

**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 July 27, 2023, at the Department of Professional and Occupational Regulation, 9960 Mayland Drive, Richmond, Virginia 23233.

The following members of the Board were present:

James N. Brockwell
Erica Duncan
W. Jordan Evans
Pamela M. Pruett, Chair
Don Riggleman
Dwayne Roadcap
D. Wayne Staples

Board members John Ewing, Thomas Wayne Fore, and Caleb Taylor were not present at the meeting.

DPOR staff present for all or part of the meeting included:

Stephen Kirschner, Licensing and Regulatory Programs Division Deputy Director
Tanya M. Pettus, Board Administrator
Breanne Henshaw, Licensing Operations Administrator
Ecila Williams, Administrative Coordinator

Joshua Laws, Assistant Attorney General with the Office of the Attorney General, was present.

Ms. Pruett, Chair, finding a quorum of the Board present, called the meeting to order at 10:02 a.m.

Call to Order

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

**Emergency
Evacuation
Procedures**

Mr. Riggleman moved to approve the agenda as presented. Mr. Staples seconded the motion which was unanimously approved by: Brockwell, Duncan, Evans, Pruett, Riggleman, Roadcap, and Staples.

**Approval of
Agenda**

Ms. Pettus advised the Board of the departure of Executive Director, Trisha Lindsey, and Administrative Coordinator, Raven Custer, from the agency, and reminded the Board of Joe Haughwout's change in position within the agency from Regulatory Operations Administrator to Regulatory Affairs Manager. Ms. Pettus also introduced Breanne Henshaw, Licensing Operations Administrator, and Ecila Williams, Administrative Coordinator, who were assisting during the meeting. Ms. Pettus advised that she and Mr. Kirschner are currently sharing Executive Director duties while the position is vacant. Ms. Pettus informed the Board that Examinations Director, Greg Emerson, began his position in early June.

Staff Updates

Mr. Evans moved to approve all the following meeting minutes:

- Education and Training Committee Minutes, April 20, 2023,
- Board Meeting Minutes, April 20, 2023,
- WWW Regulatory Review Committee Minutes, May 15, 2023,
- Education and Training Committee Minutes, May 16, 2023, and
- WWW Exam Task Force Minutes, June 26, 2023.

Approval of Minutes

Mr. Riggleman seconded the motion, which was unanimously approved by: Brockwell, Duncan, Evans, Pruett, Riggleman, Roadcap, and Staples.

Brian Hawkins, Supervisor at Alex Renew, addressed the Board regarding study and training resources available for the WPI/ABC exam. Mr. Hawkins stated his operators are having difficulties narrowing down the study materials as they relate to the topics covered in the examination. He also expressed concern over reports that the formula sheets provided at testing centers differ from those found on the DPOR and WPI websites.

Public Comment Period

Mark Estes of Halifax County Service Authority stated that he wants the Board and the Department to he would like the Board and the Department to continue working with local waterworks operators and wastewater operators on passing the national examination. Mr. Estes also asked for the Board to consider reciprocity as he lives near the Virginia/North Carolina border and sees the need for out-of-state licensees to be licensed in Virginia.

The Board reviewed a public comment sent via email from Michael Lynn. Mr. Lynn voiced concerns about unprofessional service and poor work product from unlicensed or improperly licensed individuals. Specifically, Mr. Lynn expressed concern over conventional onsite sewage system operators providing maintenance and repair services on alternative onsite sewage systems. Mr. Lynn referenced guidance adopted by the Board in April 2017, allowing conventional operators with the proper Virginia Department of Health (VDH) sewage handling permit to pump alternative systems under the direction of alternative operators. Mr. Lynn also requested that licensees be informed of significant regulatory changes be means other than the Virginia Town Hall website.

In the matter of **File Number 2023-02057, Timothy G. Paul**, the Board members reviewed the record which consisted of the application file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Presiding Officer's Summary and Recommendation.

File Number 2023-02057, Timothy G. Paul

Mr. Riggleman moved to accept the recommendation of the Presiding Officer and approve Mr. Paul's application for a Master Conventional Onsite Sewage System Installer License with a waiver of the examination requirement. After discussion, Mr. Brockwell seconded the motion which was unanimously approved by: Brockwell, Duncan, Evans, Pruett, Riggleman, Roadcap, and Staples

In the matter of **File Number 2023-01803, Alex Allen Brown** the Board members reviewed the record which consisted of the application file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Presiding Officer's Summary and Recommendation.

File Number 2023-01803, Alex Allen Brown

Mr. Staples moved to accept the recommendation of the Presiding Officer and approve Mr. Brown's application for a Class 4 Waterworks Operator License 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. Ms. Duncan seconded the motion which was unanimously approved by: Brockwell, Duncan, Evans, Pruett, Riggleman, Roadcap, and Staples.

In the matter of **File Number 2023-01814 Raymond Ayers Justice, Sr.**, the Board members reviewed the record which consisted of the application file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Presiding Officer's Summary and Recommendation.

File Number 2023-01814 Raymond Ayers Justice, Sr.

Mr. Evans moved to accept the recommendation of the Presiding Officer and approve Mr. Justice's application for a Class 4 Wastewater Works Operator License. Mr. Riggleman seconded the motion which was unanimously approved by: Brockwell, Duncan, Evans, Pruett, Riggleman, Roadcap, and Staples.

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

Regulatory Action Update

Amendments to the Onsite Sewage System Professionals Licensing Regulations are currently in the proposed stage as the Board reviewed and adopted the proposed amendments at the April 20th, 2023, Board Meeting. Filing of the proposed amendments is in process.

The Board authorized filing a Notice of Intended Regulatory Action (NOIRA) on October 27, 2022, to initiate a General Review of the Waterworks and Wastewater Works Operators Licensing Regulations. The regulatory review committee has been formed and conducted its first meeting on May 15, 2023.

2021 fee adjustments for Waterworks and Wastewater Works Operators Licensing Regulations and Onsite Sewage System Professionals Licensing Regulations are currently in the proposed stage as the Board reviewed and adopted the proposed amendments at the April 21, 2022, Board meeting. The proposed amendments were submitted for Executive Branch review on July 28, 2022.

Ms. Pettus provided a report on the 2023 waterworks operator CPE audit. The audit began on April 12, 2023, based on a random selection of 5% of current licensees.

**2023 WWO CPE
Audit Report**

Ms. Pettus provided the Board with waterworks and wastewater works examination statistics from January 2, 2017, through July 12, 2023, and April 20, 2023, through July 12, 2023, as well as onsite examination statistics from January 1, 2023, to July 13, 2023, for informational purposes.

**Examination
Updates**

The Board was provided with waterworks operator examination passing rates broken down by subject matter, as had been previously requested by the Board and other stakeholders. Ms. Duncan made a request to add wastewater operator statistic to the report going forward.

Ms. Pettus advised the Board that as part of ABC's rebranding to WPI, the examinations website has changed to gowpi.org. Updates to the Board's website are in process as a result of the change.

Ms. Pettus presented to the Board proposed updates to the Board-Approved Specialized Training Programs/ Courses list as recommended by the Education and Training Committee at its meeting on May 16, 2023. After review, Mr. Staples moved to approve the list as presented. Mr. Riggleman seconded the motion which was unanimously approved by: Brockwell, Duncan, Evans, Pruett, Riggleman, Roadcap, and Staples.

**Update on
Education and
Training
Committee**

The Board reviewed for approval the *Industrial Waste Treatment Vol. A: Introduction, Safety, Waste Monitoring, Preliminary Treatment* training course application from the Office of Water Programs at Sacramento State. After review and discussion, Mr. Riggleman moved to approve the course application, for a total of 50.32 contact hours, and 5.3 training credits applicable to wastewater works operators, and 25.16 contact hours and 2.5 training credits applicable to waterworks operators. Ms. Duncan seconded the motion which was unanimously

approved by: Brockwell, Duncan, Evans, Pruett, Riggleman, Roadcap, and Staples.

The Board reviewed for approval the *Industrial Waste Treatment Vol. B: Physical and Physical/Chemical Treatment Processes* training course application from Office of Water Programs at Sacramento State. After review and discussion, Mr. Roadcap moved to approve the course application, for a total of 45.72 contact hours and 4.5 training credits applicable to wastewater works operators, and 22.86 contact hours and 2.2 training credits applicable to waterworks operators. Mr. Staples seconded the motion which was unanimously approved by: Brockwell, Duncan, Evans, Pruett, Riggleman, Roadcap, and Staples.

The Board reviewed for approval the *Industrial Waste Treatment Vol. C: Instrumentation and Control and Facility Maintenance* training course application from Office of Water Programs at Sacramento State. After review and discussion, Ms. Duncan moved to approve the course application, for a total of 39.5 contact hours and 3.9 training credits applicable to wastewater works operators, and 19.75 contact hours and 1.9 training credits applicable to waterworks operators. Mr. Roadcap seconded the motion which was unanimously approved by: Brockwell, Duncan, Evans, Pruett, Riggleman, Roadcap, and Staples.

The Board reviewed for approval the *Operation of Wastewater Treatment Plants Vol. 3A: Treatment Plants, Effluent Discharge* training course application from Office of Water Programs at Sacramento State. After review and discussion, Mr. Riggleman moved to approve the course application, for a total of 28.18 contact hours and 2.8 training credits applicable to wastewater works operators, and 14.09 contact hours and 1.4 training credits applicable to waterworks operators and onsite sewage system operators. The approval is retroactive to June 29, 2023. Mr. Staples seconded the motion which was unanimously approved by: Brockwell, Duncan, Evans, Pruett, Riggleman, Roadcap, and Staples.

The Board reviewed for approval the *Operation of Wastewater Treatment Plants Vol. 3B: Instrumentation and Control* training course application from Office of Water Programs at Sacramento State. After review and discussion, Mr. Roadcap moved to approve the course application, for a total of 41.64 contact hours and 4.1 training credits applicable to wastewater works and waterworks operators, and 20.82 contact hours and 2.0 training credits applicable to onsite sewage system operators and onsite sewage system installers. The approval is retroactive to June 29, 2023. Mr. Staples seconded the motion which was unanimously approved by: Brockwell, Duncan, Evans, Pruett, Riggleman, Roadcap, and Staples.

Ms. Pettus advised that as Rosa-Lee Cooke is no longer serving on the Board, she will be taking a step back from the Education and Training Committee but would like to be considered for participation in other Board committees as needed in the

future. Ms. Pettus asked the Board to consider appointing a new member to the Committee. After discussion, Ms. Pruett volunteered to serve on the Committee. Ms. Duncan moved to appoint Ms. Pruett to the Education and Training Committee. Mr. Riggleman seconded the motion which was unanimously approved by: Brockwell, Duncan, Evans, Pruett, Riggleman, Roadcap, and Staples.

Ms. Pettus provided the Board with an update from the WWWO Exam Advisory Task Force. The task force is made up of Board members as well as various stakeholders in the wastewater works and waterworks industry. The task force is working to address matters related to the workforce and examination pass rates.

**Update on
WWWO
Examination Task
Force**

Ms. Pettus advised that the next Task Force meeting will be scheduled after examination scores from the VT Short School examination pilot program have been received by staff.

Ms. Pettus informed the Board that effective July 1, 2023, the faculty member seat on the Board has been replaced by a local or regional representative of VDH seat in order to address the growing number of onsite matters coming before the Board.

**Update on 2023
Legislation**

Ms. Pettus also advised that the Universal Licensing Recognition (ULR) became effective on July 1, 2023. Mr. Kirschner informed the Board that this is not reciprocity but is an alternative method of entry to Virginia licensure for out-of-state individuals.

As there was an inquiry regarding a continuance of a case file that was to be considered by the Board, Ms. Pettus asked the Board to consider adopting a policy for requests for continuance of decisions for disciplinary and licensing cases. The Department suggests adopting such a policy in order to create consistency among all Boards within the agency when considering requests for continuance. Ms. Pettus advised that pursuant to the Administrative Process Act (APA), a case decision must be made within 90 days of an Informal Fact-Finding conference (IFF); however, the Code of Virginia also provides a means for respondents or their attorneys to request case decisions to be rendered later than the 90-day timeframe from the date of the IFF. After review and discussion, Mr. Riggleman moved to adopt the following policy as written:

**Consider Board
Policy on
Continuance of
Case File
Decisions**

1. All requests for a continuance of a case must be in writing.
2. Requests for a continuance of a licensing case may be granted administratively by the Board's Executive Director or designee.
3. Requests for a continuance for disciplinary cases in which the recommended sanction does not include license revocation may be granted administratively by the Board's Executive Director or designee. The

Executive Director may only grant one continuance to the next meeting for any case. Any further requests for a continuance may only be granted by vote of the Board at the next meeting in which the case is to be considered.

4. Requests for a continuance for disciplinary cases in which the recommended sanction includes license revocation may only be granted by vote of the Board at the meeting in which the case is scheduled to be considered.

Mr. Staples seconded the motion which was unanimously approved by: Brockwell, Duncan, Evans, Pruett, Riggleman, Roadcap, and Staples.

The Board considered 2024 meeting dates for the Education and Training Committee and for the full Board meetings. After review, Ms. Duncan moved to accept the following 2024 meeting dates. **Consider 2024 Meeting Dates**

- January 25, 2024
- April 11, 2024
- July 11, 2024
- October 24, 2024

Mr. Staples seconded the motion which was unanimously approved by: Brockwell, Duncan, Evans, Pruett, Riggleman, Roadcap, and Staples.

Board members considered the following resolutions for service.

Consider Resolutions for Service

Trisha L. Lindsey

WHEREAS, **Trisha L. Lindsey** did faithfully and diligently serve the Board for Waterworks and Wastewater Works and Onsite Sewage System Professionals, since its inception, and the Department of Professional and Occupational Regulation;

WHEREAS, **Trisha L. Lindsey**, did devote generously of her time, talent, and leadership to the Board;

WHEREAS, **Trisha L. Lindsey**, did endeavor at all times to render decisions with fairness and good judgement in the best interest of the citizens of the Commonwealth and these professions; and

WHEREAS, the Board for Waterworks and Wastewater Works Operators and Onsite Sewage System Professionals wishes to acknowledge its gratitude for devoted service of a person who is held in high esteem by the members of the Board and the citizens of the Commonwealth;

NOW THEREFORE BE IT RESOLVED, by the Board for Waterworks and Wastewater Works Operators and Onsite Sewage System Professionals this twenty-seventh day of July 2023, that **Trisha L. Lindsey** be given all honors and respect due her for her outstanding service to this Board and the Commonwealth and its citizens; and

BE IT FURTHER RESOLVED, that this Resolution be presented to her and be made a part of the official minutes of the Board so that all may know of the high regard in which she is held by this Board.

Ms. Lindsey was present to accept her Resolution and thanked the Board for all of their work and support of DPOR staff, as well as the support of the water, wastewater, and onsite industries.

Ronald R. Thomas

WHEREAS, the Board for Waterworks and Wastewater Works Operators and Onsite Sewage System Professionals and the broader Onsite Sewage System Professionals community lost a valued member on May 25, 2023, with the death of **Ronnie Thomas**;

WHEREAS, **Ronnie Thomas**, did devote generously of his time, talent and leadership to the Board, and countless onsite sewage system professionals;

WHEREAS, **Ronnie Thomas**, served with excellence on the Board and had a life-long commitment to bringing government to the people through his diligent effort to shape the licensure program when Onsite Sewage System Professionals were added to the Board;

WHEREAS, **Ronnie Thomas**' leadership, professionalism, and sense of humor enriched those fortunate enough to know and work with him;

NOW THEREFORE BE IT RESOLVED, the Board for Waterworks and Wastewater Works Operators and Onsite Sewage System Professionals honors the memory of **Ronnie Thomas**, celebrates his legacy of commitment to the profession and remembers his service to the Board, as well as the community on this twenty-seventh day of July 2023; and

BE IT FURTHER RESOLVED, that this Resolution be made a part of the official minutes of the Board so that all may know the Board gratefully acknowledges his many contributions to the profession.

The Board adopted by consensus the Resolutions as written.

Ms. Pettus provided the Board with the most recent financial statements for informational purposes.

Board Financial Statements

Ms. Pruett reminded the Board that the next scheduled meeting date is October 19, 2023.

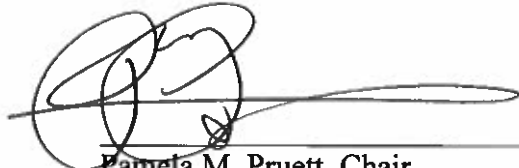
Update on Outreach Opportunities Future Meeting Dates

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

Complete Conflict of Interest Forms and Travel Vouchers

There being no further business, the meeting was adjourned at 11:51 a.m.

Adjourn



Pamela M. Pruett, Chair



Demetrios Melis, Secretary
Kishore S. Thota

WWWOSSP Board Meeting 9:30 AM
July 27, 2023

Department of Professional and Occupational Regulation
Perimeter Center, 9960 Mayland Drive, Richmond, Virginia

THE FOLLOWING PEOPLE WISH TO SPEAK AT THIS MEETING:

NAME

AFFILIATION

ADDRESS

Brian Hawkins

AlexRenew

1800 Linderker St

Mark Cates

ITCSA

2529 Heights Ave Ge. Boston

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

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

1. Name: James N. Brockwell
2. Title: Board Member
3. Agency: WWWOSSP Board
4. Meeting/IFF Date: Board Meeting July 27, 2023

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

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

7-27-23

Date

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

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

1. Name: Erica Duncan
2. Title: Board Member
3. Agency: WWWOSSP Board
4. Meeting/IFF Date: Board Meeting July 27, 2023

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

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.

Erica M. Duncan
Signature

7/27/23
Date

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

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

1. Name: W. Jordan Evans
2. Title: Board Member
3. Agency: WWWOSSP Board
4. Meeting/IFF Date: Board Meeting July 27, 2023
5. I have a personal interest in the following transaction:

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.

W. Jordan Evans
Signature

7/27/23
Date

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

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

1. Name: Pamela M. Pruett
2. Title: Board Member
3. Agency: WWWOSSP Board
4. Meeting/IFF Date: Board Meeting July 27, 2023

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

na

Nature of Personal Interest Affected by Transaction:

none

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

NA

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

7-27-23
Date

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

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

- 1. Name: Don Riggleman
- 2. Title: Board Member
- 3. Agency: WWWOSSP Board
- 4. Meeting/IFF Date: Board Meeting July 27, 2023

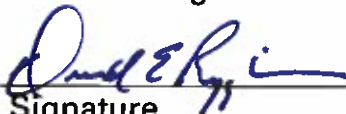
5. I have a personal interest in the following transaction:

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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

7/27/2023
Date

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

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

- 1. Name: Dwayne Roadcap
- 2. Title: Board Member
- 3. Agency: WWWOSSP Board
- 4. Meeting/IFF Date: Board Meeting July 27, 2023

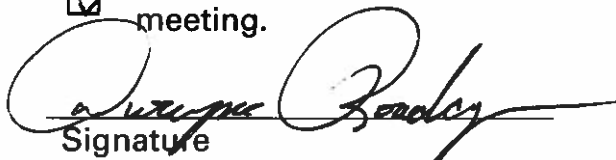
5. I have a personal interest in the following transaction:

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

7/27/23
Date

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

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

1. Name: Donald Wayne Staples
2. Title: Board Member
3. Agency: WWWOSSP Board
4. Meeting/IFF Date: Board Meeting July 27, 2023
5. I have a personal interest in the following transaction:

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

7/27/23
Date