

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

***Tentative* AGENDA THURSDAY, JULY 25, 2019
9:30 A.M. BOARD ROOM 2-- SECOND FLOOR**

**DEPARTMENT OF PROFESSIONAL AND OCCUPATIONAL
REGULATION PERIMETER CENTER -- 9960 MAYLAND DRIVE
RICHMOND, VIRGINIA 23233**

- I. CALL TO ORDER**
- II. EMERGENCY EVACUATION PROCEDURES**
- III. APPROVAL OF AGENDA**
- a. Board Agenda, July 25, 2019
- IV. APPROVAL OF MINUTES**
- a. Board Meeting Minutes, April 18, 2019
- V. PUBLIC COMMENT PERIOD – Five-minute public comment, per person, on those items not included on the agenda with the exception of any open disciplinary files.**
- VI. CASE FILES****
- a. File Number 2019-02168, Michael L. Adkins
Prima Facie
 - b. File Number 2019-02114, James Edward Vaughan
Licensing—IFF by Eldridge
 - c. File Number 2019-02934, Derek Clinton Hollingsworth
Licensing—IFF by Eldridge
 - d. File Number 2019-02330, Bradford D. Williams
Licensing—IFF by Ewing
- VII. OTHER BUSINESS**
- a. Examination Statistics Report
 - b. Update on ABC Examination
 1. Post-exam Survey
 2. Extension of Time to Complete Exam (Classes 1-4)
 3. Licensed Operator Exam Experience-Candidate Selection and Process
 - c. Update on Education and Training Committee
 1. Illinois State Water Survey (*Groundwater and Well Care for Non Community Public Water Systems*)
 2. Environmental Operating Solutions, Inc. (*EOSi Principles of BNR*)
 - d. Update on Draft Virginia Department of Health Hardship Guidelines
 - e. Board Financial Statements
 - f. Update on Outreach Opportunities
 - g. Other Business
- VIII. FUTURE MEETING DATES**
- a. October 24, 2019
 - b. January 9, 2020
 - c. April 30, 2020

d. July 23, 2020

IX. COMPLETE CONFLICT OF INTEREST FORMS AND TRAVEL VOUCHERS

X. ADJOURN

Persons desiring to participate in the meeting and requiring special accommodations or interpretative services should contact the Department at (804) 367-0362 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.

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

DRAFT AGENDA
Materials contained in this agenda are proposed topics for discussion and are not to be construed as regulation or official Board position.

PERIMETER CENTER CONFERENCE CENTER
EMERGENCY EVACUATION OF BOARD AND TRAINING ROOMS
(Script to be read at the beginning of each meeting.)

PLEASE LISTEN TO THE FOLLOWING INSTRUCTIONS ABOUT EXITING THE PREMISES IN THE EVENT OF AN EMERGENCY.

In the event of a fire or other emergency requiring the evacuation of the building, alarms will sound.

When the alarms sound, leave the room immediately. Follow any instructions given by Security staff

Board Room 1

Exit the room using one of the doors at the back of the room. Upon exiting the room, turn **RIGHT**. Follow the corridor to the emergency exit at the end of the hall.

Upon exiting the building, proceed straight ahead through the parking lot to the fence at the end of the lot. Wait there for further instructions.

Board Room 2

Exit the room using one of the doors at the back of the room. (Point) Upon exiting the room, turn **RIGHT**. Follow the corridor to the emergency exit at the end of the hall.

Upon exiting the building, proceed straight ahead through the parking lot to the fence at the end of the lot. Wait there for further instructions.

You may also exit the room using the side door, turn **Right** out the door and make an immediate **Left**. Follow the corridor to the emergency exit at the end of the hall.

Upon exiting the building, proceed straight ahead through the parking lot to the fence at the end of the lot. Wait there for further instructions.

Board Rooms 3 and 4

Exit the room using one of the doors at the back of the room. Upon exiting the room, turn **RIGHT**. Follow the corridor to the emergency exit at the end of the hall.

Upon exiting the building, proceed straight ahead through the parking lot to the fence at the end of the lot. Wait there for further instructions.

Training Room 1

Exit the room using one of the doors at the back of the room. Upon exiting the room, turn **LEFT**. Follow the corridor to the emergency exit at the end of the hall.

Upon exiting the building, proceed straight ahead through the parking lot to the fence at the end of the lot. Wait there for further instructions.

Training Room 2

Exit the room using one of the doors at the back of the room. Upon exiting the doors, turn **LEFT**. Follow the corridor to the emergency exit at the end of the hall.

Upon exiting the building, proceed straight ahead through the parking lot to the fence at the end of the lot. Wait there for further instructions.

**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 April 18, 2019, at the offices of the Department of Professional and Occupational Regulation (DPOR), Perimeter Center, 9960 Mayland Drive, 2nd Floor, Board Room 1, Richmond, Virginia 23233.

The following members of the Board were present:

James N. Brockwell
Rosa-Lee Cooke
W. Jordan Evans, Chair
John Ewing
Thomas Wayne Fore
Douglas Perry Greene
Pamela M. Pruett
Don Riggleman
Dwayne Roadcap
D. Wayne Staples, Vice-Chair

Board member Kristen Lentz was not present at the meeting.

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

Mary Broz-Vaughan, Acting Director
Trisha L. Henshaw, Executive Director
Shannon Webster, Director of Examinations
Paul G. Saunders, Board Administrator
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 9:02 a.m.

Call to Order

Ms. Henshaw introduced to the Board Mary Broz-Vaughan, Acting Director, and new staff member Neema Humphries, Licensing Specialist.

Introduction of Staff

Ms. Pruett arrived at 9:04 a.m.

**Arrival of Board
Member**

Ms. Henshaw advised the Board of emergency evacuation procedures.

**Emergency
Evacuation
Procedures**

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

Approval of Agenda

Ms. Cooke moved to approve the minutes of the January 29, 2019, Education and Training Committee meeting as presented. Mr. Riggleman seconded the motion which was unanimously approved by: Brockwell, Cooke, Evans, Ewing, Greene, Pruett, Riggleman, Roadcap, and Staples. Mr. Riggleman then moved to approve the minutes of the January 29, 2019, Board meeting as presented. Ms. Pruett seconded the motion which was unanimously approved by: Brockwell, Cooke, Evans, Ewing, Greene, Pruett, Riggleman, Roadcap, and Staples.

Approval of Minutes

Mr. Fore arrived at 9:05 a.m.

Arrival of Board Member

There were no members of the public present to address the Board.

Public Comment Period

In the matter of **File Number 2019-01386, Kevin Van Corum**, 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. Corum's application for a Journeyman Conventional Onsite Soil Evaluator license. Mr. Greene seconded the motion which was unanimously approved by: Brockwell, Cooke, Evans, Ewing, Fore, Greene, Pruett, Riggleman, Roadcap, and Staples.

File Number 2019-01386, Kevin Van Corum

In the matter of **File Number 2019-01921, Douglas Byron Fisher, 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. Greene moved to accept the recommendation of the Presiding Officer and approve Mr. Fisher's application for a Class 4 Wastewater Works Operator license. Mr. Riggleman seconded the motion which was unanimously approved by: Brockwell, Cooke, Evans, Ewing, Fore, Greene, Pruett, Riggleman, Roadcap, and Staples.

File Number 2019-01921, Douglas Byron Fisher, Jr.

In the matter of **File Number 2019-01597, Richard Garvin Hamm, 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

File Number 2019-01597, Richard Garvin Hamm, Jr.

DRAFT AGENCY MATERIALS CONTAINED HEREIN ARE PROPOSED TOPICS FOR DISCUSSION AND ARE NOT TO BE CONSTRUED AS AN OFFICIAL BOARD POSITION.

Summary and Recommendation. Mr. Fore moved to accept the recommendation of the Presiding Officer and approve Mr. Hamm'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. Ms. Cooke seconded the motion which was unanimously approved by: Brockwell, Cooke, Evans, Ewing, Fore, Greene, Pruett, Riggleman, Roadcap, and Staples.

In the matter of **File Number 2019-01592, Jason Duane Hailey**, 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. Hailey's application for a Class 4 Wastewater Works Operator license contingent upon completion of the DOC Wastewater Works Operator Class 4 Apprenticeship Program, meeting all entry requirements contained in the Board's regulations, and passing the applicable examination. Mr. Riggleman seconded the motion which was unanimously approved by: Brockwell, Cooke, Evans, Ewing, Fore, Greene, Pruett, Riggleman, Roadcap, and Staples.

File Number 2019-01592, Jason Duane Hailey

In the matter of **File Number 2019-01378, Justin Thomas Edwards**, 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. Ms. Cooke moved to accept the recommendation of the Presiding Officer and approve Mr. Edwards' application for a Class 3 Wastewater Works Operator license. Mr. Roadcap seconded the motion which was unanimously approved by: Brockwell, Cooke, Evans, Ewing, Fore, Greene, Pruett, Riggleman, Roadcap, and Staples.

File Number 2019-01378, Justin Thomas Edwards

Ms. Henshaw provided the Board with examination statistics through April 1, 2019, for informational purposes. Ms. Henshaw also provided the Board with totals of examination statistics for waterworks and wastewater works operators from 2010 to April 5, 2019.

Examination Statistics Report

Discussion was held on ways to assist candidates in improving study methods prior to taking licensing exams.

Discussion was also held on concern over questions added to exams by the Association of Boards of Certification (ABC) for research or

exploratory purposes. These questions do not count toward the final exam score, but appear throughout the exam, with no extra time allotted to allow for the answering of the questions.

Ms. Henshaw advised the Board that subject matter experts (SME) are developing new exam items for the OSSP exam in order to incorporate new regulations. The new exam material is due in May 2019.

**Update on
Examination
Reviews**

Ms. Webster advised the Board that Virginia DPOR is on a waiting list to receive a copy of an updated ABC 2017 standardized exam for review. The updated exam should be made available for review by May 2019.

The Board reviewed for approval the *Math Applications in Water Distribution* training course application from the Office of Water Programs at Sacramento State. After discussion, Mr. Staples moved to approve the course for nineteen (19) contact hours and 1.9 training credits. Mr. Fore seconded the motion which was unanimously approved by: Brockwell, Cooke, Evans, Ewing, Fore, Greene, Pruett, Riggleman, Roadcap, and Staples.

**Update on
Education and
Training Committee**

The Board reviewed for approval the *Math Applications in Water Treatment* training course application from the Office of Water Programs at Sacramento State. After discussion, Mr. Staples moved to approve the course for twenty-one (21) contact hours and 2.1 training credits. Mr. Fore seconded the motion which was unanimously approved by: Brockwell, Cooke, Evans, Ewing, Fore, Greene, Pruett, Riggleman, Roadcap, and Staples.

The Board reviewed for approval the *EPA Risk Management Program-Internal Auditing for Water and Wastewater Facilities* training course application from Municipal H2O. After discussion, Mr. Staples moved to approve the course for 4.8 contact hours and 0.48 training credits. Mr. Fore seconded the motion which was unanimously approved by: Brockwell, Cooke, Evans, Ewing, Fore, Greene, Pruett, Riggleman, Roadcap, and Staples.

Ms. Henshaw asked the Board to consider rescheduling upcoming Education and Training Committee meetings to the same day as currently scheduled Board meetings. Mr. Fore moved to reschedule upcoming Education and Training Committee meetings to 9:00 a.m. on the morning of scheduled Board meetings, and rescheduling upcoming Board meetings to 9:30 a.m. Mr. Ewing seconded the motion which was unanimously approved by: Brockwell, Cooke, Evans, Ewing, Fore, Greene, Pruett, Riggleman, Roadcap, and Staples.

Ms. Henshaw advised the Board that Ms. Cooke has volunteered to serve on the Education and Training Committee and asked that the Board consider approving Ms. Cooke to serve on the Committee. Mr. Fore moved to approve Ms. Cooke to serve as a member of the Education and Training Committee. Mr. Staples seconded the motion which was unanimously approved by: Brockwell, Cooke, Evans, Ewing, Fore, Greene, Pruett, Riggleman, Roadcap, and Staples.

Mr. Saunders provided the Board with an amended Memorandum of Understanding (MOU) between DOC and DPOR for review. The amended MOU would allow for a waterworks operator apprenticeship program to mirror the current DOC wastewater works operator apprenticeship program.

**Review of Amended
DOC
Apprenticeship
Program MOU**

Discussion was held on the feasibility of accredited educational institutions, which have dedicated testing facilities and security measures in place, proctoring examinations for licensing candidates using the DOC apprenticeship program model for proctoring exams.

After discussion, the Board agreed by consensus to forward the amended MOU to DOC for review and signature.

Ms. Henshaw and Ms. Broz-Vaughan provided an update of legislation affecting DPOR and the Board.

Legislative Update

Ms. Henshaw advised the Board that effective January 1, 2019, any guidance document drafted by the Board must now be made available to the public for a 30-day public comment period before being published as an official guidance document.

Ms. Henshaw provided the Board with the most recent financial statements for review.

**Board Financial
Statements**

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

**Update on Outreach
Opportunities**

Ms. Henshaw and Ms. Broz-Vaughan advised the Board of an upcoming Board member training seminar that is tentatively scheduled for October 2019.

Ms. Henshaw presented the Board with tentative Board meeting dates for 2020 as amended during discussions of the Education and Training Committee meetings scheduled earlier in the meeting. Mr. Fore moved to accept the following meeting dates:

**Consider Future
Meeting Dates**

- January 9, 2020

- April 30, 2020
- July 23, 2020
- October 22, 2020

Mr. Riggleman seconded the motion which was unanimously approved by: Brockwell, Cooke, Evans, Ewing, Fore, Greene, Pruett, Riggleman, Roadcap, and Staples.

Mr. Ewing provided the Board with an update of topics currently being considered by the Sewage Handling and Disposal Advisory Committee (SHADAC) and other stakeholders.

Other Business

The meeting recessed for a fire drill from 10:30 a.m. to 10:52 a.m.

Recess

Discussion continued on topics currently being considered by SHADAC and other stakeholders.

Other Business

Discussion was held on the approval of onsite sewage system installations and inspections by VDH, and the regulatory basis in which installations and inspections are approved.

Discussion was held on reciprocity for WWWOSSP licenses. Ms. Henshaw advised the Board that requests for reciprocity would be reviewed on a case by case basis.

Mr. Evans reminded the Board members to complete and return their conflict of interest forms and travel vouchers.

**Complete Conflict
of Interest Forms
and Travel
Vouchers**

Mr. Evans also reminded the Board of the scheduling changes made to future Committee and Board meeting dates.

There being no further business, the meeting was adjourned at 11:16 a.m.

Adjourn

W. Jordan Evans, Chair

Mary Broz-Vaughan, Acting Secretary

PUBLIC COMMENT PERIOD

Five minute public comment, per person, with the exception of any open disciplinary or application files.

DRAFT AGENDA
Materials contained
DRAFT AGENDA
this agenda are proposed topics for discussion and are not to be construed as regulation or official Board position.

PFA Summary

1/1/2017 through 7/8/2019

Delivery Method: ALL

Client: Virginia Board for Waterworks and Wastewater Works Operators and Onsite Sewage System Professionals(ABC-VA)

Test Program: Virginia Wastewater Works Operator Class 1 Examination - VAWW1

Exam Type: Virginia Wastewater Works Operator Class 1 Examination - CLASS1

	Total Tested	Pass	%	Fail	%	Absent	%	Total
First Time	138	22	15.9%	116	84.1%	4	2.8%	142
Repeater	218	35	16.1%	183	83.9%	7	3.1%	225
Total	356	57	16.0%	299	84.0%	11	3.0%	367

Test Program: Virginia Wastewater Works Operator Class 2 Examination - VAWW2

Exam Type: Virginia Wastewater Works Operator Class 2 Examination - CLASS2

	Total Tested	Pass	%	Fail	%	Absent	%	Total
First Time	193	56	29.0%	137	71.0%	2	1.0%	195
Repeater	198	45	22.7%	153	77.3%	6	2.9%	204
Total	391	101	25.8%	290	74.2%	8	2.0%	399

Test Program: Virginia Wastewater Works Operator Class 3 Examination - VAWW3

Exam Type: Virginia Wastewater Works Operator Class 3 Examination - CLASS3

	Total Tested	Pass	%	Fail	%	Absent	%	Total
First Time	198	69	34.8%	129	65.2%	4	2.0%	202
Repeater	194	57	29.4%	137	70.6%	3	1.5%	197
Total	392	126	32.1%	266	67.9%	7	1.8%	399

Test Program: Virginia Wastewater Works Operator Class 4 Examination - VAWW4

Exam Type: Virginia Wastewater Works Operator Class 4 Examination - CLASS4

	Total Tested	Pass	%	Fail	%	Absent	%	Total
First Time	207	57	27.5%	150	72.5%	3	1.4%	210
Repeater	279	62	22.2%	217	77.8%	4	1.4%	283
Total	486	119	24.5%	367	75.5%	7	1.4%	493

PFA Summary

1/1/2017 through 7/8/2019

Delivery Method: ALL

Client: Virginia Board for Waterworks and Wastewater Works Operators and Onsite Sewage System Professionals(ABC-VA)

Test Program: Virginia Waterworks Operator Class 1 Examination - VAWA1

Exam Type: Virginia Waterworks Operator Class 1 Examination - CLASS1

	Total Tested	Pass	%	Fail	%	Absent	%	Total
First Time	92	22	23.9%	70	76.1%	1	1.1%	93
Repeater	122	26	21.3%	96	78.7%	8	6.2%	130
Total	214	48	22.4%	166	77.6%	9	4.0%	223

Test Program: Virginia Waterworks Operator Class 2 Examination - VAWA2

Exam Type: Virginia Waterworks Operator Class 2 Examination - CLASS2

	Total Tested	Pass	%	Fail	%	Absent	%	Total
First Time	128	61	47.7%	67	52.3%	2	1.5%	130
Repeater	164	38	23.2%	126	76.8%	7	4.1%	171
Total	292	99	33.9%	193	66.1%	9	3.0%	301

Test Program: Virginia Waterworks Operator Class 3 Examination - VAWA3

Exam Type: Virginia Waterworks Operator Class 3 Examination - CLASS3

	Total Tested	Pass	%	Fail	%	Absent	%	Total
First Time	148	84	56.8%	64	43.2%	8	5.1%	156
Repeater	111	36	32.4%	75	67.6%	3	2.6%	114
Total	259	120	46.3%	139	53.7%	11	4.1%	270

Test Program: Virginia Waterworks Operator Class 4 Examination - VAWA4

Exam Type: Virginia Waterworks Operator Class 4 Examination - CLASS4

	Total Tested	Pass	%	Fail	%	Absent	%	Total
First Time	136	88	64.7%	48	35.3%	4	2.9%	140
Repeater	63	21	33.3%	42	66.7%	2	3.1%	65
Total	199	109	54.8%	90	45.2%	6	2.9%	205

PFA Summary

1/1/2017 through 7/8/2019

Delivery Method: ALL

Client: Virginia Board for Waterworks and Wastewater Works Operators and Onsite Sewage System Professionals(ABC-VA)

Test Program: Virginia Waterworks Operator Class 5 Examination - VAWA5

Exam Type: Virginia Waterworks Operator Class 5 Examination - CLASS5

	Total Tested	Pass	%	Fail	%	Absent	%	Total
First Time	46	43	93.5%	3	6.5%	2	4.2%	48
Repeater	6	3	50.0%	3	50.0%	0	0.0%	6
Total	52	46	88.5%	6	11.5%	2	3.7%	54

Test Program: Virginia Waterworks Operator Class 6 Examination - VAWA6

Exam Type: Virginia Waterworks Operator Class 6 Examination - CLASS6

	Total Tested	Pass	%	Fail	%	Absent	%	Total
First Time	35	22	62.9%	13	37.1%	0	0.0%	35
Repeater	18	9	50.0%	9	50.0%	1	5.3%	19
Total	53	31	58.5%	22	41.5%	1	1.9%	54

VA ONSITE SEWAGE SYSTEM PROFESSIONALS EXAMINATION STATISTICS SUMMARY

For the Period of 01/01/17 - 07/08/19

Printed on 07/08/19

Page: 1

VA Master Onsite Sewage System Installer - Alternative

VA Master Onsite Sewage System Installer - Alternative(PRE 07/26/2018)

VA Master Onsite Sewage System Installer - Alternative

Candidates

Candidates

First time Passes:

7 (21.88 %)

4 (23.53 %)

First time Fails:

25 (78.13 %)

13 (76.47 %)

Repeat Passes:

9 (33.33 %)

9 (37.5 %)

Repeat Fails:

18 (66.67 %)

15 (62.5 %)

Total

59

41

VA Master Onsite Sewage System Installer - Conventional

VA Master Onsite Sewage System Installer - Conventional(PRE 07/26/2018)

VA Master Onsite Sewage System Installer - Conventional

Candidates

Candidates

First time Passes:

1 (8.33 %)

3 (21.43 %)

First time Fails:

11 (91.67 %)

11 (78.57 %)

Repeat Passes:

5 (62.5 %)

7 (63.64 %)

Repeat Fails:

3 (37.5 %)

4 (36.36 %)

Total

20

25

Materials contained in this agenda are proposed topics for discussion and are not to be construed as regulation or official Board position.

VA Master Onsite Sewage System Operator - Alternative

VA Master Onsite Sewage System Operator - Alternative(PRE 07/26/2018)

VA Master Onsite Sewage System Operator - Alternative

Candidates

Candidates

First time Passes:	12 (85.71 %)	7 (77.78 %)
First time Fails:	2 (14.29 %)	2 (22.22 %)
Repeat Passes:	0 (0.0 %)	1 (33.33 %)
Repeat Fails:	2 (100.0 %)	2 (66.67 %)
Total	16	12

VA Master Onsite Sewage System Operator - Conventional

VA Master Onsite Sewage System Operator - Conventional(PRE 07/26/2018)

VA Master Onsite Sewage System Operator - Conventional

Candidates

Candidates

First time Passes:	5 (45.45 %)	4 (80.0 %)
First time Fails:	6 (54.55 %)	1 (20.0 %)
Repeat Passes:	3 (50.0 %)	1 (100.0 %)
Repeat Fails:	3 (50.0 %)	0 (0.0 %)
Total	17	6

VA Master Onsite Soil Evaluator - Alternative

VA Master Onsite Soil Evaluator - Alternative(PRE 07/26/2018)

VA Master Onsite Soil Evaluator - Alternative

Candidates

Candidates

First time Passes:	14 (100.0 %)	10 (90.91 %)
First time Fails:	0 (0.0 %)	1 (9.09 %)
Repeat Passes:	0 (0.0 %)	1 (100.0 %)

DRAFT AGENDA Materials contained in this agenda are proposed topics for discussion and are not to be construed as regulation or official Board position.

Repeat Fails: 0 (0.0 %) 0 (0.0 %)

Total 14 12

**VA Master Onsite
Soil Evaluator -
Conventional**

**VA Master
Onsite Soil
Evaluator -
Conventional(P
RE 07/26/2018)**

**VA Master
Onsite Soil
Evaluator -
Conventional**

Candidates

Candidates

First time Passes: 13 (92.86 %)

7 (87.5 %)

First time Fails: 1 (7.14 %)

1 (12.5 %)

Repeat Passes: 1 (100.0 %)

0 (0.0 %)

Repeat Fails: 0 (0.0 %)

0 (0.0 %)

Total 15

8

DRAFT AGENDA
Materials Contained in this Agenda are proposed topics for discussion and are not to be construed as regulation or official Board position.

UPDATE ON ABC EXAMINATION

DRAFT AGENDA
Materials contained in this agenda
DRAFT AGENDA

are proposed topics for discussion and are not to be construed as regulation or official Board position.

APPLICATION REVIEW SUMMARY

07/25/2019

PROVIDER NAME:	ILLINOIS STATE WATER SURVEY
TYPE OF COURSE:	WATERWORKS OPERATOR
SUBJECT(S):	GROUNDWATER AND WELL CARE FOR NON COMMUNITY PUBLIC WATER SYSTEMS
METHOD OF INSTRUCTION:	ONLINE
PREVIOUS BOARD APPROVAL(S):	NEW PROVIDER
STAFF RECOMMENDATION:	APPROVAL OF THE FOLLOWING COURSE TRAINING CREDIT TO BE DETERMINED BY COMMITTEE

APPLICATION REVIEW SUMMARY

07/25/2019

PROVIDER NAME:	ENVIRONMENTAL OPERATING SOLUTIONS, INC.
TYPE OF COURSE:	WASTEWATER WORKS OPERATOR
SUBJECT(S):	EOSi PRINCIPLES OF BNR
METHOD OF INSTRUCTION:	Classroom
PREVIOUS BOARD APPROVAL(S):	NEW PROVIDER
STAFF RECOMMENDATION:	APPROVAL OF THE FOLLOWING COURSE Credit TBD by Committee

DRAFT AGENDA
Materials contained in this agenda are for discussion and are not to be construed as resolutions or official Board position.
DRAFT AGENDA

July 1, 2019

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 #2019-01

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) 2019-01
Section 32.1-248.4 of the Code of Virginia; Hardship Guidelines

PURPOSE: This policy outlines the procedure for means testing of owners who petition the Virginia Department of Health (VDH) for onsite sewage and private well evaluation and design services pursuant to [§ 32.1-248.4 of the Code of Virginia](#) (the Code). This policy also establishes Hardship Guidelines whereby VDH may serve as a provider of last resort for onsite sewage and private well evaluation and design services pursuant to § 32.1-248.4 of the Code.

SCOPE:

This policy outlines the procedure for means testing of owners who petition VDH for evaluation and design services for onsite sewage systems and private well pursuant to § 32.1-248.4 of the Code ([HB 888](#)). This policy also establishes Hardship Guidelines necessary to implement the

transition of evaluation and design services for onsite sewage systems and private wells to the private sector, while maintaining VDH as a provider of last resort as outlined in § 32.1-248.4 of the Code. Owners requesting evaluation and design services who fail to meet the income eligibility criteria established in the Code or the Hardship Guidelines are required to obtain evaluation and design services from the private sector.

AUTHORITY:

Section 32.1-248.4 of the Code, as amended and effective July 1, 2018, provides authority for VDH to gradually transition evaluation and design services for onsite sewage systems and private wells to the private sector. The Code authorizes VDH to continue providing evaluation and design services associated with a building permit for a principal place of residence or the repair of a system serving a principal place of residence from July 1, 2019, to June 30, 2023 for owners that meet income eligibility criteria specified in § 32.1-248.4 of the Code. The Code also authorizes VDH to establish guidelines to maintain VDH as a provider of last resort for owners who demonstrate a specific hardship in obtaining private sector evaluation and design services associated with a building permit for a principal place of residence or the repair of a system serving a principal place of residence.

BACKGROUND:

Historically, VDH staff served as the primary provider of site and soil evaluations and designs in the Commonwealth for onsite sewage systems and private wells. However, several pieces of legislation approved in the 1990's created a process for VDH to accept evaluations and designs from private sector service providers. Since that time, two overarching principles have emerged: VDH should continue providing regulatory oversight; and VDH should increase private sector participation to the extent possible. Over time, and without a specific statutory mandate to require private evaluations and designs, the use of private sector service providers gained broad acceptance in many parts of the Commonwealth, primarily in those areas with higher property values and higher rates of growth. However, areas of low private sector participation persist today, particularly in more rural areas of the Commonwealth.

In 2016, VDH released A Plan for the Orderly Reduction and Elimination of Evaluation and Design Services by the Virginia Department of Health for Onsite Sewage Systems and Private Wells ([HB 558 Report](#)). The HB 558 Report detailed VDH's strategic vision to shift evaluation and design services for onsite sewage systems and private wells to the private sector in an orderly manner, allowing limited VDH resources to re-focus on improving public health and the environment. The HB 558 Report presented 20 specific recommendations to implement the strategic vision, including means testing by VDH of owners over an initial transition period and establishing guidelines for VDH serving as a provider of last resort for owners able to demonstrate specific hardships in obtaining private sector services. VDH recognized several geographic areas within the Commonwealth, as well as several application types, would be particularly difficult to transition to the private sector. VDH recommended means testing and the development of guidelines to address situations where owners could demonstrate a hardship

in obtaining private sector services to ensure access to onsite sewage system and private well evaluation and design services for all Virginians.

Chapter 602 of the 2017 Virginia Acts of Assembly ([HB 2477](#)) directed VDH to begin eliminating site evaluation and design services for onsite sewage systems and private wells. VDH accomplished this directive by enacting recommendations from the HB 558 Report through agency policy. In 2018, the Virginia General Assembly enacted § 32.1-248.4 of the Code ([HB888](#)), directing VDH to implement the remaining recommendations from the HB 558 Report and complete the transition of evaluation and design services to the private sector. Section 32.1-248.4 of the Code provides a plan to transition onsite sewage system and private well evaluation and design services to the private sector over five years. However, the Code maintains the ability for VDH to provide evaluation and design services throughout the transition based on means testing of owners. Section 32.1-248.4 of the Code also continues the authorization for VDH to provide evaluation and design services throughout and after the five-year transition period for owners demonstrating a specific hardship acquiring private sector evaluation and design services associated with a building permit for a principal place of residence or the repair of a failing system serving a principal place of residence.

Section 32.1-248.4 of the Code sets out specific income eligibility criteria for means testing of owners from July 1, 2019, to June 30, 2023, using the federal poverty guidelines. The Code also directs VDH to develop guidelines for hardships, including (i) the availability of properly licensed service providers working within a locality or region, (ii) the disciplinary history of private sector providers, and (iii) the cost of private sector services. The hardship guidelines established by this policy set the criteria for owners to request onsite sewage system and private well evaluation and design services from VDH as directed by § 32.1-248.4 of the Code.

EXCLUSIONS FROM MEANS TESTING AND HARDSHIP GUIDELINES

Pursuant to § 32.1-248.4 of the Code, all owners must seek private sector services for the following beginning July 1, 2018: onsite sewage system voluntary upgrades, certification letters, subdivision evaluations, and applications for new onsite sewage systems not serving a principal place of residence. The means testing criteria and hardship guidelines outlined in this policy do not apply to these application types, as VDH no longer offers these specific evaluation and design services.

Evaluations and design types requiring private sector design services prior to July 1, 2018, by VDH policy are ineligible for VDH services. These services include evaluation or design for: non-residential onsite sewage systems; onsite sewage systems with a design flow over 1,000 gallons per day; alternative onsite sewage systems; alternative discharging sewage systems; and onsite sewage system designs requiring the services of a professional engineer.

MEANS TESTING:

Beginning July 1, 2019, and until June 30, 2020, owners that submit a complete application with a household income at or below 400 percent of the federal poverty guidelines established by the

[U.S. Department of Health and Human Services](#) (federal poverty guidelines) may receive VDH evaluation and design services for: a) new or repair conventional onsite sewage systems serving a principal place of residence; b) private wells; and c) safe, adequate, and proper evaluations for conventional onsite sewage systems serving a principal place of residence (as required by §32.1-165).¹ Owners seeking such services must first petition VDH to provide services using the Petition for VDH Services Form (Appendix A). Means testing of the owner's income shall follow the same procedure as the determination of income eligibility for fee waivers (see VDH's [Eligibility Guidance Document for the Regulations Governing Standards & Charges for Medical Care Services to Individuals](#) or successor policy).

Eligibility shall be reduced to owners over the course of the next four years as outlined below.

Dates	Household Income at or Below
July 1, 2020 to June 30, 2021	300%
July 1, 2021 to June 30, 2022	200%
July 1, 2022 to June 30, 2023	100%
On and after July 1, 2023	Means testing ends.

A detailed listing of the specific means testing criteria from July 1, 2019, to June 30, 2020 is included in Appendix B.

HARDSHIP GUIDELINES:

Owners who do not meet the means testing criteria outlined in § 32.1-248.4 of the Code may still be eligible to receive services from VDH. Owners meeting any of the following hardships shall be eligible to receive VDH evaluation and design services for: a) new or repair conventional onsite sewage systems serving a principal place of residence; b) private wells; and c) safe, adequate, and proper evaluations for conventional onsite sewage systems serving a principal place of residence (as required by [§ 32.1-165](#) of the Code). Owners seeking services based on the following hardship guidelines must petition VDH to provide services using the Petition for VDH Services Form.

- A. Owners Eligible for Fee Waivers for Construction Permits, Repair Permits, and Pit Privies.

Any owner eligible to receive a fee waiver pursuant to section [12VAC5-620-80.A](#) of the [Regulations Governing Application Fees for Construction Permits for Onsite Sewage Disposal Systems and Private Wells](#) (12VAC5-620 et seq., the Fee Regulations) shall be eligible to receive VDH evaluation and design services.² Further, any owner with income below 200

¹ This includes projects that will be wholly or partially funded by public funds or funds from a non-profit organization, provided the evaluation and design services required are outside of the exclusions of this policy (e.g. evaluations and designs for conventional onsite sewage systems equal to or less than 1,000 GPD).

² Section 12VAC5-620-80.A establishes the fee waiver when an owner whose family income is at or below the 2013 Poverty Income Guidelines for the 48 Contiguous States and the District of Columbia established by the [Department](#)

percent of the federal poverty guidelines shall be eligible to receive VDH evaluation and design services when the application is for a pit privy or for a repair of a failing onsite sewage system.³ Determination of eligibility for a hardship based on income shall follow the same procedure as the determination of income eligibility for fee waivers (see VDH's Eligibility Guidance Document for the Regulations Governing Standards & Charges for Medical Care Services to Individuals or successor policy).

B. Replacement Wells and Well Abandonments.

Any owner eligible to receive a fee waiver for the replacement or abandonment of a private well pursuant to section [12VAC5-620-80.D](#) or [12VAC5-620-80.E](#) of the Fee Regulations shall be eligible to receive VDH evaluation and design services.⁴

C. Safe, Adequate, and Proper Evaluations.

Any owner seeking a safe, adequate, and proper evaluation for a conventional onsite sewage system serving a principal place of residence (as required by § 32.1-165 of the Code) shall be eligible to receive VDH evaluation services from July 1, 2019, to June 30, 2020. Over this period, VDH will use improved data collection regarding the number of safe, adequate, and proper evaluations to determine whether localities have a sufficient number of private sector service providers to transition these services to the private sector. The Hardship Guidelines will be updated based on this information, including an appropriate map and list of localities in Appendix D.

D. Number of Private Sector Providers.

Any owner seeking evaluation and design services in a locality with an insufficient number of private sector service providers shall be eligible to receive VDH evaluation and design services. A locality will be deemed to have an insufficient number of private sector service providers when the number of bare applications received in the locality from May 1st of the previous year to April 30th of the current calendar year that resulted in the issuance of a permit exceeds the estimated number of additional designs that the private sector could provide in that locality. Once a locality is determined to have a sufficient number of private sector services providers, it shall maintain that designation. VDH will estimate the number of additional designs the private sector could provide in a locality by using the following equation:

[of Health and Human Services, 78FR 5182](#) (January 24, 2013), or any successor guidelines, shall not be charged a fee.

³ This includes projects that will be wholly or partially funded by public funds or funds from a non-profit organization, provided the evaluation and design services required are outside of the exclusions of this policy (e.g. evaluations and designs for conventional onsite sewage systems equal to or less than 1,000 GPD).

⁴ Section 12VAC5-620-80.D allows the fee to be waived for any person applying for a construction permit for the replacement of a private well. Section 12VAC5-620-80.E allows the fee to be waived for any person applying for a permit to properly and permanently abandon or decommission an existing well on property that is their principal place of residence.

$$(P \times A) G - W = X$$

P = Number of private sector providers that submitted at least five evaluations and designs within the locality from May 1st of the previous year to April 30th of the current calendar year.⁵

A = Average number of evaluations and designs per private sector provider submitted within the region from May 1st of the previous year to April 30th of the current calendar year that resulted in a permit. Only private sector providers submitting at least 10 evaluations and designs within the region will be counted. (A map showing the specific regions is provided below; Map 1.)

G = Private sector growth factor. For July 1, 2019 to June 30, 2020, G will equal 1.25. For July 1, 2020 to June 30, 2021, G will equal 1.5. From July 1, 2021 to June 30, 2022, G will equal 1.75. From July 1, 2022 to June 30, 2023, G will equal 2.

W = Total number of private sector evaluations and designs submitted within the locality from May 1st of the previous year to April 30th of the current calendar year that resulted in a permit.

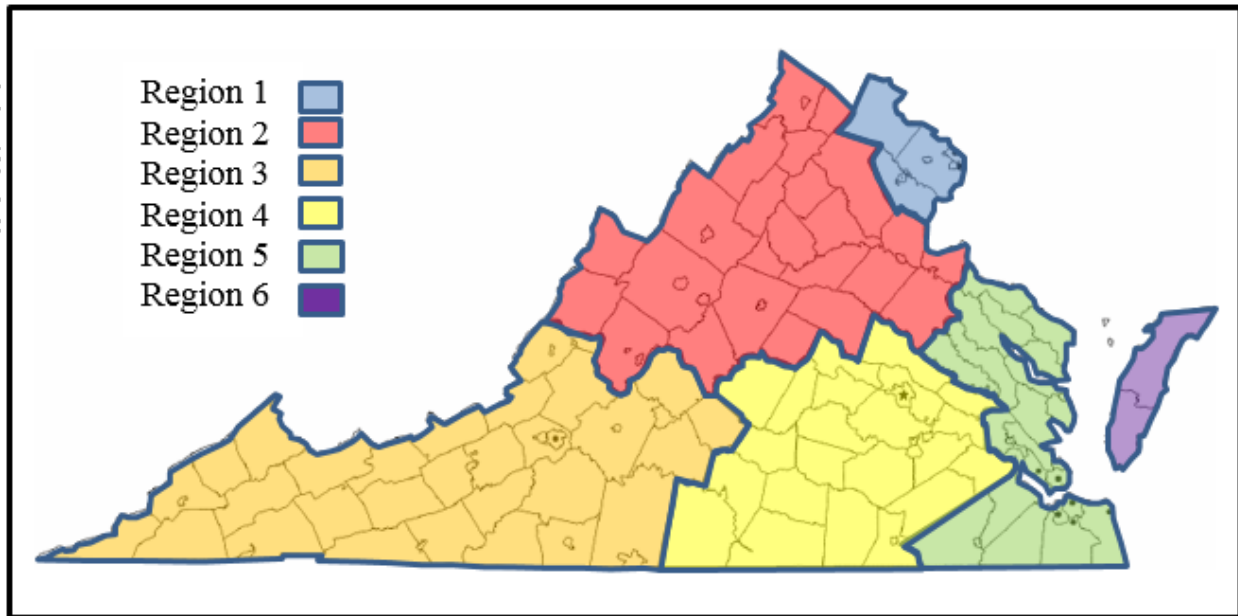
X = Estimated number of additional evaluations and designs that could be provided by the private sector.

Any locality receiving 10 or fewer total applications during the review period⁶ will be determined to have a sufficient number of private sector service providers. Any locality that receives more than 10 total applications during the review period, but has less than two private sector service providers submitting at least five evaluations and designs each during the review period will be designated as having an insufficient number of private sector service providers.

VDH will use the agency's statewide environmental health database to determine P, A, and W. For determining the average number of private sector designs, VDH will use Map 1 to set each region for review, and will include only private sector providers submitting at least 10 evaluations and designs within the region during the review period. The equation will be run separately for onsite sewage system evaluations and designs, private well evaluations and designs, and safe, adequate, and proper evaluations. Therefore, VDH may determine a locality has an insufficient number of private sector service providers for one service, but an adequate number of private sector service providers for others.

⁵ For onsite sewage system construction services, "private sector providers" will include Onsite Soil Evaluators (OSE) and Professional Engineers (PE). For private well construction services, "private sector providers" will include OSEs, PEs, and Water Well System Providers. For safe, adequate, and proper evaluations, "private sector providers" will include OSEs, PEs, Onsite Sewage System Installers, Onsite Sewage System Operators, and individuals certified by the National Sanitation Foundation (or equivalent).

⁶ "Review period" for the purpose of this policy means May 1st of the previous year to April 30th of the current calendar year for the review.

Map 1: Service Provider Regions

VDH will post a list of localities (independent cities and counties) with an insufficient number of private sector services providers on the agency website. The list will be updated annually using information from the agency's statewide environmental health database for the review period and will follow applicable requirements for posting and public comment. A copy of the list is included in Appendix D.

During review periods, private sector service providers undergoing a disciplinary action against their license from the Department of Professional and Occupational Regulations (DPOR) will not count toward the number of private sector providers submitting evaluations and designs within a locality until the disciplinary effective date runs. Likewise, VDH will not count service providers with revoked or suspended licenses during the period of license revocation or suspension, including those overlapping two or more review periods.

E. Further Considerations.

Owners failing to qualify for a specific hardship outlined in this policy may petition the District Health Director for further consideration, provided the requested evaluation and design service is not exempt from the hardship guidelines. The District Health Director may delegate review of such request to the District Environmental Health Manager. Such requests will be reviewed on a case-by-case basis, and the final determinations will be tracked by each local health district. Reviewers are encouraged to consult with the Director of the Division of Onsite Sewage and Water Service, Environmental Engineering, and Marina Programs or the Division Director's designee prior to rendering a final decision, and shall inform the Division Director of all final decisions. The reviewer's evaluation shall consider the effect granting the request will have on: the agency's vision to transition evaluation and design services to the private sector; the operation of the proposed onsite sewage system or private well; and the effect on protection of

public health and the environment. Additionally, request for further consideration based on timeliness of service shall consider: the number and the types of service providers contacted by the owner prior to the request (e.g. operators and installers may be able to diagnose repairs to a failing system that can be completed as maintenance without the services of a designer). Please note, these are agency case decisions and the hardship qualification review process is subject to the Administrative Process Act.

F. Annual Review.

VDH will conduct a review of this policy annually until at least July 1, 2023, and make revisions as necessary. Annual reviews will continue until all applications received are supported by evaluations and designs from a private sector service provider. The review shall include the following:

1. Recommendations for revisions provided by the Sewage Handling and Disposal Advisory Committee and other stakeholders.
2. Analysis of requests for VDH services pursuant to income eligibility criteria in Part 1, §4 of § 32.1-248.4 of the Code to determine whether income eligibility criteria in part A of the Hardship Guidelines should be revised.
3. Analysis of the estimated number of additional evaluations and designs that could be provided by the private sector within localities versus the actual increases observed for the review period to determine whether modification to the equation in Section IV is necessary.
4. Analysis of hardship requests for further considerations and determinations rendered for each case by District Health Directors to determine whether additional specific hardships or exclusions are necessary.
5. Analysis of the percent of private sector safe, adequate, and proper evaluations.
6. Analysis of the percent of private sector evaluations and designs for alternative onsite sewage system and conventional onsite sewage systems to determine whether additional verification of owner disclosure is required.⁷
7. To assist owners in making informed decisions regarding onsite sewage system and private well evaluation and design services, VDH will conduct surveys regarding the cost of private sector services. Information regarding the average cost of private sector services will be posted on the agency website.
8. Updating the policy based on changes to the Federal Poverty Guidelines.

A copy of VDH's annual review shall be posted on the agency website.

⁷ Private sector service providers are required to disclose to the owner when a conventional onsite sewage system is an option.

Appendix A
Petition for VDH Services Form

I, (owner name), am petitioning VDH to provide evaluation and design services based on (select one):

- Means test (household income at or below 400% of the federal poverty guidelines)
- VDH Hardship Guidelines

If you selected VDH Hardship Guidelines, please check all of the following guidelines that apply:

- Qualify for fee waiver pursuant to 12VAC5-620-80.A.
- Replacement well.
- Well abandonment.
- Safe, Adequate, and Proper Evaluation.
- Onsite sewage system repair or pit privy fee waiver.
- Insufficient number of private sector service providers.⁸
- Other: If other, please provide a detailed description of your hardship in obtaining private sector evaluation and design services along with any relevant documents that you believe supports your request. Please provide the names of private sector service providers you contacted, prior to submitting this petition. (Detailed description can be attached)

Owners/Agents Signature

Date

(Office Use Only) Petition for services Approved Denied

Reviewed by _____

Date

⁸ (Insert link to VDH website – list of localities with insufficient number of private sector service providers.)

DRAFT AGENDA
Materials contained in this agenda are proposed for discussion and are not to be construed as regulation or official Board position.
DRAFT AGENDA

Appendix B
U.S. Department of Health and Human Services
Federal Poverty Guidelines (FPG)

Means Testing Criteria – July 1, 2019 to June 30, 2020

Persons in Family/Household	400% of Federal Poverty Guidelines
1	\$49,960
2	\$67,640
3	\$85,320
4	\$103,000
5	\$120,680
6	\$138,360
7	\$156,040
8	\$173,720

Source: U.S. Department of Health and Human Services, Office of the Assistant Secretary for Planning and Evaluation;

<https://aspe.hhs.gov/poverty-guidelines>

DRAFT AGENDA
Materials contained in this agenda are proposed topics for discussion and are not to be construed as regulation or official Board position.
DRAFT AGENDA

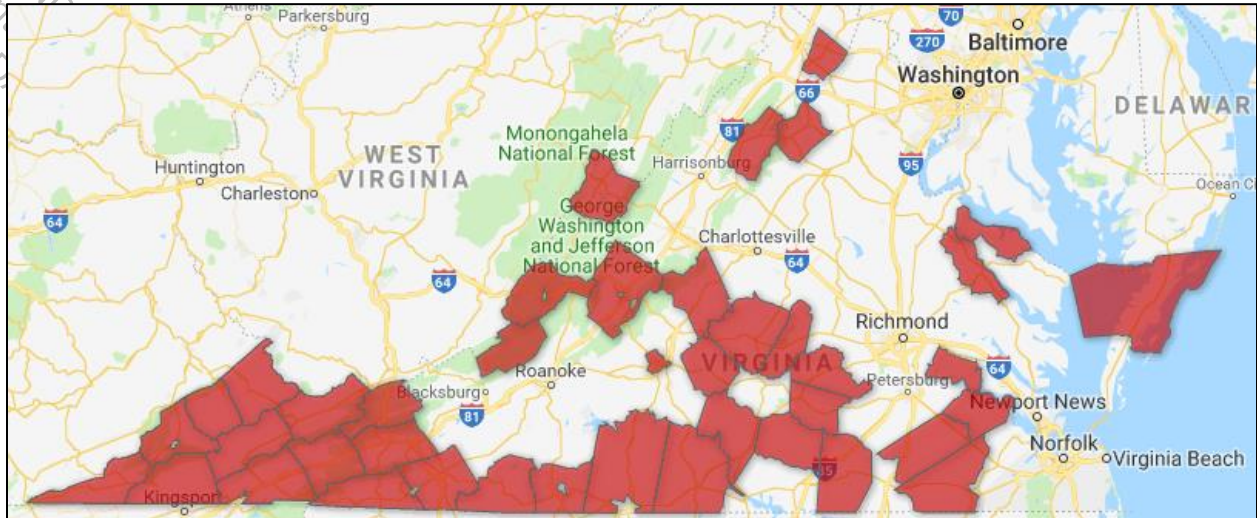
Appendix C
Hardship Guidelines Summary

Excluded from Hardship Evaluation	Qualify to Petition for Hardship
Onsite Sewage System Voluntary Upgrades	New Onsite Sewage System for a Principal Place of Residence– Owner Qualifies for Fee Waiver Under 12VAC5-620-80
Certification Letters	All SAPs
Subdivision Evaluations	Replacement Wells
New Onsite Sewage Systems Not For a Principal Place of Residence	Well Abandonments
Non-residential Onsite Sewage Systems	Conventional Onsite Sewage System Repairs – Owner income below 200% of Federal Poverty Guidelines
Onsite Sewage Systems Greater than 1,000 GPD	Pit Privy – Owner income below 200% of Federal Poverty Guidelines
Alternative Onsite Sewage Systems	VDH Determines Locality Has an Insufficient Number of Private Sector Service Providers (Includes Localities With Fewer Than 2 Private Sector Services Providers Submitting at Least 5 Evaluations and Designs Each During the Review Period).
Alternative Discharging Sewage Systems	
Systems Requiring a Professional Engineer	

DRAFT AGENDA Materials contained herein are proposed for discussion and are not to be construed as regulation or official Board position.

Appendix D

Localities with an Insufficient Number of Service Providers – Onsite Sewage System Construction



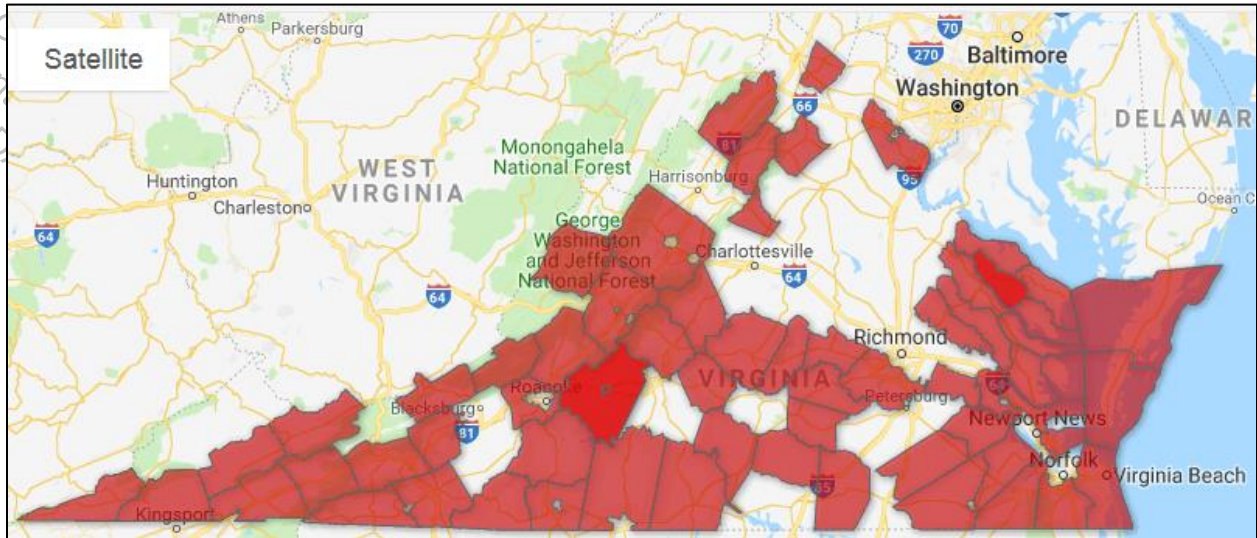
List of Localities Meeting Hardship

Accomack	Alleghany	Amelia	Appomattox
Bland	Brunswick	Buchanan	Buckingham
Carroll	Charles City	Charlotte	Clark
Craig	Cumberland	Dickenson	Essex
Grayson	Halifax	Henry	Highland
Lee	Lunenburg	Lynchburg	Nelson
Nottoway	Page	Patrick	Pittsylvania
Rappahannock	Rockbridge	Russell	Scott
Smyth	Southampton	Surry	Sussex
Tazewell	Washington	Westmoreland	Wise
Wythe			

discussion and comment not to be construed as regulation or official Board position.

Appendix D

Localities with an Insufficient Number of Service Providers – Private Well Construction



List of Localities Meeting Hardship

Accomack	Alleghany	Amelia	Amherst
Appomattox	Augusta	Bath	Bedford
Botetourt	Brunswick	Buckingham	Carroll
Charles City	Charlotte	Chesapeake	Chesterfield
Clarke	Craig	Cumberland	Essex
Franklin Co.	Giles	Gloucester	Grayson
Greene	Halifax	Hampton	Henry
Isle of Wight	James City	King & Queen	Lancaster
Lee	Lunenburg	Mathews	Middlesex
Nelson	Northampton	Northumberland	Nottoway
Page	Patrick	Pittsylvania	Powhatan
Prince William	Pulaski	Rappahannock	Richmond Co.
Roanoke Co.	Rockbridge	Russell	Scott
Shenandoah	Smyth	Southampton	Suffolk
Surry	Sussex	Tazewell	Virginia Beach
Washington	Westmoreland	Wythe	York

Appendix D

Localities with an Insufficient Number of Service Providers – Safe, Adequate, and Proper Evaluations

All localities. Safe, adequate, and proper evaluations are listed as an eligible hardship.

DRAFT AGENDA
Materials contained in this agenda are proposed topics for discussion and are not to be construed as regulation or official Board position.
DRAFT AGENDA

DRAFT AGENDA
Materials contained in this agenda are proposed topics for discussion and are not to be construed as regulation or official Board position.
DRAFT AGENDA

Appendix E
Onsite Sewage and Private Well Application

DRAFT AGENDA
Materials contained in this agenda are proposed topics for discussion and are not to be construed as regulation or official Board position.
DRAFT AGENDA

Commonwealth of Virginia

Application for: Sewage System Water Supply

VDH Use only
Health Department ID# _____
Due Date _____

Owner _____
Mailing Address _____
Agent _____
Mailing Address _____
Site Address _____

Phone _____
Phone _____
Fax _____
Phone _____
Phone _____
Fax _____
Email _____

Directions to Property: _____
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 Minor Modification

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

Well Type (e.g. domestic use, agricultural, irrigation, etc.) _____

All Applicants

Is this property indeed to serve as your (owners) principal place of residence? Yes No

All applications must be accompanied by private sector evaluations and designs, unless a petition for VDH services is approved. Is a Petition for Service form attached? Yes No

In order for VDH to process your application for a sewage system you must attached 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

VIRGINIA ACTS OF ASSEMBLY -- 2018 RECONVENED SESSION

CHAPTER 831

An Act to direct the Department of Health to take steps to eliminate evaluation and design services for onsite sewage systems and private wells provided by the Department.

[H 888]

Approved April 18, 2018

Be it enacted by the General Assembly of Virginia:

1. § 1. *The Department of Health (Department) shall take steps to eliminate evaluation and design services provided by the Department for onsite sewage systems and private wells. In taking such steps, the Department shall:*

1. Beginning July 1, 2018, accept private evaluations and designs for private wells, in compliance with the State Board of Health Regulations for construction of private wells, designed and certified by a certified master water well system provider pursuant to § 54.1-1129.1 of the Code of Virginia;

2. Beginning July 1, 2018, cease providing onsite sewage system evaluations and design services that are not associated with a building permit or the repair of a failing sewage system. Hardship exceptions shall not apply to these services;

3. Beginning July 1, 2018, cease providing new construction evaluation and design services for an application that is not for a principal place of residence. Hardship exceptions shall not apply to these services;

4. By July 1, 2019, establish guidelines to maintain the Department as a provider of last resort for a property owner who demonstrates a specific hardship in obtaining private sector evaluation and design services associated with a building permit or the repair of a failing sewage system that is for a principal place of residence. In developing such guidelines, the Department shall solicit and consider input from stakeholders. The Department's guidelines shall include considerations for hardships based on (i) the availability of properly licensed service providers working within a locality or region, (ii) the disciplinary history of private sector providers, and (iii) the cost of private sector services. The Department shall post its proposed guidelines on a website maintained by the Department by November 1, 2018;

5. Beginning July 1, 2019, require an applicant for an onsite sewage system or private well construction permit who desires the Department to provide evaluation and design services associated with a building permit or the repair of a failing sewage system that is for a principal place of residence to petition the Department to provide such evaluation and design services; and

6. Beginning July 1, 2019, (i) require means testing of applicants who petition the Department for evaluation and design services for onsite sewage systems and private wells and who are unable to demonstrate a hardship and (ii) provide evaluation and design services only to such applicants whose household income does not exceed 400 percent of the federal poverty guidelines established by the U.S. Department of Health and Human Services. The Department shall reduce such income threshold to 300 percent beginning July 1, 2020, 200 percent beginning July 1, 2021, and 100 percent beginning July 1, 2022. Beginning July 1, 2023, the Department shall provide design and evaluation services only to an applicant who demonstrates a hardship in accordance with guidelines developed by the Department.

§ 2. *The Department shall coordinate with the Department of Professional and Occupational Regulation to establish any necessary agreements or procedures to ensure that potential violations of laws or regulations regarding onsite sewage system and private well evaluation and design are referred to the appropriate agency or board for review.*

**Department of Professional and Occupational Regulation
Statement of Financial Activity
Board for WWOOSSP
954530**

2018-2020 Biennium

May 2019

	May 2019 Activity	Biennium-to-Date Comparison	
		July 2016 - May 2017	July 2018 - May 2019
Cash/Revenue Balance Brought Forward			332,426
Revenues	8,535	281,175	201,290
Cumulative Revenues			533,716
Cost Categories:			
Board Expenditures	1,118	24,226	26,785
Board Administration	7,301	72,084	83,329
Administration of Exams	1,331	9,800	16,393
Enforcement	434	3,809	4,928
Legal Services	0	1,060	1,060
Information Systems	5,935	49,294	61,220
Facilities and Support Services	3,206	32,638	35,341
Agency Administration	3,601	49,768	37,674
Other / Transfers	0	-3	0
Total Expenses	22,925	242,676	266,728
Ending Cash/Revenue Balance			266,988

Actual Callahan Percentage at End of Previous Biennium	60.2%
Target Callahan Percentage at End of Current Biennium	22.8%

Number of Regulants

Current Month	5,810
Previous Biennium-to-Date	5,671

UPDATE ON OUTREACH OPPORTUNITIES

DRAFT AGENDA
Materials contained in this agenda
DRAFT AGENDA

are proposed topics for discussion and are not to be construed as regulation or official Board position.

OTHER BUSINESS

DRAFT AGENDA
Materials contained in this agenda are proposed topics for discussion and are not to be construed as regulation or official Board position.
DRAFT AGENDA

COMPLETE CONFLICT OF INTEREST
FORMS AND
TRAVEL VOUCHERS

DRAFT AGENDA
Materials contained in this agenda
DRAFT AGENDA

are proposed topics for discussion and are not to be construed as regulation or official Board position.

ADJOURN

Please return your document folders to Tanya Pettus.

DRAFT AGENDA
Materials contained in this agenda are proposed topics for discussion and are not to be construed as regulation or official Board position.
DRAFT AGENDA