

**BOARD FOR PROFESSIONAL SOIL SCIENTISTS,  
WETLAND PROFESSIONALS and GEOLOGISTS MEETING  
March 4, 2024  
10:00 a.m. – Board Room 3 – 2<sup>nd</sup> Floor  
Department of Professional & Occupational Regulation  
9960 Mayland Drive  
Richmond, Virginia 23233  
(804) 367-8514**

1. Call to Order
2. Emergency Evacuation Procedures
3. Announcements
4. Approval of Agenda
5. Approval of Minutes:
  - January 19, 2024, Full Board Meeting Minutes
6. Public Comment Period\*
7. Soil Scientists & Wetland Delineators
  - i. Welcome to 2024: Year in Review + Sustainable Dairy Farming- Emailed on January 10, 2024
  - ii. Call for Nominations Committee Members- Emailed January 29, 2024
  - iii. Field Notes: Vol. 32, No. 11- February 15, 2024- Emailed February 15, 2024
8. Geologists
  - i. Welcome to 2024: Year in Review + Sustainable Dairy Farming- Emailed on January 10, 2024
  - ii. Call for Nominations Committee Members- Emailed January 29, 2024
  - iii. Field Notes: Vol. 32, No. 11- February 15, 2024- Emailed February 15, 2024
  - iv. Email Inquiry: 12VAC5-630-230. Procedures to obtaining a construction permit for a private well
  - v. VA Department of Health Policy 12VAC5-630-230 Guidance Document
9. Regulatory Review Update
  - General Review
  - Regulatory Reduction Update
  - Soil Scientists Regulations
  - Wetland Delineators Regulations
  - Geology Regulations
10. Examination Director Report

11. Executive Director Report
12. A Day in the Life of a Geologist
13. Licensed and Certified Population
14. Financial Statements
15. Other Business
16. Regulatory Training
17. Conflict of Interest / Travel Vouchers
18. Adjourn

**NEXT MEETING SCHEDULED FOR June 11, 2024**

Agenda materials available to the public do not include disciplinary case files or application files pursuant to §54.1-108 of the Code of Virginia.

\*Five minute public comment, per person, with the exception of any open disciplinary or application files. Persons desiring to participate in the meeting and requiring special accommodations or interpretative services should contact the Department at (804) 367-8514 at least ten days prior to the meeting so that suitable arrangements can be made for an appropriate accommodation. The Department fully complies with the Americans with Disabilities Act.

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- **Call to Order**
- **Emergency Evacuation**
- **Announcements**

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BOARD FOR PROFESSIONAL SOIL SCIENTISTS, WETLAND PROFESSIONALS and  
GEOLOGISTS MEETING MINUTES

The Board for Professional Soil Scientists, Wetland Professionals and Geologists met on January 19, 2024 at the Department of Professional and Occupational Regulation (DPOR), 9960 Mayland Drive, Richmond, Virginia.

Members present for all or part of the meeting:

**Citizens**

Bennette Burks  
Robin Jones  
Steven Yob

**Geologists**

Shannon George  
Matt Heller  
Michael Lawless

**Soil Scientists**

Larry Giannasi  
David Hall

**Wetland Delineators**

Robin Bedenbaugh  
Justin Brown

Members absent from the meeting:

**Soil Scientists**

Alexis Jones

**Geologists**

R. Drew Thomas

Staff present for all or part of the meeting were:

Kishore S. Thota, Director  
Brian Wolford, Chief Deputy Director  
Steve Kirschner, LRPD Deputy Director  
Kate Nobsch, Executive Director  
Bonnie Davis, Regulatory Operations Administrator  
Joseph Haughwout, Regulatory Affairs Manager  
Ecila Williams, Administrative Coordinator  
Greg Emerson, Executive Director- Examinations  
Jennifer Sayegh- Policy and Legislative Affairs Manager

Grace Flores-Hughes, BPOR Liaison, was not present at the meeting with regrets.

Josh Laws, Assistant Attorney General, was present from the office of the Attorney General.

Members of the audience:

Thaddues Kraska-Wetland Delineator, Director of Environmental Services Townes Site  
Engineering, Secretary for the Virginia Association of Wetland Professionals  
Elijah Wright- Wetland Delineator, Virginia Association of Wetland Professionals

Ms. Jones, Vice-Chair, called the meeting to order at 10:32 a.m.

**Call to Order**

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

**Emergency  
Evacuation**

Mr. Brown arrived at 10:33 a.m.

**Arrival of Board  
Member**

Ms. Nobsisch introduced Kishore S. Thota as the new Director, Brian Wolford as the new Chief Deputy Director of DPOR, Ms. Williams as the Administrative Coordinator, and Mr. Yob as the new Citizen member, replacing Molly Parker. Each of the board members introduced themselves.

**Announcements**

Mr. Lawless moved to approve the agenda with amendments. Mr. Bedenbaugh seconded the motion, which was unanimously approved by members: Bedenbaugh, Brown, Burks, George, Giannasi, Hall, Heller, R. Jones, Lawless, and Yob.

**Approval of  
Agenda**

Mr. Burks moved to approve the minutes of the September 26, 2023, board meeting. Mr. Giannasi seconded the motion, which was approved by members: Bedenbaugh, Brown, Burks, George, Giannasi, Hall, Heller, R. Jones, Lawless, and Yob.

**Approval of  
Minutes**

Mr. Kraska, a certified Wetland Delineator, expressed his concerns to the Board regarding the proposed changes to the educational requirements for Wetland Delineators. Mr. Kraska wants the Board to consider the retention of existing educational requirements and wants to be informed if a public hearing would be scheduled in the near future.

**Public Comment  
Period**

Mr. Wright, a certified Wetland Delineator, expressed his concerns to the Board regarding the proposed changes for Wetland Delineators and requested clarifications surrounding public engagement process for the proposed changes. Mr. Wright encouraged the Board to fully consider the integrity and essential role of Wetland Delineators, have a panel of outside experts be involved in a full review of the proposed changes under the supervision of the Board, be made aware of any public hearings and have an outline of the remainder of regulatory review.

Kristen Shacochois-Brown emailed the Board on December 7, 2023, expressing her concerns about changing the requirements when it comes to obtaining a Wetland Delineator certification. Ms. Shacochois-Brown request the Board to not change the regulations and keep them strict.

Ms. Jones read the following resolution for consideration by the Board:

RESOLUTION TO

**Resolution for  
Molly Parker**

Molly Parker

WHEREAS, Molly Parker, did faithfully and diligently serve as a Board member of the Board for Professional Soil Scientists, Wetland Professionals, and Geologists from 2015 to 2024;

WHEREAS, Molly Parker, did devote generously of her time, talent and leadership to the Board;

WHEREAS, Molly Parker, did endeavor at all times to render decisions with fairness and good judgment in the best interest of the citizens of the Commonwealth and these professions; and

WHEREAS, the Board for Professional Soil Scientists, Wetland Professionals, and Geologists 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 Professional Soil Scientists, Wetland Professionals, and Geologists this 19th day of January 2024, that Molly Parker, be given all honors and respect due her for her outstanding service to 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.

The Board members agreed to the resolution by consensus.

Ms. Sayegh addressed the Board with a General Assembly update, regarding House Bill 1182, a proposal to make changes to Virginia's voluntary Professional Wetland Delineator Certification to align the statute with the Universal Licensing Recognition (ULR) statute.

**General Assembly  
Update**

Ms. Nosbisch stated the Board that they will be given a copy of the verbiage of House Bill 1182 at a later date.

Ms. Nosbisch stated the soil scientist update items were provided for informational purposes.

**Soil Scientists  
Update**

Ms. Nosbisch stated the wetland professional update items were provided for informational purposes.

**Wetland  
Professionals  
Update**

Ms. Nobsch stated the geologist update items were provided for informational purposes.

**Geologists Update**

Ms. Davis informed the Board that public comment for Periodic Regulatory Review was from July 31, 2023 to August 21, 2023, and there were three comments for Soil Scientists, 38 comments for Wetland Delineators, and 65 comments for Geologists. Mr. Bedenbaugh moved to approve the proposed responses to the public comments. Mr. Lawless seconded the motion which was unanimously approved by: Bedenbaugh, Brown, Burks, George, Giannasi, Hall, Heller, R. Jones, Lawless, and Yob. Mr. Giannasi moved to retain the current regulations as is. Mr. Lawless seconded the motion which was unanimously approved by: Bedenbaugh, Brown, Burks, George, Giannasi, Hall, Heller, R. Jones, Lawless, and Yob.

**Regulatory Review Update**

Ms. Davis informed the Board that the wish list for Soil Scientists of statute changes submitted to the Director's Office was not picked up by the agency and the statutes will remain as is. Ms. Davis stated that any regulations that were anticipated to change because of possible changes to statutes, now need to revert back to their original language. Mr. Gianassi moved to revert the regulations back to the current language. Mr. Lawless seconded the motion which was unanimously approved by: Bedenbaugh, Brown, Burks, George, Giannasi, Hall, Heller, R. Jones, Lawless, and Yob.

Ms. Davis noted that public comment for the Soil Scientists General Regulatory Review was November 9, 2023 through January 3, 2024. No comments received.

Ms. Davis informed the Board that the wish list for Wetland Delineators of statute changes submitted to the Director's Office was not picked up by the agency and the statutes will remain as is. Ms. Davis stated that any regulations that were anticipated to change because of possible changes to statutes, now need to revert back to their original language. Mr. DeBerry moved to revert the regulations back to the original language. Mr. Bedenbaugh seconded the motion which was unanimously approved by: Bedenbaugh, Brown, Burks, George, Giannasi, Hall, Heller, R. Jones, Lawless, and Yob.

Ms. Davis informed the Board that public comment for Wetland Professional General Regulatory Review was from October 23, 2023 to December 8, 2023, and there were 89 comments. Mr. Bedenbaugh moved to the approve the proposed responses to the public comments. Mr. Lawless seconded the motion which was unanimously approved by: Bedenbaugh, Brown, Burks, George, Giannasi, Hall, Heller, R. Jones, Lawless, and Yob.

Ms. Davis informed the Board that during the Geologist General Regulatory Review, the Board considered some changes to qualifications for certification,

including removing language describing acceptable courses in geologic science and descriptions of work that are acceptable experience. During Executive Branch review, it was suggested that these provisions be reinserted. Mr. Lawless moved to reinsert the language describing acceptable courses and descriptions of acceptable experience. Ms. George seconded the motion which was unanimously approved by: Bedenbaugh, Brown, Burks, George, Giannasi, Hall, Heller, R. Jones, Lawless, and Yob.

Ms. Davis requested the Board review the Geology Information Sheet for accuracy. The Board confirmed by consensus that the course descriptions on the Geology Information Sheet were accurate.

Ms. Davis informed the Board that there has been no movement at this time regarding fee adjustments and the NOIRA is at the Governor's Office.

Ms. Davis informed the Board that the Agency is currently revamping all guidance documents to determine if they need to be retained, amended or repealed. Ms. Davis stated to the Board that the PSSWPG Guidance Document for Wetland Professionals' Scope of Practice needed to be reviewed.

**PSSWPG  
Guidance  
Document**

After a brief discussion, Mr. DeBerry moved to retain the PSSWPG guidance document as is. Mr. Bedenbaugh seconded the motion and was approved by: Bedenbaugh, Burks, George, Giannasi, Hall, Heller, R. Jones, Lawless, and Yob. Mr. Brown denied the motion. The motion to retain the PSSWPG guidance document had passed.

Ms. Davis exited the meeting at 12:16 p.m.

**Departure of  
DPOR Staff**

Mr. Emerson presented to the Board Professional Wetland Delineator Examination statistics, from 2018-2023, VA Geology statistics from March 2023 and October 2023, and Soil Scientists statistics for 2023 for informational purposes. Ms. George requested to see overall scores from other states and passing rates compared to paper exams and computer-based testing.

**Examination  
Director Report**

The Board took a recess from 12:25 p.m. to 12:40 p.m.

**Recess**

Ms. Nosbisch stated the Executive Director Report will be a part of the agenda and was provided for informational purposes only.

**Executive Director  
Report**

Ms. Nosbisch informed the Board that the topic of Soil Scientist performing the work of onsite evaluators by exemption was presented to the Board for Waterworks and Wastewater Works Operators and Onsite Sewage System Professionals (WWWOSSP) at its October 13, 2023 board meeting. The WWWOSSP Board stated that the exemption cannot be granted per their

**Soil Scientist OSE  
Exemption Update**



Board's regulations and would require legislative action.

Mr. Wolford exited the meeting at 1:05 p.m.

**Departure of  
DPOR Staff**

Ms. Nosbich requested volunteers from the Board to present a short presentation into "A Day in the Life..." of their specific profession. Mr. Thomas will present at the March 4, 2024 meeting, Mr. Hall at the June 11, 2024 meeting, and Mr. Bedenbaugh at the September 4, 2024 meeting.

**A Day in the  
Life...**

Ms. Nosbisch shared a brief "A Day in the Life..." of an Executive Director that was prepared for internal team members.

The ULR approved application count as of December 1, 2023- Geologists- 7; Soil Scientists- 1; Wetland Delineators- 2

**Universal  
Licensing  
Recognition  
Approved  
Applications**

Ms. Nosbisch reminded the Board that Financial Statement Disclosures are due February 1, 2024.

**Financial  
Disclosure  
Statements**

The licensee counts as of December 1, 2023: Soil Scientists – 79; Wetland Delineators – 122; Geologists – 859.

**Licensed and  
Certified  
Population**

Ms. Nosbisch informed the Board that the financial statements were included for informational purposes.

**Financial  
Statements**

Ms. Nosbisch informed the Board about the Board Member Training Conference is tentatively scheduled for October 10, 2024 to October 11, 2024.

**Other Business**

Ms. Nosbisch reminded the Board the importance of regularly attending scheduled board meetings to ensure a quorum.

Conflict of Interest forms and travel vouchers were completed by all board members present.

**Conflict of Interest  
Forms/Travel  
Vouchers**

There being no further business, the meeting was adjourned at 1:13 p.m.

**Adjourn**

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Carlyle “Robin” Jones, Vice Chair

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Kishore S. Thota, Secretary

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➤ **Public Comment**

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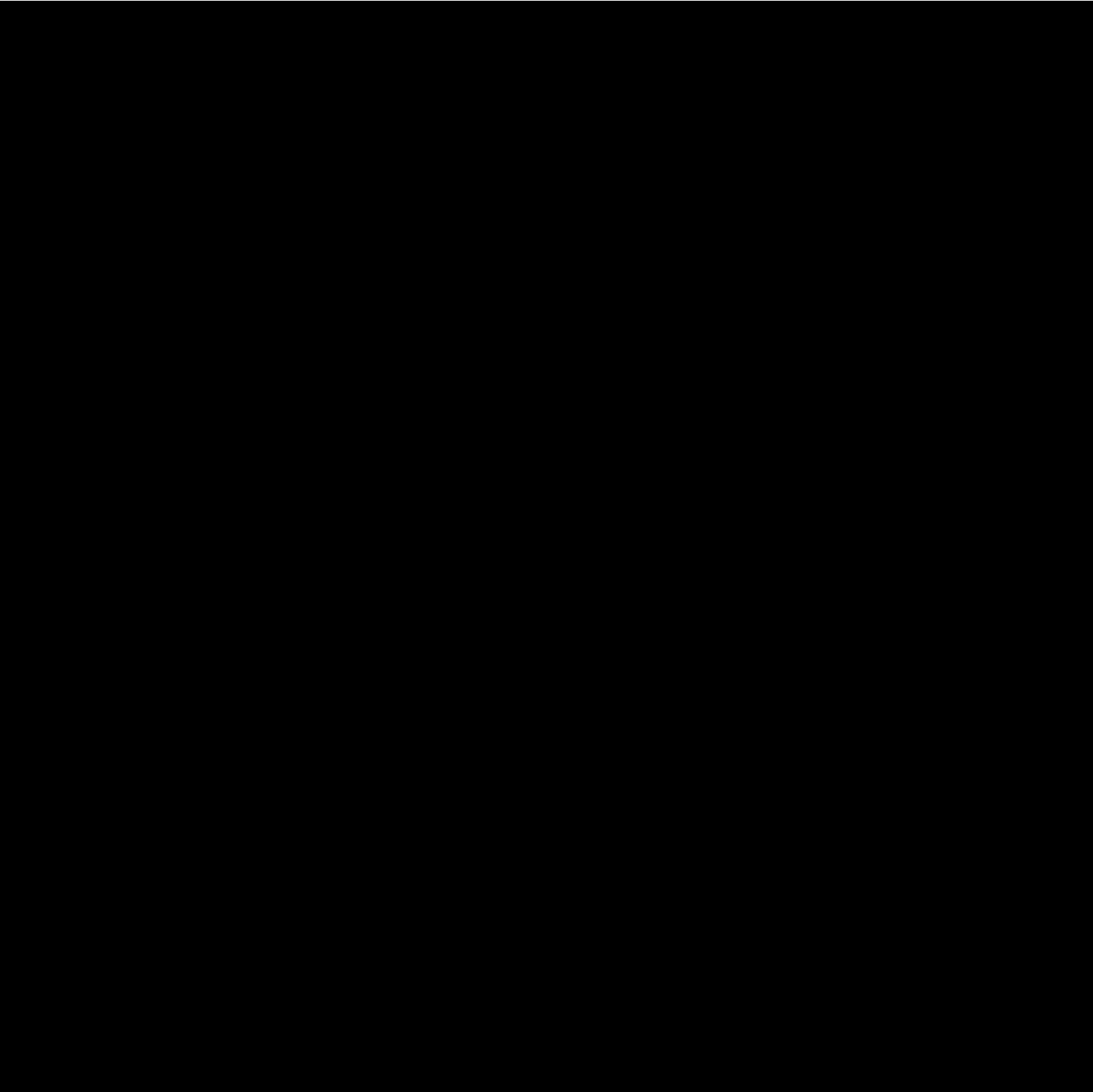
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# Geologists

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**Subject:** 12VAC5-630-230. Procedures for obtaining a construction permit for a private well

Good afternoon,

My name is Evan Bishop, Virginia Geologist [REDACTED]. I am writing concerning newly enforced regulation regarding the application process for permitting of residential water supply wells in the state of Virginia. For years, Virginia State certified geologists have rightfully been granted full authority to select well locations and submit permit applications on behalf of our clients. Recently, we are increasingly being told that we are no longer qualified to submit applications as we are not OSE's, WWSP's, and PE's. This change in policy is a diversion from routine process, and especially concerning in areas of contaminated water

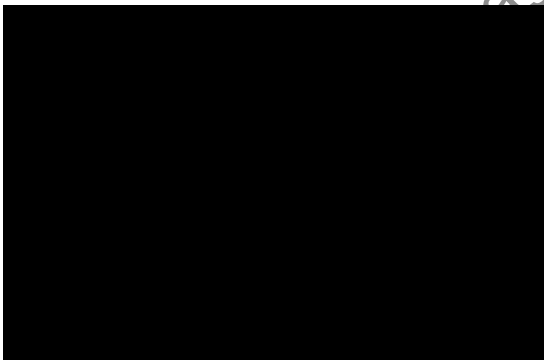
sites. More specifically, in locations where the OSE, WWSP or PE likely have no prior knowledge of dissolved phase contaminated groundwater lateral and vertical extents, resulting well placements can and does result in unusable water wells and loss of money to property owners and in some instances effective use of state tax payer money. Practicing geologists are more than qualified to handle simple tasks of selecting appropriate water well locations for both routine and non-routine sites, and have been for years been granted the authority to do so. I would like the assistance of the board of geology to help with opening conversation with the VDH to allow for us to continue to submit applications for water well permits. Given the VDH's unwillingness to retain staff, exodus of existing staff to facilitate this type of work internally and rely on the public sector to do so, it is now more important than ever to continue to allow state geologists to submit simple water well permit applications. I would be more than happy to discuss further, and provide contact information from VDH employees, VDEQ employees, and other geologists who share my opinion concerning the matter.

Reading current administrative code, this may simply be an issue of the VDH enforcing pending regulation as the current code does not specify who a well owners agent can be. This of course is not valid if the LIS has not been updated to reflect newly enforceable Code.

2VAC5-630-230. Procedures for obtaining a construction permit for a private well.

Construction permits are issued by the authority of the commissioner. All requests for a private well construction permit shall be by written application, signed by the owner or his agent, and shall be directed to the district or local health department. All applications shall be made on an application form provided by the district or local health department and approved by the commissioner.

Thank you for your consideration



Materials  
And are no

Thank you for getting back to me. I was provided this information from a state representatives office.

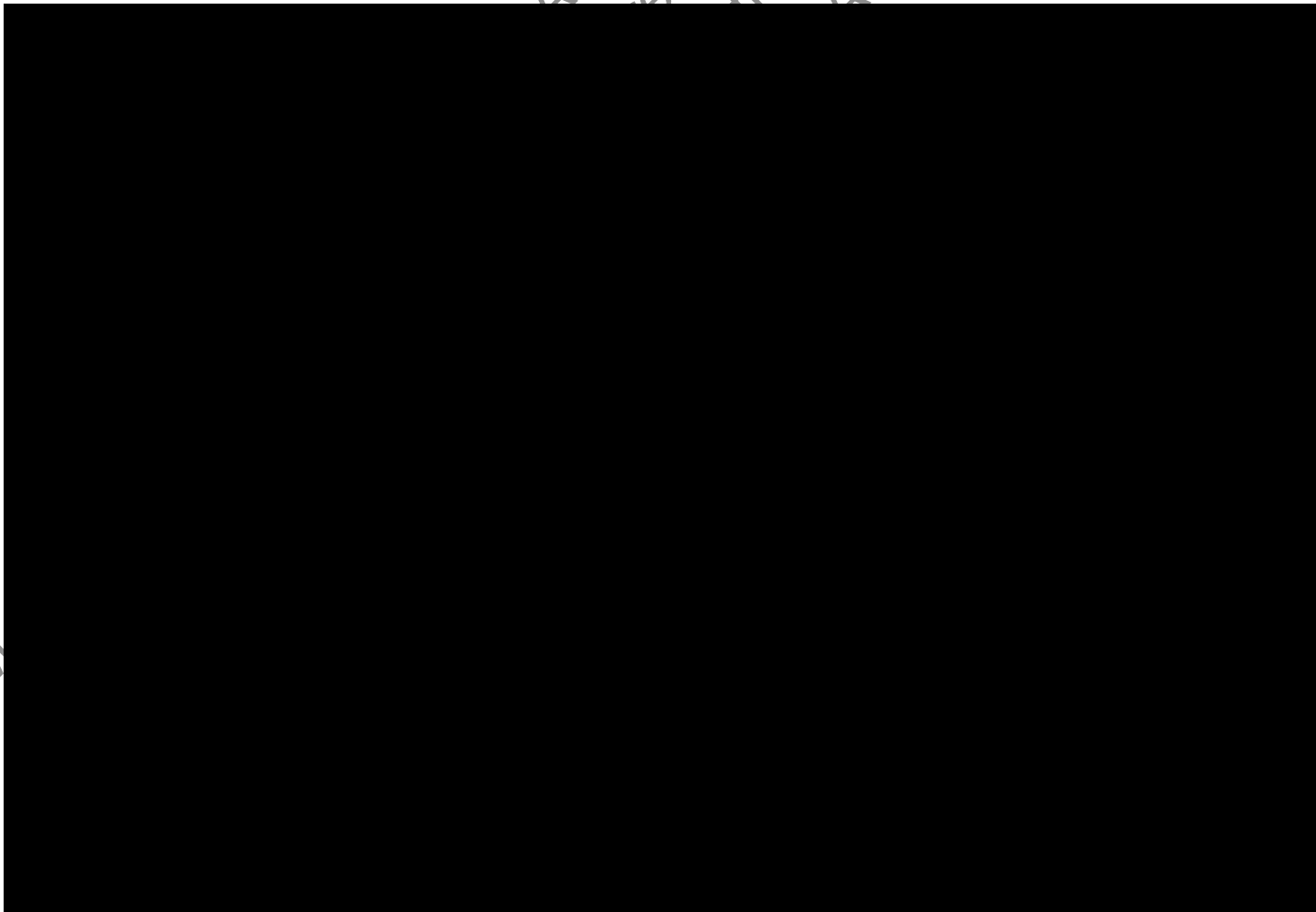
“VDH issued that memorandum to comply with [Ch. 831 of the 2018 Acts of Assembly](#), which required VDH to (among other things) "accept private evaluations and designs for private wells." Per [12VAC5-630-230](#), construction permits for private wells are issued by the authority of the State Health Commissioner. Local health departments and local health districts are not separate from VDH; they are instead regional subsidiaries of VDH itself. Since the permits are issued on the authority of the commissioner, the memorandum controls.”

The relevant document that limited who can submit water well permit applications is found here: [gmp-2018-03.pdf \(virginia.gov\)](#)

I would like to see if the board can help to get in amended to include geologists. Many VDEQ personnel would also like to see the change implemented as they rely on us to sight clean water well locations in contaminated areas where public water is not available.

Please let me know if the board is able to help with this request.

Evan



AGENDA  
The proposed topics for discussion  
A position or official board position

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COMMONWEALTH of VIRGINIA  
Department of Health

June 29, 2018

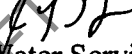
**MEMORANDUM**

**TO:** District Health Directors  
Environmental Health Managers  
Office of Environmental Health Services Staff  
Onsite Soil Evaluators  
Professional Engineers  
Onsite System Operators and Installers  
Water Well System Providers

**GMP #2018-03**

**THROUGH:** M. Norman Oliver, MD, MA.   
State Health Commissioner

**THROUGH:** Allen Knapp, Director   
Office of Environmental Health Services

**FROM:** Lance Gregory, Director   
Division of Onsite Sewage and Water Services,  
Environmental Engineering, and Marina Programs

**SUBJECT:** GUIDANCE MEMORANDA AND POLICY (GMP) 2018-03  
Implementation of House Bill 888; Transition of Evaluation and Design Services

**PURPOSE:**

This policy addresses implementation of enactment 1, §§ 1, 2, and 3 from Chapter 831 of the 2018 Virginia Acts of Assembly (HB 888) regarding the transition of onsite sewage system and private well evaluations and designs which take effect July 1, 2018. Other aspects of HB 888 with effective dates after July 1, 2018, will be addressed in subsequent policies.

The purposes of this policy are to:

1. Aid staff in proper implementation of enactment 1, §§ 1, 2 and 3 of HB 888;
2. Inform Onsite Soil Evaluators (OSEs), Professional Engineers (PEs) and Master Water Well System Providers (WWSPs) of the expectations for private well evaluations and

- designs in compliance with the Private Well Regulations (12VAC5-630, the Well Regulations);
3. Provide guidance to agency staff and private sector professionals for processing private well applications; and
  4. Establish expectations for processing private well applications.

**AUTHORITY:**

HB 888 directs the Virginia Department of Health (VDH) “to take steps to eliminate evaluation and design services for onsite sewage systems and private wells provided by the Department.” The act includes a requirement for VDH to begin accepting evaluations and designs for private wells completed by certified master water well system providers on July 1, 2018. The act also includes a requirement that VDH transition all onsite sewage system evaluations and design services that are not associated with a building permit or repair, and new onsite sewage system construction evaluations and designs that are not for a principal place of residence to private sector professionals beginning July 1, 2018. Onsite sewage system voluntary upgrades, certification letters, and subdivision evaluations are not associated with a building permit or repair.

**DEFINITIONS:**

“Bare Application” means an application for a construction permit or a certification letter submitted without supporting documentation from a properly licensed private sector designer.

“Complete Application” means an application for a construction permit that includes all necessary information needed to process the application as specified by code, regulation or this policy.

“Courtesy Review” means a site-specific field review requested by an OSE, PE, or WWSP prior to the submission of an application for a private well construction permit.

“Level 1 Review” means the in-office analysis performed by VDH staff of the application and supporting documentation submitted by a private sector OSE, PE, or WWSP to determine completeness, approval, or denial, as applicable, to protect public health and the environment.

“Level 2 Review” means the field analysis to include review of the site conditions and the design certified by a private sector OSE, PE, or WWSP to determine approval or denial, as applicable, to protect public health and the environment.

“Licensed private sector professional” is an onsite soil evaluator, onsite sewage system installer, onsite sewage system operator, professional engineer, or master water well system provider as applicable, who is properly licensed to perform specific services through the Department of Professional and Occupational Regulation (DPOR), and who is not performing such work as an employee of VDH.

"Minor modification of an existing sewage disposal system" means an alternation that is not a repair, voluntary upgrade, or routine maintenance, does not result in an increase in treatment level or volume of the system, and does not require evaluation of the soil conditions prior to issuance of a permit. Minor modifications include but are not limited to relocation of a system component or an additional plumbing connection to the system that does not increase the actual or estimated flow of the system.

"Onsite Soil Evaluator" or "OSE" means a person who is licensed under Chapter 23 (§ 54.1-2300 et seq.) of Title 54.1 as an onsite soil evaluator. A licensed onsite soil evaluator is authorized to evaluate soils and soil properties in relationship to the effects of these properties on the use and management of these soils as the locations for onsite sewage systems.

"Owner" means any person who owns, leases, or proposes to own or lease a private well, an onsite sewage system, or an alternative discharging system.

"Professional Engineer" or "PE" means a person who is licensed under § 54.1-406 to engage in the practice of engineering, which includes design, consultation, evaluation or analysis and involves proposed or existing improvements to real property.

"Repair" means the construction or replacement of all or parts of a sewage disposal system or private well, that is not defined as maintenance, to correct a failing, damaged, or improperly functioning system or well when such construction or replacement is required by the Board of Health's regulations.

"Single Lot Construction Permit/Certification Letter" or "Certification Letter" means one application filed by an owner or a sewage disposal system construction permit or certification letter to serve an individual dwelling on one lot or parcel of land.

"Water Well System Provider" or "WWSP" means a person who is licensed under § 54.1-1129.1 who is engaged in drilling, installation, maintenance, or repair of water wells, water well pumps, ground source heat exchangers, and other equipment associated with the construction, removal, or repair of water wells, water well systems, and ground source heat pump exchangers to the point of connection to the ground source heat pump.

"Well Area" means an area on a property determined to meet appropriate criteria for the construction of a private well. The entirety of the area must comply with 12-VAC5-630-380 location criteria in order to be designated a well area. A private well may be constructed at any place within a well area without revision of a construction permit. Temporary land disturbance associated with well construction (e.g., grading, mud pits) may occur outside the well area.

### **Part I: HB 888 §1, item 1; private well evaluations and designs.**

#### **A. Roles and Responsibilities.**

1. The Virginia Department of Health (VDH) shall:

- a. Review applications as necessary to assure compliance with applicable regulations and the department's policies prior to approval or denial of an application.
  - b. Conduct Level 1 and Level 2 reviews.
  - c. Provide a site-specific field courtesy review as time and resources may allow. The courtesy review is voluntary and will be provided at the sole discretion of the local health department. Staff will not render case decisions for requests for courtesy reviews.
  - d. Initiate procedures to revoke or modify permit approval when there is reason to believe the approval does not comply with applicable regulations.
  - e. Inspect all private wells prior to final approval of the well.
2. The private sector OSE, PE, or WWSP shall:
- a. Certify that work performed meets all applicable regulations when that work is used to seek a permit or other approval from VDH.
  - b. Assure site evaluations and designs comply with all applicable regulations and this policy. The OSE, PE, or WWSP shall conduct the sanitary survey required per 12VAC5-630-380.A, to include onsite inspection and review of existing well and onsite permits for the property and applicable adjacent properties.
  - c. OSEs, PEs, and WWSP are expected to perform a final inspection for any private well installed pursuant to a construction permit based on a design certified by the OSE, PE, or WWSP. A completed Uniform Water Well Completion Report may be submitted by WWSPs in lieu of an inspection for a well permitted based on the WWSP's evaluation and design.
3. Relationship to onsite sewage system applications.

For new residential construction, where private well construction is often permitted and performed in conjunction with that of onsite sewage systems, a certified master WWSP may perform evaluations and designs for the private well separate from the onsite sewage system evaluation and design from an OSE or PE. WWSPs, OSEs, and PEs are encouraged to coordinate efforts so that applications for well construction and for onsite sewage system construction on the same site do not conflict.

#### **B. General Requirements.**

1. All requests for VDH approvals or reviews must be made on the appropriate application form (see Application for a Sewage Disposal System and/or Private Well Construction Permit). A complete application from the owner or owner's agent is required to apply for and receive a construction permit. The owner of record must give VDH permission to enter the property to process the application.
2. All evaluation reports and designs submitted to VDH must be in the form specified by regulation, the Code of Virginia, and applicable agency policy. The OSE, PE, or WWSP must certify that evaluations and designs comply with the applicable regulations.

3. Valid construction permits for private wells are transferable to new property owners. Valid construction permits remain in force through property transfers. A new application is not required. At the owner's request, VDH will revise owner information for valid construction permits in VDH's database. Submitting a permit transfer form is voluntary. Valid construction permits transfer to new owners whether or not a permit transfer form has been submitted. All private well construction permits are null and void and are not valid when (i) conditions such as house location, sewage system location, sewerage system location, well location, topography, drainage ways, or other site conditions are changed from those shown on the application; (ii) conditions are changed from those shown on the construction permit; or (iii) more than 54 months elapse from the date the permit was issued.

### **C. Applications: General.**

Incomplete applications delay timely and accurate decision-making. Applicants are encouraged to assure all submittals are complete at the time of submission by following the guidelines below. This section outlines the minimum administrative and documentation requirements for processing an application. VDH staff are required to comply with the Work Product Expectations (WPEs) listed in Part I Section E below. Private sector OSEs, PEs, and WWSPs are strongly encouraged to comply with the WPEs. VDH may make reasonable requests for additional documentation for any application when the agency deems such information necessary for making a case decision; failure to provide such documentation may result in denial of the application.

All applications with supporting work from a private sector OSE, PE, or WWSP for construction permits shall contain the following, completed and signed, as appropriate:

1. The correct and complete applications (see Application for a Sewage Disposal System and/or Private Well Construction Permit)

Note: Applications for wells being installed for commercial purposes involving human consumption will be referred to the VDH Office of Drinking Water for evaluation as to whether the well meets criteria for classification as a groundwater source for a waterworks. There is no application fee for a well serving a waterworks; however, well construction criteria is subject to 12 VAC 5-590.

2. The appropriate fee(s);
3. Site plan, including a proposed well point or well area location. While a survey plat is not required, VDH recommends that they be used when available.
4. A statement on the cover page certifying that the site conditions and design comply with applicable regulations (see Cover Page – Well Only)

5. Construction drawing and specifications for the well (see Example Construction Drawing Page – Well Only; Well Specifications Worksheet; and Private Well Abandonment Specification Worksheet, where applicable).

**For bare applications, a VDH staff shall provide the items 4 and 5 as part of the application processing procedure.**

#### **D. System Designs**

1. The OSE, PE, or WWSP, as applicable, must provide sufficient detail to allow a WWSP to accurately construct the private well. Plans and specifications must be sufficient to allow the successful installation of the private well. The primary goal is to ensure that the private well is located on the correct property and at the correct location on the property.
2. All reports must be properly marked as complying with applicable regulations.
3. The construction drawing shall document any obvious or potential source of toxic or dangerous substances within 200 feet of a proposed private well pursuant to 12VAC630-380.A. This includes both onsite visual confirmation and review of available documentation from VDH, DEQ, and local government sources. Distances from features contained in 12VAC5-630-380 and Table 3.1 of the Well Regulations shall not be estimated. Drawings must provide sufficient information to allow a person with the knowledge, skills, and abilities of an Environmental Health Specialist (EHS), an onsite sewage system installer, or a WWSP to locate the area in the field using the paperwork and field markers. Field markers may include permanent field stakes or distances and bearings to identifiable landmarks. Trees and wooden stakes are not considered permanent field markers.
4. The OSE, PE, or WWSP, as applicable, shall specify the class of well, and the proposed depth of casing and grout.

Additional information may be necessary depending on the regulations applicable to the specific site.

#### **E. Work Product Expectations.**

The following are Work Product Expectations (WPEs) established for all designers of private wells, including those employed by VDH. These WPEs are intended to serve as guidelines for documentation *in addition to the minimum requirements outlined previously in this document*. The WPEs are the standard expected of VDH employees. Private sector OSEs, PEs, and WWSPs are encouraged to comply with these standards since doing so should reduce misinterpretations and lead to more efficient processing of applications.

**A failure to adhere to these WPEs shall not result in the denial of an application.** However, as is the case with any application, VDH has discretion to conduct a Level 2 review if

the OSE, PE, or WWSP, as applicable, fails to adhere to a particular WPE. If the Level 2 review reveals that applicable regulations have not been followed, then VDH shall deny the application.

1. The pages of all submittals should be consecutively numbered beginning with the first page using the format "Page x of y". The cover page should, at a minimum, contain: (i) a list of the documents contained in the supporting design package; (ii) a property identification; (iii) the property owner's name and address; (iv) the contact information of the OSE, PE, or WWSP, as applicable; (v) date of plans; and (vi) revision dates. To assure that the WWSP has the correct set of plans, the health department's approval letter must correspond to the date on the cover page or, if revisions have been made, the date of last revision on the cover page.
2. Construction drawings and sanitary survey notes should be drawn to scale. Critical dimensions must be shown on the drawing. This includes measurements to well or well area, which should be located using triangulation from appropriate field markers. When a well area is designated, the boundaries shall be clearly defined and limited on all sides. Drawings should represent the topography in the vicinity of the private well so as to establish the topographic relationship between the well and sources of contamination.
3. In recognition that field conditions may limit drill rig access and set-up, well areas are preferred to a specific well point. All applications with footprints, sites, and areas planned for private wells and, if applicable, onsite sewage systems should have the proposed areas identified with accuracy and precision of three feet or less.
4. All submittals within a Designated Groundwater Management Areas (9VAC25-600) should document compliance with Groundwater Withdrawal Regulations (9VAC25-610).
5. All submittals should document compliance with other applicable state laws and local ordinances.

#### **F. Design Changes**

For private wells, design changes will typically require a new application and a new fee. However, District Environmental Health Managers are provided discretion to allow minor deviations to the initial design without a new application and fee. It is vital that OSEs, PEs, and WWSPs discuss the proposed well location with the owner prior to submitting an application. The use of well areas is encouraged to avoid unnecessary follow-up site evaluations. When a well area is designated and a dry hole is encountered, a WWSP may drill multiple wells within the well area without reapplying for a new permit for each new site, provided the dry holes are properly abandoned in accordance with the Well Regulations.

VDH will review any changes before issuing a well approval. Any changes that do not fully comply with applicable regulations may result in the construction permit being deemed null and void. In such case, the owner will be required to submit a new application and a new application fee. If improperly installed, the owner may be required to abandon the private well.

### **G. VDH Application Review.**

1. All applications and fees must be logged into VDH's data system by local and district health departments. As a best practice, all applications should be reviewed for completeness at the time they are received. That way, if the application is incomplete for any reason, VDH can contact the applicant and/or designer to provide the missing information so that VDH can fully evaluate the application.
2. An incomplete application should not be logged in, nor should fees be accepted for an application that is known to be incomplete at the time it is filed. Whenever possible, administrative support staff should be responsible for these tasks. If an incomplete application is accepted, it will be denied.
3. VDH's process for reviewing applications for private well construction permits will employ Level 1 and Level 2 reviews.
  - a. A Level 1 review includes a cursory review to make a determination as to whether the application is complete. The Level 1 review confirms the site and design certified by the OSE, PE, or WWSP complies with applicable regulations.
  - b. A Level 1 review consists of administrative and technical reviews and does not include field review. Local and district health departments should complete a Level 1 review of every application as soon as practicable.
4. For Level 1 reviews, staff should review VDH records to verify the site was not previously denied a permit and the proposed well does not conflict with the minimum set back distances for features on adjacent properties. This review of VDH records constitutes a quality assurance review and is not a substitute for a sanitary survey, which is necessary to positively establish setbacks with certainty. The ultimate responsibility for establishing setback distances remains with the OSE, PE, or WWSP certifying the submitted work.
5. The Level 2 review is a detailed review of the site conditions and the design certified by a private sector OSE, PE, or WWSP. The Level 2 review is discretionary and should be performed on at least 10% of applications submitted with supporting work from each private sector OSE, PE, and WWSP. In addition, staff is strongly encouraged to conduct a Level 2 review when a submittal lacks a WPE specified in this policy.
  - a. If a Level 2 review is not performed and the application complies with the minimum requirements of the applicable regulations and this policy based upon the Level 1 review, then a construction permit must be issued. Applications that do not comply with the minimum requirements of the applicable regulations must be denied. The denial must be linked to the appropriate OSE, PE or WWSP in the VDH data system.
  - b. A Level 2 review assesses the performance of private sector OSEs, PEs, and WWSPs by sampling a subset of the work submitted by the OSE, PE, or WWSP.
  - c. Staff should conduct their Level 2 reviews prior to approving or denying an application. Level 2 reviews should only be conducted after approving or denying an



application when requested by the owner, the owner's agent, the designer, or the WWSP responsible for installing the well.

- d. A Level 2 review may include a sanitary survey, including review of onsite sewage systems and private wells on adjacent parcels or other actions necessary to assure that a site or design complies with applicable regulations.
  - e. Except in extraordinary circumstances, the local or district health department shall notify the owner and the OSE, PE, or WWSP when intending to conduct a Level 2 review.
6. The local health department shall provide a copy of each approval or denial based on an OSE, PE, or WWSP certification to the licensed individual that certified the site. Additionally, a copy of any Level 1 and Level 2 forms used in the review of the submittal shall be provided to the owner and the OSE, PE, WWSP, as applicable. Sending a copy of the approval or denial letter including the permit identification number (when the approval is for a construction permit), and a copy of the Level 1 and Level 2 forms (when applicable), normally shall be sufficient to comply with this policy. Electronic transmittal via email to the owner and OSE, PE, or WWSP, when an email address is provided will satisfy this requirement.

#### **H. Denials of Applications**

VDH will deny incomplete applications and applications where staff determined that the proposed design does not comply with the Well Regulations or that installation of the well would create an actual or potential health hazard, or the proposed design would adversely impact the groundwater resource. Denial letters must clearly state the rights and administrative remedies available to the owner.

#### **I. Final Inspections; General Requirements and Expectations.**

The local health departments will perform 100% construction inspections of all private wells for both VDH and private sector designs. At a minimum, staff will obtain and record (in the VDH data system) GPS coordinates for all private wells as specified in previous GMP's. Inspections will take place prior to issuance of the Inspection Statement.

OSes, PEs, and WWSPs are expected to perform a final inspection for any private well installed pursuant to a construction permit based on a design certified by the OSE, PE or WWSP. When the WWSP that submitted the evaluation and design is the same as the WWSP installing the well, submission of a completed Uniform Water Well Completion Report will represent said inspection. WWSPs shall notify the local health department and private sector OSE, PE, or WWSP, as applicable, prior to starting construction of a private well. Inspections may be made during construction or prior to placing the well in service. VDH staff is encouraged to inspect during the grouting process.

**Part II: HB 888 § 1, items 2 and 3; services not associated with a building permit or repair, and new construction not for a principal place of residence.**

**A. Policy**

Part II of this policy addresses implementation of enactment 1, §§ 2 and 3 from HB 888 regarding the transition of onsite sewage system evaluations and designs for voluntary upgrades, certification letters, subdivision evaluations, and applications that are not for a principal place of residence.

This policy identifies types of permit applications that will no longer be accepted by VDH as bare applications beginning July 1, 2018. VDH will process and issue all permits; however, pursuant to HB 888, VDH will not provide evaluation and design services for onsite sewage system voluntary upgrades, certification letters, subdivision evaluations, and applications for new onsite sewage system construction that are not for a principal place of residence beginning July 1, 2018. All applications for such onsite sewage system permits must be accompanied by supporting work from a licensed private sector professional who is properly licensed to do such work through the Department of Professional and Occupational Regulation (DPOR).

The VDH may provide design services for conventional onsite sewage systems and private wells if requested by the owner. Applications are limited to: new construction onsite systems intended to serve a principal place of residence; onsite sewage system expansions intended to serve a principal place of residence (e.g. adding a bedroom); onsite sewage system repairs; safe, adequate, and proper evaluations; minor modification of an existing sewage disposal system; and private well evaluations and designs.

There is no hardship authorized that would allow VDH to provide design services for onsite sewage system voluntary upgrades, certification letters, subdivision reviews, or applications for new onsite sewage system construction that are not for a principal place of residence beginning July 1, 2018.

Principal place of residence means the dwelling unit, single-family dwelling, or mobile home where the owner lives. The home is the primary residence for the owner or is intended to be a primary residence of an owner. Primary residence means a person's true, fixed, and permanent home to which he intends to return whenever he is absent.

All applications for an onsite sewage system voluntary upgrades, certification letters, or subdivision reviews, must be accompanied by work from a licensed private sector professional. All applications for new onsite sewage system construction where the property is not intended to serve as the owner's principal place of residence must be accompanied by work from a licensed private sector professional. Bare applications for new onsite sewage system construction may be accepted when the application notes that the property is intended to serve as the owner's principal place of residence.

**B. Outreach**

OEHS will notify the local health departments of the changes through issuance of this policy. A sample notice to the public is attached for posting at all local health departments (Attachment 1). The notice will also be posted on the Division of Onsite Sewage and Water Services, Environmental Engineering, and Marina Program's website.

OEHS will send a copy of the notice with a link to the policy to the stakeholders on the Sewage Handling and Disposal Advisory Committee and request dissemination of the materials to their organization's membership.

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Attachment 1

## ***Effective July 1, 2018***

Owners are currently required to submit evaluations and designs from properly licensed private sector individuals for applications that are for:

- A non-residential sewage system.
- A system that will use over 1,000 gallons per day.
- An alternative onsite sewage system.
- An onsite sewage system design that requires a professional engineer.

Beginning July 1, 2018, applications for onsite sewage systems and/or private wells must be accompanied by supporting work from a private sector professional who is properly licensed to do such work through the Department of Professional and Occupational Regulation (DPOR).

The Virginia Department of Health (VDH) will require evaluations and designs from properly licensed individuals for onsite sewage system or private well applications related to:

- Certification Letters.
- Voluntary Upgrade Permits.
- Subdivision Reviews.
- New construction of onsite sewage systems for properties that are not intended to serve as the owner(s)' principal place of residence.

VDH may provide design services for conventional onsite sewage systems and private wells if requested by the owner. Applications are limited to:

- ✓ New construction onsite systems intended to serve a principal place of residence.
- ✓ Expansion intended to serve a principal place of residence (such as adding a bedroom)
- ✓ Repairs.
- ✓ Safe, Adequate, and Proper.
- ✓ Minor modification of an existing sewage disposal system (adding an accessory building such as a garage to the onsite system)
- ✓ Private well evaluations and designs

However, VDH encourages the use of properly licensed private sector individuals for these services. An owner does not have to use VDH for design services.

***Questions? Contact your local health district today.  
Find your local health district at [www.vdh.virginia.gov](http://www.vdh.virginia.gov)***

**Index of Forms.** Forms are available upon request from the Division or they may be obtained by visiting the VDH website: [vdh.virginia.gov](http://vdh.virginia.gov). OSEs, PEs, and WWSPs are encouraged to periodically review the VDH website to ensure they are using the most current forms.

1. Application for a Sewage Disposal System and/or Private Well Construction Permit.
2. Cover Page – Well Only.
3. Example construction drawing page – Well Only.
4. Example private well specification worksheet.
5. Example private well abandonment specification worksheet.

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# Commonwealth of Virginia

Application for:  Sewage System  Water Supply

<b>VDH Use only</b>
Health Department ID# _____
Due Date _____

Owner \_\_\_\_\_

Phone \_\_\_\_\_

Mailing Address \_\_\_\_\_

Phone \_\_\_\_\_

Agent \_\_\_\_\_

Fax \_\_\_\_\_

Mailing Address \_\_\_\_\_

Phone \_\_\_\_\_

Site Address \_\_\_\_\_

Phone \_\_\_\_\_

Fax \_\_\_\_\_

Directions to Property: \_\_\_\_\_

Email \_\_\_\_\_

Subdivision \_\_\_\_\_ Section \_\_\_\_\_ Block \_\_\_\_\_ Lot \_\_\_\_\_

Tax Map \_\_\_\_\_ Other Property Identification \_\_\_\_\_ Dimension/Acreage of Property \_\_\_\_\_

## Sewage System

**Type of Approval:** Applicants for new construction are advised to apply for a certification letter to determine if land is suitable for a sewage system and to apply for a construction permit (valid for 18 months) **only when ready to build.**

Certification Letter       Construction Permit       Voluntary Upgrade       Repair Permit

### Proposed Use:

Single Family Home (Number of Bedrooms \_\_\_\_\_)      Multi-Family Dwelling (Total Number of Bedrooms \_\_\_\_\_)

Other (describe) \_\_\_\_\_

Basement?  Yes  No      Walk-out Basement?  Yes  No      Fixtures in Basement  Yes  No

Conditional permit desired?  Yes  No      If yes, which conditions do you want?

Reduced water flow     Limited Occupancy     Intermittent or seasonal use     Temporary use not to exceed 1 year

Do you wish to apply for a betterment loan eligibility letter?  Yes  No    \*There is a \$50 fee for determination of eligibility.

## Water Supply

Will the water supply be  Public or  Private?      Is the water supply  Existing or  Proposed?

If proposed, is this a replacement well?  Yes  No      If yes, will the old well be abandoned?  Yes  No

Will any buildings within 50' of the proposed well be termite treated?  Yes  No

## All Applicants

Is this a private sector OSE/PE application?  Yes  No      If yes, is the OSE/PE package attached?  Yes  No

Is this property intended to serve as the owner's principal place of residence?  Yes  No

In order for VDH to process your application for a sewage system you must attach a plat of the property and a site sketch. For water supplies, a plat of the property is recommended and a site sketch is required. The site sketch should show your property lines, actual and/or proposed buildings and the desired location of your well and/or sewage system. When the site evaluation is conducted the property lines, building location and the proposed well and sewage sites must be clearly marked and the property sufficiently visible to see the topography.

I give permission to the Virginia Department of Health to enter onto the property described during normal business hours for the purpose of processing this application and to perform quality assurance checks of evaluations and designs certified by a private sector Onsite Soil Evaluator or Professional Engineer as necessary until the sewage disposal system and/or private water supply has been constructed and approved.

\_\_\_\_\_  
Signature of Owner/ Agent

\_\_\_\_\_  
Date

**OSE/PE/WWSP Report For:**

Well Construction Permit    
  Well Repair Permit    
  Well Abandonment Permit    
  Well Modification Permit

**Property Location:**

911 Address: \_\_\_\_\_ City: \_\_\_\_\_

Lot \_\_\_\_\_ Section \_\_\_\_\_ Subdivision \_\_\_\_\_

GPIN or Tax Map # \_\_\_\_\_ Health Dept ID # \_\_\_\_\_

Latitude \_\_\_\_\_ Longitude \_\_\_\_\_

**Applicant or Client Mailing Address:**

Name: \_\_\_\_\_

Street: \_\_\_\_\_

City: \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Prepared by: OSE  PE  WWSP

Name \_\_\_\_\_ License # \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Date of Report \_\_\_\_\_ Date of Revision #1 \_\_\_\_\_

OSE/PE/WWSP Job # \_\_\_\_\_ Date of Revision #2 \_\_\_\_\_

**Contents/Index of this report (e.g., Private Well Worksheet, construction drawing, abandonment worksheet etc.)**

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Certification Statement**

I hereby certify that the evaluations and/or designs contained herein were conducted in accordance with the *applicable provisions of the Private Well Regulations (12 VAC5-630)* and all other applicable laws, regulations and policies implemented by the Virginia Department of Health. I further certify that I currently possess any professional license required by the laws and regulations of the Commonwealth that have been duly issued by the applicable agency charged with licensure to perform the work contained herein.

I recommend that a (select one): construction permit  repair permit  be (select one) Issued

Modification permit  abandonment permit  Denied

OSE/PE Signature \_\_\_\_\_ Date \_\_\_\_\_

# Well Specifications

<b>VDH Use Only</b>
HDIN: _____

<b>Applicant Information</b>	
Name: _____	Address: _____
Phone: _____	
<b>Location Information</b>	
Tax Map/GPIN #: _____	Property Address: _____
Subdivision: _____	Section: _____ Block: _____ Lot: _____
Directions: _____	
<b>General Information</b>	
Well Purpose (select all that apply):	
<input type="checkbox"/> Domestic Drinking Water	<input type="checkbox"/> Agricultural
<input type="checkbox"/> Irrigation	<input type="checkbox"/> Industrial/Commercial
	<input type="checkbox"/> Geothermal
Well Class: _____	Minimum Casing Depth: _____ ft.
Estimated Water Usage: _____	Minimum Grout Depth: _____ ft.
<b>Horizontal Setbacks</b>	
Distance from Building Sewer: _____ ft.	Distance from Pretreatment Unit(s): _____ ft.
Distance from Conveyance System: _____ ft.	Distance from Absorption Area: _____ ft.
Distance from Property Line: _____ ft.	Distance from foundations: _____ ft.
Distance from other source(s) of contamination: _____ ft.	
List other source(s): _____	
Note: _____	
_____	
_____	

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# Well Abandonment Specifications

**VDH Use Only**  
HDIN: \_\_\_\_\_

<b>Applicant Information</b>	
Name: _____	Address: _____
Phone: _____	
<b>Location Information</b>	
Tax Map/GPIN #: _____	Property Address: _____
Subdivision: _____	Section: _____ Block: _____ Lot: _____
Directions: _____	
<b>Abandonment Information</b>	
Current Well Purpose (select all that apply):	
<input type="checkbox"/> Domestic Drinking Water	<input type="checkbox"/> Agricultural
<input type="checkbox"/> Irrigation	<input type="checkbox"/> Industrial/Commercial
	<input type="checkbox"/> Geothermal
Well Class: _____	Total Depth of Well: _____ ft.
Static Water Level: _____	Method of abandonment: _____
Type of Fill Material: _____	
Depth of Fill Material: From _____ to _____ ft. From _____ to _____ ft.	
Type of Grout: _____	
Depth of Grout: From _____ to _____ ft. From _____ to _____ ft.	
Method of permanently marking location: _____	
Additional abandonment criteria: _____	
<b>Horizontal Setbacks Following Abandonment</b>	
Distance from Building Sewer: _____ ft.	Distance from Pretreatment Unit(s): _____ ft.
Distance from Conveyance System: _____ ft.	Distance from Absorption Area: _____ ft.
Distance from Property Line: _____ ft.	Distance from foundations: _____ ft.
Distance from other source(s) of contamination: _____ ft.	
List other source(s): _____	
Note: _____	

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- **Regulatory Review Update**
  - **General Review**
  - **Regulatory Reduction Update**
    - **Soil Scientists- Proposed changes reduce discretionary requirements on regulated parties by 7%**

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COMMONWEALTH OF VIRGINIA  
BOARD FOR PROFESSIONAL SOIL SCIENTISTS, WETLAND  
PROFESSIONALS AND GEOLOGISTS



**REGULATIONS Governing  
Professional  
Soil Scientists**

Last Updated March 1, 2015

STATUTES

Title 54.1, Chapter 22



Department of Professional and Occupational Regulation

9960 Mayland Drive, Suite 400

Richmond, VA 23233

(804) 367-8500

[www.dpor.virginia.gov](http://www.dpor.virginia.gov)

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## NOTICE

### SUMMARY OF SIGNIFICANT CHANGES

Included in this document are relevant excerpts from the Virginia Administrative Code. Please note that the Board for Professional Soil Scientists, Wetland Professionals and Geologists, is responsible for promulgating regulations in accordance with the Administrative Process Act (§ 2.2-4000 et seq.), and the Virginia Code Commission is responsible for compiling and codifying all of the administrative regulations of state agencies into the Virginia Administrative Code.

It is your responsibility to stay informed and follow all regulations and statutes governing your profession or occupation. As a regulant of the Board, you should read and become familiar with all regulations applicable to your profession or occupation. You can stay informed of regulatory actions that may result in changes to the regulations at Virginia Regulatory Town Hall ([www.townhall.virginia.gov](http://www.townhall.virginia.gov)).

This document is a complete, edited (unofficial) copy of the March 1, 2015 Regulations (18 VAC 145-20). Please refer to the Virginia Administrative Code for an official copy of the regulations applicable to your profession or occupation. You can access the Virginia Administrative Code online at <http://leg1.state.va.us/000/reg/TOC.HTM>.

The following summarizes significant revisions to the regulations effective March 1, 2015, but does not include all changes that were made to the Professional Soil Scientists Regulations.

- The purpose of the revision in the regulations changes the soil scientist regulatory program from a voluntary certification program to a mandatory licensure program.

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## STATEMENT OF PURPOSE

This booklet contains the information you will need to obtain your license as a professional soil scientist. The law that governs your profession is found in the *Code of Virginia*, 1950, as amended, in Chapter 22 of Title 54.1. That law permits the Department of Professional and Occupational Regulation to issue regulations that tell you more about what is expected of you in your profession. This booklet contains a copy of the law and regulations that you will need to know and obey to get and keep your license. BE SURE YOU READ AND UNDERSTAND THE STANDARDS OF PRACTICE AND CONDUCT. YOUR FAILURE TO OBEY THESE STANDARDS COULD RESULT IN A MONETARY PENALTY OR THE LOSS OF YOUR LICENSE, CERTIFICATE OR REGISTRATION.

It is the goal of the Department of Professional and Occupational Regulation to provide you with the information you need to comply with the law and regulations. If you have a question and cannot find the answer to it in this booklet, please write to:

Board for Professional Soil Scientists, Wetland Professionals and Geologists  
Department of Professional and Occupational Regulation  
9960 Mayland Drive, Suite 400  
Richmond, Virginia 23233

or call the Agency at (804) 367-8500.

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**PART I.**

**GENERAL**

**18VAC145-20-10. Definitions.**

Section 54.1-2200 of the Code of Virginia provide definitions of the following terms and phrases as used in this chapter.

**Board**  
**Soil**  
**Soil evaluation**  
**Soil science**  
**Soil scientist**

The following words and terms when used in this chapter shall have the following meanings unless the context clearly indicates otherwise.

**"Application"** means a completed application with the appropriate fee and any other required documentation, including but not limited to references, employment verification, degree verification, and verification of examination and licenses.

**"CSSE"** means the Council of Soil Science Examiners.

**"Field study"** means the investigation of a site to secure soils information by means of landscape analysis and soil borings, excavations or test pits which are plotted on a base map or other documents (e.g., aerial photographs, topographic maps, scaled site plans, subdivision plans, or narrative description of the location).

**"Soil map"** means a map showing distribution of soil types or other soil mapping units in relation to the prominent landforms and cultural features of the earth surface.

**"Soil survey"** means a systematic field investigation of the survey area that provides a soil evaluation and a system of uniform definitions of soil characteristics for all the different kinds of soil found within the study area, all of which are incorporated into a soil report which includes a soil map.

**Historical Notes:**

*Derived from VR627-02-01 §1.1, eff. June 1, 1989; amended, Virginia Register Volume 9, Issue 14, eff. May 5, 1993; Volume 18, Issue 7, eff. January 16, 2002; Virginia Register Volume 31, Issue 10, eff. March 1, 2015.*

**PART II.**

**ENTRY**

**18VAC145-20-60. General application requirements.**

A. Applicants for licensure shall meet the requirements established in Chapter 22 (§54.1-2200 et seq.) of Title 54.1 of the Code of Virginia.

~~A.B.~~ Current mailing address.

~~B.~~ All applications and accompanying materials become the property of the board upon receipt by the board.

C. The board may make further inquiries and investigations with respect to applicants' qualifications and documentation to confirm or amplify information supplied.

D. Applicants who do not meet the requirements of this chapter may be approved following consideration by the board in accordance with the provisions of the Virginia Administrative Process Act (§2.2-4000 et seq. of the Code of Virginia).

**Historical Notes:**

*Derived from VR627-02-01 §2.1, eff. June 1, 1989; amended, Virginia Register Volume 9, Issue 14, eff. May 5, 1993; Virginia Register Volume 31, Issue 10, eff. March 1, 2015.*

**18VAC145-20-70. Repealed.**

**18VAC145-20-90. Qualifying experience in soil evaluation.**

Minimum experience requirements are established in Chapter 22 (§54.1-2200 et seq.) of Title 54.1 of the Code of Virginia. Applicants shall satisfy the length of experience established relative to their education. Applicants shall demonstrate experience in two or more of the following areas:

1. Soil mapping. Compiled soil maps representing at least 5,000 acres as part of a soil survey or surveys with a formal mapping legend under the direct guidance of an experienced technical supervisor. Only maps in a published report, a report scheduled to be published or a report of a publishable quality shall be deemed as acceptable for this type of experience;
2. Soil evaluation. Conducted at least 20 soil evaluations for specific land uses under the direct guidance of an experienced technical supervisor. Examples of such uses include, but are not limited to, onsite wastewater disposal, residential and commercial development, sanitary landfill sites, forestry or agriculture production, soil erosion and

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sediment control, shrink-swell, or hydric soils. The finished product must have been submitted to a client or government agency (e.g., Health Department, Environmental

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Protection Agency, Department of Environmental Quality, Department of Conservation and Recreation, or local planning commission);

3. Field/Laboratory studies. Conducted at least 10 detailed field or laboratory studies under the direct guidance of an experienced technical supervisor. The field or laboratory study must have resulted in a soil evaluation report that was accepted by the client or government agency;
4. Research/Teaching. Conducted at least one research project as part of a thesis or publication or taught at least one full-time course in a soil science curriculum at an accredited institution of higher education the quality of which demonstrates to the board that the applicant is competent to practice as a professional soil scientist;
5. Consulting (public/private). Assembled or compiled soil information with existing data or field studies and evaluated data for a specific land use. The work may have been done independently or under supervision. At least three written reports must have been submitted to the client or government agency; or

6. Education. Each year of full-time undergraduate study in a soils curriculum or related natural science may count as one-half year of experience up to a maximum of two years. Each year of full-time graduate study in a soils curriculum may count as one year of experience up to a maximum of two years. One year equals 30 semester credit hours earned or 45 quarter credit hours earned. Any credits used to meet the education requirements established in Chapter 22 (§54.1-2200 et seq.) of Title 54.1 of the Code of Virginia may not be used to meet experience requirements. ~~reinserted 2.16.24~~

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**Historical Notes:**

Derived from VR627-02-01 §2.4, eff. June 1, 1989; amended Virginia Register Volume 9, Issue 14, eff. May 5, 1993; Volume 18, Issue 7, eff. January 16, 2002; Virginia Register Volume 31, Issue 10, eff. March 1, 2015.

**18VAC145-20-91. Core course requirements.**

A. At least 15 semester hours selected from the identified courses in this subsection or the equivalent are required for course work or a degree core to be considered a degree ~~(reinserted 2.16.24)~~ in a soil science ~~related~~ curriculum ~~are required~~ or a related natural science degree. ~~The course must contain content that enhances applicants' knowledge in the study of soils. Applicants must demonstrate course equivalency in order to receive academic credit. Petitions to the board for such review must be made in writing.~~

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A-B.

Intro to Crop and Soil Environmental Sciences	Soil – Plant – Animal Interrelationships in Grasslands
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Soil Evaluation	Aluminum Chemistry in the Soil System
Soils	Soil Physics or Physical Properties
Soils Lab	Soil Genesis/Classification
Man and Environment	Soil Fertility/Management
Soil Survey/Taxonomy	Soil Fertility/Management Lab
Soil Microbiology	Soil/Groundwater Pollution
Soil Resource Management	Soils for Waste Disposal
Soil Chemistry	Soil Microbiology Lab
Topics in Soil Genesis	Forest Soils/Hydrology
Soil Seminar	Clay Mineralogy
Special Studies(Soils Based)	Soil Interpretations
Field Studies (Soils Based)	Advanced Concepts in Soil Genesis
Soils and Land Use	Independent Studies (Soil Based)
Soil Physical and Colloidal Chemistry	Soil Biochemistry
Soil - Plant Relations	Soil Geomorphology
	Soil Conservation
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~~B.A. Applicants may petition the board to review the syllabus and other supporting documents of a course not listed in subsection A. of this section for academic credit. The course must contain content that enhances applicants' knowledge in the study of soils. Applicants must demonstrate course equivalency in order to receive academic credit. Petitions to the board for such review must be made in writing.~~

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**Historical Notes:**

*Derived from Virginia Register Volume 18, Issue 7, eff. January 16, 2002; Virginia Register Volume 31, Issue 10, eff. March 1, 2015.*

**18VAC145-20-100. Examination.**

A. Applicants shall be required to pass all parts of the CSSE-prepared exams.

~~B. Applicants shall meet all other requirements established in Chapter 22 (§54.1-2200 et seq.) of Title 54.1 of the Code of Virginia in order to be granted board approval to sit for the~~

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~~exam.~~

~~B.~~ Completed applications must be received by the board no less than 60 days prior to the exam date or the applicants may be deferred to the next exam administration.

~~C.~~ Applicants approved by the board shall be exam-eligible for a period of three years from the date of their initial board approval. Applicants who do not pass the exam at the end of the three-year period are no longer exam-eligible.

~~E.~~ To become exam-eligible again, applicants shall reapply to the board and meet all entry requirements current at the time of their reapplication. Upon approval by the board, applicants shall become exam-eligible for another period of three years.

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F.D. Board-approved applicants eligible for admission to both parts of the exam must first pass the Fundamentals in Soil Science exam before being admitted to the Professional Practices in Soil Science exam.

G.E. Applicants will be notified by the board of whether they passed or failed the exam. The exam may not be reviewed by the applicants. Exam scores are final and not subject to change.

**Historical Notes:**

*Derived from VR627-02-01 §2.5, eff. June 1, 1989; amended, Virginia Register Volume 9, Issue 14, eff. May 5, 1993; Volume 18, Issue 7, eff. January 16, 2002; Virginia Register Volume 31, Issue 10, eff. March 1, 2015.*

**18VAC145-20-111. Repealed.**

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### PART III.

#### RENEWAL/REINSTATEMENT AND FEES

##### 18VAC145-20-120. Expiration.

Licenses issued under this chapter shall expire two years from the last day of the month in which they were issued, ~~as indicated on the license.~~

##### *Historical Notes:*

*Derived from VR627-02-01 §3.1, eff. June 1, 1989; amended, Virginia Register Volume 9, Issue 14, eff. May 5, 1993, Volume 18, Issue 7, eff. January 16, 2002; Virginia Register Volume 31, Issue 10, eff. March 1, 2015.*

##### 18VAC145-20-130. Procedures for Renewal.

- A. The board ~~will send~~s a renewal notice to the license holder ~~at the last known address of record~~ at least 30 days prior to expiration of the license. Failure to receive this notice does not relieve the license holder from the requirement to renew the license. License holders shall keep the board informed of their current mailing address. Changes of address shall be reported to the board in writing within 30 calendar days of the change.
- B. In addition to the established fee, proof of satisfactory completion of continuing education (CE) shall be required to renew a license. Documentation submitted as proof of completion of CE must demonstrate that the CE meets the requirements established in 18VAC145-20-145.
- C. If the renewal fee and proof of completion of CE are not received by the board within 30 days following the license expiration date, a late renewal fee of \$25 shall be required in addition to the regular renewal fee. Upon receipt of the requisite fee and proof of completion of CE, the license shall be renewed for an additional two years. A license that is not renewed within six months after its expiration is no longer eligible for renewal. The license may be reinstated pursuant to the requirements of 18VAC145-20-140.
- D. The date the fee and documented proof of completion of CE are received by the board or its agent shall determine whether a late renewal fee, the reinstatement fee, or reapplication is required.

~~E.~~ A licensee applying for renewal or reinstatement shall not receive credit for completing a CE activity with the same content more than once during the time period prior to the renewal or reinstatement.

~~E.F.~~ A license suspended by board order may not be renewed until the period of suspension has ended and all terms and conditions of the board's order have been met. Individuals renewing licenses within 30 days after the suspension is lifted will not be required to pay a

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late fee.

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~~F-G.~~ A revoked license may not be renewed. An individual whose license has been revoked shall file a new application and obtain board approval to recover licensure. Examination may not be waived.

**Historical Notes:**

Derived from VR627-02-01 §3.2, eff. June 1, 1989; amended, Virginia Register Volume 9, Issue 14, eff. May 5, 1993; Volume 18, Issue 7, eff. January 16, 2002; Virginia Register Volume 31, Issue 10, eff. March 1, 2015.

**18VAC145-20-140. Reinstatement.**

- A. If the renewal fee, late renewal fee, and documented proof of completion of CE are not received by the board within six months following the license expiration date, the license holder shall be required to pay the fee for reinstatement. The fee for reinstatement shall include the regular renewal fee plus the reinstatement fee.
- B. If the reinstatement fee and documented proof of completion of CE are not received by the board within ~~one two~~ years following the license expiration date, the individual shall no longer be ~~considered a license holder eligible for reinstatement~~. To become licensed again, the individual shall apply as a new applicant, meet all current education, experience, and examination requirements established in this chapter.

**Historical Notes:**

Derived from VR627-02-01 §3.3, eff. June 1, 1989; amended, Virginia Register Volume 9, Issue 14, eff. May 5, 1993; Volume 18, Issue 7, eff. January 16, 2002; Virginia Register Volume 31, Issue 10, eff. March 1, 2015.

**18VAC145-20-145. Continuing education requirements.**

- A. Licensees shall complete eight ~~contact~~ hours of continuing education (CE) per year ~~for (reinserted 2.16.24) renewal period or reinstatement~~. CE shall be completed pursuant to the provisions of this section.
- B. CE must be completed during the time prior to the renewal or reinstatement of a license and shall be valid for that renewal or reinstatement only.
- C. CE activities completed by licensees may be accepted by the board provided the activity:
  - 1. Consists of content and subject matter directly related to the practice of soil science;
  - 2. Has a clear purpose and objective that will maintain, improve, or expand the skills and knowledge relevant to the practice of soil science and may be in areas related to business practices, including project management, risk management, and ethics,

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that have demonstrated relevance to the practice of soil science as defined in § 54.1-2200 of the Code of Virginia;

- ~~3. Is taught by instructors who are competent in the subject matter, either by education or experience, for those activities involving an interaction with an instructor;~~
- ~~4.3. \_\_\_\_\_ Contains an assessment by the sponsor at the conclusion of the self directed activity that verifies that the licensee has successfully achieved the purpose and objective for any self directed activity; and~~
- ~~4. Results in documentation that verifies the licensee's successful completion of the activity, \_\_\_\_\_~~
- 5.

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#### D. Computation of credit.

- ~~1. Fifty contact minutes shall equal one hour of CE. For activities that consist of segments that are less than 50 minutes, those segments shall be totaled for computation of CE for that activity.~~
- ~~2. The number of hours required to successfully complete any CE activity must have been predetermined by the sponsor. A licensee shall not claim more credit for any CE activity than was predetermined by the sponsor at the time the activity was completed.~~
- ~~3. A licensee may not receive credit for any CE activity that was not completed in its entirety. No credit shall be given for partial completion of a CE activity.~~
- ~~4. A licensee applying for renewal or reinstatement shall not receive credit for completing a CE activity with the same content more than once during the time period prior to the renewal or reinstatement.~~

#### Historical Notes:

*Derived from Virginia Register Volume 31, Issue 10, eff. March 1, 2015.*

#### 18VAC145-20-151. Fees.

The fees for licensure are listed below. Checks or money orders shall be made payable to the Treasurer of Virginia. All fees required by the board are nonrefundable. In the event that a check, money draft, or similar instrument for payment of a fee required by statute or regulation is not honored by the bank or financial institution named, the applicant or regulant shall be required to remit fees sufficient to cover the original fee, plus an additional processing charge as authorized by § [22-614.1](#) C of the Code of Virginia.

Fee Type	When Due	Amount Due
New application	With application	\$90
Renewal fee	Prior to license expiration	\$70
Late renewal fee	More than 30 days after license expiration	\$25
Reinstatement fee	More than six months after license expiration	\$90

**Historical Notes**

*Derived from Virginia Register Volume 18, Issue 7, eff. January 16, 2002; amended, Virginia Register Volume 21, Issue 3, eff. December 1, 2004; Volume 26, Issue 22, eff. September 1, 2010; Virginia Register Volume 31, Issue 10, eff. March 1, 2015.*

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**PART IV.**

**STANDARDS OF PRACTICE AND CONDUCT**

**18VAC145-20-160. Professional conduct.**

A licensed professional soil scientist:

1. Shall not submit any false statements, make any misrepresentations or fail to disclose any facts requested concerning any application for initial licensure, renewal, or reinstatement;
2. Shall not engage in any fraud, deceit or misrepresentation in advertising, in soliciting or in providing professional services;
3. Shall not knowingly sign, stamp, or seal any plans, drawings, blueprints, surveys, reports, specifications, maps or other documents not prepared or reviewed and approved ~~him~~ the licensed professional;
4. Shall not knowingly represent a client or employer on a project on which he represents or has represented another client or employer without making full disclosure thereof;
5. Shall express a professional opinion only when it is founded on adequate knowledge of established facts at issue and based on a background of technical competence in the subject matter;
6. Shall not knowingly misrepresent factual information in expressing a professional opinion;
7. Shall immediately notify the client or employer and the appropriate regulatory agency if his professional judgment is overruled and not adhered to when advising appropriate parties of any circumstances of a substantial threat to the public health, safety, or welfare; and
8. Shall exercise reasonable care when rendering professional services and shall apply the technical knowledge, skill, and terminology ordinarily applied by practicing soil scientists.

**Historical Notes:**

*Derived from VR627-02-01 §4.1, eff. June 1, 1989; amended, Virginia Register Volume 9, Issue 14, eff. May 5, 1993; Volume 18, Issue 7, eff. January 16, 2002; Virginia Register Volume 31, Issue 10, eff. March 1, 2015.*

**18VAC145-20-170. Sanctions and powers of the board.**

- A. The board has the power to sanction any license holder at any time after a hearing conducted pursuant to the Administrative Process Act (§ 2.2-4000 et seq. of the Code of Virginia). Sanctions may include but are not limited to the issuance of fines, the suspension of a license, the revocation of a license, or the levying of an additional requirement for remedial education. Sanctions may be levied against any regulant who has been determined by the board to have:
1. Committed fraud or deceit in obtaining or attempting to obtain initial licensure, renewal, or reinstatement;
  2. Performed any act in the practice of his profession likely to deceive, defraud, or harm the public;
  3. Committed any act of gross negligence, incompetence, or misconduct in the practice of soil science;
  4. Been convicted of a felony under the terms specified in § 54.1-204 of the Code of Virginia; or
  5. Violated or cooperated with others having violated any provisions of Chapter 22 (§ 54.1-2200 et seq.) of Title 54.1 of the Code of Virginia or any regulation of the board.
- B. The board may refuse to grant, renew, or reinstate the license of any person for any of the reasons specified in subsection A of this section or in circumstances where an individual fails to comply with the requirements of Chapter 22 (§ 54.1-2200 et seq.) of the Code of Virginia and this chapter.

**Historical Notes:**

*Derived from VR627-02-01 §4.2, eff. June 1, 1989; amended, Virginia Register Volume 9, Issue 14, eff. May 5, 1993; Volume 18, Issue 7, eff. January 16, 2002; Virginia Register Volume 31, Issue 10, eff. March 1, 2015.*

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Included in this booklet are relevant excerpts from the *Code of Virginia*. Please note that the Virginia General Assembly is responsible for creating and amending the *Code*, not the Board for Professional Soil Scientists, Wetland Professionals and Geologists. The version contained herein contains all changes, if any, that have been made by the General Assembly through the 2013 session. Any changes made during the 2007 session became effective July 1, 2013, unless otherwise noted. It is your responsibility to stay informed of revisions to the regulations and the statutes governing your profession or occupation. Please consult the General Assembly or your local library for annual changes.

§ 54.1-2200. Definitions.

As used in this chapter, unless the context requires a different meaning:

"Board" means the Board for Professional Soil Scientists, Wetland Professionals, and Geologists.

"Department" means the Department of Professional and Occupational Regulation.

"Eligible soil scientist" means a person who possesses the qualifications specified in this chapter to become licensed.

"Eligible wetland professional" means a person who possesses the qualifications specified in this chapter to become certified.

"Geologist" means a person engaged in the public practice of geology.

"Geology" means the science dealing with (i) the earth and its history in general; (ii) the investigation, prediction, evaluation, and location of materials and structures which compose the earth; (iii) the natural processes that cause changes in the earth; and (iv) the application of knowledge of the earth, its processes, and its constituent rocks, minerals, liquids, gases, and other natural materials.

"Practice of geology" means the performance of any service or work for the general public wherein the principles and methods of geology are applied.

"Practice of soil evaluation" means the evaluation of soil by accepted principles and methods including, but not limited to, observation, investigation, and consultation on measured, observed and inferred soils and their properties; analysis of the effects of these properties on the use and management of various kinds of soil; and preparation of soil descriptions, maps, reports and interpretive drawings.

"Practice of wetland delineation" means the delineation of wetlands by accepted principles and methods including, but not limited to, observation, investigation, and consultation on soil, vegetation, and hydrologic parameters; and preparation of wetland delineations, descriptions, reports and interpretive drawings.

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"Qualified geologist" means an uncertified person who possesses all the qualifications specified in this chapter for certification.

"Soil" means the groups of natural bodies occupying the unconsolidated portion of the earth's surface which are capable of supporting plant life and have properties caused by the combined effects, as modified by topography and time, of climate and living organisms upon parent materials.

"Soil evaluation" means plotting soil boundaries, describing and evaluating the kinds of soil and predicting their suitability for and response to various uses.

"Soil science" means the science dealing with the physical, chemical, mineralogical, and biological properties of soils as natural bodies.

"Soil scientist" means a person having special knowledge of soil science and the methods and principles of soil evaluation as acquired by education and experience in the formation, description and mapping of soils.

"Virginia certified professional geologist" means a person who possesses all qualifications specified in this chapter for certification and whose competence has been attested by the Board through certification.

"Virginia certified professional wetland delineator" means a person who possesses the qualifications required for certification by the provisions of this chapter and the regulations of the Board and who is granted certification by the Board.

"Virginia licensed professional soil scientist" means a person who possesses the qualifications required for licensure by the provisions of this chapter and the regulations of the Board and who has been granted a license by the Board.

"Wetland delineation" means delineating wetland limits in accordance with prevailing state and federal regulatory guidance and describing wetland types.

"Wetland professional" means a person having special knowledge of wetland science and the methods and principles of wetland delineation as acquired by education and experience in the formation, description and mapping of wetlands.

"Wetland science" means the science dealing with the physical, chemical, and biological properties of wetland systems integrated through ecological and morphological relationships.

"Wetlands" means the same as that term is defined in §§ [28.2-1300](#) and [62.1-44.3](#).

**§ 54.1-2200.2. Board for Professional Soil Scientists, Wetland Professionals, and Geologists; membership; quorum.**

A. Notwithstanding the provisions of § [54.1-200](#), the Board for Professional Soil Scientists, Wetland Professionals, and Geologists shall be composed of 13 members as follows: three

licensed professional soil scientists, three certified professional wetland delineators, three geologists, and three citizen members. The State Geologist shall serve as an ex officio member of the Board. The geologist members shall be of varied backgrounds. The professional soil scientist members shall have experience in at least one of the following areas: (i) soil mapping and classification, (ii) soil suitability and land use, (iii) teaching and research in soil science, and (iv) environmental protection regulations. Of the wetland professional members, one shall have experience in wetland delineation and description, one shall have experience in teaching and research in wetland science, and one shall have experience with natural resource regulations. Terms of the members shall be for four years.

B. The Board shall annually elect a chairman from its membership. Seven board members, consisting of at least ~~two~~one soil scientists, ~~two~~one professional wetland delineators, ~~two~~one geologists, and one citizen, shall constitute a quorum.

C. The Governor may select the professional soil scientist members from a list of at least three names for each vacancy submitted by the Virginia Association of Professional Soil Scientists. The Governor may notify the Virginia Association of Professional Soil Scientists of any professional vacancy other than by expiration among the professional soil scientist members of the Board and nominations may be made for the filling of the vacancy. **LARKIN'S LOT -**

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D. The Governor may select the wetland professionals from a list of at least three names for each vacancy submitted by the Virginia Association of Wetland Professionals. The Governor may notify and request nominations from the Virginia Association of Wetland Professionals of any professional vacancy other than by expiration among the wetland professional members.

**§ 54.1-2201. Exceptions.**

A. The certification program for wetland delineation set forth in this chapter shall be voluntary and shall not be construed to prohibit:

1. The practice of wetland delineation by individuals who are not certified professional wetland delineators as defined in this chapter;
2. The work of an employee or a subordinate of a certified professional wetland delineator or of an individual who is practicing wetland delineation without being certified;
3. The work of any professional engineer, landscape architect, or land surveyor as defined by § [54.1-400](#) in rendering any of the services that constitute the practice of wetland delineation or the practice of soil evaluation; or
4. The practice of any profession or occupation that is regulated by another regulatory board within the Department.

B. The licensing program for professional soil scientists shall not be construed to prohibit:

1. The work of an employee or a subordinate of a licensed soil scientist;

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2. The work of any professional engineer, landscape architect, or land surveyor as defined in § [54.1-400](#) in rendering any services that constitute the practice of soil evaluation; or

3. The practice of any profession or occupation that is regulated by another regulatory board within the Department.

C. Nothing in this chapter shall authorize an individual to engage in the practice of engineering, the practice of land surveying or the practice of landscape architecture, unless such individual is licensed or certified pursuant to Chapter 4 (§ [54.1-400](#) et seq.).

**§ 54.1-2203. Certification as wetland delineator.**

A. Any person practicing or offering to practice as a wetland professional in the Commonwealth may submit to the Board evidence of qualification to be a certified professional wetland delineator as provided in this chapter. The Board may certify any applicant who has satisfactorily met the requirements of this chapter and its regulations and shall specify on the certificate the appropriate endorsement.

B. Any individual who allows his certification to lapse by failing to renew the certificate or failing to meet professional activity requirements stipulated in the regulations may be reinstated by the Board upon submission of satisfactory evidence that he is practicing in a competent manner and upon payment of the prescribed fee.

**§ 54.1-2205. License required; application; requirements for licensure; continuing education**

A. No person shall engage in, or offer to engage in, the practice of soil evaluation in the Commonwealth unless he has been licensed under the provisions of this chapter.

B. In order to be licensed as a professional soil scientist, an applicant shall:

1. Submit satisfactory evidence verified by affidavits that the applicant:

a. Is 18 years of age or older;

b. Is of good moral character; and

c. Has successfully completed such educational and experiential requirements as are required by this chapter and the regulations of the Board.

- Achieve a score acceptable to the Board on an examination in the principles and practice of soil evaluation and satisfy one of the following criteria:
  - Hold a bachelor's degree from an accredited institution of higher education in a soils curriculum which has been approved by the Board and have at least ~~four~~ two years of experience in soil evaluation, the quality of which demonstrates to the Board that the applicant is competent to practice as a professional soil scientist; or
  - have three years of experience in soil evaluation the quality of which demonstrates to the Board that the applicant is competent to practice as a professional soil scientist.

~~d. Hold a bachelor's degree in one of the natural sciences and have at least five years of experience in soil evaluation, the quality of which demonstrates to the Board that the applicant is competent to practice as a professional soil scientist; or~~

~~e. Have a record of at least eight years of experience in soil evaluation, the quality of which demonstrates to the Board that the applicant is competent to practice as a professional soil~~

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scientist; or

- f. ~~Have at least four years of experience in soil science research or as a teacher of soils curriculum in an accredited institution of higher education which offers an approved four-year program in soils and at least two years of soil evaluation experience, the quality of which~~

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~~demonstrates to the Board that the applicant is competent to practice as a professional soil scientist.~~

C. The Board shall establish by regulation requirements for continuing education as a prerequisite to the maintenance and renewal of a license issued under this chapter, not to exceed eight contact hours per ~~year~~renewal cycle.

~~D. Individuals applying for a license as a professional soil scientist between July 1, 2013, and July 1, 2015, who (i) have been certified as professional soil scientists by the Board or (ii) have achieved a score set by the Board on the examination required by this section shall be licensed by the Board if all other requirements of this chapter or Board regulations have been met, unless an applicant is found by the Board to have engaged in any act that would constitute grounds for disciplinary action.~~

1987, c. 626, § 54-975; 1988, c. 765; 1991, c. 181; 2011, cc. [777](#), [859](#).

#### § 54.1-2206. Waiver of examination.

A. The Board may waive the requirement for examination pursuant to § ~~54.1-2205~~ upon written application from an individual who holds an unexpired certificate or license, or its equivalent, issued by a regulatory body of another state, territory or possession of the United States and is not the subject of any disciplinary proceeding before such regulatory body which could result in the suspension or revocation of his certificate or license, if such other state, territory or possession recognizes the license issued by the Board.

~~B. The Board shall waive the requirement for examination pursuant to § 54.1-2206.2 upon the written application from an individual who holds an unexpired certificate or its equivalent issued by a regulatory body of another state, territory or possession of the United States or has been provisionally certified under the U.S. Army Corps of Engineers Wetland Delineator Certification Program of 1993 and is not the subject of any disciplinary proceeding before such regulatory body, which could result in the suspension or revocation of his certificate.~~

#### § 54.1-2206.1. Requirements for application for professional wetland delineator certification.

The Board may certify any applicant as a Virginia certified professional wetland delineator who has submitted satisfactory evidence ~~verified by affidavits~~ that the applicant:

1. Is eighteen years of age or older;

~~2. Is of good moral character, and~~

~~3.2.~~ Has successfully completed such educational and experiential requirements as are required by this chapter and the regulations of the Board.

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**§ 54.1-2206.2. Requirements for professional wetland delineator certification.**

In order to be certified as a professional wetland delineator, an applicant shall achieve a score acceptable to the Board on an examination, ~~which may include a field practicum, in the principles and practice of wetland delineation, provide three written references from wetland professionals with at least one from a certified professional wetland delineator,~~ and satisfy one of the following criteria:

1. Hold a bachelor's degree from an accredited institution of higher education in a wetland science, biology, biological engineering, civil and environmental engineering, ecology, soil science, geology, hydrology or any similar biological, physical, natural science or environmental engineering curriculum that has been approved by the Board; ~~have successfully completed a course of instruction, in state and federal wetland delineation methods, that has been approved by the Board;~~ and have at least ~~four~~two years of experience in wetland delineation, the quality of which demonstrates to the Board that the applicant is competent to practice as a certified professional wetland delineator;
2. Have a record of at least ~~six~~three years of experience in wetland delineation, the quality of which demonstrates to the Board that the applicant is competent to practice as a certified professional wetland delineator; or
3. Have a record of at least ~~four~~three years of experience in wetland science research or as a teacher of wetlands curriculum in an accredited institution of higher education, the quality of which demonstrates to the Board that the applicant is competent to practice as a certified professional wetland delineator.

**§ 54.1-2207. Unprofessional conduct.**

Any professional soil scientist who is licensed or ~~any~~ wetland delineator who is certified, as provided in this chapter, shall be considered guilty of unprofessional conduct and subject to disciplinary action by the Board, if he:

1. Obtains his certification or license through fraud or deceit;
2. Violates or cooperates with others in violating any provision of this chapter, the Code of Professional Ethics and Conduct or any regulation of the Board;
3. Performs any act likely to deceive, defraud or harm the public;
4. Demonstrates gross negligence, incompetence or misconduct in the practice of soil evaluation or wetland delineation; or

~~5. Is convicted of a felony.~~

5. ~~that would render the applicant unfit or unsuited to engage in the occupation or profession applied for in accordance with § 54.1-204 of the Code of Virginia.~~

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**§ 54.1-2208. Unlawful representation as a licensed professional soil scientist or certified wetland delineator.**

A. No person shall represent himself as a licensed professional soil scientist unless he has been so licensed by the Board. Any person practicing or offering to practice soil evaluation within the meaning of this chapter who, through verbal claim, sign, advertisement, or letterhead, represents himself as a licensed professional soil scientist without holding a license from the Board shall be guilty of a Class 1 misdemeanor.

B. No person shall represent himself as a certified professional wetland delineator unless he has been so certified by the Board. Any person practicing or offering to practice wetland delineation within the meaning of this chapter who, through verbal claim, sign, advertisement, or letterhead, represents himself as a certified professional wetland delineator without holding such a certificate from the Board shall be guilty of a Class 1 misdemeanor.

**§ 54.1-2208.1. Exemptions.**

A. The certification program set forth in this article is voluntary and shall not be construed to prevent or affect the practice of geology by uncertified geologists; however, no person may represent himself as a Virginia certified professional geologist unless he has been so certified by the Board.

B. This article shall not prevent or affect the practice of any profession or trade for which licensing, certification, or registration is required under any other Virginia law, including the practice of licensed professional engineers lawfully practicing engineering in its various specialized branches.  
(1981, c. 132, § 54-968; 1988, c. 765, § 54.1-1401; 2012, cc. 803, 835.)

**§ 54.1-2208.2. Certification; minimum qualifications.**

A. Any person practicing or offering to practice as a geologist or in a geological specialty in this Commonwealth may submit reasonable evidence to the Board that he is qualified to practice and to be certified as provided in this article. The Board shall approve the application for certification of any person who, in the opinion of the Board, has satisfactorily met the requirements of this article and who has paid any applicable fees fixed by the Board. Certifications shall expire at intervals as designated by the Board. A certification may be renewed by the Board upon receipt of a formal request accompanied by any applicable fees.

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B. To be eligible for certification as a professional geologist, an applicant shall meet each of the following minimum qualifications:

1. Be of ethical character.

2. Have a baccalaureate or higher degree from an accredited college or university with either a major in geology, engineering geology, geological engineering, or related geological sciences; or have completed at least 30 semester hours or the equivalent in geological science courses ~~leading to a major in geology.~~

3. Have at least seven years of geological work that shall include either a minimum of three years of geological work under the supervision of a qualified or certified professional geologist or a minimum of three years of experience in responsible charge of geological work. The adequacy of the position and the required supervision and experience shall be determined by the Board in accordance with standards set forth in its regulations. The following criteria of education and experience qualify toward the required seven years of geological work:

a. Each year of full-time undergraduate study in the geological sciences shall count as one-half year of experience up to a maximum of two years, and each year of full-time graduate study shall count as a year of experience up to a maximum of three years. Credit for undergraduate and graduate study shall in no case exceed a total of four years toward meeting the requirements for at least seven years of geological work.

b. The Board may consider, in lieu of the above-described geological work, the cumulative total of geological work or geological research of persons occupying research or post-graduate positions as well as those teaching geology courses at the college or university level, provided such work or research can be demonstrated to be of a sufficiently responsible nature to be equivalent to the geological work required in this section.

4. Have successfully passed an appropriate examination approved by the Board and designed to demonstrate that the applicant has the necessary knowledge and skill to exercise the responsibilities of the public practice of geology.

At the discretion of the Board, separate examinations may be prepared for various subspecialties of geology; however, there will be no specialty certification, only certification as a professional geologist.

(1981, c. 132, §§ 54-964, 54-965; 1984, c. 51; 1988, c. 765, § 54.1-1403; 2012, cc. 803, 835.)

**§ 54.1-2208.3. Waiver of examination.**

The Board may waive the examination requirement for certification as a professional geologist for an applicant who otherwise meets the requirements of this article and who also meets any of

the following conditions:

1. Makes written application to the Board and has at least 12 years of geological work that includes the geological work as specified in subsection B of § 54.1-1403.
2. Makes written application to the Board and holds an unexpired certificate of registration, certification, or license to engage in the practice of geology issued to him on the basis of comparable requirements by a proper authority of a state, territory, or possession of the United States or the District of Columbia.

(1981, c. 132, § 54-966; 1988, c. 765, § 54.1-1404; 1994, c. 247; 1996, c. 49; 2012, cc. 803, 835.)

**§ 54.1-2208.4. Professional ethics and conduct.**

A. The Board, in coordination with an ad hoc panel of certified professional geologists convened by the Board and representing various geological interests in Virginia, shall have prepared and adopted a Code of Professional Ethics and Conduct that shall be published and made known in writing to every Virginia certified professional geologist and applicant for certification under this article. The Board may revise and amend this code as needed and shall forthwith notify each certified professional geologist in writing of such revisions or amendments.

B. The full Board, by majority vote, shall have the power to suspend, revoke, or refuse to renew the certification of any professional geologist who, after an appropriate formal hearing, is found to have been involved in:

1. Any fraud or deceit in obtaining certification;
2. Any violation of the Code of Professional Ethics and Conduct or other regulations of the Board;
3. Demonstrated gross negligence, incompetence, or misconduct in the practice of geology as a professional geologist; or
4. Any conviction of a felony which, in the opinion of the Board, would adversely affect the practice of geology.

C. The Board, by majority vote of the quorum, may reinstate a revoked or suspended certification to any professional geologist who makes written application to the Board showing good cause for such action.

(1981, c. 132, § 54-967; 1988, c. 765, § 54.1-1405; 2012, cc. 803, 835.)

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## NOTICE

PLEASE REFER TO FIRST PAGE OF BOOKLET FOR NOTES ON IMPORTANT CHANGES.

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COMMONWEALTH OF VIRGINIA  
BOARD FOR PROFESSIONAL SOIL SCIENTISTS, WETLAND  
PROFESSIONALS AND GEOLOGISTS



**REGULATIONS Governing  
Certified Professional  
Wetland Delineators**

Last Updated August 1, 2019

STATUTES  
Title 54.1, Chapter 22



Department of Professional and Occupational Regulation

9960 Mayland Drive, Suite 400  
Richmond, VA 23233  
(804) 367-8500  
[www.dpor.virginia.gov](http://www.dpor.virginia.gov)

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**NOTICE  
SUMMARY OF SIGNIFICANT CHANGES**

Included in this document are relevant excerpts from the Virginia Administrative Code. Please note that the Board for Professional Soil Scientists, Wetland Professionals and Geologists, is responsible for promulgating regulations in accordance with the Administrative Process Act (§ 2.2-4000 et seq.), and the Virginia Code Commission is responsible for compiling and codifying all of the administrative regulations of state agencies into the Virginia Administrative Code.

It is your responsibility to stay informed and follow all regulations and statutes governing your profession or occupation. As a regulant of the Board, you should read and become familiar with all regulations applicable to your profession or occupation. You can stay informed of regulatory actions that may result in changes to the regulations at Virginia Regulatory Town Hall ([www.townhall.virginia.gov](http://www.townhall.virginia.gov)).

This document is a complete, edited (unofficial) copy of the August 1, 2019 Regulations (18 VAC 145-30). Please refer to the Virginia Administrative Code for an official copy of the regulations applicable to your profession or occupation. You can access the Virginia Administrative Code online at <http://leg1.state.va.us/000/reg/TOC.HTM>.

The following summarizes significant revisions to the regulations effective August 1, 2019, but does not include all changes that were made to the Certified Professional Wetland Delineator Regulations.

- Makes explicit that a Virginia Certified Professional Wetland Delineator is prohibited from using the work of another without written consent.

## STATEMENT OF PURPOSE

This booklet contains the information you will need to obtain your certification as a wetland delineator. The law that governs your profession is found in the *Code of Virginia*, 1950, as amended, in Title 54.1, Chapter 22. That law permits the Department of Professional and Occupational Regulation to issue regulations that tell you more about what is expected of you in your profession. This booklet contains a copy of the law and regulations that you will need to know and obey to obtain and keep your certification. BE SURE YOU READ AND UNDERSTAND THE STANDARDS OF PRACTICE AND CONDUCT. YOUR FAILURE TO OBEY THESE STANDARDS COULD RESULT IN A MONETARY PENALTY OR THE LOSS OF YOUR CERTIFICATE.

It is the goal of the Department of Professional and Occupational Regulation to provide you with the information you need to comply with the law and regulations. If you have a question and cannot find the answer to it in this booklet, please write to:

Board for Professional Soil Scientists, Wetland Professionals and Geologists  
Department of Professional and Occupational Regulation  
9960 Mayland Drive, Suite 400  
Richmond, Virginia 23233

or call the Agency at (804) 367-8500.

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**PART I.**

**GENERAL**

**18VAC145-30-10. Definitions.**

All terms defined in Chapter 22 (§ 54.1-2200 et seq.) of Title 54.1 of the Code of Virginia, as amended, are incorporated in this chapter.

The following words and terms when used in this chapter shall have the following meanings unless the context clearly indicates otherwise:

“**Tidal wetlands**” means those wetlands as ~~defined subject to by the jurisdiction of~~ § 28.2-1300 of the Code of Virginia, as amended.

“**Non-tidal wetlands**” means ~~all other~~ wetlands ~~meeting the definition under 62.1-443~~ except those ~~subject to the jurisdiction of as defined by~~ § 28.2-1300 of the Code of Virginia, as amended.

***Historical Notes:***

*Virginia Register Volume 20, Issue 20, eff. July 14, 2004*

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**PART II.**

**ENTRY**

**18VAC145-30-20. Qualifications for certification.**

Applicants for certification shall pass the board approved exam and meet the requirements specified in Chapter 22 (§ 54.1- 2200 et seq.) of Title 54.1 of the Code of Virginia, as amended, and this chapter.

**Historical Notes:**

*Virginia Register Volume 20, Issue 20, eff. July 14, 2004*

**18VAC145-30-30. Receipt of application.**

The date the completed ~~ly documented~~ application and fee are received in the board's office shall determine if the application has been received by the established deadline.

**Historical Notes:**

*Virginia Register Volume 20, Issue 20, eff. July 14, 2004*

**18VAC145-30-40. Qualification for examination.**

A. In order to qualify for the examination, an applicant shall provide three written references that comply with subsection B and satisfy one of the following criteria:

- ~~1. Hold a bachelor's degree from an accredited institution of higher education in a wetland science, biology, biological engineering, civil and environmental engineering, ecology, soil science, geology, hydrology or any similar biological, physical, natural science or environmental engineering curriculum that has been approved by the board; have successfully completed a course of instruction, in state and federal wetland delineation methods, that has been approved by the Board; and have at least four years of experience in wetland delineation, which meets the requirements of 18 VAC 145-30-50.1 or 18 VAC 145-30-50.2, the quality of which demonstrates to the Board that the applicant is competent to practice as a certified professional wetland delineator; or~~
- ~~2. Have a record of at least six years of experience in wetland delineation, which meets the requirements of 18 VAC 145-30-50.1 or 18 VAC 145-30-50.2, the quality of which demonstrates to the Board that the applicant is competent to practice as a certified professional wetland delineator; or~~

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~~3. Have a record of at least four years of experience in wetland science research or as a teacher of wetlands curriculum in an accredited institution of higher education, which meets the requirements of 18 VAC 145-30-50.3, the quality of which demonstrates to the Board that the applicant is competent to practice as a certified professional wetland delineator.~~

B. ~~Every applicant shall provide three written references, on a form provided by the board, from wetland professionals with at least one from a certified professional wetland delineator.~~ Individuals who provide references shall not be related to the applicant and shall have known the applicant for at least one year. Individuals who provide references may not also verify experience, including research or teaching experience.

**Historical Notes:**

*Virginia Register Volume 20, Issue 20, eff. July 14, 2004; amended Virginia Register Volume 23, Issue 20, eff. July 12, 2007; Virginia Register Volume 31, Issue 10, eff. March 1, 2015*

**18VAC145-30-50. Qualifying experience in wetland delineation.**

An applicant shall demonstrate experience in one of the following areas:

1. For those individuals applying pursuant to the provisions of ~~18 VAC 145-30-40.A.1 or 18 VAC 145-30-40.A.2~~~~54.1-2206.2.1 and 54.1-2206.2.2~~, the experience in wetland delineation must be as a wetland professional and include the preparation of no ~~less~~ fewer than ten delineations, which must be no more than ten years old at time of receipt by the board office, delineating wetlands in accordance with applicable state and federal regulations which include the proper identification of vegetation, soil, and hydrology indicators. At least six of the ten delineations must be for non-tidal wetlands; or
2. For those individuals applying pursuant to the provisions of ~~54.1-2206.2.1 and 54.1-2206.2.2~~~~18 VAC 145-30-40.A.1 or 18 VAC 145-30-40.A.2~~, the experience in wetland delineation must be as a wetland professional and include the inspection, review or confirmation of no less than thirty delineations as an employee of a federal, state or local governmental body which is authorized to review or approve such delineations, which must be no more than ten years old at time of receipt by the board office, delineating wetlands in accordance with applicable state and federal regulations which include the proper identification of vegetation, soil, and hydrology indicators. Such experience must include the performance of field verifications of a portion of those wetland delineations which were inspected, reviewed or confirmed. At least ~~six~~ eighteen of the thirty delineations must be for non-tidal wetlands, or
3. For those individuals applying pursuant to the provisions of ~~54.1-2206.2.3~~~~18 VAC 145-30-40.A.3~~, the experience as a wetland science researcher must include the preparation of a minimum of three field studies focused on wetland delineation practice and issues,

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the proper identification of vegetation, soil, and hydrology indicators, and the experience as a teacher of wetlands curriculum must have been acquired in an accredited institution of higher education as a field or laboratory instructor of quarter or semester length classes for a minimum of six semester hours, or equivalent, within the past ten years prior to the receipt of the application by the board office, and the curriculum must have included the proper identification of vegetation, soil, and hydrology indicators.

**Historical Notes:**

*Virginia Register Volume 20, Issue 20, eff. July 14, 2004*

**18VAC145-30-60. Course requirements.**

The education required pursuant to ~~54.1-2206.2.1 18VAC145-30-40.A.1~~ of this chapter must include the following:

A. For a bachelors or graduate degree ~~in any similar biological, physical, natural science or environmental engineering curriculum~~ to be approved by the board, it shall, at a minimum, contain coursework in the following:

1. ~~Fifteen semester hours, or equivalent, in b~~Biological sciences including courses such as general biology, botany, or zoology; general ecology; plant, animal, aquatic, or wetlands ecology; invertebrate zoology; taxonomy; marine science; fisheries biology; plant physiology; plant taxonomy, plant pathology; plant morphology; relevant environmental sciences, and similar courses;
2. ~~Fifteen semester hours, or equivalent, in p~~Physical sciences including courses in soils, chemistry, hydrology, physics, geology, sedimentology, oceanography, coastal processes, environmental engineering, and similar courses; and
3. ~~Six semester hours, or equivalent, in q~~Quantitative sciences including courses in math, computer sciences, basic statistics, population dynamics, experimental statistics, and similar courses.

B. The applicant must have successfully completed a course of instruction, of a minimum of thirty-two hours, in state and federal wetland delineation methods which includes the proper identification of vegetation, soil and hydrology indicators and a field component. ~~(reinserted 2/16/24)~~

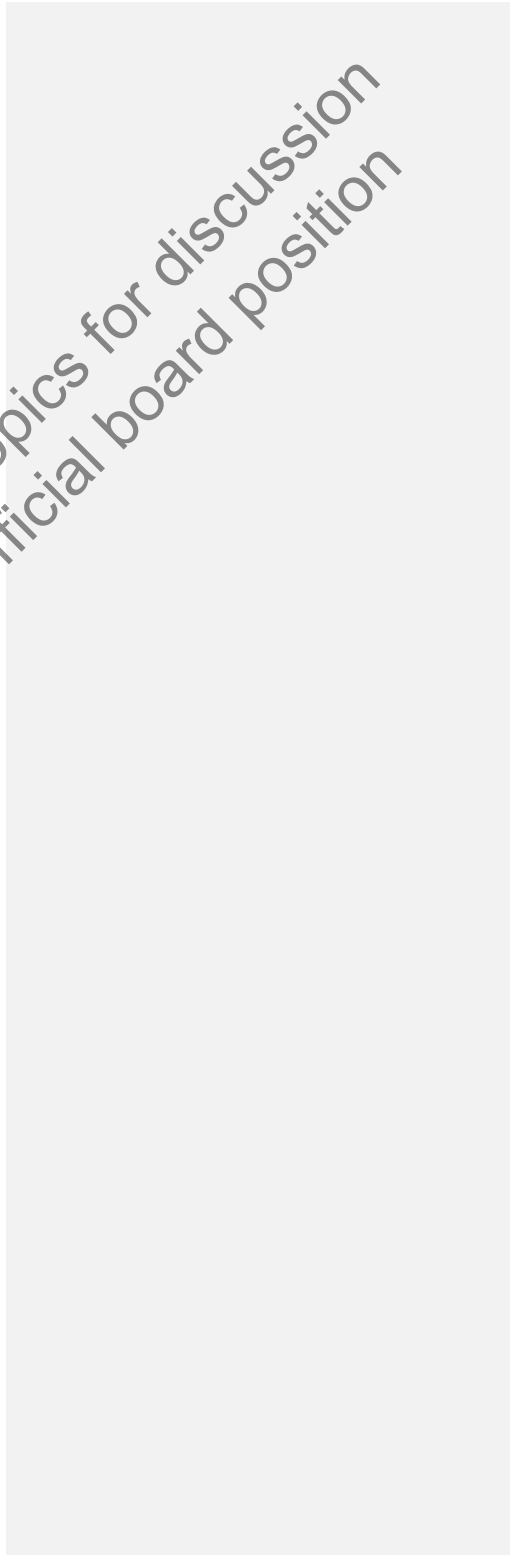
**Historical Notes:**

*Virginia Register Volume 20, Issue 20, eff. July 14, 2004*

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18VAC145-30-70. Examination.

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A. Once approved by the board, an applicant shall be eligible to sit for a board approved examination.

~~B. An applicant must meet all eligibility requirements as of the date the completedly documented application and fee is received by the board's office.~~

~~B. For examination candidates, the completely documented application and fee must be received by the board's office at least 90 days prior to the examination.~~

C. ~~C.~~ A candidate approved to take an examination shall do so within one year of the date of approval or submit a new application and fee in accordance with these regulations. ~~If an a~~ Applicants failing to ~~should not~~ pass the board approved examination within one year of being approved, ~~the applicant~~ shall be required to submit a new application and fee in accordance with this chapter in order to take the examination.

D. A candidate who is unable to take the examination at the time scheduled must notify the department in writing prior to the date of the examination; such a candidate will be rescheduled for the next examination without additional fee. Failure to so notify the department will result in forfeiture of the examination or reexamination fee.

E. Candidates will be notified of passing or failing the examination.

**Historical Notes:**

*Virginia Register Volume 20, Issue 20, eff. July 14, 2004.*

**18VAC145-30-80. Waiver from examination.**

~~An applicant shall be granted a Virginia certificate without examination, provided that:~~

~~1. The applicant holds an unexpired professional wetland delineator certificate or equivalent issued on the basis of equivalent requirements for certification in Virginia, by a regulatory body of another state, territory or possession of the United States or has been provisionally certified under the U.S. Army Corps of Engineers Wetland Delineator Certification Program of 1993 and is not, nor has been, the subject of any disciplinary proceeding before such regulatory body, and such other regulatory body recognizes the certificates issued by this board provided all other requirements of Chapter 22 (§ 54.1-2200 et seq.) of Title 54.1 of the Code of Virginia, as amended, and this chapter are satisfied; or~~

~~2. Applicants who submit a complete application so that it is received by the board on or before June 30, 2006, and are found to be qualified pursuant to § 54.1-2206.B (effective July 1, 2004) of the Code of Virginia, as amended, provided all~~

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other requirements of Chapter 22 (§ 54.1-2200 et seq.) of Title 54.1 of the Code of Virginia, as amended, and this chapter are satisfied.

***Historical Notes:***

*Virginia Register Volume 20, Issue 20, eff. July 14, 2004*

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**PART III.**

**FEES, RENEWAL AND REINSTATEMENT REQUIREMENTS**

**18VAC145-30-90. Fees.**

All fees required by the board are nonrefundable and shall not be prorated.

<b>Fee Type</b>	<b>Amount</b>
Application	\$90
Renewal fee	\$70
Late renewal fee	\$25
Reinstatement fee	\$90
Examination fee	\$150

**Historical Notes:**

*Virginia Register Volume 20, Issue 20, eff. July 14, 2004; amended, Virginia Register Volume 26, Issue 22, eff. September 1, 2010.*

**18VAC145-30-100. Expiration.**

Certificates issued under this chapter shall expire two years from the last day of the month in which they were issued, as indicated on the certificate.

**Historical Notes:**

*Virginia Register Volume 20, Issue 20, eff. July 14, 2004*

**18VAC145-30-110. Renewal.**

- A. The department shall send a renewal notice to the certificate holder at the last known address of record at least 30 days prior to expiration. Failure to receive this notice does not relieve the certificate holder from the requirement to renew the certificate. If the certificate holder fails to receive the renewal notice, a copy of the certificate shall be submitted with the required fee in lieu of the renewal notice.
- B. If the renewal fee is not received by the department within 30 calendar days following the expiration date noted on the certificate, a late renewal fee of \$25 shall be required in addition to the regular renewal fee. If the certificate is renewed after 30 days from the

expiration date and prior to 180 days of the expiration date, the effective date of the renewal shall be the original renewal date. No certificate may be renewed more than 180 days following the date of expiration noted on the certificate.

- C. The date a fee is received by the department or its agent shall determine whether a late renewal fee or the requirement for reinstatement or reapplication is applicable.
- D. A certificate suspended by board order shall not be renewed until the period of suspension has ended and all terms and conditions of the board's order have been met. Individuals renewing certificates within 30 days after the suspension is lifted will not be required to pay a late fee.

**Historical Notes:**

*Virginia Register Volume 20, Issue 20, eff. July 14, 2004*

**18VAC145-30-120. Reinstatement.**

- A. If the renewal fee and late renewal fee are not received by the department within 180 days following the expiration date noted on the certificate, the certificate holder shall no longer be considered a certificate holder and will be required to apply for certificate reinstatement. The applicant shall meet the current eligibility standards for certification as a Virginia certified professional wetland delineator. ~~The board may require examination or reexamination.~~ The fee for reinstatement shall include the regular renewal fee plus the reinstatement fee.
- B. If the reinstatement application and fee are not received by the department within ~~one~~ two years following the expiration date noted on the certificate, the applicant shall apply as a new applicant and shall meet all current entry requirements as may be required by the board.

**Historical Notes:**

*Virginia Register Volume 20, Issue 20, eff. July 14, 2004*

**18VAC145-30-130. Denial of application or renewal.**

The board may, in its discretion, refuse to grant, renew or reinstate a certificate of any person for any of the reasons specified in Chapters 1, 2 or 22 of Title 54.1 of the Code of Virginia, as amended, and this chapter, including, but not limited to, Part IV of this chapter.

**Historical Notes:**

*Virginia Register Volume 20, Issue 20, eff. July 14, 2004*

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PART IV.

STANDARDS OF PRACTICE AND CONDUCT

18VAC145-30-140. Standards of practice and conduct.

A Virginia certified professional wetland delineator:

1. Shall not submit any false statements, make any misrepresentations, or fail to disclose any facts requested concerning any application for certification or recertification.
2. Shall not engage in any fraud, deceit, or misrepresentation in advertising, in soliciting or in providing professional services.
3. Shall not knowingly sign any plans, drawings, blueprints, surveys, reports, specifications, maps, or other documents not prepared or reviewed and approved by the certificate holder.
4. Shall not knowingly represent a client or employer on a project on which the certificate holder represents or has represented another client or employer without making full disclosure thereof.
5. Shall express a professional opinion only when it is founded on adequate knowledge of established facts at issue and based on a background of technical competence in the subject matter.
6. Shall not knowingly misrepresent factual information in expressing a professional opinion.
- ~~7. Shall immediately notify the client or employer and the appropriate regulatory agency if the certificate holder's professional judgment is overruled and not adhered to when advising appropriate parties of any circumstances of a substantial threat to the public health, safety, or welfare.~~
- 8.7. Shall exercise reasonable care when rendering professional services and shall apply the technical knowledge, skill, and terminology ordinarily applied by practicing wetland professionals.
- ~~9. Shall sign and date all plans, drawings, blueprints, surveys, reports, specifications, maps, or other documents prepared or reviewed and approved by the certificate holder. The certified professional wetland delineator shall also indicate that he is a Virginia certified professional wetland delineator on all plans, drawings, blueprints,~~

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~~surveys, reports, specifications, maps, or other documents prepared or reviewed and approved by the certificate holder and include his certificate number.~~

~~10.8.~~ Shall not utilize the design, drawings, specifications, or work of another regulant to complete or to replicate any work without the written consent of the person who or organization that owns the design, drawings, specifications, or work.

**Historical Notes:**

*Virginia Register Volume 20, Issue 20, eff. July 14, 2004, Volume 35, Issue 21, eff. August 1, 2019*

**18VAC145-30-150. Grounds for suspension, revocation or other disciplinary action.**

The board has the power to fine any certificate holder, and to suspend or revoke any certificate issued under the provisions of Title 54.1, Chapter 22 of the Code of Virginia, as amended, and the regulations of the board, where the certificate holder has been found to have violated or cooperated with others in violating any provision of Chapters 1, 2 or 22 of Title 54.1 of the Code of Virginia, as amended, or any regulation of the board.

**Historical Notes:**

*Virginia Register Volume 20, Issue 20, eff. July 14, 2004*

**18VAC145-30-160. Change of address**

A certificate holder shall keep the department informed of ~~his~~ current mailing address. Change of address shall be reported to the department in writing within 30 calendar days of the change.

**Historical Notes:**

*Virginia Register Volume 20, Issue 20, eff. July 14, 2004*

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Included in this booklet are relevant excerpts from the *Code of Virginia*. Please note that the Virginia General Assembly is responsible for creating and amending the *Code*, not the Board for Professional Soil Scientists, Wetland Professionals and Geologists. The version contained herein contains all changes, if any, that have been made by the General Assembly through the 2013 session. Any changes made during the 2007 session became effective July 1, 2013, unless otherwise noted. It is your responsibility to stay informed of revisions to the regulations and the statutes governing your profession or occupation. Please consult the General Assembly or your local library for annual changes.

**§ 54.1-2200. Definitions.**

As used in this chapter, unless the context requires a different meaning:

"Board" means the Board for Professional Soil Scientists, Wetland Professionals, and Geologists.

"Department" means the Department of Professional and Occupational Regulation.

"Eligible soil scientist" means a person who possesses the qualifications specified in this chapter to become licensed.

"Eligible wetland professional" means a person who possesses the qualifications specified in this chapter to become certified.

"Geologist" means a person engaged in the public practice of geology.

"Geology" means the science dealing with (i) the earth and its history in general; (ii) the investigation, prediction, evaluation, and location of materials and structures which compose the earth; (iii) the natural processes that cause changes in the earth; and (iv) the application of knowledge of the earth, its processes, and its constituent rocks, minerals, liquids, gases, and other natural materials.

"Practice of geology" means the performance of any service or work for the general public wherein the principles and methods of geology are applied.

"Practice of soil evaluation" means the evaluation of soil by accepted principles and methods including, but not limited to, observation, investigation, and consultation on measured, observed and inferred soils and their properties; analysis of the effects of these properties on the use and management of various kinds of soil; and preparation of soil descriptions, maps, reports and interpretive drawings.

"Practice of wetland delineation" means the delineation of wetlands by accepted principles and methods including, but not limited to, observation, investigation, and consultation on soil, vegetation, and hydrologic parameters; and preparation of wetland delineations, descriptions, reports and interpretive drawings.

"Qualified geologist" means an uncertified person who possesses all the qualifications specified in this chapter for certification.

"Soil" means the groups of natural bodies occupying the unconsolidated portion of the earth's surface which are capable of supporting plant life and have properties caused by the combined effects, as modified by topography and time, of climate and living organisms upon parent materials.

"Soil evaluation" means plotting soil boundaries, describing and evaluating the kinds of soil and predicting their suitability for and response to various uses.

"Soil science" means the science dealing with the physical, chemical, mineralogical, and biological properties of soils as natural bodies.

"Soil scientist" means a person having special knowledge of soil science and the methods and principles of soil evaluation as acquired by education and experience in the formation, description and mapping of soils.

"Virginia certified professional geologist" means a person who possesses all qualifications specified in this chapter for certification and whose competence has been attested by the Board through certification.

"Virginia certified professional wetland delineator" means a person who possesses the qualifications required for certification by the provisions of this chapter and the regulations of the Board and who is granted certification by the Board.

"Virginia licensed professional soil scientist" means a person who possesses the qualifications required for licensure by the provisions of this chapter and the regulations of the Board and who has been granted a license by the Board.

"Wetland delineation" means delineating wetland limits in accordance with prevailing state and federal regulatory guidance and describing wetland types.

"Wetland professional" means a person having special knowledge of wetland science and the methods and principles of wetland delineation as acquired by education and experience in the formation, description and mapping of wetlands.

"Wetland science" means the science dealing with the physical, chemical, and biological properties of wetland systems integrated through ecological and morphological relationships.

"Wetlands" means the same as that term is defined in §§ [28.2-1300](#) and [62.1-44.3](#).

**§ 54.1-2200.2. Board for Professional Soil Scientists, Wetland Professionals, and Geologists; membership; quorum.**

A. Notwithstanding the provisions of § [54.1-200](#), the Board for Professional Soil Scientists, Wetland Professionals, and Geologists shall be composed of 13 members as follows: three

licensed professional soil scientists, three certified professional wetland delineators, three geologists, and three citizen members. The State Geologist shall serve as an ex officio member of the Board. The geologist members shall be of varied backgrounds. The professional soil scientist members shall have experience in at least one of the following areas: (i) soil mapping and classification, (ii) soil suitability and land use, (iii) teaching and research in soil science, and (iv) environmental protection regulations. Of the wetland professional members, one shall have experience in wetland delineation and description, one shall have experience in teaching and research in wetland science, and one shall have experience with natural resource regulations. Terms of the members shall be for four years.

B. The Board shall annually elect a chairman from its membership. Seven board members, consisting of at least two soil scientists, two professional wetland delineators, two geologists, and one citizen, shall constitute a quorum.

C. The Governor may select the professional soil scientist members from a list of at least three names for each vacancy submitted by the Virginia Association of Professional Soil Scientists. The Governor may notify the Virginia Association of Professional Soil Scientists of any professional vacancy other than by expiration among the professional soil scientist members of the Board and nominations may be made for the filling of the vacancy.

D. The Governor may select the wetland professionals from a list of at least three names for each vacancy submitted by the Virginia Association of Wetland Professionals. The Governor may notify and request nominations from the Virginia Association of Wetland Professionals of any professional vacancy other than by expiration among the wetland professional members.

**§ 54.1-2201. Exceptions.**

A. The certification program for wetland delineation set forth in this chapter shall be voluntary and shall not be construed to prohibit:

1. The practice of wetland delineation by individuals who are not certified professional wetland delineators as defined in this chapter;
2. The work of an employee or a subordinate of a certified professional wetland delineator or of an individual who is practicing wetland delineation without being certified;
3. The work of any professional engineer, landscape architect, or land surveyor as defined by § [54.1-400](#) in rendering any of the services that constitute the practice of wetland delineation or the practice of soil evaluation; or
4. The practice of any profession or occupation that is regulated by another regulatory board within the Department.

B. The licensing program for professional soil scientists shall not be construed to prohibit:

1. The work of an employee or a subordinate of a licensed soil scientist;

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2. The work of any professional engineer, landscape architect, or land surveyor as defined in § [54.1-400](#) in rendering any services that constitute the practice of soil evaluation; or

3. The practice of any profession or occupation that is regulated by another regulatory board within the Department.

C. Nothing in this chapter shall authorize an individual to engage in the practice of engineering, the practice of land surveying or the practice of landscape architecture, unless such individual is licensed or certified pursuant to Chapter 4 (§ [54.1-400](#) et seq.).

**§ 54.1-2203. Certification as wetland delineator.**

A. Any person practicing or offering to practice as a wetland professional in the Commonwealth may submit to the Board evidence of qualification to be a certified professional wetland delineator as provided in this chapter. The Board may certify any applicant who has satisfactorily met the requirements of this chapter and its regulations and shall specify on the certificate the appropriate endorsement.

B. Any individual who allows his certification to lapse by failing to renew the certificate or failing to meet professional activity requirements stipulated in the regulations may be reinstated by the Board upon submission of satisfactory evidence that he is practicing in a competent manner and upon payment of the prescribed fee.

**§ 54.1-2205. Requirements for certification.**

A. In order to be certified as a professional soil scientist, an applicant shall achieve a score acceptable to the Board on an examination in the principles and practice of soil evaluation and satisfy one of the following criteria:

1. Hold a bachelor's degree from an accredited institution of higher education in a soils curriculum which has been approved by the Board and have at least four years of experience in soil evaluation, the quality of which demonstrates to the Board that the applicant is competent to practice as a professional soil scientist; or
2. Hold a bachelor's degree in one of the natural sciences and have at least five years of experience in soil evaluation, the quality of which demonstrates to the Board that the applicant is competent to practice as a professional soil scientist; or
3. Have a record of at least eight years of experience in soil evaluation, the quality of which demonstrates to the Board that the applicant is competent to practice as a professional soil scientist; or
4. Have at least four years of experience in soil science research or as a teacher of soils curriculum in an accredited institution of higher education which offers an approved four-year program in soils and at least two years of soil evaluation experience, the quality of which

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demonstrates to the Board that the applicant is competent to practice as a professional soil scientist.

B. Notwithstanding the requirements in subsection A, any person appointed to serve on the Board as a professional soil scientist member prior to July 1, 1991, shall be deemed certified for the purposes of this chapter.

**§ 54.1-2206. Waiver of examination.**

A. The Board may waive the requirement for examination pursuant to § [54.1-2205](#) upon written application from an individual who holds an unexpired certificate or license, or its equivalent, issued by a regulatory body of another state, territory or possession of the United States and is not the subject of any disciplinary proceeding before such regulatory body which could result in the suspension or revocation of his certificate or license, if such other state, territory or possession recognizes the license issued by the Board.

~~B. The Board shall waive the requirement for examination pursuant to § [54.1-2206.2](#) upon the written application from an individual who holds an unexpired certificate or its equivalent issued by a regulatory body of another state, territory or possession of the United States or has been provisionally certified under the U.S. Army Corps of Engineers Wetland Delineator Certification Program of 1993 and is not the subject of any disciplinary proceeding before such regulatory body, which could result in the suspension or revocation of his certificate.~~

**§ 54.1-2206.1. Requirements for application for professional wetland delineator certification.**

The Board may certify any applicant as a Virginia certified professional wetland delineator who has submitted satisfactory evidence ~~verified by affidavits~~ that the applicant:

1. Is eighteen years of age or older;

~~2. Is of good moral character; and~~

~~3.2.~~ Has successfully completed such educational and experiential requirements as are required by this chapter and the regulations of the Board.

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**§ 54.1-2206.2. Requirements for professional wetland delineator certification.**

In order to be certified as a professional wetland delineator, an applicant shall achieve a score acceptable to the Board on an examination, ~~which may include a field practicum, in the principles and practice of wetland delineation, provide three written references from wetland professionals with at least one from a certified professional wetland delineator,~~ and satisfy one of the following criteria:

1. Hold a bachelor's degree from an accredited institution of higher education in a wetland science, biology, biological engineering, civil and environmental engineering, ecology, soil science, geology, hydrology or any similar biological, physical, natural science or environmental engineering curriculum that has been approved by the Board; ~~have successfully completed a course of instruction, in state and federal wetland delineation methods, that has been approved by the Board;~~ and have at least ~~four~~two years of experience in wetland delineation, the quality of which demonstrates to the Board that the applicant is competent to practice as a certified professional wetland delineator;
2. Have a record of at least ~~six~~three years of experience in wetland delineation, the quality of which demonstrates to the Board that the applicant is competent to practice as a certified professional wetland delineator; or
3. Have a record of at least ~~four~~three years of experience in wetland science research or as a teacher of wetlands curriculum in an accredited institution of higher education, the quality of which demonstrates to the Board that the applicant is competent to practice as a certified professional wetland delineator.

**§ 54.1-2207. Unprofessional conduct.**

Any professional soil scientist who is licensed or any wetland delineator who is certified, as provided in this chapter, shall be considered guilty of unprofessional conduct and subject to disciplinary action by the Board, if he:

1. Obtains his certification or license through fraud or deceit;
2. Violates or cooperates with others in violating any provision of this chapter, the Code of Professional Ethics and Conduct or any regulation of the Board;
3. Performs any act likely to deceive, defraud or harm the public;
4. Demonstrates gross negligence, incompetence or misconduct in the practice of soil evaluation or wetland delineation; or

~~5. Is convicted of a felony.~~

5. ~~that would render the applicant unfit or unsuited to engage in the occupation or profession applied for in accordance with § 54.1-204 of the Code of Virginia.~~

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**§ 54.1-2208. Unlawful representation as a licensed professional soil scientist or certified wetland delineator.**

A. No person shall represent himself as a licensed professional soil scientist unless he has been so licensed by the Board. Any person practicing or offering to practice soil evaluation within the meaning of this chapter who, through verbal claim, sign, advertisement, or letterhead, represents himself as a licensed professional soil scientist without holding a license from the Board shall be guilty of a Class 1 misdemeanor.

B. No person shall represent himself as a certified professional wetland delineator unless he has been so certified by the Board. Any person practicing or offering to practice wetland delineation within the meaning of this chapter who, through verbal claim, sign, advertisement, or letterhead, represents himself as a certified professional wetland delineator without holding such a certificate from the Board shall be guilty of a Class 1 misdemeanor.

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Department of Professional and Occupational Regulation

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**NOTICE**  
PLEASE REFER TO FIRST PAGE OF BOOKLET FOR NOTES ON IMPORTANT CHANGES.

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COMMONWEALTH OF VIRGINIA  
BOARD FOR PROFESSIONAL SOIL SCIENTISTS, WETLAND  
PROFESSIONALS, AND GEOLOGISTS



**REGULATIONS FOR THE  
GEOLOGY CERTIFICATION  
PROGRAM**

~~Last Updated January 1, 2015~~

STATUTES  
Title 54.1, Chapter 22



Department of Professional and Occupational Regulation  
9960 Mayland Drive, Suite 400  
Richmond, Virginia 23233  
(804) 367-8500  
[www.dpor.virginia.gov](http://www.dpor.virginia.gov)

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**NOTICE  
SUMMARY OF SIGNIFICANT CHANGES**

Included in this document are relevant excerpts from the Virginia Administrative Code. Please note that the Board for Professional Soil Scientists, Wetland Professionals, and Geologists is responsible for promulgating regulations in accordance with the Administrative Process Act (§ 2.2-4000 et seq.), and the Virginia Code Commission is responsible for compiling and codifying all of the administrative regulations of state agencies into the Virginia Administrative Code.

It is your responsibility to stay informed and follow all regulations and statutes governing your profession or occupation. As a regulant of the Board, you should read and become familiar with all regulations applicable to your profession or occupation. You can stay informed of regulatory actions that may result in changes to the regulations at Virginia Regulatory Town Hall ([www.townhall.virginia.gov](http://www.townhall.virginia.gov)).

This document is a complete, edited (unofficial) copy of the Regulations for the Geology Certification Program (18 VAC 145-40). Please refer to the Virginia Administrative Code for an official copy of the regulations applicable to your profession or occupation. You can access the Virginia Administrative Code online at <http://leg1.state.va.us/000/reg/TOC.HTM>.

~~The following summarizes significant revisions to the regulations effective January 1, 2015.~~

- ~~• The purpose of the revision in the regulations is to adjust fees as necessary in accordance with §54.1-113 of the *Code of Virginia*. As a result of this adjustment, the fees for initial certification, renewal, and reinstatement have been increased.~~

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## STATEMENT OF PURPOSE

This booklet contains the information you will need to become a Virginia Certified Professional Geologist. The law that governs your profession is found in the *Code of Virginia*, 1950, as amended, in Title 54.1, Chapter 22. That law permits the Department of Professional and Occupational Regulation to issue regulations that tell you more about what is expected of you in your profession. This booklet contains a copy of the law and regulations that you will need to know and obey to obtain and keep your professional geologist certification. BE SURE YOU READ AND UNDERSTAND THE STANDARDS OF PRACTICE AND CONDUCT. YOUR FAILURE TO OBEY THESE STANDARDS COULD RESULT IN A MONETARY PENALTY OR THE LOSS OF YOUR CERTIFICATE.

It is the goal of the Department of Professional and Occupational Regulation to provide you with the information you need to comply with the law and regulations. If you have a question and cannot find the answer to it in this booklet, please write to:

Board for Professional Soil Scientists, Wetland Professionals, and Geologists  
Department of Professional and Occupational Regulation  
9960 Mayland Drive, Suite 400  
Richmond, VA 23233

or call the Agency at (804) 367-8500.

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**PART I.**  
**GENERAL**

**18VAC145-40-10. Definitions.**

The following words and terms when used in this chapter shall have the following meanings unless the context clearly indicates otherwise:

~~"Board" means the Board for Professional Soil Scientists, Wetland Professionals, and Geologists.~~

~~"Geologist" means a person engaged in the public practice of geology.~~

~~"Ethical Character" may be established if the applicant or regulant:~~

~~1. Has not been convicted of a non-marijuana misdemeanor in the last 10 years or has ever been convicted of a felony that would render the applicant unfit or unsuited to engage in the occupation or profession applied for in accordance with § 54.1-204 of the Code of Virginia;~~

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~~2. Has not committed any act involving dishonesty, fraud, misrepresentation, breach of fiduciary duty, negligence, or incompetence reasonably related to:~~

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~~a. The proposed area of practice within 18 years prior to application for licensure, certification, or registration; or~~

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~~b. The area of practice related to licensure, certification, or registration by the board while under the authority of the board.~~

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~~3. Has not engaged in fraud or misrepresentation in connection with the application for licensure, certification, or registration, or related exam;~~

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~~4. Has not had a license, certification, or registration revoked or suspended for cause or been disciplined by the Commonwealth or by any other jurisdiction, or surrendered or has surrendered a license, certificate, or registration in lieu of disciplinary action; or~~

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~~5. Has not practiced without the required license, registration, or certification in the Commonwealth or in another jurisdiction within the five years immediately preceding the filing of the application for licensure, certification, or registration by the Commonwealth.~~

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"Geologist-in-Training (GIT)" means an individual who has completed the academic requirements specified in this chapter and has passed the Fundamentals of Geology examination, but has not met all requirements to qualify as a Virginia certified professional geologist.

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~~"Geology" means the science dealing with (i) the earth and its history in general; (ii) the investigation, prediction, evaluation, and location of materials and structures which compose the earth; (iii) the natural processes that cause changes in the earth; and (iv) the application of knowledge of the earth, its processes, and its constituent rocks, minerals, liquids, gases and other natural materials.~~

~~"Practice of geology" means the performance of any service or work for the general public wherein the principles and methods of geology are applied.~~

~~"Qualified geologist" means an uncertified person who possesses all the qualifications specified in § 54.1-2208.2 of the Code of Virginia for certification.~~

"Related geological science degree" means a degree that shall include 30 semester hours from courses in the geosciences, including 12 or more semester hours from at least four of the following disciplines: , but not be limited to, a degree in economic geology or petroleum geology, stratigraphy, structural geology, hydrogeology, mineralogy, petrology, geomorphology, and field geology.

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"Responsible charge" means the direct control and supervision of the practice of geology.

"Supervision" means quality control review of all significant data collection, interpretation and conclusions.

~~"Virginia-certified professional geologist" means a person who possesses all qualifications specified in this chapter for certification and whose competence has been attested by the board through certification.~~



**Historical Notes:**

*Derived from VR335-01-2 § 1.1, eff. February 1, 1988; amended, Virginia Register Volume 7, Issue 13, eff. April 24, 1991; Volume 11, Issue 6, eff. February 1, 1995; Volume 22, Issue 21, eff. August 1, 2006; Volume 28, Issue 23, eff. August 15, 2012; Volume 29, Issue 5, eff. January 1, 2013.*

**18VAC145-40-20. Fees.**

All fees for application, examination, renewal, and reinstatement shall be established by the board pursuant to § 54.1-201 of the *Code of Virginia*. All fees are nonrefundable and shall not be prorated.

1. The application fee for certification shall be \$90.
2. The fee for renewal of certification shall be \$70.
3. The application fee for the Geologist-in-Training (GIT) designation shall be \$20.
4. The fee for examination or reexamination is subject to contracted charges to the department by an outside vendor. These contracts are competitively negotiated and bargained for in compliance with the Virginia Public Procurement Act (§ 2.2-4300 et seq. of the Code of Virginia). Fees may be adjusted and charged to the candidate in accordance with this contract.
5. The penalty fee for late renewal shall be \$25 in addition to the renewal fee.
6. The reinstatement fee shall be \$90.

**Historical Notes:**

*Derived from VR335-01-2 § 1.3, eff. February 1, 1988; amended, Virginia Register Volume 7, Issue 13, eff. April 24, 1991; Volume 11, Issue 6, eff. February 1, 1995; Volume 15, Issue 18, eff. July 1, 1999; Volume 22, Issue 21, eff. August 1, 2006; Volume 22, Issue 26, eff. November 1, 2006; Volume 27, Issue 12, eff. April 1, 2011; Volume 28, Issue 23, eff. August 15, 2012; Volume 29, Issue 5, eff. January 1, 2013; Volume 31, Issue 7, eff. January 1, 2015.*

**18VAC145-40-30. Expiration, renewal and fee of certificate holders.**

- A. Certificates issued under this chapter shall expire on August 31 of the odd-numbered year following the date of issuance. Certificate holders shall be notified ~~by mail~~ of the fee and the procedure for certificate renewal at least 45 days before the certificate expires. Each certificate holder desiring to renew his certificate shall submit the renewal notice with the appropriate fee before the certificate expires.
- B. There shall be a penalty fee for late renewal assessed in addition to the renewal

fee for any certificate holder failing to renew the certificate within 30 days following the date of expiration.

- C. Failure to receive written notice from the Department of Professional and Occupational Regulation does not relieve the regulant from the requirement to renew his certificate. If the certificate holder fails to receive the renewal notice, a copy of the certificate may be submitted with the required fee.
- D. The date a fee is received by the Department of Professional and Occupational Regulation, or its agent, will be used to determine whether a penalty fee or the requirement for reinstatement of a certificate is applicable.
- E. Revoked or suspended certificates are not renewable until reinstated by the board.

**Historical Notes:**

*Derived from VR335-01-2 § 1.4, eff. February 1, 1988; amended, Virginia Register Volume 7, Issue 13, eff. April 24, 1991; Volume 11, Issue 6, eff. February 1, 1995; Volume 28, Issue 23, eff. August 15, 2012.*

**18VAC145-40-40. Reinstatements.**

If the certificate holder fails to renew the certificate within six months following the expiration date, the certificate holder will be required to apply for reinstatement of the certificate. The board may grant reinstatement of the certificate, or require requalification or reexamination, or both. The application fee for reinstatement of a certificate shall be the amount established in 18VAC145-40-20.

**Historical Notes:**

*Derived from VR335-01-2 § 1.5, eff. February 1, 1988; amended, Virginia Register Volume 7, Issue 13, eff. April 24, 1991; Volume 11, Issue 6, eff. February 1, 1995; Volume 22, Issue 21, eff. August 1, 2006; Volume 22, Issue 26, eff. November 1, 2006; Volume 28, Issue 23, eff. August 15, 2012.*

**18VAC145-40-50. Status of certification during the period prior to reinstatement.**

- A. Reinstated certifications shall continue to have the same certification number and shall expire on August 31 of the odd-numbered year following the date of reinstatement.
- B. Reinstated certifications shall be regarded as having been continuously licensed without interruption. Therefore, the holder of the reinstated certification shall remain under the disciplinary authority of the board during this entire period and may be held accountable for his activities during this period.

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C. Certifications which are not renewed or reinstated shall be regarded as expired from the

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date of the expiration forward.

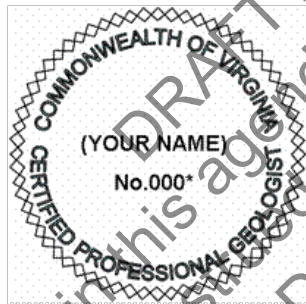
**Historical Notes:**

*Derived from VR335-01-2 § 1.6, eff. February 1, 1988; amended, Virginia Register Volume 7, Issue 13, eff. April 24, 1991; Volume 11, Issue 6, eff. February 1, 1995; Volume 22, Issue 21, eff. August 1, 2006; Volume 28, Issue 23, eff. August 15, 2012.*

**18VAC145-40-60. Use of seal.**

A certified professional geologist may apply a rubber stamp or preprinted seal to final and complete cover sheets and to each original sheet of plans or drawings prepared or reviewed and approved by the regulant. The seal may be applied to the cover sheet of technical reports and specifications prepared or reviewed and approved by the regulant.

1. All seal imprints on final documents shall be signed.
2. Application of the seal and signature shall indicate acceptance of responsibility for work shown thereon.
3. The original seal shall be two inches in diameter and conform to the design illustrated below.



below: The seal shall conform in detail and size to the design illustrated below:

\*The number on the seal is referred to is the number, usually three or four digits, as shown on the wall certificate and is the license renewal number issued each biennium as indicated on the licensee's pocket card the last four digits of your license number. The number will not change every two years, but is permanent.

**Historical Notes:**

*Derived from VR335-01-2 § 1.7, eff. February 1, 1988; amended, Virginia Register Volume 7, Issue 13, eff. April 24, 1991; Volume 11, Issue 6, eff. February 1, 1995; Volume 22, Issue 21, eff. August 1, 2006; Volume 28, Issue 23, eff. August 15, 2012.*

PART II.

ENTRY

18VAC145-40-70. Qualifications for certification.

A. ~~In addition to the requirements in 54.1-2208E, 2a, each applicant for certification as a certified professional geologist in Virginia shall:~~

1. Make application on forms provided by the board;

2. Be of ethical character;

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~~3. Hold a baccalaureate or higher degree from an accredited college or university with a major in geology, engineering geology, geological engineering or a related geological science. In the absence of one of the aforementioned degrees, each applicant shall provide evidence of the satisfactory completion of 30 semester hours (or the equivalent) of geological science courses including, but not limited to, the following subjects:~~

~~4. —~~

~~5. — Stratigraphy;~~

~~6. — Structural geology;~~

~~7. — Mineralogy;~~

~~8. — Paleontology;~~

~~9. — Petrology;~~

~~10. — Geomorphology; and~~

~~11. — Field geology.~~

~~12. —~~

~~13. At least 12 semester hours must have been completed in four of the seven subjects listed in this subsection.~~

~~14. —~~

~~15. Provide the board with written documentation that demonstrates that the courses satisfactorily completed by the applicant are equivalent to those required by this section.~~

~~16. —~~

~~17.3. Have at least seven years of geological work that shall include either a minimum of three years of geological work under the supervision of a qualified or certified professional geologist, or a minimum of three years of experience in responsible charge of geological work. The work shall include, but not be limited to, one or more of the following areas:~~

~~f.~~

~~b. a. Mineralogy. (reinserted all highlighted 2.16.24)~~

~~e. (1) Identify and classify major rock types.~~

~~d. (2) Identify mineral assemblages.~~

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~~pp.~~ (8) Describe and sample soils for geologic analysis and materials properties testing.

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~~qq.~~  
~~rr.~~ f. Mining geology.

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~~ss.~~ (1) Formulate exploration programs.

~~tt.~~ (2) Implement field investigations on prospects.

~~uu.~~ (3) Perform geologic interpretations for mineral reserves.

~~vv.~~ (4) Perform economic analyses/appraisals.

~~ww.~~ (5) Provide geologic interpretations for mine development and production activities.

~~xx.~~ (6) Provide geologic interpretations for mine abandonments, closures, or restorations.

~~yy.~~  
~~zz.~~ g. Petroleum geology.

1) Formulate exploration programs.

2) Implement field investigations on prospects.

3) Perform geologic interpretations of physical properties and hydrocarbon reserves.

4) Perform petroleum economic analyses/appraisals.

5) Provide geologic interpretations for development and production activities.

6) Provide geologic interpretations for abandonments, closures, or restorations.

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B. Applicants holding degrees other than those listed in 54.1-2208.2.B.2 shall provide the board with written documentation that demonstrates that the courses satisfactorily completed by the applicant are equivalent geological science courses.

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~~Each year of full time undergraduate study in the geological sciences shall count as one half year of experience up to a maximum of two years, and each year of full time graduate study shall count as a year of experience up to a maximum of three years. Credit for undergraduate and graduate study shall in no case exceed a total of four years toward meeting the requirements for at least seven years of geological work. The board may consider in lieu of the above described geological work, the cumulative total of geological work or geological research of persons occupying research or post graduate positions as well as those teaching geology courses at the college or university level, provided such work or research can be demonstrated to be of a sufficiently responsible nature to be equivalent to the geological work required above.~~

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1-C. A year of full-time employment is a minimum of 1,760 hours or 220 workdays in a 12 month period. 32 hours per week. More than 1,760 hours or 220 workdays during a 12 month period shall not be considered as more than one year of full time experience. Partial credit may be given for actual hours of work or workdays experience if the applicant works as a geologist less than full time.

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~~Each applicant shall successfully pass an appropriate examination approved by the board and designed to demonstrate that the applicant has the necessary knowledge and skill to exercise the responsibilities of the public practice of geology.~~

**Historical Notes:**

~~Derived from VR335-01-2 § 2.1, eff. February 1, 1988; amended, Virginia Register Volume 7, Issue 13, eff. April 24, 1991; Volume 11, Issue 6, eff. February 1, 1995; Volume 22, Issue 21, eff. August 1, 2006; Volume 28, Issue 23, eff. August 15, 2012.~~

**18VAC145-40-80. Waiver of examination.**

~~The board may waive the examination requirement for any applicant who makes written application, otherwise meets the requirements of Chapter 22 (§ 54.1-2200 et seq.) of Title 54.1 of the Code of Virginia and also meets one of the following conditions:~~

~~Provides evidence of at least 12 years of geological work that includes the geological work as specified in 18VAC145-40-70; or~~

~~Provides evidence of an unexpired certificate of registration, certification or license to engage in the practice of geology issued on the basis of comparable requirements by a proper authority of a state, territory or possession of the United States or the District of Columbia.~~

**Historical Notes:**

~~Derived from VR335-01-2 § 2.2, eff. February 1, 1988; amended, Virginia Register Volume 7, Issue 13, eff. April 24, 1991; Volume 11, Issue 6, eff. February 1, 1995; Volume 22, Issue 21, eff. August 1, 2006; Volume 28, Issue 23, eff. August 15, 2012.~~

**18VAC145-40-83. Qualifications for the Fundamentals of Geology (FG) examination.**

The board may approve applicants to sit for the Fundamentals of Geology (FG) examination without having met the experience requirements of ~~18VAC145-40-70~~ 54.1-2208.2.B.3. The applicant shall submit an application on forms provided by the board, pay the fee established in 18VAC145-40-20, and satisfy one of the following requirements:

1. Hold a baccalaureate or higher degree from an accredited college or university with a major in geology, engineering geology, geological engineering, or a related geological science and provide an official college transcript that demonstrates satisfactory completion of the degree program.
2. Hold a baccalaureate or higher degree from an accredited college or university ~~with a major other than geology, engineering geology, geological engineering, or a related geological science and~~ have satisfactorily completed at

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~~a. least 30 semester hours (or the equivalent) of geological science courses, including, but not limited to, the following subjects:~~

~~b.~~

~~c. Stratigraphy;~~

~~d. Structural geology;~~

~~e. Mineralogy;~~

~~f. Paleontology;~~

~~g. Petrology;~~

~~h. Geomorphology; and~~

~~i. Field geology.~~

~~At least 12 of the 30 semester hours of geological science courses must have been completed in four of the seven subjects listed in this subsection. The applicant shall provide an official college transcript and written documentation that demonstrates the courses satisfactorily completed are equivalent geological science courses equivalent to those required by this section.~~

3. Be enrolled in an undergraduate geology, engineering geology, geological engineering, or a related geological science curriculum of at least four years at an accredited college or university and be within 12 months of completing undergraduate degree requirements. The applicant shall provide an official college transcript that demonstrates satisfactory completion of course work.
4. Be enrolled in a graduate geology, engineering geology, geological engineering, or a related geological science curriculum at an accredited college or university and be within six months of completing graduate degree requirements. The applicant shall provide an official college transcript that demonstrates satisfactory completion of course work.

**Historical Notes:**

*Derived from Virginia Register Volume 29, Issue 5, eff. January 1, 2013.*

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**18VAC145-40-85. Qualifications for Geologist-in-Training (GIT) designation.**

A. To be eligible to obtain the GIT designation, each applicant shall:

- ~~1. Make application on forms provided by the board;~~
- ~~2. Be of ethical character;~~

~~3.2.~~ Have achieved a passing score on a board-approved Fundamentals of Geology examination;

~~1. Hold a baccalaureate or higher degree from an accredited college or university with a major in geology, engineering geology, geological engineering, or a related geological science; or~~

~~1. Hold a baccalaureate or higher degree from an accredited college or university and have satisfactorily completed at~~

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least 30 semester hour from courses in the geosciences, including 12 or more semester hours from at least four of the following disciplines: stratigraphy, structural geology, hydrogeology, mineralogy, petrology, geomorphology, and field geology.

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~~Hold a baccalaureate or higher degree from an accredited college or university with a major other than geology, engineering geology, geological engineering, or a related geological science and have satisfactorily completed at least 30 semester hours (or the equivalent) of geological science courses including, but not limited to, the following subjects: stratigraphy, structural geology, mineralogy, paleontology, petrology, geomorphology, and field geology. At least 12 of the 30 semester hours of geological science courses must have been completed in four of the seven subjects listed in this subsection.~~

- B. Prior to obtaining the designation of GIT, an applicant who qualified to sit for a board-approved Fundamentals of Geology examination under subdivision 3 or 4 of 18VAC145-40-83 and passed the examination must provide an official college transcript that demonstrates satisfactory completion of the degree program.
- C. The designation of GIT will remain valid until the individual meets all requirements for certification as a Virginia certified professional geologist.

~~The designation of GIT does not give an individual the authority to practice as a certified professional geologist. An individual may not practice as a certified professional geologist in the Commonwealth of Virginia until his competence has been attested by the board through certification.~~

**Historical Notes:**

Derived from Virginia Register Volume 29, Issue 5, eff. January 1, 2013.

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PART III.

STANDARDS OF PRACTICE AND CONDUCT

18VAC145-40-90. Disclosure.

A certified professional geologist:

1. Shall not submit any false statements or fail to disclose any facts requested concerning his or another's application for certification.

~~Shall not falsely or maliciously attempt to injure the reputation or business of another.~~

2. Shall not engage in any fraud, deceit, or misrepresentation in advertising, in soliciting or in providing professional services.
3. Shall not knowingly sign, stamp, or seal any plans, drawings, blueprints, surveys, reports, specifications, or other documents not prepared or reviewed and approved by the certificate holder.

4. Shall make full disclosure to all parties of:

- a. ~~Any transaction involving payments made to any person for the purpose of securing a contract, assignment, or engagement.~~
- b.
- e.a. Any monetary, financial or beneficial interest he may have in any contract or entity providing goods or services, other than his professional services, to a project or engagement.

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~~Shall express an opinion only when it is founded on adequate knowledge of established facts at issue, on a background of technical competence in the subject matter, and on an honest conviction of the accuracy of the testimony when serving as an expert or technical witness before any court, commission, or other tribunal.~~

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~~Shall provide adequate representation of his qualifications and scope of responsibilities for all previous experience claimed when negotiating with prospective clients.~~

**Historical Notes:**

Derived from VR335-01-2 § 3.1, eff. February 1, 1988; amended, Virginia Register Volume 7, Issue 13, eff. April 24, 1991; Volume 11, Issue 6, eff. February 1, 1995; Volume 28, Issue 23, eff. August 15, 2012.

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**18VAC145-40-100. Change of address or name.**

Each certified professional geologist **and geologist in training** shall notify the board, in writing, of any change of address or name. This notification shall be sent to the board within 30 days after such change of address or name.

**Historical Notes:**

*Derived from Virginia Register Volume 22, Issue 21, eff. August 1, 2006; amended, Volume 28, Issue 23, eff. August 15, 2012.*

**18VAC145-40-110. Compliance with other laws.**

A certified professional geologist:

1. Shall comply with all federal, state, and local building, fire, safety, real estate, or mining codes, as well as any other laws, codes, ordinances, or regulations pertaining to the practice of geology.
2. Shall not violate any state or federal criminal statute, including fraud, misrepresentation, embezzlement, bribery, theft, forgery, or breach of fiduciary duty relating to his professional practice.
3. Shall immediately notify the client or employer and the appropriate regulatory agency if his professional judgment is overruled and not adhered to in circumstances of a serious threat to the public health, safety, or welfare. If appropriate remedial action is not taken within a reasonable amount of time after making the report, he shall notify the appropriate governmental authority of the specific nature of the public threat.
4. Shall give written notice to the board, and shall cooperate with the board and the department in furnishing any further information or assistance needed, if he knows or believes that another geologist/firm may be violating any of the provisions of Chapter 22 (§ 54.1-2200 et seq.) of Title 54.1 of the *Code of Virginia*, or this chapter.

**Historical Notes:**

*Derived from VR335-01-2 § 3.2, eff. February 1, 1988; amended, Virginia Register Volume 7, Issue 13, eff. April 24, 1991; Volume 11, Issue 6, eff. February 1, 1995; Volume 22, Issue 21, eff. August 1, 2006; Volume 28, Issue 23, eff. August 15, 2012.*

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**18VAC145-40-120. Conflicts of interest.**

A certified professional geologist shall not:

1. Accept any work on any project or other professional engagement when a duty to a client or to the public would conflict with his personal interest or the interest of another client, unless immediate disclosure of all material facts of the conflict is made to each client related to the project or engagement.
2. Accept compensation for services related to the same project or professional engagement from more than one party without making prior full disclosure to all parties involved.
- 2.3. The regulant shall not solicit or accept gratuities, directly or indirectly, from contractors, their agents, or other parties dealing with a client or employer in connection with work for which the regulant is responsible.

~~Offer, either directly or indirectly, any commission, political contribution, or other consideration in seeking work except to secure a salaried position through employment agencies.~~

**Historical Notes:**

*Derived from VR335-01-2 § 3.3, eff. February 1, 1988; amended, Virginia Register Volume 7, Issue 13, eff. April 24, 1991; Volume 11, Issue 6, eff. February 1, 1995; Volume 28, Issue 23, eff. August 15, 2012.*

**18VAC145-40-130. Competence for assignments.**

A certified professional geologist:

1. Shall exercise reasonable care when rendering professional services and shall apply the technical knowledge and skills ordinarily applied by practicing geologists.
2. Shall not accept any professional assignment or engagement that he is not competent to perform by way of education, technical knowledge, or experience. An assignment requiring education or experience outside his field of competence may be accepted provided:
  - a. His professional services are restricted to those phases of the project in which he is qualified; and
  - b. All other phases of the project are performed by qualified associates, consultants, or employees.

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**Historical Notes:**

*Derived from VR335-01-2 § 3.4, eff. February 1, 1988; amended, Virginia Register Volume 7, Issue 13, eff. April 24,*

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1991; Volume 11, Issue 6, eff. February 1, 1995; Volume 28, Issue 23, eff. August 15, 2012.

~~18VAC145-40-140. Grounds for suspension, revocation, or denial to renew or grant certification.~~

~~The board may suspend, revoke, or refuse to renew the certification of any geologist who, after a formal hearing as provided for in the Administrative Process Act (§ 2.2-4000 et seq. of the Code of Virginia), is found to have committed:~~

~~Fraud or deceit in obtaining or renewing certification (See subdivision 5 of § 54.1-111 of the Code of Virginia);~~

~~Any violation of Part III—Standards of Practice and Conduct, other regulations of the board, or governing statutes of the board;~~

~~An act or acts of gross negligence, incompetence, or misconduct in the practice of geology as a certified professional geologist; or~~

~~Any conviction of a felony that in the opinion of the board would adversely affect the practice of geology.~~

**Historical Notes:**

*Derived from VR335-01-2 § 3.5, eff. February 1, 1988; amended, Virginia Register Volume 7, Issue 13, eff. April 24, 1991; Volume 11, Issue 6, eff. February 1, 1995; Volume 22, Issue 21, eff. August 1, 2006; Volume 28, Issue 23, eff. August 15, 2012.*

**18VAC145-40-150. Reissuance of certificate after revocation.**

An individual whose certificate has been revoked in accordance with 18VAC145-40-140 shall file a new application and obtain approval of the board to regain the certificate.

**Historical Notes:**

*Derived from VR335-01-2 § 3.6, eff. February 1, 1988; amended, Virginia Register Volume 7, Issue 13, eff. April 24, 1991; Volume 11, Issue 6, eff. February 1, 1995; Volume 22, Issue 21, eff. August 1, 2006; Volume 28, Issue 23, eff. August 15, 2012.*

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Included in this booklet are relevant excerpts from the *Code of Virginia*. Please note that the Virginia General Assembly is responsible for creating and amending the *Code*, not the Board for Professional Soil Scientists, Wetland Professionals and Geologists. The version contained herein contains all changes, if any, that have been made by the General Assembly through the 2012 session. Any changes made during the 2012 session became effective July 1, 2012, unless otherwise noted. It is your responsibility to stay informed of revisions to the regulations and the statutes governing your profession or occupation. Please consult the General Assembly or your local library for annual changes.

§ 54.1-2200. (Effective until July 1, 2013) Definitions.

As used in this chapter, unless the context requires a different meaning:

"Board" means the Board for Professional Soil Scientists, Wetland Professionals, and Geologists.

"Department" means the Department of Professional and Occupational Regulation.

"Eligible soil scientist" means a person who possesses the qualifications specified in this chapter to become certified.

"Eligible wetland professional" means a person who possesses the qualifications specified in this chapter to become certified.

"Geologist" means a person engaged in the public practice of geology.

"Geology" means the science dealing with (i) the earth and its history in general; (ii) the investigation, prediction, evaluation, and location of materials and structures which compose the earth; (iii) the natural processes that cause changes in the earth; and (iv) the application of knowledge of the earth, its processes, and its constituent rocks, minerals, liquids, gases, and other natural materials.

"Practice of geology" means the performance of any service or work for the general public wherein the principles and methods of geology are applied.

"Practice of soil evaluation" means the evaluation of soil by accepted principles and methods including, but not limited to, observation, investigation, and consultation on measured, observed and inferred soils and their properties; analysis of the effects of these properties on the use and management of various kinds of soil; and preparation of soil descriptions, maps, reports and interpretive drawings.

"Practice of wetland delineation" means the delineation of wetlands by accepted principles and methods including, but not limited to, observation, investigation, and consultation on soil, vegetation, and hydrologic parameters; and preparation of wetland delineations, descriptions, reports and interpretive drawings.

"Qualified geologist" means an uncertified person who possesses all the qualifications specified in this chapter for certification.

"Soil" means the groups of natural bodies occupying the unconsolidated portion of the earth's surface which are capable of supporting plant life and have properties caused by the combined effects, as modified by topography and time, of climate and living organisms upon parent materials.

"Soil evaluation" means plotting soil boundaries, describing and evaluating the kinds of soil and predicting their suitability for and response to various uses.

"Soil science" means the science dealing with the physical, chemical, mineralogical, and biological properties of soils as natural bodies.

"Soil scientist" means a person having special knowledge of soil science and the methods and principles of soil evaluation as acquired by education and experience in the formation, description and mapping of soils.

"Virginia certified professional geologist" means a person who possesses all qualifications specified in this chapter for certification and whose competence has been attested by the Board through certification.

"Virginia certified professional soil scientist" means a person who possesses the qualifications required for certification by the provisions of this chapter and the regulations of the Board and who has been granted certification by the Board.

"Virginia certified professional wetland delineator" means a person who possesses the qualifications required for certification by the provisions of this chapter and the regulations of the Board and who is granted certification by the Board.

"Wetland delineation" means delineating wetland limits in accordance with prevailing state and federal regulatory guidance and describing wetland types.

"Wetland professional" means a person having special knowledge of wetland science and the methods and principles of wetland delineation as acquired by education and experience in the formation, description and mapping of wetlands.

"Wetland science" means the science dealing with the physical, chemical, and biological properties of wetland systems integrated through ecological and morphological relationships.

"Wetlands" means the same as that term is defined in §§ 28.2-1300 and 62.1-44.3 (1987, c. 626, § 54-969; 1988, c. 765; 1993, c. 499; 2002, c. 784; 2012, cc. 803, 835.)

**§ 54.1-2200. (Effective July 1, 2013) Definitions.**

As used in this chapter, unless the context requires a different meaning:

"Board" means the Board for Professional Soil Scientists, Wetland Professionals, and Geologists.

"Department" means the Department of Professional and Occupational Regulation.

"Eligible soil scientist" means a person who possesses the qualifications specified in this chapter to become licensed.

"Eligible wetland professional" means a person who possesses the qualifications specified in this chapter to become certified.

"Geologist" means a person engaged in the public practice of geology.

"Geology" means the science dealing with (i) the earth and its history in general; (ii) the investigation, prediction, evaluation, and location of materials and structures which compose the earth; (iii) the natural processes that cause changes in the earth; and (iv) the application of knowledge of the earth, its processes, and its constituent rocks, minerals, liquids, gases, and other natural materials.

"Practice of geology" means the performance of any service or work for the general public wherein the principles and methods of geology are applied.

"Practice of soil evaluation" means the evaluation of soil by accepted principles and methods including, but not limited to, observation, investigation, and consultation on measured,

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observed and inferred soils and their properties; analysis of the effects of these properties on the use and management of various kinds of soil; and preparation of soil descriptions, maps, reports and interpretive drawings.

"Practice of wetland delineation" means the delineation of wetlands by accepted principles and methods including, but not limited to, observation, investigation, and consultation on soil, vegetation, and hydrologic parameters; and preparation of wetland delineations, descriptions, reports and interpretive drawings.

"Qualified geologist" means an uncertified person who possesses all the qualifications specified in this chapter for certification.

"Soil" means the groups of natural bodies occupying the unconsolidated portion of the earth's surface which are capable of supporting plant life and have properties caused by the combined effects, as modified by topography and time, of climate and living organisms upon parent materials.

"Soil evaluation" means plotting soil boundaries, describing and evaluating the kinds of soil and predicting their suitability for and response to various uses.

"Soil science" means the science dealing with the physical, chemical, mineralogical, and biological properties of soils as natural bodies.

"Soil scientist" means a person having special knowledge of soil science and the methods and principles of soil evaluation as acquired by education and experience in the formation, description and mapping of soils.

"Virginia certified professional geologist" means a person who possesses all qualifications specified in this chapter for certification and whose competence has been attested by the Board through certification.

"Virginia certified professional wetland delineator" means a person who possesses the qualifications required for certification by the provisions of this chapter and the regulations of the Board and who is granted certification by the Board.

"Virginia licensed professional soil scientist" means a person who possesses the qualifications required for licensure by the provisions of this chapter and the regulations of the Board and who has been granted a license by the Board.

"Wetland delineation" means delineating wetland limits in accordance with prevailing state and federal regulatory guidance and describing wetland types.

"Wetland professional" means a person having special knowledge of wetland science and the methods and principles of wetland delineation as acquired by education and experience in the formation, description and mapping of wetlands.

"Wetland science" means the science dealing with the physical, chemical, and biological properties of wetland systems integrated through ecological and morphological relationships.

"Wetlands" means the same as that term is defined in §§ 28.2-1300 and 62.1-44.3.

(1987, c. 626, § 54-969; 1988, c. 765; 1993, c. 499; 2002, c. 784; 2011, cc. 777, 859; 2012, cc. 803, 835.)

**§ 54.1-2200.1. (Effective until July 1, 2013) Board for Professional Soil Scientists, Wetland Professionals, and Geologists; membership; quorum.**

A. Notwithstanding the provisions of § 54.1-200, the Board for Professional Soil Scientists, Wetland Professionals, and Geologists shall be composed of 13 members as follows: three certified professional soil scientists, three certified professional wetland delineators, three geologists, and three citizen members. The State Geologist shall serve as an ex officio member of the Board. The geologist members shall be of varied backgrounds. The professional soil scientist members shall have experience in at least one of the following areas: (i) soil mapping and classification, (ii) soil suitability and land use, (iii) teaching and research in soil science, and (iv) environmental protection regulations. Of the wetland professional members, one shall have experience in wetland delineation and description, one shall have experience in teaching and research in wetland science, and one shall have experience with natural resource regulations. The terms of the members shall be for four years.

B. The Board shall annually elect a chairman from its membership. Seven board members, consisting of at least two soil scientists, two professional wetland delineators, two geologists, and one citizen, shall constitute a quorum.

C. The Governor may select the professional soil scientist members from a list of at least three names for each vacancy submitted by the Virginia Association of Professional Soil Scientists. The Governor may notify the Virginia Association of Professional Soil Scientists of any professional vacancy other than by expiration among the professional soil scientist members of the Board and nominations may be made for the filling of the vacancy.

D. The Governor may select the wetland professionals from a list of at least three names for each vacancy submitted by the Virginia Association of Wetland Professionals. The Governor may notify and request nominations from the Virginia Association of Wetland Professionals of any professional vacancy other than by expiration among the wetland professional members. (2012, cc. 803, 835.)

**§ 54.1-2200.2. (Effective July 1, 2013) Board for Professional Soil Scientists, Wetland Professionals, and Geologists; membership; quorum.**

A. Notwithstanding the provisions of § 54.1-200, the Board for Professional Soil Scientists, Wetland Professionals, and Geologists shall be composed of 13 members as follows: three licensed professional soil scientists, three certified professional wetland delineators, three geologists, and three citizen members. The State Geologist shall serve as an ex officio member of the Board. The geologist members shall be of varied backgrounds. The professional soil scientist members shall have experience in at least one of the following areas: (i) soil mapping and classification, (ii) soil suitability and land use, (iii) teaching and research in soil science, and (iv) environmental protection regulations. Of the wetland professional members, one shall have experience in wetland delineation and description, one shall have experience in teaching and research in wetland science, and one shall have experience with natural resource regulations. Terms of the members shall be for four years.

B. The Board shall annually elect a chairman from its membership. Seven board members, consisting of at least two soil scientists, two professional wetland delineators, two geologists, and one citizen, shall constitute a quorum.

C. The Governor may select the professional soil scientist members from a list of at least three names for each vacancy submitted by the Virginia Association of Professional Soil Scientists.

The Governor may notify the Virginia Association of Professional Soil Scientists of any professional vacancy other than by expiration among the professional soil scientist members of the Board and nominations may be made for the filling of the vacancy.

D. The Governor may select the wetland professionals from a list of at least three names for each vacancy submitted by the Virginia Association of Wetland Professionals. The Governor may notify and request nominations from the Virginia Association of Wetland Professionals of any professional vacancy other than by expiration among the wetland professional members. (2012, cc. 803, 835.)

**§ 54.1-2201. (Effective until July 1, 2013) Exceptions.**

A. The certification programs set forth in this chapter are voluntary and shall not be construed to prohibit:

1. The practice of soil evaluation or wetland delineation by individuals who are not certified soil scientists or certified professional wetland delineators as defined in this chapter;
2. The work of an employee or a subordinate of a certified soil scientist or of an individual who is practicing soil evaluation without being certified;
3. The work of an employee or a subordinate of a certified professional wetland delineator or of an individual who is practicing wetland delineation without being certified;
4. The work of any professional engineer, landscape architect, or land surveyor as defined by § 54.1-400 in rendering any of the services that constitute the practice of wetland delineation or the practice of soil evaluation; or
5. The practice of any profession or occupation which is regulated by another regulatory board within the Department of Professional and Occupational Regulation.

B. Nothing in this chapter shall authorize an individual to engage in the practice of engineering, the practice of land surveying or the practice of landscape architecture, unless such individual is licensed or certified pursuant to Chapter 4 (§ 54.1-400 et seq.) of this title. (1987, c. 626, § 54-970; 1988, c. 765; 1993, c. 499; 2002, c. 784; 2009, c. 309.)

**§ 54.1-2201. (Effective July 1, 2013) Exceptions.**

A. The certification program for wetland delineation set forth in this chapter shall be voluntary and shall not be construed to prohibit:

1. The practice of wetland delineation by individuals who are not certified professional wetland delineators as defined in this chapter;
2. The work of an employee or a subordinate of a certified professional wetland delineator or of an individual who is practicing wetland delineation without being certified;
3. The work of any professional engineer, landscape architect, or land surveyor as defined by § 54.1-400 in rendering any of the services that constitute the practice of wetland delineation or the practice of soil evaluation; or
4. The practice of any profession or occupation that is regulated by another regulatory board within the Department.

B. The licensing program for professional soil scientists shall not be construed to prohibit:

1. The work of an employee or a subordinate of a licensed soil scientist;

2. The work of any professional engineer, landscape architect, or land surveyor as defined in § 54.1-400 in rendering any services that constitute the practice of soil evaluation; or

3. The practice of any profession or occupation that is regulated by another regulatory board within the Department.

C. Nothing in this chapter shall authorize an individual to engage in the practice of engineering, the practice of land surveying or the practice of landscape architecture, unless such individual is licensed or certified pursuant to Chapter 4 (§ 54.1-400 et seq.). (1987, c. 626, § 54-970; 1988, c. 765; 1993, c. 499; 2002, c. 784; 2009, c. 309; 2011, cc. 777, 859.)

**§ 54.1-2202.**

Repealed by Acts 2012, cc. 803 and 835, cl. 39.

**§ 54.1-2203. (Effective until July 1, 2013) Eligibility for certification.**

A. Any person practicing or offering to practice as a soil scientist in the Commonwealth may submit to the Board evidence of qualification to be certified as provided in this chapter. The Board may certify any applicant who has satisfactorily met the requirements of this chapter and its regulations and shall specify on the certificate the appropriate endorsement.

B. Any person practicing or offering to practice as a wetland professional in the Commonwealth may submit to the Board evidence of qualification to be a certified professional wetland delineator as provided in this chapter. The Board may certify any applicant who has satisfactorily met the requirements of this chapter and its regulations and shall specify on the certificate the appropriate endorsement.

C. Any individual who allows his certification to lapse by failing to renew the certificate or failing to meet professional activity requirements stipulated in the regulations may be reinstated by the Board upon submission of satisfactory evidence that he is practicing in a competent manner and upon payment of the prescribed fee.

(1987, c. 626, § 54-973; 1988, c. 765; 2002, c. 784.)

**§ 54.1-2203. (Effective July 1, 2013) Certification as wetland delineator.**

A. Any person practicing or offering to practice as a wetland professional in the Commonwealth may submit to the Board evidence of qualification to be a certified professional wetland delineator as provided in this chapter. The Board may certify any applicant who has satisfactorily met the requirements of this chapter and its regulations and shall specify on the certificate the appropriate endorsement.

B. Any individual who allows his certification to lapse by failing to renew the certificate or failing to meet professional activity requirements stipulated in the regulations may be reinstated by the Board upon submission of satisfactory evidence that he is practicing in a competent manner and upon payment of the prescribed fee.

(1987, c. 626, § 54-973; 1988, c. 765; 2002, c. 784; 2011, cc. 777, 859.)

**§ 54.1-2204. (Repealed effective July 1, 2013) Requirements for application for certification.**

The Board may certify any applicant as a Virginia certified professional soil scientist who has submitted satisfactory evidence verified by affidavits that the applicant:

1. Is eighteen years of age or more;
2. Is of good moral character; and
3. Has successfully completed such educational and experiential requirements as are required by this chapter and the regulations of the Board.

(1987, c. 626, § 54-974; 1988, c. 765.)

**§ 54.1-2205. (Effective until July 1, 2013) Requirements for certification.**

A. In order to be certified as a professional soil scientist, an applicant shall achieve a score acceptable to the Board on an examination in the principles and practice of soil evaluation and satisfy one of the following criteria:

1. Hold a bachelor's degree from an accredited institution of higher education in a soils curriculum which has been approved by the Board and have at least four years of experience in soil evaluation, the quality of which demonstrates to the Board that the applicant is competent to practice as a professional soil scientist; or
2. Hold a bachelor's degree in one of the natural sciences and have at least five years of experience in soil evaluation, the quality of which demonstrates to the Board that the applicant is competent to practice as a professional soil scientist; or
3. Have a record of at least eight years of experience in soil evaluation, the quality of which demonstrates to the Board that the applicant is competent to practice as a professional soil scientist; or
4. Have at least four years of experience in soil science research or as a teacher of soils curriculum in an accredited institution of higher education which offers an approved four-year program in soils and at least two years of soil evaluation experience, the quality of which demonstrates to the Board that the applicant is competent to practice as a professional soil scientist.

B. Notwithstanding the requirements in subsection A, any person appointed to serve on the Board as a professional soil scientist member prior to July 1, 1991, shall be deemed certified for the purposes of this chapter.

(1987, c. 626, § 54-975; 1988, c. 765; 1991, c. 181.)

**§ 54.1-2205. (Effective July 1, 2013) License required; application; requirements for licensure; continuing education.**

A. No person shall engage in, or offer to engage in, the practice of soil evaluation in the Commonwealth unless he has been licensed under the provisions of this chapter.

B. In order to be licensed as a professional soil scientist, an applicant shall:

1. Submit satisfactory evidence verified by affidavits that the applicant:
  - a. Is 18 years of age or older;
  - b. Is of good moral character; and
  - c. Has successfully completed such educational and experiential requirements as are required by this chapter and the regulations of the Board.



2. Achieve a score acceptable to the Board on an examination in the principles and practice of soil evaluation and satisfy one of the following criteria:

- a. Hold a bachelor's degree from an accredited institution of higher education in a soils curriculum which has been approved by the Board and have at least four years of experience in soil evaluation, the quality of which demonstrates to the Board that the applicant is competent to practice as a professional soil scientist; or
- b. Hold a bachelor's degree in one of the natural sciences and have at least five years of experience in soil evaluation, the quality of which demonstrates to the Board that the applicant is competent to practice as a professional soil scientist; or
- c. Have a record of at least eight years of experience in soil evaluation, the quality of which demonstrates to the Board that the applicant is competent to practice as a professional soil scientist; or
- d. Have at least four years of experience in soil science research or as a teacher of soils curriculum in an accredited institution of higher education which offers an approved four-year program in soils and at least two years of soil evaluation experience, the quality of which demonstrates to the Board that the applicant is competent to practice as a professional soil scientist.

C. The Board shall establish by regulation requirements for continuing education as a prerequisite to the maintenance and renewal of a license issued under this chapter, not to exceed eight contact hours per year.

D. Individuals applying for a license as a professional soil scientist between July 1, 2013, and July 1, 2015, who (i) have been certified as professional soil scientists by the Board or (ii) have achieved a score set by the Board on the examination required by this section shall be licensed by the Board if all other requirements of this chapter or Board regulations have been met, unless an applicant is found by the Board to have engaged in any act that would constitute grounds for disciplinary action.

(1987, c. 626, § 54-975; 1988, c. 765; 1991, c. 181; 2011, cc. 777, 859.)

**§ 54.1-2206. (Effective until July 1, 2013) Waiver of examination.**

A. The Board may waive the requirement for examination pursuant to § 54.1-2205 upon written application from an individual who holds an unexpired certificate or its equivalent issued by a regulatory body of another state, territory or possession of the United States and is not the subject of any disciplinary proceeding before such regulatory body which could result in the suspension or revocation of his certificate, if such other state, territory or possession recognizes the certificates issued by the Board.

B. The Board shall waive the requirement for examination pursuant to § 54.1-2206.2 upon the written application from an individual who holds an unexpired certificate or its equivalent issued by a regulatory body of another state, territory or possession of the United States or has been provisionally certified under the U.S. Army Corps of Engineers Wetland Delineator Certification Program of 1993 and is not the subject of any disciplinary proceeding before such regulatory body, which could result in the suspension or revocation of his certificate.

(1987, c. 626, § 54-976; 1988, c. 765; 1991, c. 181; 2002, c. 784; 2003, c. 447; 2010, c. 91.)

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**§ 54.1-2206. (Effective July 1, 2013) Waiver of examination.**

A. The Board may waive the requirement for examination pursuant to § 54.1-2205 upon written application from an individual who holds an unexpired certificate or license, or its equivalent, issued by a regulatory body of another state, territory or possession of the United States and is not the subject of any disciplinary proceeding before such regulatory body which could result in the suspension or revocation of his certificate or license, if such other state, territory or possession recognizes the license issued by the Board.

B. The Board shall waive the requirement for examination pursuant to § 54.1-2206.2 upon the written application from an individual who holds an unexpired certificate or its equivalent issued by a regulatory body of another state, territory or possession of the United States or has been provisionally certified under the U.S. Army Corps of Engineers Wetland Delineator Certification Program of 1993 and is not the subject of any disciplinary proceeding before such regulatory body, which could result in the suspension or revocation of his certificate.

(1987, c. 626, § 54-976; 1988, c. 765; 1991, c. 181; 2002, c. 784; 2003, c. 447; 2010, c. 91; 2011, cc. 777, 859.)

**§ 54.1-2206.1. Requirements for application for professional wetland delineator certification.**

The Board may certify any applicant as a Virginia certified professional wetland delineator who has submitted satisfactory evidence verified by affidavits that the applicant:

1. Is eighteen years of age or older;
2. Is of good moral character; and
3. Has successfully completed such educational and experiential requirements as are required by this chapter and the regulations of the Board.

(2002, c. 784.)

**§ 54.1-2206.2. Requirements for professional wetland delineator certification.**

A. In order to be certified as a professional wetland delineator, an applicant shall achieve a score acceptable to the Board on an examination, which may include a field practicum, in the principles and practice of wetland delineation, provide three written references from wetland professionals with at least one from a certified professional wetland delineator, and satisfy one of the following criteria:

1. Hold a bachelor's degree from an accredited institution of higher education in a wetland science, biology, biological engineering, civil and environmental engineering, ecology, soil science, geology, hydrology or any similar biological, physical, natural science or environmental engineering curriculum that has been approved by the Board; have successfully completed a course of instruction, in state and federal wetland delineation methods, that has been approved by the Board; and have at least four years of experience in wetland delineation under the supervision of a certified professional wetland delineator, the quality of which demonstrates to the Board that the applicant is competent to practice as a certified professional wetland delineator;

2. Have a record of at least six years of experience in wetland delineation under the supervision of a certified professional wetland delineator, the quality of which demonstrates to

the Board that the applicant is competent to practice as a certified professional wetland delineator; or

3. Have a record of at least four years of experience in wetland science research or as a teacher of wetlands curriculum in an accredited institution of higher education, the quality of which demonstrates to the Board that the applicant is competent to practice as a certified professional wetland delineator.

B. Notwithstanding the requirements of subsection A, the requirement for a reference from and supervision by a certified professional wetland delineator shall be waived for the first six years of the program.

(2002, c. 784; 2007, c. 334.)

**§ 54.1-2207. (Effective until July 1, 2013) Unprofessional conduct.**

Any professional soil scientist or wetland delineator who is certified as provided in this chapter shall be considered guilty of unprofessional conduct and subject to disciplinary action by the Board, if he:

1. Obtains his certification through fraud or deceit;
2. Violates or cooperates with others in violating any provision of this chapter, the Code of Professional Ethics and Conduct or any regulation of the Board;
3. Performs any act likely to deceive, defraud or harm the public;
4. Demonstrates gross negligence, incompetence or misconduct in the practice of soil evaluation or wetland delineation; or
5. Is convicted of a felony.

(1987, c. 626; 1988, c. 765; 2002, c. 784.)

**§ 54.1-2207. (Effective July 1, 2013) Unprofessional conduct.**

Any professional soil scientist who is licensed or any wetland delineator who is certified, as provided in this chapter, shall be considered guilty of unprofessional conduct and subject to disciplinary action by the Board, if he:

1. Obtains his certification or license through fraud or deceit;
2. Violates or cooperates with others in violating any provision of this chapter, the Code of Professional Ethics and Conduct or any regulation of the Board;
3. Performs any act likely to deceive, defraud or harm the public;
4. Demonstrates gross negligence, incompetence or misconduct in the practice of soil evaluation or wetland delineation; or
5. Is convicted of a felony.

(1987, c. 626; 1988, c. 765; 2002, c. 784; 2011, cc. 777, 859.)

**§ 54.1-2208. (Effective until July 1, 2013) Unlawful representation as a certified professional soil scientist or wetland delineator.**

A. No person shall represent himself as a certified professional soil scientist unless he has been so certified by the Board. Any person practicing or offering to practice soil evaluation within the meaning of this chapter who, through verbal claim, sign, advertisement, or letterhead,

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represents himself as a certified professional soil scientist without holding such a certificate from the Board shall be guilty of a Class 1 misdemeanor.

B. No person shall represent himself as a certified professional wetland delineator unless he has been so certified by the Board. Any person practicing or offering to practice wetland delineation within the meaning of this chapter who, through verbal claim, sign, advertisement, or letterhead, represents himself as a certified professional wetland delineator without holding such a certificate from the Board shall be guilty of a Class 1 misdemeanor.  
(1987, c. 626, § 54-971; 1988, c. 765; 2002, c. 784.)

**§ 54.1-2208. (Effective July 1, 2013) Unlawful representation as a licensed professional soil scientist or certified wetland delineator.**

A. No person shall represent himself as a licensed professional soil scientist unless he has been so licensed by the Board. Any person practicing or offering to practice soil evaluation within the meaning of this chapter who, through verbal claim, sign, advertisement, or letterhead, represents himself as a licensed professional soil scientist without holding a license from the Board shall be guilty of a Class 1 misdemeanor.

B. No person shall represent himself as a certified professional wetland delineator unless he has been so certified by the Board. Any person practicing or offering to practice wetland delineation within the meaning of this chapter who, through verbal claim, sign, advertisement, or letterhead, represents himself as a certified professional wetland delineator without holding such a certificate from the Board shall be guilty of a Class 1 misdemeanor.  
(1987, c. 626, § 54-971; 1988, c. 765; 2002, c. 784; 2011, cc. 777, 859.)

**§ 54.1-2208.1. Exemptions.**

A. The certification program set forth in this article is voluntary and shall not be construed to prevent or affect the practice of geology by uncertified geologists; however, no person may represent himself as a Virginia certified professional geologist unless he has been so certified by the Board.

B. This article shall not prevent or affect the practice of any profession or trade for which licensing, certification, or registration is required under any other Virginia law, including the practice of licensed professional engineers lawfully practicing engineering in its various specialized branches.  
(1981, c. 132, § 54-968; 1988, c. 765, § 54.1-1401; 2012, cc. 803, 835.)

**§ 54.1-2208.2. Certification; minimum qualifications.**

A. Any person practicing or offering to practice as a geologist or in a geological specialty in this Commonwealth may submit reasonable evidence to the Board that he is qualified to practice and to be certified as provided in this article. The Board shall approve the application for certification of any person who, in the opinion of the Board, has satisfactorily met the requirements of this article and who has paid any applicable fees fixed by the Board. Certifications shall expire at intervals as designated by the Board. A certification may be renewed by the Board upon receipt of a formal request accompanied by any applicable fees.

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B. To be eligible for certification as a professional geologist, an applicant shall meet each of the following minimum qualifications:

1. Be of ethical character.
2. Have a baccalaureate or higher degree from an accredited college or university with either a major in geology, engineering geology, geological engineering, or related geological sciences; or have completed at least 30 semester hours or the equivalent in geological science courses leading to a major in geology.
3. Have at least seven years of geological work that shall include either a minimum of three years of geological work under the supervision of a qualified or certified professional geologist or a minimum of three years of experience in responsible charge of geological work. The adequacy of the position and the required supervision and experience shall be determined by the Board in accordance with standards set forth in its regulations. The following criteria of education and experience qualify toward the required seven years of geological work:
  - a. Each year of full-time undergraduate study in the geological sciences shall count as one-half year of experience up to a maximum of two years, and each year of full-time graduate study shall count as a year of experience up to a maximum of three years. Credit for undergraduate and graduate study shall in no case exceed a total of four years toward meeting the requirements for at least seven years of geological work.
  - b. The Board may consider, in lieu of the above-described geological work, the cumulative total of geological work or geological research of persons occupying research or post-graduate positions as well as those teaching geology courses at the college or university level, provided such work or research can be demonstrated to be of a sufficiently responsible nature to be equivalent to the geological work required in this section.
4. Have successfully passed an appropriate examination approved by the Board and designed to demonstrate that the applicant has the necessary knowledge and skill to exercise the responsibilities of the public practice of geology.

At the discretion of the Board, separate examinations may be prepared for various subspecialties of geology; however, there will be no specialty certification; only certification as a professional geologist.  
(1981, c. 132, §§ 54-964, 54-965; 1984, c. 51; 1988, c. 765, § 54.1-1403; 2012, cc. 803, 835.)

**§ 54.1-2208.3. Waiver of examination.**

The Board may waive the examination requirement for certification as a professional geologist for an applicant who otherwise meets the requirements of this article and who also meets any of the following conditions:

1. Makes written application to the Board and has at least 12 years of geological work that includes the geological work as specified in subsection B of § 54.1-1403.
2. Makes written application to the Board and holds an unexpired certificate of registration, certification, or license to engage in the practice of geology issued to him on the basis of comparable requirements by a proper authority of a state, territory, or possession of the United States or the District of Columbia.

(1981, c. 132, § 54-966; 1988, c. 765, § 54.1-1404; 1994, c. 247; 1996, c. 49; 2012, cc. 803, 835.)

**§ 54.1-2208.4. Professional ethics and conduct.**

A. The Board, in coordination with an ad hoc panel of certified professional geologists convened by the Board and representing various geological interests in Virginia, shall have prepared and adopted a Code of Professional Ethics and Conduct that shall be published and made known in writing to every Virginia certified professional geologist and applicant for certification under this article. The Board may revise and amend this code as needed and shall forthwith notify each certified professional geologist in writing of such revisions or amendments.

B. The full Board, by majority vote, shall have the power to suspend, revoke, or refuse to renew the certification of any professional geologist who, after an appropriate formal hearing, is found to have been involved in:

1. Any fraud or deceit in obtaining certification;
2. Any violation of the Code of Professional Ethics and Conduct or other regulations of the Board;
3. Demonstrated gross negligence, incompetence, or misconduct in the practice of geology as a professional geologist; or
4. Any conviction of a felony which, in the opinion of the Board, would adversely affect the practice of geology.

C. The Board, by majority vote of the quorum, may reinstate a revoked or suspended certification to any professional geologist who makes written application to the Board showing good cause for such action.

(1981, c. 132, § 54-967; 1988, c. 765, § 54.1-1405; 2012, cc. 803, 835.)

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Department of Professional and Occupational Regulation

9960 Mayland Drive, Suite 400  
Richmond, VA 23233

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- **Examination Director Report**
- **A Day in the Life of a Geologist**

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**To:** PSSWPG Board  
**From:** Kate Nosbisch, Executive Director  
**Subject:** Executive Director Update  
**Date:** March 4, 2024

For this update, data for the last five years of the Board’s activities has been provided.

**Application Statistics**

The table below provides the number of applications approved for the PSSWPG Board per calendar year (January 1 – December 31) since 2019.

Applications Approved						
Year	2024*	2023	2022	2021	2020	2019
App Numbers	22	127	111	100	90	119

\*As of 02/21/2024

Applications Approved by Profession 2024			
Profession	Soil Scientists	Wetland Professionals	Geologists
App Numbers	3	6	13

**Call Center Statistics**

The section’s call center has received a total of 1,549 phone calls between January 1, 2024, to February 21, 2024. The chart below illustrates the calls received in more detail:



## Email Statistics

The table below outlines the number of emails received through the Board’s email address per calendar year (Jan 1-Dec 31)

Email Count						
Year	2024*	2023	2022	2021	2020	2019
# of Emails**	89	918	644	482	319	418

\*As of 02/01/2024

\*\*Includes Geology and BPSSWP Emails

## Board Case Statistics

Since 2018, The Board has adjudicated 2 cases.

No new cases to date

## Stakeholder Engagement & Outreach

Michael Lawless, Geologist represented the Board at ASBOG Spring COE Workshop and Field Trip – April 2023

Drew Thomas, Geologist and Kate Nusbisch represented the Board at the ASBOG Annual Meeting – October 2023

Michael Lawless, Geologist representing the Board at ASBOG Spring COE Workshop and Field Trip – April 2024

- **ULR Approved Applications**
  - **10 Staff Approved Applications since 12/1/23**
    - **Geologists- 7**
    - **Soil Scientists- 1**
    - **Wetland Delineators- 2**

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# Licensed and Certified Population

As of February 1, 2024

Soil Scientists	81
Wetland Delineators	123
Geologists	869

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Department of Professional and Occupational Regulation  
Statement of Financial Activity

**Board for Professional Soil Scientists, Wetland Professionals, and Geologists  
954180**

2022-2024 Biennium

January 2024

	January 2024 Activity	Biennium-to-Date Comparison	
		July 2020 - January 2022	July 2022 - January 2024
<b>Cash/Revenue Balance Brought Forward</b>			16,455
<b>Revenues</b>	2,960	85,440	88,930
<b>Cumulative Revenues</b>			105,385
<b>Cost Categories:</b>			
<b>Board Expenditures</b>	976	20,527	33,347
<b>Board Administration</b>	834	27,401	27,386
<b>Administration of Exams</b>	126	4,571	2,122
<b>Enforcement</b>	0	16	13
<b>Legal Services</b>	4	61	72
<b>Information Systems</b>	189	19,164	16,630
<b>Facilities and Support Services</b>	303	7,955	6,578
<b>Agency Administration</b>	412	12,606	19,038
<b>Other / Transfers</b>	0	(0)	(15)
<b>Total Expenses</b>	2,846	92,302	105,171
<b>Transfer To/(From) Cash Reserves</b>	0	0	(26,591)
<b>Ending Cash/Revenue Balance</b>			26,805

<b>Cash Reserve Beginning Balance</b>	18,064	0	44,655
<b>Change in Cash Reserve</b>	0	0	(26,591)
<b>Cash Reserve Ending Balance</b>	18,064	0	18,064

<b>Number of Regulators</b>	
Current Month	1,073
Previous Biennium-to-Date	1,155

**Department of Professional and Occupational Regulation**  
**Supporting Statement of Year-to-Date Activity**  
**Board for Professional Soil Scientists, Wetland Professionals and Geologists - 954180**  
**Fiscal Year 2024**

	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Fiscal YTD Charges	Planned Annual Charges	Current Balance	Projected Charges at 6/30	Projected Variance Favorable (Unfavorable)	
																Amount	%	
<b>Board Expenditures</b>	7,071	4,682	868	1,927	1,877	2,105	976	0	0	0	0	0	19,505	27,133	7,628	33,186	-6,053	-22.3%
<b>Board Administration</b>	1,556	1,514	2,016	715	1,525	2,081	834	0	0	0	0	0	10,241	24,763	14,522	15,850	8,913	36.0%
<b>Administration of Exams</b>	223	262	372	124	250	374	126	0	0	0	0	0	1,731	3,424	1,693	2,723	701	20.5%
<b>Enforcement</b>	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>Legal Services</b>	0	0	0	0	0	0	0	0	0	0	0	0	4	8	4	7	1	14.3%
<b>Information Systems</b>	675	1,590	1,148	806	916	1,037	189	0	0	0	0	0	6,362	13,916	7,553	10,576	3,340	24.0%
<b>Facilities / Support Svcs</b>	438	739	584	286	301	387	303	0	0	0	0	0	3,039	8,145	5,106	5,058	3,087	37.9%
<b>Agency Administration</b>	1,059	1,149	1,637	553	1,143	1,485	412	0	0	0	0	0	7,439	15,243	7,804	11,722	3,521	23.1%
<b>Other / Transfers</b>	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>Total Charges</b>	<b>11,023</b>	<b>9,937</b>	<b>6,624</b>	<b>4,411</b>	<b>6,013</b>	<b>7,468</b>	<b>2,846</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>48,322</b>	<b>92,632</b>	<b>44,311</b>	<b>79,122</b>	<b>13,510</b>	<b>14.6%</b>

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- **Other Business**
- **Regulatory Training**
- **Conflict of Interest Forms /**  
**Travel Vouchers**
- **Adjourn**

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