 18 VAC 155-20-120 is clear. The Board feels that if a private industry organization rather than a government organization gives the EPA MWC Operator Training Course, the course would have to be approved by the Board to assure a proper level of instruction and learning. Under the existing regulations, the Board could recognize the EPA course as qualifying the participant for a license in the same manner as the ASME QRO is now. No amendment to the proposed regulations is necessary to enable the use of the EPA MWC Operator Training Course and no amendment will be made.

Fouad K. Arbid, P.E., Chairman, Training and Certification Committee, Old Dominion Chapter, Solid Waste Association of North America (SWANA):

Do not amend the existing regulations to eliminate continuing professional education (CPE) as this will eliminate all training requirements for licensees. The Department of Environmental Quality (DEQ) has no requirements in its regulations for licensee training as indicated in the material published with the proposed regulations. As budget reductions force cost-cutting decisions at facilities, the training budget will be the first to go, absent a governmental mandate to complete CPE. The additional flexibility the Board believes will be provided to facility operators in the use of labor can only mean that owners will hire less skilled and less professional workers at lower rates. The elimination of the CPE training requirements can only result in a direct increase in the risk of environmental spills, etc., which will endanger Virginia’s environment.

Board response:

The Board’s response to this and all comments concerning its proposed elimination of the CPE requirement may be found under the heading “Board Response to Comments on the CPE Requirement” found below.

Sandy Etter, Environmental Control Director, Tazewell County, Virginia:

Recommends that the regulations not be revised and that the CPE requirement remain since it enables all employees to be better trained and to be better able to handle the situations that arise at their facilities.

Board response:

The Board’s response to this and all comments concerning its proposed elimination of the CPE requirement may be found under the heading “Board Response to Comments on the CPE Requirement” found below.

Thomas P. Herbert, P.E. Engineering Manager, Class III Facility Operator, American Waste Industries, Inc:

Supports the elimination of CPE because he finds the CPE training he is receiving includes training on regulations that have not been revised to keep up with the changes in the regulated community (i.e. US Department of Transportation packaging regulations and DEQ variances). The instructors encountered do not have extensive experience at Class III facilities and, since

equipment and management processes vary so much from facility to facility, the instructors usually become students during the training sessions. Appropriate training is administered in normal facility operations because of OSHA, DOT and DEQ requirements.

Board response:

The Board's response to this and all comments concerning its proposed elimination of the CPE requirement may be found under the heading "Board Response to Comments on the CPE Requirement" found below.

David Harris (by electronic mail from Dharris@spsa.com):

Supports the one certification for all license holders, asks if license holders will be required to be tested using a different format such as combining all five classes into one and supports the remainder of the proposed regulations.

Board response:

No action on the part of the licensee will be necessary to implement the "combined" license. All licensees will be issued one "license" that shows all classes of facility the individual is qualified to operate. No new examination is proposed.

David P. Roberts, Operator, Waste Management, Inc:

Supports the deletion of the interim certification, Class V, and the empowering of one license with all classifications.

Opposes the elimination of CPE since the lack of education is not a means of education.

Board response:

The Board thanks Mr. Roberts for his words of support. The Board's response to this and all comments concerning its proposed elimination of the CPE requirement may be found under the heading "Board Response to Comments on the CPE Requirement" found below.

P. F. Faggert, Vice President, Environmental Policy and Compliance, Virginia Power, Glen Allen, Virginia:

Suggests that the requirement to have a licensed operator present at captive landfills where coal combustion by-products are managed should be eliminated, as it does not present a significant risk to human health and the environment.

Agrees with the regulations as proposed.

Board's response:

The Board has no statutory authority to eliminate the requirement that coal combustion by-product landfills have a licensed operator present. This authority rests with DEQ. The Board thanks Mr. Faggert for his support for the proposed regulations.

Raymond F. McGowan, Solid Waste Manager, Chesterfield County, VA:

Opposes the elimination of the CPE requirement. Suggests DPOR work with SWANA at both the national and local level as they have a training course that is nationally recognized. Organizations with limited budgets will cut their training of operators, which sends the wrong message to the general public. The level of professionalism and knowledge will be reduced. Suggests the Board consider allowing SWANA to act as the Commonwealth's certification board like it does in other states.

Board response:

The Board's response to this and all comments concerning its proposed elimination of the CPE requirement may be found under the heading "Board Response to Comments on the CPE Requirement" found below.

The Board responds here to Mr. McGowan's specific suggestion that SWANA be allowed to act as the Commonwealth's certification board by stating that the Board has no statutory authority to delegate one of its functions to a professional association or any other organization.

Leonard E. Joyce, Jr., P.E., President, Joyce Engineering, Inc., Richmond, VA:

Supports the revisions that will revise the definitions, delete the interim certification and delete the Class V certification.

Opposes the elimination of the CPE requirement. Disagrees with the DPB analysis that the requirements of the DEQ operating permit process is sufficient to maintain the necessary level of operator training and experience as his experience as a CPE trainer reveals that many licensees have had no additional training since they took the initial training. His experience suggests that the licensees who need the experience the most are the ones who will cease training activity if the CPE requirement is eliminated. The cost of 10 hours of CPE every two years at a cost ranging from \$50 to \$300-\$400 per class is not unreasonable for a facility that will be accepting waste for 20 to 30 years. CPE training allows licensees to become familiar with changes in pertinent regulations and keep abreast of new technology in the industry. Questions why the Board for Waterworks and Wastewater Works is proposing a new CPE requirement while the Waste Management Facility Board is eliminating CPE. Suggests waste management facility operator training for all DEQ inspectors.

Board response:

The Board's response to this and all comments concerning its proposed elimination of the CPE requirement may be found under the heading "Board Response to Comments on the CPE Requirement" found below.

The Board for Waterworks and Wastewater Works is specifically mandated by EPA Guidelines, which will become effective in February of 2001, to require CPE for the licensed operators of Waterworks. This is in response to a federal mandate and not in response to a hazard to the public that would be reduced by the CPE requirement. No CPE is being considered for Wastewater Works operators.

The training of DEQ inspectors is outside of the Board's authority.

Public Hearing Comment:

Leonard E. Joyce, President of Joyce Engineering:

Mr. Joyce's comments at the public hearing were, in substance, the same as those presented in writing and summarized above pertaining to his opposition to the proposed elimination of CPE.

Board response:

The Board's response to this and all comments concerning its proposed elimination of the CPE requirement may be found under the heading "Board Response to Comments on the CPE Requirement" found below.

Stephen Burkhart, Ogden Martin Systems:

Mr. Burkhart suggested the implementation through the Board's regulations of the EPA operator "stand-in" provisions and the recognition of the EPA MWC Operator Training Course as a federal or state sponsored training course. Both were suggested in writing by Mr. George Ball-Ilovera of Ogden Martin Systems and are summarized above.

Board response:

The Board's response to Mr. Burkhart is the same as its response to Mr. Ball-Ilovera, above.

Deborah Flipppo, Southwest Virginia Solid Waste Management Association:

Opposes the elimination of CPE as her organization supplies training to its members at a modest cost. Elimination of the requirement will have an adverse impact on the environment and on the membership of her organization. The level of facility staff attending her organization's meetings would change in that site managers would cease bringing their operators because of budgetary concerns.

Board response:

The Board's response to this and all comments concerning its proposed elimination of the CPE requirement may be found under the heading "Board Response to Comments on the CPE Requirement" found below.

Board Response to Comments on the CPE Requirement:

The Board thanks all of those who offered comment on this proposal.

The Board proposed the elimination of the CPE requirement as unnecessary given the oversight of waste management facilities by DEQ and the necessity for permitted waste management facilities to assure operator competence in order to maintain their permit to operate. At its meeting on November 4, 1999, the Board conducted a detailed discussion of the comments received concerning the proposed elimination of the CPE requirement. The objective was to balance the Department's interests to minimize the intrusion of government into commerce while, at the same time, to provide regulations adequate to assure that licensees are properly qualified. As a result of this discussion, the Board decided to continue to have a CPE requirement, however, the revised CPE requirement will significantly reduce the burden on regulants and on private industry by allowing CPE credit for those activities often performed as a necessary aspect of maintaining compliance with DEQ permit requirements. Further, the revised CPE requirement will allow more flexibility in designing CPE activities and significantly expand the number of options for training and education that are acceptable to meet the CPE requirement. The expanded options will minimize the burden on private industry, allow more flexibility and creativity in designing CPE activities, and assure the continued competency of licensees.

First, the CPE hours required will be reduced from ten hours to eight hours. The Board feels this is adequate time for the individuals to learn the necessary material.

Second, the requirement for prior approval of CPE training programs and sponsors will be deleted from the regulations as proposed. From the beginning, the regulations have provided a means for any regulant to have a specific training program or seminar that he feels meets his needs approved by the Board without charge. Very few have taken advantage of this option. This option will be continued in the final regulations, allowing licensees to document completion of a "organized program" as evidence of CPE compliance. Organized program is defined in the final regulations and includes any formal course, seminar or conference.

Third, a new "project" option for CPE is being added. This allows a licensee to be assigned specific work by his supervisor that will add to the licensee's knowledge and competence. The assigned work is to be performed under the supervision of a knowledgeable person. This could include activities such as work to complete an application for a DEQ permit modification or undergoing training on a piece of equipment. The owner, operator or manager of the permitted facility must design, assign and document satisfactory completion of the project in order for the licensee to receive CPE credit.

Fourth, the term "continuing professional education" is being changed to "continuing professional education/training (CPE/T)" to recognize the new "project" option.

Individuals desiring to renew their licenses will submit evidence of the eight hours of CPE/T to the Department. Those found to be deficient will be so advised in writing and allowed a reasonable amount of time to correct the deficiency. The Board encourages licensees to submit the required CPE/T evidence as soon as possible after completion to allow adequate time for approval before their license expires. If a license expires before the CPE/T deficiency has been corrected, those CPE/T hours may not be reported for future license renewals.

The Board feels that the above very effectively balances the Commonwealth's proper concern that the government not intrude into the conduct of commerce any more than is absolutely necessary, the concern expressed by the public that CPE/T be retained to assure minimal competence of licensees, and the Board's statutory mandate to assure the public's protection.

Detail of Changes

Please detail any changes, other than strictly editorial changes, that are being proposed. Please detail new substantive provisions, all substantive changes to existing sections, or both where appropriate. This statement should provide a section-by-section description - or crosswalk - of changes implemented by the proposed regulatory action. Include citations to the specific sections of an existing regulation being amended and explain the consequences of the changes.

18 VAC 155-20-10, definitions, was amended by deleting, adding and revising definitions for clarity and to facilitate implementation of the final regulations.

18 VAC 155-20-20, license required, was amended to make clear who is required to have a license. January 1, 1993 is the date established in the current regulations by which operators must become licensed.

18 VAC 155-20-40, fees, was amended to delete references to licenses and CPE sponsors, which are being deleted from the regulation.

18 VAC 155-20-50, change of status, was amended to reflect a change in the enabling statute that changed the term "certificate" to "license."

18 VAC 155-20-60, 18 VAC 155-20-70, 18 VAC 155-20-80, and 18 VAC 155-20-90 dealt with interim certifications and are repealed in their entirety. Interim certifications were created to initiate the regulatory program and were intended to be limited in duration. All interim certifications have expired and are no longer renewable.

18 VAC 155-20-100, license required, was amended to reflect the date of the last extension of interim certification expiration dates made by the Board; June 30, 1995.

18 VAC 155-20-110, license classification, was amended to reflect a change in the enabling statute that changes the term "certificate" to "license."

18 VAC 155-20-120, qualifications for licensure, was amended to reflect the enabling statute change of the term "certification" to "license," to delete the Class V license category, and to update citations to federal law.

18 VAC 155-20-130, application procedures, was amended to require application on forms provided by the Department and to implement the new licensing procedure that replaces the current multiple licenses required for individuals licensed in more than one classification with a procedure that allows one license to reflect all classification of license held by the individual.

18 VAC 155-20-140 and 18 VAC 155-20-150 were amended to reflect the enabling statute change of the term "certification" to "license."

18 VAC 155-20-160, procedures for renewal, was amended to implement the new licensing procedure (addressed under 18 VAC 155-20-130) and to establish a single expiration date for individuals who currently hold multiple licenses.

18 VAC 155-20-170, continuing education, is repealed in its entirety and is replaced by 18 VAC 155-20-175, which establishes a new continuing professional education/training standard.

18 VAC 155-20-180, continuing professional education/training, is a new section that modifies the current regulations' continuing professional education requirement and adds a "project" option that may be selected instead of formal classroom training.

18 VAC 155-20-190, 18 VAC 155-20-200, 18 VAC 155-20-210, 18 VAC 155-20-220 and 18 VAC 155-20-230 remain the same in substance as the current regulations.

18 VAC 155-20-240, 18 VAC 155-20-250, 18 VAC 155-20-260 and 18 VAC 155-20-270 are repealed in their entirety to reflect the Board's decision to cease requiring prior approval of continuing professional education courses.

18 VAC 155-20-290 was repealed in its entirety and the relevant substance was included in amended 18 VAC 155-20-280.

Family Impact Statement

Please provide an analysis of the regulatory action that assesses the impact on the institution of the family and family stability including the extent to which the regulatory action will: 1) strengthen or erode the authority and rights of parents in the education, nurturing, and supervision of their children; 2) encourage or discourage economic self-sufficiency, self-pride, and the assumption of responsibility for oneself, one's spouse, and one's children and/or elderly parents; 3) strengthen or erode the marital commitment; and 4) increase or decrease disposable family income.

No impact on families was identified.