

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

MINUTES OF MEETING

The Virginia Board for Waterworks and Wastewater Works Operators and Onsite Sewage System Professionals met on January 23, 2018, at the offices of the Department of Professional and Occupational Regulation (DPOR), Perimeter Center, 9960 Mayland Drive, 2nd Floor, Board Room 4, Richmond, Virginia 23233.

The following members of the Board were present:

James N. Brockwell
W. Jordan Evans, Chair
John Ewing
Thomas Wayne Fore
Kristen Lentz
Pamela M. Pruet
D. Wayne Staples, Vice-Chair
Richard C. Wadkins

Board members Rosa-Lee Cooke, D. Perry Greene, and Dwayne Roadcap were not present at the meeting.

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

Jay W. DeBoer, Director
Trisha L. Henshaw, Executive Director
Paul G. Saunders, Board Administrator
Joseph C. Haughwout, Jr, Board and Regulatory Administrator
Shannon Webster, Director of Examinations
Tanya M. Pettus, Administrative Assistant

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

Mr. Evans, Chair, called the meeting to order at 9:30 a.m.

Call to Order

Ms. Henshaw advised the Board of emergency evacuation procedures.

**Emergency
Evacuation
Procedures**

Mr. Fore moved to approve the agenda as presented. Ms. Pruet seconded the motion which was unanimously approved by: Brockwell, Evans, Ewing, Fore, Pruet, Staples, and Wadkins.

**Approval of
Agenda**

Mr. Fore moved to approve the minutes of the October 26, 2017, Education and Training Committee meeting as presented. Mr. Staples seconded the motion which was unanimously approved by:

**Approval of
Minutes**

Brockwell, Evans, Ewing, Fore, Pruett, Staples, and Wadkins.

Mr. Fore moved to approve the minutes of the October 26, 2017, Board meeting as presented. Ms. Pruett seconded the motion which was unanimously approved by: Brockwell, Evans, Ewing, Fore, Pruett, Staples, and Wadkins.

Ms. Henshaw advised the Board that Dwayne Roadcap is the new Director of the Office of Drinking Water at the Virginia Department of Health (VDH) and, as such, serves as a member of the Board.

Introduction of New Board Member and Staff

Ms. Henshaw introduced the Board to staff members Lisa Robinson, Brenda Hundley, and Arthur Vandenesse, as well as Latoya Jackson, who is new to Post Adjudication and Licensing (PAL).

Ms. Henshaw also introduced Brittany Utz from the Joint Legislative Audit & Review Commission (JLARC), who was present to observe the meeting.

There were no members of the public present to address the Board on matters other than case files to be presented.

Public Comment Period

In the matter of **File Number 2017-03098, Joseph A. Rafter**, the Board members reviewed the record which consisted of the Notice of Prima Facie Case, Report of Findings, evidence, and the Presiding Officer's Summary and Recommendation. Mr. Staples moved to accept the recommendation of the Presiding Officer and find Joseph A. Rafter in violation of Board regulations 18VAC 160-30-350.A, and accept the recommendation as to the sanction and revoke Joseph A. Rafter's Class 1 Wastewater Works Operator license. Mr. Wadkins seconded the motion which was unanimously approved by: Brockwell, Evans, Ewing, Fore, Pruett, Staples, and Wadkins.

File Number 2017-03098, Joseph A. Rafter

In the matter of **File Number 2018-00703, Glenn R. Gwaltney**, the Board members reviewed the record which consisted of the transcript and exhibits from the Informal Fact-Finding Conference, and the Presiding Officer's Summary and Recommendation.

File Number 2018-00703, Glenn R. Gwaltney

Mr. Gwaltney was present at the meeting and available to answer questions from the Board regarding his application file.

Mr. Wadkins moved to accept the recommendation of the Presiding Officer and approve Mr. Gwaltney's application for a Class 3 Wastewater Works Operator license. Mr. Brockwell seconded the motion which was unanimously approved by: Brockwell, Evans, Ewing, Fore, Pruett, Staples, and Wadkins.

In the matter of **File Number 2018-00623, Robert D. Smith** the Board members reviewed the record which consisted of the application file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Presiding Officer's Summary and Recommendation. Mr. Fore moved to accept the recommendation of the Presiding Officer and approve Mr. Smith's application for a Class 4 Wastewater Works Operator license contingent upon completion of the Department of Corrections (DOC) Wastewater Works Operator Class 4 Apprenticeship Program, meeting all entry requirements contained in the Board's regulations, and passing the applicable examination. Mr. Staples seconded the motion which was unanimously approved by: Brockwell, Evans, Ewing, Fore, Pruett, Staples, and Wadkins.

File Number 2018-00623, Robert D. Smith

In the matter of **File Number 2018-00974, Wayne A. Deavers, Jr.**, the Board members reviewed the record which consisted of the application file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Presiding Officer's Summary and Recommendation. Mr. Fore moved to accept the recommendation of the Presiding Officer and approve Mr. Deavers' application for a Class 3 Wastewater Works Operator license. Ms. Pruett seconded the motion which was unanimously approved by: Brockwell, Evans, Ewing, Fore, Pruett, Staples, and Wadkins.

File Number 2018-00974, Wayne A. Deavers, Jr.

In the matter of **File Number 2018-01177, Joshua N. Cole**, the Board members reviewed the record which consisted of the application file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Presiding Officer's Summary and Recommendation. Mr. Staples moved to accept the recommendation of the Presiding Officer and approve Mr. Cole's application for a Class 4 Wastewater Works Operator license contingent upon completion of the DOC Wastewater Works

File Number 2018-01177, Joshua N. Cole

Operator Class 4 Apprenticeship Program, meeting all entry requirements contained in the Board's regulations, and passing the applicable examination. Mr. Fore seconded the motion which was unanimously approved by: Brockwell, Evans, Ewing, Fore, Pruett, Staples, and Wadkins.

Mr. Haughwout advised the Board of the status of the Board's regulatory actions that are in process. Final Temporary Fee Reductions in the Waterworks and Wastewater Works Operator Licensing Regulations and the Onsite Sewage System Professionals Licensing Regulations became effective on January 1, 2018.

**Update on
Regulatory Actions**

Ms. Lentz arrived at 9:16 a.m.

**Arrival of Board
Member**

Ms. Henshaw provided the Board with examination statistics through January 7, 2018 for informational purposes.

**Examination
Statistics Report**

Mr. Saunders advised the Board he will begin 2018 WWW CPE audits in the near future and will have an update at the Board's next meeting scheduled for April 19, 2018.

**WWW CPE Audit
Report**

Mr. Saunders presented the Board with a training course application from Heyward Incorporated of Virginia for a course titled *Regional Pump School*. After discussion, Mr. Fore moved to accept the Education and Training Committee's recommendation and approve the course application for a total of 0.63 training credits, retroactive to December 7, 2017. Mr. Staples seconded the motion which was unanimously approved by: Brockwell, Evans, Ewing, Fore, Lentz, Pruett, Staples, and Wadkins.

**Update on
Education and
Training Committee**

Mr. Saunders presented the Board with a training course application from Virginia Section American Water Works Association for a course titled *Cross Connection Devices: Inspection, Maintenance & Testing*. After discussion, Mr. Fore moved to accept the Education and Training Committee's recommendation and approve the course application for a total of 1.6 training credits, retroactive to November 14, 2017. Ms. Pruett seconded the motion which was unanimously approved by: Brockwell, Evans, Ewing, Fore, Lentz, Pruett, Staples, and Wadkins.

The Board agreed by consensus to move forward with the agenda and discuss 2017 ABC exam implementation later in the meeting.

**Discussion of 2017
ABC Exam
Implementation**

Ms. Henshaw and Mr. Staples asked the Board to consider the

Discussion of

applicability of industrial water treatment plant experience to waterworks and wastewater works license requirements. After discussion, the Board agreed by consensus that staff will consult counsel to clarify the Board's authority to allow industrial water plant experience to fulfill experience requirements for a waterworks or wastewater works license. Further, the Board agreed by consensus to continue the discussion on the topic when or if a representative of the industrial water plant industry makes an inquiry to the Board regarding the applicability of industrial water treatment plant experience to waterworks and wastewater works licensing.

Applicability of Industrial Water Treatment Plant Experience to Waterworks and Wastewater Works Operator Licensing

Ms. Henshaw presented to the Board a staff memo dated September 1, 2011, related to the guidance document on the installation of non-discharging onsite sewage system which was revised by the Board at its October 26, 2017 meeting. The Board reviewed the memo for informational purposes.

Discussion of OSSP Guidance Document on Installation of Non-discharging Onsite Sewage Systems

Ms. Henshaw and Ms. Webster advised the Board of the findings of the Subject Matter Expert (SME) Committee review of the ABC standardized exam for Class 1-4 waterworks and wastewater works operator licensee applicants. The Board staff shared feedback from the SMEs regarding the exam, as well as additional information staff obtained from PSI and ABC regarding the defensibility and validity of the exam. After discussion, Ms. Lentz moved to authorize staff to move forward with the implementation of the 2017 ABC standardized exam. After further discussion, Mr. Wadkins seconded the motion which was unanimously approved by: Brockwell, Evans, Ewing, Fore, Lentz, Pruett, Staples, and Wadkins.

Discussion of 2017 ABC Standardized Exam Implementation

Ms. Henshaw and Mr. Saunders updated the Board on recent and upcoming outreach opportunities.

Update on Outreach Opportunities

Ms. Henshaw advised the Board that the 2017 General Assembly session began on January 10, 2018, and provided an update of legislation affecting the Board. Ms. Henshaw reminded the Board that staff actively monitors legislation throughout the General Assembly session and provides data and information regarding the Board and Department relevant to legislative proposals affecting the Board.

Other Business


The following meeting dates have been scheduled:

- April 19, 2018
- July 26, 2018
- October 25, 2018

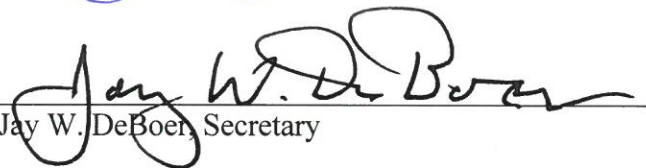
Future Meeting Dates

Mr. Evans reminded Board members to complete their conflict of **Conflict of Interest**
interest forms and travel vouchers. **Forms and Travel**
Vouchers

There being no further business, the meeting was adjourned at **Adjourn**
10:52 a.m.



W. Jordan Evans, Chair



Jay W. DeBoer, Secretary

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

TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government

1. Name: James N. Brockwell
2. Title: Board Member
3. Agency: WWWOSSP Board
4. Meeting/IFF Date: Board Meeting ~~October 26, 2017~~ JAN. 23, 2018
PM

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

Nature of Personal Interest Affected by Transaction:

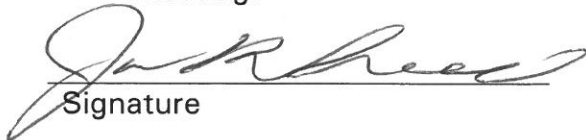
I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

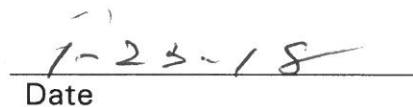
I am able to participate in this transaction fairly, objectively, and in the public interest.

or

I did not participate in the transaction.

6. I do not have a personal interest in any transactions taken at this meeting.


Signature


Date

STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT

TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government

1. Name: John Ewing
2. Title: Board Member
3. Agency: WWWOSSP Board
4. Meeting/IFF Date: Board Meeting ~~October 26, 2017~~ JAN. 23, 2018 *ajm*

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

Nature of Personal Interest Affected by Transaction:

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

Old, Inc, VOWRA, Port Inc, LLC

I am able to participate in this transaction fairly, objectively, and in the public interest.

or

I did not participate in the transaction.

6. I do not have a personal interest in any transactions taken at this meeting.

[Signature]

Signature

1/23/2018

Date

STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT

TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government

1. Name: Thomas Wayne Fore
2. Title: Board Member
3. Agency: WWWOSSP Board
4. Meeting/IFF Date: Board Meeting ~~October 26, 2017~~ JAN. 23, 2018 *afm*

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

Nature of Personal Interest Affected by Transaction:

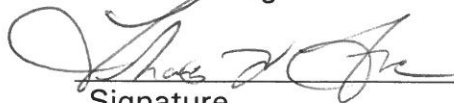
I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

I am able to participate in this transaction fairly, objectively, and in the public interest.

or

I did not participate in the transaction.

6. I **do not** have a personal interest in any transactions taken at this meeting.


Signature

1-23-18-
Date

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

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

1. Name: Kristen Lentz
2. Title: Board Member
3. Agency: WWWOSSP Board
4. Meeting/IFF Date: Board Meeting ~~October 26, 2017~~ *January 23, 2018*

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

Nature of Personal Interest Affected by Transaction:

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

I am able to participate in this transaction fairly, objectively, and in the public interest.

or

I did not participate in the transaction.

6. I do not have a personal interest in any transactions taken at this meeting.

Signature

Kristen M. Lentz

Date

1/23/18

STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT

TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government

1. Name: Pamela M. Pruett
2. Title: Board Member
3. Agency: WWWOSSP Board
4. Meeting/IFF Date: Board Meeting ~~October 26, 2017~~ JAN. 23, 2018
afm

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

none

Nature of Personal Interest Affected by Transaction:

none

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

none

I am able to participate in this transaction fairly, objectively, and in the public interest.

or

I did not participate in the transaction.

6. I do not have a personal interest in any transactions taken at this meeting.


Signature

1/23/18
Date

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

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

- 1. Name: Donald Wayne Staples
- 2. Title: Board Member
- 3. Agency: WWWOSSP Board
- 4. Meeting/IFF Date: Board Meeting ~~October 26, 2017~~ JAN. 23, 2018 *g/h*

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

Nature of Personal Interest Affected by Transaction:

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

I am able to participate in this transaction fairly, objectively, and in the public interest.

or

I did not participate in the transaction.

6. I do not have a personal interest in any transactions taken at this meeting.

Donald Wayne Staples
Signature

1/23/18
Date

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

TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government

1. Name: Richard C. Wadkins
2. Title: Board Member
3. Agency: WWWOSSP Board
4. Meeting/IFF Date: Board Meeting ~~October 26, 2017~~ *JANUARY 23, 2018*

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

Nature of Personal Interest Affected by Transaction:

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

I am able to participate in this transaction fairly, objectively, and in the public interest.

or

I did not participate in the transaction.

6. I do not have a personal interest in any transactions taken at this meeting.

Richard C Wadkins
Signature

01/23/2018
Date