

WATER WELL ABANDONMENT COMMITTEE MEETING

Department of Professional and Occupational Regulation
9960 Mayland Drive
Richmond, Virginia 23233

Thursday, August 20, 2026 – 1:00 P.M.
Board Room 3

Our mission is to protect the health, safety and welfare of the public by licensing qualified individuals and businesses and enforcing standards of professional conduct for professions and occupations as designated by statute.

I. CALL TO ORDER

- a. Emergency Evacuation Procedures (page 3)

II. ADMINISTRATIVE MATTERS

- a. Approval of Agenda

III. PUBLIC COMMENT PERIOD ***FIVE MINUTE PUBLIC COMMENT, PER PERSON***

IV. OVERVIEW

- a. Member and Staff Introductions
- b. Purpose of the Committee

V. RESOURCES AND INFORMATION

- a. §54.1-100-22 – Board for Contractors Regulations (page 4)
- b. 12VAC5-630-450 – Well abandonment. (page 46)
- c. 12VAC5-590-475 – Removal of wells from service. (page 49)
- d. Excerpt from September 20, 2022, Board for Contractors meeting approved minutes. (page 51)
- e. Excerpt from December 9, 2025, Board for Contractors meeting approved minutes. (page 52)
- f. Guidance Document #7260: Contractor License Specialty Requirement for Well Abandonments (page 53)
- g. Guidance Document #4919: Onsite Sewage Systems Designed by Professional Engineers & Onsite Soil Evaluators (page 55)

VI. OTHER BUSINESS

VII. ADJOURNMENT

NEXT MEETING SCHEDULED FOR TBA

- ❖ *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.*
- ❖ *Five-minute public comment, per person, with the exception of any open disciplinary or application file.*
- ❖ *Persons desiring to participate in the meeting and requiring special accommodations or interpretative services should contact the Department at (804) 367-2785 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.*

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

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. **(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.

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 **(Point)**, 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. **(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.

Training Room 1

Exit the room using one of the doors at the back of the room. **(Point)** 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. **(Point)** 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 Administrative Code
Title 18. Professional And Occupational Licensing
Agency 50. Board For Contractors
Chapter 22. Board for Contractors Regulations

Part I. General

18VAC50-22-10. General definitions.

A. Section 54.1-1100 of the Code of Virginia provides definitions of the following terms and phrases as used in this chapter:

"Board"

"Class A contractors"

"Class B contractors"

"Class C contractors"

"Contractor"

"Department"

"Designated employee"

"Director"

"Fire sprinkler contractor"

"Owner-developer"

"Person"

"Value"

B. The following words and terms when used in this chapter, unless a different meaning is provided or is plainly required by the context, have the following meanings:

"Address of record" means the mailing address designated by the licensee to receive notices and correspondence from the board.

"Business entity" means a sole proprietorship, partnership, corporation, limited liability company, limited liability partnership, or any other form of organization permitted by law.

"Change order" means any modification to the original contract, including the time to complete the work, change in materials, change in cost, and change in the scope of work.

"Controlling financial interest" means the direct or indirect ownership or control of more than 50% ownership of a firm.

"Firm" means any business entity recognized under the laws of the Commonwealth of Virginia.

"Formal vocational training" means courses in the trade administered at an accredited educational facility or formal training, approved by the board, conducted by trade associations, businesses, military, correspondence schools, or other similar training organizations.

"Full-time employee" means an employee who spends a minimum of 30 hours a week carrying out the work of the licensed contracting business and who receives an IRS Form W-2 annually.

"Helper" or "laborer" means a person who assists a regulant.

"Licensee" means a firm holding a license issued by the board to act as a contractor.

"Net worth" means assets minus liabilities. Assets do not include any property owned as tenants by the entirety or property not titled in the name of the business entity.

"Principal place of business" means the location where the licensee principally conducts business with the public.

"Reciprocity" means an arrangement by which the licensees of two states are allowed to practice within each other's boundaries by mutual agreement.

"Reinstatement" means the process and requirements through which an expired license can be made valid without the licensee having to apply as a new applicant.

"Renewal" means the process and requirements for periodically approving the continuance of a license.

"Residential building energy analyst firm" means any business entity wherein a residential building energy analysis, as defined in § 54.1-1144 of the Code of Virginia, is offered or practiced.

"Responsible management" means the principals of the following:

1. Sole proprietorship;
2. General partnership;
3. Limited partnership;
4. Corporation;
5. Limited liability company;
6. Association; and
7. Individuals in other business entities recognized under the laws of the Commonwealth as having a fiduciary responsibility to the firm.

"Supervision" means providing guidance or direction of a delegated task or procedure by a tradesman licensed in accordance with Chapter 11 (§ 54.1-1100 et seq.) of Title 54.1 of the Code of Virginia, being accessible to the helper or laborer, and periodically observing and evaluating the performance of the task or procedure.

"Temporary license" means a license issued by the board pursuant to § 54.1-201.1 of the Code of Virginia that authorizes a person to engage in the practice of contracting until such time as the

license is issued or 45 days from the date of issuance of the temporary license, whichever occurs first.

"Tenants by the entirety" means a tenancy that is created between spouses and by which together the spouses hold title to the whole with right of survivorship so that, upon death of either, the other takes whole to exclusion of the deceased's remaining heirs.

"Virginia Uniform Statewide Building Code" or "USBC" means building regulations comprised of those promulgated by the Virginia Board of Housing and Community Development in accordance with § 36-98 of the Code of Virginia, including any model codes and standards that are incorporated by reference and that regulate construction, reconstruction, alteration, conversion, repair, maintenance, or use of structures, and building and installation of equipment therein.

Statutory Authority

§§54.1-201, 54.1-1102, and 54.1-1146 of the Code of Virginia.

Historical Notes

Derived from VR220-01-2;1 § 1.1, eff. March 31, 1995; amended, Virginia Register Volume 17, Issue 21, eff. September 1, 2001; Volume 22, Issue 8, eff. February 1, 2006; Volume 29, Issue 3, eff. December 1, 2012; Volume 30, Issue 6, eff. January 1, 2014; Volume 32, Issue 3, eff. January 1, 2016; Volume 41, Issue 25, eff. September 1, 2025.

18VAC50-22-20. Definitions of license classifications.

The following words and terms when used in this chapter have the following meanings unless a different meaning is provided or is plainly required by the context:

"Commercial building contractors" (Abbr: CBC) means those contractors whose contracts include construction, remodeling, repair, improvement, removal, or demolition on real property owned, controlled, or leased by another person of commercial, industrial, institutional, governmental, and accessory use buildings or structures. The CBC classification does not provide for electrical, plumbing, HVAC, or gas fitting services and does not allow construction, repair, or improvement of dwellings and townhouses as defined in the USBC.

The commercial building classification includes the functions carried out by the following specialties for contracts of commercial, institutional, governmental, and accessory use buildings or structures, including multi-family housing:

Billboard/sign contracting

Commercial improvement contracting

Concrete contracting

Farm improvement contracting

Industrialized building contracting

Landscape service contracting

Marine facility contracting

Masonry contracting

Painting and wallcovering contracting

Recreational facility contracting

Roofing contracting

Swimming pool contracting

"Electrical contractors" (Abbr: ELE) means those contractors whose contracts include the construction, installation, repair, maintenance, alteration, or removal of electrical systems. This classification provides for all work covered by the electrical provisions of the USBC, including electronic/communication service contracting (ESC) and fire alarm systems contracting (FAS) specialties.

"Fire sprinkler contracting" (Abbr: SPR) means the classification that provides for the installation, repair, alteration, addition, testing, maintenance, inspection, improvement, or removal of sprinkler systems using water as a means of fire suppression when annexed to real property. This classification does not provide for the installation, repair, or maintenance of other types of fire suppression systems. The PLB classification allows for the installation of systems permitted to be designed in accordance with the plumbing provisions of the USBC. This classification may engage in the installation of backflow prevention devices in the fire sprinkler supply main and incidental to the sprinkler system installation when the installer has received formal vocational training approved by the board that included instruction in the installation of backflow prevention devices.

"Highway/heavy contractors" (Abbr: H/H) means those contractors whose contracts include construction, repair, improvement, or demolition of the following:

Bridges

Dams

Drainage systems

Foundations

Parking lots

Public transit systems

Railroads

Roads

Runways

Streets

Structural signs and lights

Tanks

The functions carried out by these contractors include the following:

Building demolition

Clearing

Concrete work

Excavating

Grading

Nonwater well drilling

Paving

Pile driving

Road marking

Steel erection

These contractors also install, maintain, or dismantle the following:

1. Power systems for the generation and primary and secondary distribution of electric current ahead of the customer's meter;
2. Pumping stations and treatment plants;
3. Telephone, telegraph, or signal systems for public utilities; and
4. Water, gas, and sewer connections to residential, commercial, and industrial sites, subject to local ordinances.

This classification may also install backflow prevention devices incidental to work in this classification when the installer has received formal vocational training approved by the board that included instruction in the installation of backflow prevention devices.

"HVAC contractors" (Abbr: HVA) means those contractors whose contracts include the installation, alteration, repair, or maintenance of heating systems, ventilating systems, cooling systems, steam and hot water heaters, heating systems, boilers, process piping, and mechanical refrigeration systems, including tanks incidental to the system. This classification does not provide for fire suppression installations, sprinkler system installations, or gas piping. This classification may install backflow prevention devices incidental to work in this classification.

"Plumbing contractors" (Abbr: PLB) means those contractors whose contracts include the installation, maintenance, extension, alteration, or removal of all piping, fixtures, appliances, and appurtenances in connection with any of the following:

Backflow prevention devices

Boilers

Hot water baseboard heating systems

Hot water heaters

Hydronic systems

Process piping

Public/private water supply systems within or adjacent to any building, structure, or conveyance

Sanitary or storm drainage facilities

Steam heating systems

Storage tanks incidental to the installation of related systems

Venting systems related to plumbing

These contractors also install, maintain, extend, or alter the following:

Liquid waste systems

Sewerage systems

Storm water systems

Water supply systems

This classification does not provide for (i) gas piping or (ii) the function of fire sprinkler contracting except for sprinklers that are tied into the domestic water supply. The classification may install fire sprinkler systems permitted to be designed in accordance with the plumbing provisions of the USBC when the installer has received formal vocational training approved by the board that included instruction of installation of fire sprinkler systems.

"Residential building contractors" (Abbr: RBC) means those contractors whose contracts include construction, remodeling, repair, improvement, removal, or demolition on real property owned, controlled, or leased by another person of dwellings and townhouses, as defined in the USBC, including accessory buildings or structures on such property. The RBC classification does not provide for electrical, plumbing, HVAC, or gas fitting services and does not allow construction, removal, repair, or improvement to commercial, industrial, institutional, or governmental use structures outside of dwellings and townhouses, as defined by the USBC.

The residential building classification includes the functions carried out by the following specialties for contracts of dwellings and townhouses, as defined by the USBC, and related accessory use buildings or structures:

Concrete contracting

Home improvement contracting

Industrialized building contracting

Landscape service contracting

Masonry contracting

Painting and wallcovering contracting

Roofing contracting

Swimming pool contracting

"Specialty contractors" means those contractors whose contracts are for specialty services that do not generally fall within the scope of any other classification within this chapter.

Statutory Authority

§§54.1-201 and 54.1-1102 of the Code of Virginia.

Historical Notes

Derived from VR220-01-2:1 § 1.2, eff. March 31, 1995; amended, Virginia Register Volume 17, Issue 21, eff. September 1, 2001; Volume 22, Issue 8, eff. February 1, 2006; Volume 29, Issue 3, eff. December 1, 2012; Volume 32, Issue 3, eff. January 1, 2016; Volume 41, Issue 25, eff. September 1, 2025.

18VAC50-22-30. Definitions of specialty services.

The following words and terms when used in this chapter have the following meanings unless a different meaning is provided or is plainly required by the context:

"Accessibility services contracting" (Abbr: ASC) means the service that provides for all work in connection with the constructing, installing, altering, servicing, repairing, testing, or maintenance of wheelchair lifts, incline chairlifts, dumbwaiters with a capacity limit of 300 pounds, and private residence elevators in accordance with the Virginia Uniform Statewide Building Code (13VAC5-63). The EEC specialty may also perform this work. This specialty does not include work on limited use-limited application (LULA) elevators.

"Accessibility services contracting - LULA" (Abbr: ASL) means the service that provides for all work in connection with the constructing, installing, altering, servicing, repairing, testing, or maintenance of wheelchair lifts, incline chairlifts, dumbwaiters with a capacity limit of 300 pounds, private residence elevators, and limited use-limited application (LULA) elevators in accordance with the Virginia Uniform Statewide Building Code (13VAC5-63). The EEC specialty may also perform this work.

"Alternative energy system contracting" (Abbr: AES) means the service that provides for the installation, repair, or improvement, from the customer's meter, of alternative energy generation systems, supplemental energy systems and associated equipment annexed to real property. This service does not include the installation of emergency generators powered by fossil fuels. No other classification or specialty service provides this function. This specialty does not provide for electrical, plumbing, gas fitting, or HVAC functions.

"Alternative sewage disposal system contracting" (Abbr: ADS) means the service that provides for the installation, repair, improvement, or removal of a treatment works that is not a conventional onsite sewage system and does not result in a point source discharge. No other classification or specialty service provides this function.

"Asbestos contracting" (Abbr: ASB) means the service that provides for the installation, removal, or encapsulation of asbestos containing materials annexed to real property. No other classification or specialty service provides for this function.

"Asphalt paving and sealcoating contracting" (Abbr: PAV) means the service that provides for the installation, repair, improvement, or removal of asphalt paving or sealcoating, or both, on subdivision streets and adjacent intersections, driveways, parking lots, tennis courts, running tracks, and play areas, using materials and accessories common to the industry. This includes height adjustment of existing sewer manholes, storm drains, water valves, sewer cleanouts and drain grates, and all necessary excavation and grading. The H/H classification also provides for this function.

"Billboard/sign contracting" (Abbr: BSC) means the service that provides for the installation, repair, improvement, or dismantling of any billboard or structural sign permanently annexed to real property. H/H and CBC are the classifications that can perform this work except that a contractor in this specialty may connect or disconnect signs to existing electrical circuits. No trade related plumbing, electrical, or HVAC work is included in this function.

"Blast/explosive contracting" (Abbr: BEC) means the service that provides for the use of explosive charges for the repair, improvement, alteration, or demolition of any real property or any structure annexed to real property. No other classification or specialty service provides this function.

"Commercial improvement contracting" (Abbr: CIC) means the service that provides for repair or improvement to structures not defined as dwellings and townhouses in the USBC. The CBC classification also provides for this function. The CIC specialty does not provide for the construction of new buildings, accessory buildings, electrical, plumbing, HVAC, or gas work.

"Concrete contracting" (Abbr: CEM) means the service that provides for all work in connection with the processing, proportioning, batching, mixing, conveying, and placing of concrete composed of materials common to the concrete industry. This includes finishing, coloring, curing, repairing, testing, sawing, grinding, grouting, placing of film barriers, sealing, and waterproofing. Construction and assembling of forms, molds, slipforms, and pans, centering, and the use of rebar are also included. The CBC, RBC, and H/H classifications also provide for this function.

"Conventional sewage disposal system contracting" (Abbr: CDS) means the service that provides for the installation, repair, improvement, or removal of a treatment works consisting of one or more septic tanks with gravity, pumped, or siphoned conveyance to a gravity distributed subsurface drainfield. The ADS specialty may also perform this work.

"Drug lab remediation contracting" (Abbr: DLR) means the service that provides for the cleanup, treatment, containment, or removal of hazardous substances at or in a property formerly used to manufacture methamphetamine or other drugs and may include demolition or disposal of structures or other property. No other classification or specialty provides for this function.

"Drywall contracting" (Abbr: DRY) means the service that provides for the installation, taping, and finishing of drywall, panels and assemblies of gypsum wallboard, sheathing, and

cementitious board, and the installation of studs made of sheet metal for the framing of ceilings and nonstructural partitioning. The CBC and RBC classifications and HIC and CIC specialties also provide for this function.

"Electronic/communication service contracting" (Abbr: ESC) means the service that provides for the installation, repair, improvement, or removal of electronic or communications systems annexed to real property including telephone wiring, computer cabling, sound systems, data links, data and network installation, television and cable TV wiring, antenna wiring, and fiber optics installation, or other systems that operate at 50 volts or less. The ELE classification also provides for this function.

"Elevator/escalator contracting" (Abbr: EEC) means the service that provides for the installation, repair, improvement, or removal of elevators or escalators permanently annexed to real property. No other classification or specialty service provides for this function.

"Environmental monitoring well contracting" (Abbr: EMW) means the service that provides for the construction of a well to monitor hazardous substances in the ground. The H/H classification and WWP specialty also provide for this function.

"Environmental specialties contracting" (Abbr: ENV) means the service that provides for installation, repair, removal, or improvement of pollution control and remediation devices. No other specialty provides for this function. This specialty does not provide for electrical, plumbing, gas fitting, or HVAC functions. The H/H classification also provides for this function.

"Equipment/machinery contracting" (Abbr: EMC) means the service that provides for the installation or removal of equipment or machinery, including conveyors or heavy machinery. Boilers exempted by the Virginia Uniform Statewide Building Code (13VAC5-63) but regulated by the Department of Labor and Industry are also included in this specialty. This specialty does not provide for any electrical, plumbing, process piping, or HVAC functions.

"Farm improvement contracting" (Abbr: FIC) means the service that provides for the installation, repair, or improvement of a nonresidential farm building or structure, or nonresidential farm accessory-use structure, or additions thereto. The CBC and RBC classifications also provide for this function. The FIC specialty does not provide for any electrical, plumbing, HVAC, or gas fitting functions.

"Finish carpentry contracting" (Abbr: FIN) means the service that provides for the installation, repair, and finishing of cabinets, sash casing, door casing, wooden flooring, baseboards, countertops, and other millwork. Finish carpentry does not include the installation of ceramic tile, marble, and artificial or cultured stone. The CBC and RBC classifications and HIC and CIC specialties also provide for this function.

"Fire alarm systems contracting" (Abbr: FAS) means the service that provides for the installation, repair, or improvement of fire alarm systems that operate at 50 volts or less. The ELE classification also provides for this function.

"Fire suppression contracting" (Abbr: FSP) means the service that provides for the installation, repair, improvement, or removal of fire suppression systems including halon and other gas

systems, dry chemical systems, and carbon dioxide systems annexed to real property. No other classification provides for this function. The FSP specialty does not provide for the installation, repair, or maintenance of water sprinkler systems.

"Flooring and floor covering contracting" (Abbr: FLR) means the service that provides for the installation, repair, improvement, or removal of materials that are common in the flooring industry. This includes wood and wood composite flooring, tack strips or other products used to secure carpet, vinyl and linoleum, ceramic, marble, stone, and all other types of tile, and includes the installation or replacement of subflooring, leveling products, or other materials necessary to facilitate the installation of the flooring or floor covering. This does not include the installation, repair, or removal of floor joists or other structural components of the flooring system. The CBC and RBC classifications and HIC and CIC specialties also provide for this function.

"Framing contractor" (Abbr: FRM) means the service that provides for the construction, removal, repair, or improvement to any framing or rough carpentry necessary for the construction of framed structures, including the installation and repair of individual components of framing systems. The CBC and RBC classifications and HIC and CIC specialties also provide for this function.

"Gas fitting contracting" (Abbr: GFC) means the service that provides for the installation, repair, improvement, or removal of gas piping and appliances annexed to real property.

"Glass and glazing contracting" (Abbr: GLZ) means the service that provides for the installation, assembly, repair, improvement, or removal of all makes and kinds of glass, glass work, mirrored glass, and glass substitute for glazing; executes the fabrication and glazing of frames, panels, sashes and doors; or installs these items in any structure. This specialty includes the installation of standard methods of weatherproofing, caulking, glazing, sealants, and adhesives. The CBC and RBC classifications and HIC and CIC specialties also provide for this function.

"Home improvement contracting" (Abbr: HIC) means the service that provides for repairs or improvements to dwellings and townhouses as defined in the USBC or structures annexed to those dwellings or townhouses as defined in the USBC. The RBC classification also provides for this function. The HIC specialty does not provide for electrical, plumbing, HVAC, or gas fitting functions. It does not include new construction functions beyond the existing building structure other than decks, patios, driveways, and utility out buildings that do not require a permit per the USBC.

"Industrialized building contracting" (Abbr: IBC) means the service that provides for the installation or removal of an industrialized building as defined in the Virginia Industrialized Building Safety Regulations (13VAC5-91). This classification covers foundation work in accordance with the provisions of the Virginia Uniform Statewide Building Code (13VAC5-63) and allows the licensee to complete internal tie-ins of plumbing, gas, electrical, and HVAC systems. It does not allow for installing additional plumbing, gas, electrical, or HVAC work such as installing the service meter, or installing the outside compressor for the HVAC system. The CBC and RBC classifications also provide for this function.

"Insulation and weather stripping contracting" (Abbr: INS) means the service that provides for the installation, repair, improvement, or removal of materials classified as insulating media used

for the sole purpose of temperature control or sound control of residential and commercial buildings. It does not include the insulation of mechanical equipment and ancillary lines and piping. The CBC and RBC classifications and HIC and CIC specialties also provide for this function.

"Landscape irrigation contracting" (Abbr: ISC) means the service that provides for the installation, repair, improvement, or removal of irrigation sprinkler systems or outdoor sprinkler systems. The PLB and H/H classifications also provide for this function. This specialty may install backflow prevention devices incidental to work in this specialty when the installer has received formal vocational training approved by the board that included instruction in the installation of backflow prevention devices.

"Landscape service contracting" (Abbr: LSC) means the service that provides for the alteration or improvement of a land area not related to any other classification or service activity by means of excavation, clearing, grading, construction of retaining walls for landscaping purposes, or placement of landscaping timbers. This specialty may remove stumps and roots below grade. The CBC, RBC, and H/H classifications and the CIC and HIC specialties also provide for this function.

"Lead abatement contracting" (Abbr: LAC) means the service that provides for the removal or encapsulation of lead-containing materials annexed to real property. No other classification or specialty service provides for this function, except that the PLB and HVA classifications may provide this service incidental to work in those classifications.

"Liquefied petroleum gas contracting" (Abbr: LPG) means the service that includes the installation, maintenance, extension, alteration, or removal of all piping, fixtures, appliances, and appurtenances used in transporting, storing, or utilizing liquefied petroleum gas. This excludes hot water heaters, boilers, and central heating systems that require an HVA or PLB license. The GFC specialty also provides for this function.

"Manufactured home contracting" (Abbr: MHC) means the service that provides for the installation or removal of a manufactured home as defined in the Virginia Manufactured Home Safety Regulations (13VAC5-95). This classification does not cover foundation work; however, it does allow installation of piers covered under HUD regulations. It does allow a licensee to do internal tie-ins of plumbing, gas, electrical, or HVAC equipment. It does not allow for installing additional plumbing, gas, electrical, or HVAC work such as installing the service meter or any components of the HVAC system. No other specialty provides for this function.

"Marine facility contracting" (Abbr: MCC) means the service that provides for the construction, repair, improvement, or removal of any structure the purpose of which is to provide access to, impede, or alter a body of surface water. The CBC and H/H classifications also provide for this function. The MCC specialty does not provide for the construction of accessory structures or electrical, HVAC, or plumbing functions.

"Masonry contracting" (Abbr: BRK) means the service that includes the installation of brick, concrete block, stone, marble, slate, or other units and products common to the masonry industry, including mortarless type masonry products. This includes installation of grout, caulking, tuck pointing, sand blasting, mortar washing, parging, and cleaning and welding of reinforcement steel related to masonry construction. The CBC, RBC, and H/H classifications and

the HIC and CIC specialties also provide for this function.

"Miscellaneous contracting" (Abbr: MSC) means the service that may fall under another classification or specialty service but is more limited than the functions provided by the other classification or specialty. This specialty is limited to a single activity and will be restricted to that specialty only. This specialty may not be used for work that would fall under the ELE, HVA, PLB, GFC, LPG, NGF, EEC, WWP, ASC, LAC, or ASB classification or specialty.

"Natural gas fitting provider contracting" (Abbr: NGF) means the service that provides for the incidental repair, testing, or removal of natural gas piping or fitting annexed to real property. This does not include new installation of gas piping for hot water heaters, boilers, central heating systems, or other natural gas equipment that requires an HVA or PLB license. The GFC specialty also provides for this function.

"Painting and wallcovering contracting" (Abbr: PTC) means the service that provides for the application of materials common to the painting and decorating industry for protective or decorative purposes, the installation of surface coverings such as vinyls, wall papers, and cloth fabrics. This includes surface preparation, caulking, sanding, and cleaning preparatory to painting or coverings and includes both interior and exterior surfaces. The CBC and RBC classifications and the HIC and CIC specialties also provide for this function.

"Radon mitigation contracting" (Abbr: RMC) means the service that provides for additions, repairs, or improvements to buildings or structures, for the purpose of mitigating or preventing the effects of radon gas. No electrical, plumbing, gas fitting, or HVAC functions are provided by this specialty.

"Recreational facility contracting" (Abbr: RFC) means the service that provides for the construction, repair, or improvement of any recreational facility, excluding paving and the construction of buildings, plumbing, electrical, and HVAC functions. The CBC and H/H classifications also provide for this function.

"Refrigeration contracting" (Abbr: REF) means the service that provides for installation, repair, or removal of any refrigeration equipment (excluding HVAC equipment). No electrical, plumbing, gas fitting, or HVAC functions are provided by this specialty. This specialty is intended for those contractors who repair or install coolers, refrigerated casework, ice-making machines, drinking fountains, cold room equipment, and similar hermetic refrigeration equipment. The HVA classification also provides for this function.

"Roofing contracting" (Abbr: ROC) means the service that provides for the installation, repair, removal, or improvement of materials common to the industry that form a watertight, weather resistant surface for roofs and decks. This includes roofing system components when installed in conjunction with a roofing project, application of dampproofing or waterproofing, and installation of roof insulation panels and other roof insulation systems above roof deck. The CBC and RBC classifications and the HIC and CIC specialties also provide for this function.

"Steel erection contracting" (Abbr: STL) means the service that provides for the fabrication and erection of structural steel shapes and plates, regardless of shape or size, to be used as structural members, or tanks, including any related riveting, welding, and rigging. This specialty includes

the fabrication, placement and tying of steel reinforcing bars (rods), and post-tensioning to reinforce concrete buildings and structures. The CBC, RBC, and H/H classifications and HIC and CIC specialties also provide for this function.

"Swimming pool construction contracting" (Abbr: POL) means the service that provides for the construction, repair, improvement, or removal of in-ground swimming pools. The CBC, RBC, and H/H classifications and the RFC specialty also provide for this function. No trade related plumbing, electrical, backflow, or HVAC work is included in this specialty.

"Tile, marble, ceramic, and terrazzo contracting" (Abbr: TMC) means the service that provides for the preparation, fabrication, construction, and installation of artificial marble, burned clay tile, ceramic, terrazzo, encaustic, faience, quarry, semi-vitreous, cementitious board, and other tile, excluding hollow or structural partition tile. The CBC and RBC classifications and HIC and CIC specialties also provide for this function.

"Underground utility and excavating contracting" (Abbr: UUC) means the service that provides for the construction, repair, improvement, or removal of water, gas, and sewer connections to residential, commercial, and industrial sites, subject to local ordinances. This specialty may install empty underground conduits in rights-of way, easements, platted rights-of-way in new site development, and sleeves for parking lot crossings if each conduit system does not include installation of any conductor wiring or connection to an energized electrical system. The H/H classification also provides for this function.

"Vessel construction contracting" (Abbr: VCC) means the service that provides for the construction, repair, improvement, or removal of nonresidential vessels, tanks, or piping that hold or convey fluids other than sanitary, storm, waste, or potable water supplies. The H/H classification also provides for this function.

"Water well/pump contracting" (Abbr: WWP) means the service that provides for the installation of a water well system, including geothermal wells, which includes construction of a water well to reach groundwater, as defined in § 62.1-255 of the Code of Virginia, and the installation of the well pump and tank, including pipe and wire, up to and including the point of connection to the plumbing and electrical systems. No other classification or specialty service provides for construction of water wells. This regulation shall not exclude the PLB, ELE, or HVA classification from installation of pumps and tanks.

Statutory Authority

§54.1-201 of the Code of Virginia.

Historical Notes

Derived from VR220-01-2:1 § 1.3, eff. March 31, 1995; amended, Virginia Register Volume 17, Issue 21, eff. September 1, 2001; Volume 22, Issue 8, eff. February 1, 2006; Volume 29, Issue 3, eff. December 1, 2012; Volume 30, Issue 6, eff. January 1, 2014; Volume 32, Issue 3, eff. January 1, 2016; Volume 32, Issue 11, eff. March 1, 2016; Volume 34, Issue 6, eff. January 1, 2018; Volume 35, Issue 21, eff. August 1, 2019; Volume 38, Issue 11, eff. February 16, 2022; Volume 41, Issue 25, eff. September 1, 2025.

18VAC50-22-35. Application procedures.

A. All applicants seeking licensure must submit an application with the appropriate fee specified in 18VAC50-22-100. Applications must be made on forms provided by the board or the board's agent and signed by all parties outlined in 18VAC50-22-40, 18VAC50-22-50, or 18VAC50-22-60.

1. By submitting the application to the department, the applicant certifies that the applicant has read and understands the applicable statutes and the board's regulations.

2. The receipt of an application and the deposit of the fees by the board do not indicate approval of the application by the board.

B. The board may make further inquiries and investigations with respect to the applicant's qualifications and information disclosed on the application to confirm or amplify information supplied. All applications must be completed in accordance with the instructions contained in this section and on the application. Applications will not be considered complete until all required documents are received by the board.

C. The applicant will be notified of receipt of initial application if the application is incomplete. Applicants who fail to complete the application process within 12 months of receipt of the application in the board's office must submit a new application.

D. The applicant must immediately report all changes in information supplied with the application, if applicable, prior to the issuance of the license or expiration of the application.

Statutory Authority

§54.1-201 of the Code of Virginia.

Historical Notes

Derived from Virginia Register Volume 41, Issue 23, eff. September 1, 2025.

Part II. Entry

18VAC50-22-40. Requirements for a Class C license.

A. A firm applying for a Class C license must meet the requirements of this section.

B. For every classification or specialty in which the firm seeks to be licensed, the firm must name a qualified individual who meets the following requirements:

1. Is at least 18 years of age;

2. Has a minimum of one year of experience in the classification or specialty for which the individual is the qualifier;

3. Is a full-time employee of the firm or is a member of the responsible management of the firm; and

4. Has met the appropriate prerequisite and board-approved examination, where applicable, for any classification or specialty service specified in 18VAC50-22-61 or has completed a

board-approved examination for all other classifications and specialty services that do not require other certification or licensure. For the miscellaneous contracting (MSC) specialty service, the applicant must provide documentation acceptable to the board of the qualified individual's experience in the scope of practice for which the specialty service is being sought. All such applications will be considered by the board in accordance with the provisions of §§ 2.2-4019 and 2.2-4020 of the Code of Virginia.

C. The firm must provide information for the past three years prior to application on any outstanding, past-due debts and judgments; outstanding tax obligations; defaults on bonds; or pending or past bankruptcies. The firm and all members of the responsible management of the firm must submit information on any past-due debts and judgments or defaults on bonds directly related to the practice of contracting as defined in Chapter 11 (§ 54.1-1100 et seq.) of Title 54.1 of the Code of Virginia.

D. The firm and all members of the responsible management of the firm must disclose at the time of application any current or previous contractor licenses held in Virginia or in other jurisdictions and any disciplinary actions taken on these licenses. This includes any monetary penalties, fines, suspensions, revocations, surrender of a license in connection with a disciplinary action, or voluntary termination of a license in Virginia or in any other jurisdiction.

E. In accordance with § 54.1-204 of the Code of Virginia, all applicants must disclose the following information about the firm, all members of the responsible management, and the qualified individual for the firm:

1. All non-marijuana misdemeanor convictions within three years of the date of application; and
2. All felony convictions.

F. A member of responsible management must complete a board-approved basic business course.

Statutory Authority

§54.1-201 of the Code of Virginia.

Historical Notes

Derived from VR220-01-2:1 § 2.1, eff. March 31, 1995; amended, Virginia Register Volume 17, Issue 21, eff. September 1, 2001; Volume 25, Issue 3, eff. December 1, 2008; Volume 29, Issue 3, eff. December 1, 2012; Volume 32, Issue 3, eff. January 1, 2016; Volume 34, Issue 6, eff. January 1, 2018; Volume 35, Issue 21, eff. August 1, 2019; Volume 38, Issue 5, eff. December 1, 2021; Volume 38, Issue 11, eff. February 16, 2022; Volume 41, Issue 23, eff. September 1, 2025.

18VAC50-22-50. Requirements for a Class B license.

A. A firm applying for a Class B license must meet the requirements of this section.

B. The firm must name a designated employee who meets the following requirements:

1. Is at least 18 years of age;

2. Is a full-time employee of the firm or is a member of responsible management;
3. Has passed a board-approved examination as required by § 54.1-1108 of the Code of Virginia or has been exempted from the examination requirement in accordance with § 54.1-1108.1 of the Code of Virginia; and
4. Has followed all rules established by the board or by the testing service acting on behalf of the board with regard to conduct at the examination. Such rules include any written instructions communicated prior to the examination date and any oral or written instructions given at the site on the date of the examination.

C. For every classification or specialty in which the firm seeks to be licensed, the firm must name a qualified individual who meets the following requirements:

1. Is at least 18 years of age;
2. Has a minimum of three years of experience in the classification or specialty for which the individual is the qualifier;
3. Is a full-time employee of the firm or is a member of the responsible management of the firm; and
4. Has met the appropriate prerequisite and board-approved examination, where applicable, for any classification or specialty service specified in 18VAC50-22-61 or has completed a board-approved examination for all other classifications and specialty services that do not require other certification or licensure. For the miscellaneous contracting (MSC) specialty service, the applicant must provide documentation acceptable to the board of the qualified individual's experience in the scope of practice for which the specialty service is being sought. All such applications will be considered by the board in accordance with the provisions of §§ 2.2-4019 and 2.2-402 of the Code of Virginia.

D. Each firm must submit information on its financial position. Excluding any property owned as tenants by the entirety, the firm must verify a net worth or equity of \$15,000 or more by submitting a completed financial statement with supporting documentation, a financial statement reviewed by a certified public accountant (CPA), or a CPA audit. In lieu of this requirement, the firm may obtain a \$50,000 surety bond on the board's bond form.

E. Each firm must provide information for the four years prior to application on any outstanding, past-due debts and judgments; outstanding tax obligations; defaults on bonds; or pending or past bankruptcies. The firm, its designated employee, and all members of the responsible management of the firm must submit information on any past-due debts and judgments or defaults on bonds directly related to the practice of contracting as defined in Chapter 11 (§ 54.1-1100 et seq.) of Title 54.1 of the Code of Virginia.

F. The firm, the designated employee, and all members of the responsible management of the firm must disclose at the time of application any current or previous substantial identities of interest with any contractor licenses issued in Virginia or in other jurisdictions and any disciplinary actions taken on these licenses. This includes any monetary penalties, fines, suspension, revocation, or surrender of a license in connection with a disciplinary action. The

board, in its discretion, may deny licensure to any applicant when any of the parties listed in this subsection have had a substantial identity of interest (as deemed in § 54.1-1110 of the Code of Virginia) with any firm that has had a license suspended, revoked, voluntarily terminated, or surrendered in connection with a disciplinary action in Virginia or any other jurisdiction.

G. In accordance with § 54.1-204 of the Code of Virginia, all applicants must disclose the following information about the firm, designated employee, all members of the responsible management, and the qualified individual for the firm:

1. All non-marijuana misdemeanor convictions within three years of the date of application; and
2. All felony convictions.

H. The designated employee or a member of responsible management must successfully complete a board-approved basic business course.

Statutory Authority

§54.1-201 and of the Code of Virginia.

Historical Notes

Derived from VR220-01-2:1 § 2.2, eff. March 31, 1995; amended, Virginia Register Volume 17, Issue 21, eff. September 1, 2001; Volume 22, Issue 8, eff. February 1, 2006; Volume 25, Issue 3, eff. December 1, 2008; Volume 29, Issue 3, eff. December 1, 2012; Volume 32, Issue 3, eff. January 1, 2016; Volume 34, Issue 6, eff. January 1, 2018; Volume 35, Issue 21, eff. August 1, 2019; Volume 38, Issue 5, eff. December 1, 2021; Volume 38, Issue 11, eff. February 16, 2022; Volume 41, Issue 23, eff. September 1, 2025.

18VAC50-22-60. Requirements for a Class A license.

A. A firm applying for a Class A license must meet all of the requirements of this section.

B. The firm must name a designated employee who meets the following requirements:

1. Is at least 18 years of age;
2. Is a full-time employee of the firm or is a member of the responsible management of the firm;
3. Has passed a board-approved examination as required by § 54.1-1106 of the Code of Virginia or has been exempted from the examination requirement in accordance with § 54.1-1108.1 of the Code of Virginia; and
4. Has followed all rules established by the board or by the testing service acting on behalf of the board with regard to conduct at the examination. Such rules include any written instructions communicated prior to the examination date and any oral or written instructions given at the site on the day of the examination.

C. For every classification or specialty in which the firm seeks to be licensed, the firm must name

a qualified individual who meets the following requirements:

1. Is at least 18 years of age;
2. Has a minimum of five years of experience in the classification or specialty for which the individual is the qualifier;
3. Is a full-time employee of the firm or is a member of the responsible management of the firm; and
4. Has met the appropriate prerequisite and board-approved examination, where applicable, for any classification or specialty service specified in 18VAC50-22-61 or has completed a board-approved examination for all other classifications and specialty services that do not require other certification or licensure. For the miscellaneous contracting (MSC) specialty service, the applicant must provide documentation acceptable to the board of the qualified individual's experience in the scope of practice for which the specialty service is being sought. All such applications will be considered by the board in accordance with the provisions of §§ 2.2-4019 and 2.2-402 of the Code of Virginia.

D. Each firm must submit information on its financial position. Excluding any property owned as tenants by the entirety, the firm must verify a net worth or equity of \$45,000 by submitting a completed financial statement with supporting documentation, a financial statement reviewed by a certified public accountant (CPA), or a CPA audit. In lieu of this requirement, the firm may obtain a \$50,000 surety bond on the board's bond form.

E. The firm must provide information for the five years prior to application on any outstanding, past-due debts and judgments; outstanding tax obligations; defaults on bonds; or pending or past bankruptcies. The firm, its designated employee, and all members of the responsible management of the firm must submit information on any past-due debts and judgments or defaults on bonds directly related to the practice of contracting as defined in Chapter 11 (§ 54.1-1100 et seq.) of Title 54.1 of the Code of Virginia.

F. The firm, the designated employee, and all members of the responsible management of the firm must disclose at the time of application any current or previous substantial identities of interest with any contractor licenses issued in Virginia or in other jurisdictions and any disciplinary actions taken on these licenses. This includes any monetary penalties, fines, suspensions, revocations, or surrender of a license in connection with a disciplinary action. The board, in its discretion, may deny licensure to any applicant when any of the parties listed in this subsection have had a substantial identity of interest (as deemed in § 54.1-1110 of the Code of Virginia) with any firm that has had a license suspended, revoked, voluntarily terminated, or surrendered in connection with a disciplinary action in Virginia or in any other jurisdiction.

G. In accordance with § 54.1-204 of the Code of Virginia, all applicants must disclose the following information about the firm, all members of the responsible management, the designated employee, and the qualified individual for the firm:

1. All non-marijuana misdemeanor convictions within three years of the date of application; and

2. All felony convictions.

H. The designated employee or a member of responsible management must successfully complete a board-approved basic business course.

Statutory Authority

§54.1-201 of the Code of Virginia.

Historical Notes

Derived from VR220-01-2:1 § 2.3, eff. March 31, 1995; amended, Virginia Register Volume 17, Issue 21, eff. September 1, 2001; Volume 22, Issue 8, eff. February 1, 2006; Volume 25, Issue 3, eff. December 1, 2008; Volume 29, Issue 3, eff. December 1, 2012; Volume 32, Issue 3, eff. January 1, 2016; Volume 34, Issue 6, eff. January 1, 2018; Volume 35, Issue 21, eff. August 1, 2019; Volume 38, Issue 5, eff. December 1, 2021; Volume 38, Issue 11, eff. February 16, 2022; Volume 41, Issue 23, eff. September 1, 2025.

18VAC50-22-61. Qualifications for classifications and specialties.

For the following classifications or specialty services, the qualified individual must meet the qualifications specified in this section:

Classification or Specialty Service	Prerequisites	Board-Approved Examination
Accessibility services contracting (ASC)	Accessibility mechanic certification issued by the Board for Contractors	No
Accessibility services contracting - LULA (ASL)	Accessibility mechanic certification with the LULA endorsement issued by the Board for Contractors	No
Alternative energy system contracting (AES)	Years of experience based on class of license; or Qualify and obtain the roofing contracting (ROC)	Yes

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

	specialty service by examination and complete the North American Board of Certified Energy Practitioners (NABCEP) certification or a board-approved certification	
Alternative sewage disposal system contracting (ADS)	Master alternative onsite sewage system installer license issued by the Board for Waterworks and Wastewater Works Operators and Onsite Sewage System Professionals	No
Asbestos contracting (ASB)	Asbestos supervisor's license issued by the Virginia Board for Asbestos, Lead, and Home Inspectors	No
Blast/explosive contracting (BEC)	Blaster certification issued by the Department of Fire Programs	No
Conventional sewage disposal	Master conventional	No

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system contracting (CDS)	onsite sewage system installer license issued by the Board for Waterworks and Wastewater Works Operators and Onsite Sewage System Professionals	
Drug lab remediation contracting (DLR)	Remediation course approved by the Board for Contractors	No
Electrical contractors (ELE)	Master electrician tradesman license issued by the Board for Contractors	No
Elevator/Escalator contracting (EEC)	Elevator mechanic certification issued by the Board for Contractors	No
Fire sprinkler contracting (SPR)	National Institute for Certification in Engineering Technologies (NICET) - Sprinkler level III or higher certification; or Professional engineer license issued by the	No

	Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects	
Gas fitting contracting (GFC)	Master gas fitter license issued by the Board for Contractors	No
HVAC contractors (HVA)	Master HVAC tradesman license issued by the Board for Contractors	No
Lead abatement contracting (LAC)	Lead abatement supervisor license issued by the Virginia Board for Asbestos, Lead, and Home Inspectors	No
Liquefied petroleum gas contracting (LPG)	Master liquefied petroleum gas fitter license issued by the Board for Contractors	No
Manufactured home contracting (MHC)	Manufacture d Housing Installer Certification issued by the Department of Housing and	No

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

Natural gas fitting provider contracting (NGF)	Community Development Master natural gas fitter provider license issued by the Board for Contractors	No
Plumbing contractors (PLB)	Master plumber tradesman license issued by the Board for Contractors Certificate issued by National Radon Proficiency Program (NRPP) or the National Radon Safety Board (NRSB) *Must also qualify and obtain one of the following by examination: commercial building contractors (CBC) classification, commercial improvement contracting (CIC) specialty service, farm improvement contracting (FIC) specialty service, home improvement	No
Radon mitigation contracting (RMC)*		No

	contracting (HIC) specialty service, or residential building contractors (RBC) classification .	
Waterwell/pump contracting (WWP)	Master water well systems provider license issued by the Board for Contractors	No

Statutory Authority

§54.1-201 of the Code of Virginia.

Historical Notes

Derived from Virginia Register Volume 41, Issue 23, eff. September 1, 2025.

18VAC50-22-62. Requirements for residential building energy analyst firm.

A. An applicant for a residential building energy analyst firm license must meet the requirements of this section.

B. The firm must name a qualified individual who meets all of the following requirements:

1. Is at least 18 years of age;
2. Holds a current individual residential building energy analyst license issued by the board; and
3. Is a full-time employee of the firm or is a member of the responsible management of the firm.

C. The applicant must provide documentation, acceptable to the board, that the firm currently carries a minimum of \$500,000 of general liability insurance from a company authorized to provide such insurance in the Commonwealth of Virginia.

D. The firm, the qualified individual, and all members of the responsible management of the firm must disclose at the time of application (i) any current or previous energy analyst or home inspection licenses held in Virginia or in other jurisdictions and (ii) any disciplinary actions taken on these licenses. This includes any monetary penalties, fines, suspensions, revocations, surrender of a license in connection with a disciplinary action, or voluntary termination of a license in Virginia or in any other jurisdiction.

E. The firm must provide information for the past five years prior to application on any outstanding past-due debts, outstanding judgments, outstanding tax obligations, defaults on bonds, or pending or past bankruptcies. The firm, its qualified individual, and all members of the responsible management of the firm shall submit information on any past-due debts and judgments or defaults on bonds directly related to the practice of residential building energy analysis as defined in § 54.1-1144 of the Code of Virginia.

F. In accordance with § 54.1-204 of the Code of Virginia, all applicants must disclose the following information about the firm, all members of the responsible management, and the qualified individual for the firm:

1. All non-marijuana misdemeanor convictions within three years of the date of application; and
2. All felony convictions.

Statutory Authority

§54.1-201 of the Code of Virginia.

Historical Notes

Derived from Virginia Register Volume 32, Issue 3, eff. January 1, 2016; amended, Virginia Register Volume 38, Issue 5, eff. December 1, 2021; Volume 41, Issue 23, eff. September 1, 2025.

18VAC50-22-65. Temporary licenses.

A. A firm applying for a temporary license must meet all of the requirements of § 54.1-201.1 of the Code of Virginia, including the simultaneous submission of a completed application for licensure, and the provisions of this section.

B. A firm must hold a comparable license or certificate in another state and provide verification of current licensure or certification from the other state in a format acceptable to the board. The license or certificate, as applicable, must be in good standing and have comparable qualifications to the Virginia license applied for by the firm.

C. The following provisions apply to a temporary license issued by the board:

1. A temporary license will not be renewed.
2. A firm will not be issued more than one temporary license.
3. The issuance of the license will void the temporary license.
4. If the board denies approval of the application for a license, the temporary license will be automatically suspended.

D. Any firm continuing to practice as a contractor after a temporary license has expired or been suspended and that has not obtained a comparable license or certificate may be prosecuted and fined by the Commonwealth under § 54.1-111 A 1 of the Code of Virginia.

Statutory Authority

§§54.1-201 and 54.1-1102 of the Code of Virginia.

Historical Notes

Derived from Virginia Register Volume 30, Issue 6, eff. January 1, 2014; amended, Virginia Register Volume 41, Issue 23, eff. September 1, 2025.

18VAC50-22-66. Board's disciplinary authority over temporary license holders.

A. A temporary licensee is subject to all laws and regulations of the board and will remain under and be subject to the disciplinary authority of the board during the period of temporary licensure.

B. The licensee will be subject to disciplinary action for any violations of Virginia statutes or regulations during the period of temporary licensure.

Statutory Authority

§§54.1-201 and 54.1-1102 of the Code of Virginia.

Historical Notes

Derived from Virginia Register Volume 30, Issue 6, eff. January 1, 2014; amended, Virginia Register Volume 41, Issue 23, eff. September 1, 2025.

18VAC50-22-70. Qualifications for licensure by reciprocity or substantial equivalency.

Firms originally licensed in a state with which the board has a reciprocal agreement or whose eligibility criteria are substantially equivalent may obtain a Virginia contractor's license in accordance with the terms of that agreement.

Statutory Authority

§§ 54.1-201 and 54.1-1102 of the Code of Virginia.

Historical Notes

Derived from VR220-01-2:1 § 2.4, eff. March 31, 1995; amended, Virginia Register Volume 29, Issue 3, eff. December 1, 2012.

18VAC50-22-80. Examination fees.

The fee for examination is subject to contracted charges to the board by an outside vendor based on a contract entered into in compliance with the Virginia Public Procurement Act (§ 2.2-4300 et seq. of the Code of Virginia). The current examination will not exceed a cost of \$200 per element to the candidate. Fees may be adjusted and charged to the candidate in accordance with this contract.

Statutory Authority

§§54.1-201 and 54.1-1102 of the Code of Virginia.

Historical Notes

Derived from VR220-01-2:1 § 2.5, eff. March 31, 1995; amended, Virginia Register Volume 17, Issue 21, eff. September 1, 2001; Volume 42, Issue 13, eff. March 11, 2026.

18VAC50-22-90. Past due recovery fund assessments.

No license will be issued to an applicant whose previous license or registration was suspended for nonpayment of a Virginia Contractor Transaction Recovery Fund assessment until all past-due assessments have been paid.

Statutory Authority

§§54.1-201 and 54.1-1102 of the Code of Virginia.

Historical Notes

Derived from VR220-01-2:1 § 2.6, eff. March 31, 1995; amended, Virginia Register Volume 41, Issue 25, eff. September 1, 2025.

18VAC50-22-100. Fees.

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 will be required to remit fees sufficient to cover the original fee, plus an additional processing charge set by the department:

Fee Type	When Due	Amount Due
Class C Initial License	with license application	\$235
Class B Initial License	with license application	\$380
Class A Initial License	with license application	\$400
Temporary License	with license application and applicable initial license fee	\$60
Residential Building	with license	\$240

Energy Analyst Firm License	applicati on	
Change of Designated Employee	with change applicati on	\$125
Change of Qualified Individual	with change applicati on	\$125
Addition of Classification or Specialty	with addition applicati on	\$125

In accordance with § 54.1-1119 of the Code of Virginia, a \$25 Recovery Fund assessment is also required with each initial license application. No Recovery Fund assessment is required for residential building energy analyst firm license, change of designated employee, change of qualified individual, or addition of classification or specialty.

Statutory Authority

§§54.1-201, 54.1-1102, and 54.1-1146 of the Code of Virginia.

Historical Notes

Derived from VR220-01-2:1 § 2.7, eff. March 31, 1995; amended, Virginia Register Volume 13, Issue 5, eff. January 1, 1997; Volume 15, Issue 12, eff. May 1, 1999; Volume 17, Issue 21, eff. September 1, 2001; Volume 19, Issue 6, eff. January 1, 2003; Volume 21, Issue 20, eff. August 1, 2005; Volume 26, Issue 11, eff. April 1, 2010; Volume 30, Issue 6, eff. January 1, 2014; Volume 32, Issue 3, eff. January 1, 2016; Volume 41, Issue 22, eff. August 1, 2025; Volume 41, Issue 25, eff. September 1, 2025; Errata, 42:1 VA.R. 221 August 25, 2025; amended, Virginia Register Volume 42, Issue 1, eff. September 24, 2025.

Part III. Renewal

18VAC50-22-110. Renewal required.

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

Statutory Authority

§§54.1-201 and 54.1-1102 of the Code of Virginia.

Historical Notes

Derived from VR220-01-2:1 § 3.1, eff. March 31, 1995; amended, Virginia Register Volume 17,

Issue 21, eff. September 1, 2001; Volume 41, Issue 25, eff. September 1, 2025.

18VAC50-22-120. Procedures for renewal.

The Department of Professional and Occupational Regulation will mail a notice of renewal to the licensee at the last known address of record. Failure to receive this notice does not relieve the licensee of the obligation to renew. If the licensee does not receive the notice of renewal, a copy of the license may be substituted with the required fee.

Statutory Authority

§§54.1-201 and 54.1-1102 of the Code of Virginia.

Historical Notes

Derived from VR220-01-2:1 § 3.2, eff. March 31, 1995; amended, Virginia Register Volume 17, Issue 21, eff. September 1, 2001; Volume 41, Issue 25, eff. September 1, 2025.

18VAC50-22-130. Qualifications for renewal.

A. The license holder's completed renewal form and appropriate fees must be received within 30 days of the license expiration date in order to renew the license. Licenses are not valid during the 30-day grace period. Applications and fees received after the 30-day period will be processed in accordance with Part IV (18VAC50-22-160 et seq.) of this chapter.

B. Applicants for renewal of a Class C license must continue to meet all of the qualifications for licensure set forth in 18VAC50-22-40. Applicants for renewal of a Class B license must continue to meet all of the qualifications for licensure set forth in 18VAC50-22-50. Applicants for renewal of a Class A license must continue to meet all of the qualifications for licensure set forth in 18VAC50-22-60.

C. Applicants for renewal of a residential building energy analyst firm license must continue to meet all of the qualifications for licensure set forth in 18VAC50-22-62 and shall submit proof of insurance as required in 18VAC50-22-62 C.

Statutory Authority

§§54.1-201, 54.1-1102, and 54.1-1146 of the Code of Virginia.

Historical Notes

Derived from VR220-01-2:1 § 3.3, eff. March 31, 1995; amended, Virginia Register Volume 17, Issue 21, eff. September 1, 2001; Volume 32, Issue 3, eff. January 1, 2016; Volume 41, Issue 25, eff. September 1, 2025.

18VAC50-22-140. Renewal fees.

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 will be required to remit fees sufficient to cover the original fee, plus an additional processing charge set by the department:

Fee Type	When Due	Amount Due
Class C renewal*	with renewal application	\$220
Class B renewal*	with renewal application	\$260
Class A renewal*	with renewal application	\$270
Residential Building Energy Analyst Firm renewal	with renewal application	\$220

*A \$30 Recovery Fund assessment is also required with each contractor license renewal.

The date on which the renewal fee is received by the department or the department's agent will determine whether the licensee is eligible for renewal or must apply for reinstatement.

Statutory Authority

§§54.1-201, 54.1-1102, and 54.1-1146 of the Code of Virginia.

Historical Notes

Derived from VR220-01-2:1 § 3.4, eff. March 31, 1995; amended, Virginia Register Volume 13, Issue 5, eff. January 1, 1997; Volume 15, Issue 12, eff. May 1, 1999; Volume 17, Issue 21, eff. September 1, 2001; Volume 19, Issue 6, eff. January 1, 2003; Volume 21, Issue 20, eff. August 1, 2005; Volume 26, Issue 11, eff. April 1, 2010; Volume 31, Issue 20, eff. August 1, 2015; Volume 32, Issue 3, eff. January 1, 2016; Volume 33, Issue 19, eff. July 1, 2017; Volume 35, Issue 21, eff. August 1, 2019; Volume 38, Issue 6, eff. December 8, 2021; Volume 39, Issue 21, eff. September 1, 2023; Volume 41, Issue 22, eff. August 1, 2025; Volume 41, Issue 25, eff. September 1, 2025.

18VAC50-22-150. Board discretion to deny renewal.

A. The board may deny renewal of a license for the same reasons as it may refuse initial licensure or discipline a licensee. The licensee has a right to request further review of any such action by the board under the Administrative Process Act (§ 2.2-4000 et seq. of the Code of Virginia).

B. Failure to timely pay any monetary penalty, reimbursement of cost, or other fee assessed by consent order or final order may result in delaying or withholding services provided by the department, such as renewal, reinstatement, processing a new application, or exam administration.

Statutory Authority

§§54.1-201 and 54.1-1102 of the Code of Virginia.

Historical Notes

Derived from VR220-01-2:1 § 3.5, eff. March 31, 1995; amended, Virginia Register Volume 17, Issue 21, eff. September 1, 2001; Volume 41, Issue 25, eff. September 1, 2025.

Part IV. Reinstatement

18VAC50-22-160. Reinstatement required.

A. If all requirements for renewal of a license as specified in 18VAC50-22-130 are not completed within 30 days of the license expiration date, the licensee will be required to reinstate the license

by meeting all renewal requirements and by paying the reinstatement fee specified in 18VAC50-22-170.

B. A license may be reinstated for up to 24 months following the expiration date. After 24 months, the license may not be reinstated and the firm must meet all current entry requirements and apply as a new applicant.

C. Any regulated activity conducted subsequent to the license expiration date may constitute unlicensed activity and be subject to prosecution under Chapter 1 (§ 54.1-100 et seq.) and Chapter 11 (§ 54.1-1100 et seq.) of Title 54.1 of the Code of Virginia.

Statutory Authority

§§54.1-201, 54.1-1102, and 54.1-1146 of the Code of Virginia.

Historical Notes

Derived from VR220-01-2:1 § 4.1, eff. March 31, 1995; amended, Virginia Register Volume 17, Issue 21, eff. September 1, 2001; Volume 32, Issue 3, eff. January 1, 2016; Volume 41, Issue 25, eff. September 1, 2025.

18VAC50-22-170. Reinstatement fees.

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 will be required to remit fees sufficient to cover the original fee, plus an additional processing charge set by the department:

Fee Type	When Due	Amount Due
Class C reinstatement**	with reinstatement application	\$460*
Class B reinstatement**	with reinstatement application	\$550*
Class A reinstatement**	with reinstatement application	\$550*
Residential Building Energy Analyst Firm reinstatement	with reinstatement application	\$460*
*Includes renewal fee listed in 18VAC50-22-140.		
**The Recovery Fund assessment specified in 18VAC50-22-140 is also required to reinstate a contractor license.		

The date on which the reinstatement fee is received by the department or the department's agent will determine whether the licensee is eligible for reinstatement or must apply for a new license and meet the entry requirements in place at the time of that application. In order to ensure that licensees are qualified to practice as contractors, no reinstatement will be permitted once two years from the expiration date of the license have passed.

Statutory Authority

§§54.1-201, 54.1-1102, and 54.1-1146 of the Code of Virginia.

Historical Notes

Derived from VR220-01-2:1 § 4.2, eff. March 31, 1995; amended, Virginia Register Volume 13, Issue 5, eff. January 1, 1997; Volume 17, Issue 21, eff. September 1, 2001; Volume 19, Issue 6, eff. January 1, 2003; Volume 21, Issue 20, eff. August 1, 2005; Volume 26, Issue 11, eff. April 1, 2010; Volume 31, Issue 20, eff. August 1, 2015; Volume 32, Issue 3, eff. January 1, 2016; Errata, 32:5 VA.R. 758 November 2, 2015; Volume 33, Issue 19, eff. July 1, 2017; Volume 35, Issue 21, eff. August 1, 2019; Volume 38, Issue 6, eff. December 8, 2021; Volume 39, Issue 21, eff. September 1, 2023; Volume 41, Issue 22, eff. August 1, 2025; Volume 41, Issue 25, eff. September 1, 2025.

18VAC50-22-180. Status of licensee during the period prior to reinstatement.

A. When a license is reinstated, the licensee will continue to have the same license number and be assigned an expiration date two years from the previous expiration date of the license.

B. A contractor who reinstates a license shall be regarded as having been continuously licensed without interruption. Therefore:

1. The contractor will remain under the disciplinary authority of the board during this entire period and may be held accountable for activities during this period.
2. A consumer who contracts with a contractor during the period between the expiration of the license and the reinstatement of the license will not be prohibited from making a claim on the Virginia Contractor Transaction Recovery Fund.

A contractor who fails to reinstate his license will be regarded as unlicensed from the expiration date of the license forward.

Nothing in this chapter will divest the board of its authority to discipline a contractor for a violation of the law or regulations during the period of time for which the contractor was licensed.

C. A residential building energy analyst firm that reinstates its license will be regarded as having been continuously licensed without interruption and remain under the disciplinary authority of the board during this entire period and may be held accountable for its activities during this period.

Statutory Authority

§§54.1-201, 54.1-1102, and 54.1-1146 of the Code of Virginia.

Historical Notes

Derived from VR220-01-2:1 § 4.3, eff. March 31, 1995; amended, Virginia Register Volume 17, Issue 21, eff. September 1, 2001; Volume 32, Issue 3, eff. January 1, 2016; Volume 41, Issue 25, eff. September 1, 2025.

18VAC50-22-190. Board discretion to deny reinstatement.

A. The board may deny reinstatement of a license for the same reasons as it may refuse initial licensure or discipline a licensee. The licensee has a right to request further review of any such

action by the board under the Administrative Process Act (§ 2.2-4000 et seq. of the Code of Virginia).

B. Failure to timely pay any monetary penalty, reimbursement of cost or other fee assessed by consent order or final order shall result in delaying or withholding services provided by the department, such as renewal, reinstatement, processing of a new application, or exam administration.

Statutory Authority

§§54.1-201 and 54.1-1102 of the Code of Virginia.

Historical Notes

Derived from VR220-01-2:1 § 4.4, eff. March 31, 1995; amended, Virginia Register Volume 17, Issue 21, eff. September 1, 2001; Volume 41, Issue 25, eff. September 1, 2025.

Part V. Standards of Practice and Conduct

18VAC50-22-200. Remedial education, revocation or suspension; fines.

The board may impose remedial education and a monetary penalty in accordance with § 54.1-202 A of the Code of Virginia or revoke or suspend any license when a licensee has been found to have violated or cooperated with others in violating any provision of the regulations of the board or Chapter 1 (§ 54.1-100 et seq.) or Chapter 11 (§ 54.1-1100 et seq.) of Title 54.1 of the Code of Virginia.

Statutory Authority

§§54.1-201 and 54.1-1102 of the Code of Virginia.

Historical Notes

Derived from VR220-01-2:1 § 5.1, eff. March 31, 1995; amended, Virginia Register Volume 17, Issue 21, eff. September 1, 2001; Volume 41, Issue 25, eff. September 1, 2025.

18VAC50-22-210. Change of business entity requires a new license.

Licenses are issued to firms and are not transferable. Whenever the legal business entity holding the license is dissolved or altered to form a new business entity, the original license becomes void and shall be returned to the board within 30 days of the change. Additionally, the firm must apply for a new license, on a form provided by the board, within 30 days of the change in the business entity. Such changes include:

1. Death of a sole proprietor;
2. Death or withdrawal of a general partner in a general partnership or the managing partner in a limited partnership; and
3. Formation or dissolution of a corporation, a limited liability company, or an association or any other business entity recognized under the laws of the Commonwealth.

Statutory Authority

§§54.1-201 and 54.1-1102 of the Code of Virginia.

Historical Notes

Derived from VR220-01-2:1 § 5.2, eff. March 31, 1995; amended, Virginia Register Volume 17, Issue 21, eff. September 1, 2001; Volume 29, Issue 3, eff. December 1, 2012; Volume 41, Issue 25, eff. September 1, 2025.

18VAC50-22-220. Change of responsible management, designated employee, or qualified individual.

A. Any change in the principals of a corporation, a limited liability company, or an association must be reported to the board in writing within 120 days of the change.

B. Any change of designated employee must be reported on a form provided by the board within 120 days of the change. The new designated employee for a Class B licensee must meet the requirements of 18VAC50-22-50 B. The new designated employee for a Class A licensee must meet the requirements of 18VAC50-22-60 B. More than one individual associated with a single firm may complete the examination requirements necessary for eligibility as the designated employee.

C. Any change of qualified individual must be reported on a form provided by the board within 60 days of the change. The new qualified individual for a Class C licensee must meet the requirements of 18VAC50-22-40 B. The new qualified individual for a Class B licensee must meet the requirements of 18VAC50-22-50 C. The new qualified individual for a Class A licensee must meet the requirements of 18VAC50-22-60 C.

Statutory Authority

§54.1-201 of the Code of Virginia.

Historical Notes

Derived from VR220-01-2:1 § 5.3, eff. March 31, 1995; amended, Virginia Register Volume 17, Issue 21, eff. September 1, 2001; Volume 36, Issue 2, eff. November 1, 2019; Volume 41, Issue 25, eff. September 1, 2025.

18VAC50-22-230. Change of name or address.

A. A licensee must operate under the name in which the license is issued. Any name change must be reported in writing to the board within 30 days of the change. The board will not be responsible for the licensee's failure to receive notices or correspondence due to the licensee's not having reported a change of name.

B. Any change of the address of record or principal place of business must be reported in writing to the board within 30 days of the change. The board will not be responsible for the licensee's failure to receive notices or correspondence due to the licensee's not having reported a change of address.

Statutory Authority

§§54.1-201 and 54.1-1102 of the Code of Virginia.

Historical Notes

Derived from VR220-01-2:1 § 5.4, eff. March 31, 1995; amended, Virginia Register Volume 17, Issue 21, eff. September 1, 2001; Volume 29, Issue 3, eff. December 1, 2012; Volume 41, Issue 25, eff. September 1, 2025.

18VAC50-22-240. Deletion or addition of a classification or specialty.

A. A licensee wishing to delete a classification or specialty from its license must notify the board in writing. If a licensee has only one classification or specialty, deletion of that classification or specialty will result in termination of the license.

B. A licensee wishing to add a classification or specialty to its license must complete a form provided by the board. A Class C licensee seeking an additional classification or specialty must meet the requirements of 18VAC50-22-40 B for the new classification or specialty. A Class B licensee seeking an additional classification or specialty must meet the requirements of 18VAC50-22-50 C for the new classification or specialty. A Class A licensee seeking an additional classification or specialty must meet the requirements of 18VAC50-22-60 C for the new classification or specialty.

Statutory Authority

§§54.1-201 and 54.1-1102 of the Code of Virginia.

Historical Notes

Derived from VR220-01-2:1 § 5.5, eff. March 31, 1995; amended, Virginia Register Volume 17, Issue 21, eff. September 1, 2001; Volume 41, Issue 25, eff. September 1, 2025.

18VAC50-22-250. (Repealed.)

Statutory Authority

Historical Notes

Derived from VR220-01-2:1 § 5.6, eff. March 31, 1995; amended, Virginia Register Volume 13, Issue 5, eff. January 1, 1997; Volume 17, Issue 21, eff. September 1, 2001; Volume 19, Issue 6, eff. January 1, 2003; Volume 21, Issue 20, eff. August 1, 2005; Volume 26, Issue 11, eff. April 1, 2010; repealed, Virginia Register Volume 41, Issue 25, eff. September 1, 2025.

18VAC50-22-260. Filing of charges; prohibited acts.

A. All complaints against contractors and residential building energy analyst firms may be filed with the Department of Professional and Occupational Regulation at any time during business hours, pursuant to § 54.1-1114 of the Code of Virginia.

B. The following acts are prohibited acts:

1. Failure in any material way to comply with provisions of Chapter 1 (§ 54.1-100 et seq.) or Chapter 11 (§ 54.1-1100 et seq.) of Title 54.1 of the Code of Virginia or the regulations of the board.
2. Furnishing substantially inaccurate or incomplete information to the board in obtaining, renewing, reinstating, or maintaining a license.
3. Failure of the responsible management, designated employee, or qualified individual to report to the board, in writing, the suspension or revocation of a contractor license by another state or conviction in a court of competent jurisdiction of a building code violation.
4. Publishing or causing to be published any advertisement relating to contracting that contains an assertion, representation, or statement of fact that is false, deceptive, or misleading.
5. Negligence or incompetence in the practice of contracting or residential building energy analyses.
6. Misconduct in the practice of contracting or residential building energy analyses.
7. A finding of improper or dishonest conduct in the practice of contracting by a court of competent jurisdiction or by the board.
8. Failure of all those who engage in residential contracting, excluding subcontractors to the contracting parties and those who engage in routine maintenance or service contracts, to make use of a legible written contract clearly specifying the terms and conditions of the work to be performed. For the purposes of this chapter, residential contracting means construction, removal, repair, or improvements to single-family or multiple-family residential buildings, including accessory-use structures as defined in § 54.1-1100 of the Code of Virginia. Prior to commencement of work or acceptance of payments, the contract shall be signed by both the consumer and the licensee or the licensee's agent.
9. Failure of those engaged in residential contracting as defined in this chapter to comply with the terms of a written contract that contains the following minimum requirements:
 - a. When work is to begin and the estimated completion date;
 - b. A statement regarding total cost of the project with regards to the type of contract being specified:
 - (1) Standard total value project: a statement of the total cost of the project;
 - (2) Cost plus: a statement identifying the type of cost-plus contract, fee or percentage, and a cap that the total dollar amount cannot exceed; or
 - (3) Time and materials: a fixed price for labor that includes wages, overhead, general and administrative costs, and cost of materials;
 - c. The amounts and schedule for progress payments, including a specific statement on the amount of the down payment;

- d. A listing of specified materials and work to be performed, which is specifically requested by the consumer;
- e. A "plain-language" exculpatory clause concerning events beyond the control of the contractor and a statement explaining that delays caused by such events do not constitute abandonment and are not included in calculating timeframes for payment or performance;
- f. A statement of assurance that the contractor will comply with all local requirements for building permits, inspections, and zoning;
- g. Disclosure of the cancellation rights of the parties;
- h. A signed acknowledgment by the consumer that the consumer has been provided with and read the Department of Professional and Occupational Regulation statement of protection available to consumers through the Board for Contractors;
- i. Contractor's name, address, license number, class of license, and classifications or specialty services;
- j. A statement providing that any modification to the contract that changes the cost, materials, work to be performed, or estimated completion date must be in writing and signed by all parties; and
- k. A statement notifying consumers of the existence of the Virginia Contractor Transaction Recovery Fund that includes information on how to contact the board for claim information.
10. Failure to make prompt delivery to the consumer before commencement of work of a fully executed copy of the contract as described in subdivisions 8 and 9 of this subsection for construction or contracting work.
11. Failure of the contractor to maintain for a period of five years from the date of contract a complete and legible copy of all documents relating to that contract, including the contract and any addenda or change orders.
12. Refusing or failing, upon request, to produce to the board, or any of its agents, any document, book, record, or copy of it in the licensee's possession concerning a transaction covered by this chapter or for which the licensee is required to maintain records.
13. Failing to respond to an agent of the board or providing false, misleading, or incomplete information to an investigator seeking information in the investigation of a complaint filed with the board against the contractor. Failing or refusing to claim certified mail sent to the licensee's address of record shall constitute a violation of this regulation.
14. Abandonment, defined as the unjustified cessation of work under the contract for a period of 30 days or more.
15. The intentional and unjustified failure to complete work contracted for or to comply with the terms in the contract.
16. The retention or misapplication of funds paid, for which work is either not performed or

performed only in part.

17. Making any misrepresentation or making a false promise that might influence, persuade, or induce.

18. Assisting another to violate any provision of Chapter 1 (§ 54.1-100 et seq.) or Chapter 11 (§ 54.1-1100 et seq.) of Title 54.1 of the Code of Virginia or this chapter or combining or conspiring with or acting as agent, partner, or associate for another.

19. Allowing a firm's license to be used by another.

20. Acting as or being an ostensible licensee for undisclosed persons who do or will control or direct, directly or indirectly, the operations of the licensee's business.

21. Action by the firm, responsible management as defined in this chapter, designated employee, or qualified individual to offer, give, or promise anything of value or benefit to any federal, state, or local employee for the purpose of influencing that employee to circumvent, in the performance of the employee's duties, any federal, state, or local law, regulation, or ordinance governing the construction industry.

22. Where the firm, responsible management as defined in this chapter, designated employee, or qualified individual has been convicted or found guilty, after initial licensure, regardless of adjudication, in any jurisdiction, of any felony or non-marijuana misdemeanor, there being no appeal pending therefrom or the time of appeal having elapsed.

23. Failure to inform the board in writing, within 30 days, that the firm, a member of responsible management as defined in this chapter, its designated employee, or its qualified individual has pleaded guilty or nolo contendere or was convicted and found guilty of any felony or of a Class 1 misdemeanor or any non-marijuana misdemeanor conviction for activities carried out while engaged in the practice of contracting.

24. Having been disciplined by any county, city, town, or any state or federal governing body, including action by the Virginia Department of Health, which action shall be reviewed by the board before it takes any disciplinary action of its own.

25. Failure to abate a violation of the Virginia Uniform Statewide Building Code (13VAC5-63).

26. Failure of a contractor to comply with the notification requirements of the Virginia Underground Utility Damage Prevention Act, Chapter 10.3 (§ 56-265.14 et seq.) of Title 56 of the Code of Virginia (Miss Utility).

27. Practicing in a classification, specialty service, or class of license for which the contractor is not licensed.

28. Failure to satisfy any judgments.

29. Contracting with an unlicensed or improperly licensed contractor or subcontractor in the delivery of contracting services.

30. Failure to honor the terms and conditions of a warranty.

31. Failure to obtain written change orders, which are signed by both the consumer and the licensee or the licensee's agent, to an already existing contract.
32. Failure to ensure that supervision, as defined in this chapter, is provided to all helpers and laborers assisting licensed tradesman.
33. Failure to obtain a building permit or applicable inspection, where required.
34. Failure of a residential building energy analyst firm to ensure that residential building energy analyses conducted by the firm are consistent with the requirements set forth by the board, the U.S. Environmental Protection Agency, the U.S. Department of Energy, or the Energy Star Program.
35. Failure of a residential building energy analyst firm to maintain the general liability insurance required in 18VAC50-22-62 C at any time while licensed by the board.
36. Failure of a contractor holding the drug lab remediation specialty to ensure that remediation work conducted by the firm or properly licensed subcontractors is consistent with the guidelines set forth by the U.S. Environmental Protection Agency, Virginia Department of Environmental Quality, Virginia Department of Health, or Virginia Department of Forensic Science.
37. Failure of a contractor to appropriately classify all workers as employees or as independent contractors as provided by law.

Statutory Authority

§54.1-201 of the Code of Virginia.

Historical Notes

Derived from VR220-01-2:1 § 5.7, eff. March 31, 1995; amended, Virginia Register Volume 17, Issue 21, eff. September 1, 2001; Volume 22, Issue 8, eff. February 1, 2006; Volume 29, Issue 3, eff. December 1, 2012; Volume 31, Issue 3, eff. December 1, 2014; Volume 32, Issue 3, eff. January 1, 2016; Volume 34, Issue 6, eff. January 1, 2018; Volume 36, Issue 26, eff. October 1, 2020; Volume 38, Issue 5, eff. December 1, 2021; Volume 41, Issue 1, eff. October 1, 2024; Volume 41, Issue 25, eff. September 1, 2025.

18VAC50-22-270. (Repealed.)

Historical Notes

Derived from VR220-01-2:1 § 5.8, eff. March 31, 1995; amended, Virginia Register Volume 17, Issue 21, eff. September 1, 2001; repealed, Virginia Register Volume 22, Issue 8, eff. February 1, 2006.

Statutory Authority

Historical Notes

Part VI. Prelicense Education

18VAC50-22-300. Prelicense education courses.

All courses offered by prelicense education providers must be approved by the board prior to the initial offering of the course and cover business principles related to the standards of conduct found in 18VAC50-22-260 B and other applicable requirements of continued licensure set forth in this chapter. Courses must be six hours in length. Correspondence and other distance learning courses must include appropriate testing procedures to verify completion of the course.

Statutory Authority

§§54.1-201 and 54.1-1102 of the Code of Virginia.

Historical Notes

Derived from Virginia Register Volume 25, Issue 3, eff. December 1, 2008; amended, Virginia Register Volume 41, Issue 25, eff. September 1, 2025.

18VAC50-22-310. Requirements for prelicense education providers.

A. Each provider of a prelicense education course must submit an application for course approval on a form provided by the board. The application must include:

1. The name of the provider;
2. Provider contact person, address, and contact information;
3. Course contact hours;
4. Schedule of courses, if established, including dates, time, and locations;
5. Instructor information, including name, license number, if applicable, and a list of other appropriate trade designations; and
6. Course syllabus.

B. All providers must establish and maintain a record for each student. The record shall include: the student's name and address; Virginia DMV control number, if applicable; the course name and clock hours attended; the course syllabus or outline; the name of the instructor; the date of successful completion; and the board's course code. Records shall be available for inspection during normal business hours by authorized representatives of the board. Providers must maintain class records for a minimum of five years.

Statutory Authority

§§54.1-201 and 54.1-1102 of the Code of Virginia.

Historical Notes

Derived from Virginia Register Volume 25, Issue 3, eff. December 1, 2008; amended, Virginia Register Volume 41, Issue 25, eff. September 1, 2025.

18VAC50-22-320. Reporting of course completion.

All prelicense education providers must electronically transmit course completion data to the board in an approved format within seven days of the completion of each individual course. The

transmittal will include each student's name, Virginia DMV control number, if applicable, the date of successful completion of the course, and the board's course code.

Statutory Authority

§§54.1-201 and 54.1-1102 of the Code of Virginia.

Historical Notes

Derived from Virginia Register Volume 25, Issue 3, eff. December 1, 2008; amended, Virginia Register Volume 41, Issue 25, eff. September 1, 2025.

18VAC50-22-330. (Repealed.)

Statutory Authority

Historical Notes

Derived from Virginia Register Volume 25, Issue 3, eff. December 1, 2008; repealed, Virginia Register Volume 41, Issue 25, eff. September 1, 2025.

18VAC50-22-340. Reporting of changes.

Any change in the information provided in 18VAC50-22-310 A must be reported to the board within 30 days of the change with the exception of changes in the schedule of courses, which must be reported within 10 days of the change. Failure to report the changes as required may result in the withdrawal of approval of a prelicense education provider by the board.

Statutory Authority

§§ 54.1-201 and 54.1-1102 of the Code of Virginia.

Historical Notes

Derived from Virginia Register Volume 25, Issue 3, eff. December 1, 2008.

18VAC50-22-350. Denial or withdrawal of approval.

The board may deny or withdraw approval of any prelicense education provider for the following reasons:

1. The courses being offered no longer meet the standards established by the board.
2. The provider, through an agent or otherwise, advertises its services in a fraudulent or deceptive way.
3. The provider, instructor, or designee of the provider falsifies any information relating to the application for approval, course information, or student records or fails to produce records required by the Board for Contractors.

Statutory Authority

§§54.1-201 and 54.1-1102 of the Code of Virginia.

Historical Notes

Derived from Virginia Register Volume 25, Issue 3, eff. December 1, 2008; amended, Virginia Register Volume 41, Issue 25, eff. September 1, 2025.

FORMS (18VAC50-22).

[Contractor Licensing Information, A501-27INTRO-v8 \(rev. 9/2025\)](#)

[Requirements for Qualified Individuals, A501-27EXINFO-v10 \(rev. 9/2025\)](#)

[Contractor's License Application, A501-27LIC-v16 \(rev. 9/2025\)](#)

[Surety Bond Form, A501-27BOND-v1 \(eff. 7/2017\)](#)

[Additional Specialty Designation Application, A501-27ADDSP-v15 \(rev. 9/2025\)](#)

[Adverse Financial History Reporting Form, A406-01AFIN-v2 \(eff. 7/2020\)](#)

[Change in Qualified Individual or Designated Employee Application, A501-27CH_OIDE-v14 \(rev. 9/2025\)](#)

[Change of Responsible Management Application, A501-27CHRM-v6 \(rev. 9/2025\)](#)

[Certificate of License Termination, A501-27TERM-v4 \(rev. 12/2015\)](#)

[Criminal Conviction Reporting Form, A406-01CCR-vs6 \(eff. 9/2025\)](#)

[Disciplinary Action Reporting Form, A406-01DAR-v3 \(eff. 7/2020\)](#)

[Education Provider Registration/Course Approval Application, A501-27EDREG-v5 \(rev. 1/2014\)](#)

[Education Provider Listing Application, A501-27EDLIST-v4 \(rev. 1/2014\)](#)

[Financial Statement, A501-27FINST-v4 \(rev. 12/2012\)](#)

[Change in License Class Application, A501CHLIC-v15 \(rev. 9/2025\)](#)

[Firm - Residential Building Energy Analyst Application, A501-2707LIC-v6 \(rev. 8/2025\)](#)

[Statement of Consumer Protections \(eff. 7/2025\)](#)

[Contractor Temporary License Application, A501-2703LIC-v11 \(rev. 9/2025\)](#)

[Expedited Class A License Application, A501-2705A_ELIC-v17 \(rev. 9/2025\)](#)

Statutory Authority

Historical Notes

Part III. Design and Construction Criteria

Article 2. General Provisions

12VAC5-630-450. Well abandonment.

A. The abandonment of a private well governed by this chapter or a private well abandoned as a condition of a permit issued under this chapter shall be administered by the Department of Health in conformance with this section. The owner or owner's agent shall provide advance notification regarding the initiation of well abandonment to the district or local health department to allow department personnel the opportunity to observe well abandonment. The owner or owner's agent shall be under no obligation to delay abandonment activities pending arrival of department personnel.

B. Prohibited materials. The following materials, even if classifiable as clean fill or beneficial use byproducts in other applications, shall not be used as clean fill or grout in any well abandonment procedure.

1. Contaminated media.
2. Non-manufactured gravel, brick, broken concrete, crushed glass, porcelain, or road pavement, except as these materials are present as incidental constituents of undisturbed soil or natural earth materials.
3. Controlled low strength material (flowable fill) or other product incorporating fly ash, other coal combustion byproduct, or other waste.

C. Temporary abandonment. A temporarily abandoned well shall be sealed with a water-tight cap or well head seal. Such a well shall be maintained so that it will not be a source or channel for contamination to groundwater during temporary abandonment.

D. Permanent abandonment. The object of proper permanent abandonment is to prevent contamination from reaching groundwater resources via a component of the well, including casing, annular space, and well cap. Permanently abandoned wells, with the exception of bored wells abandoned per the methods identified in subdivisions 5 a and 5 b (3) of this subsection shall no longer be classified as wells. A permanently abandoned well shall be abandoned in the following manner:

1. Casing material may be salvaged.
2. Before the well is abandoned, it shall be checked from land surface to the entire depth of the well to ascertain freedom from obstructions that may interfere with abandonment operations.

3. The well shall be thoroughly chlorinated using the dosage rates in 12VAC5-630-430 prior to abandonment.
4. Grout used in well abandonment shall conform to 12VAC5-630-400 E.
5. Bored wells, rock or brick-lined, and uncased wells shall be abandoned using one of the following methods:

a. Clean fill method. Bored, rock or brick-lined, and uncased wells abandoned by this method shall remain designated as wells with respect to the siting of onsite sewage treatment system components per the requirements of 12VAC5-610 and 12VAC5-613. The well shall be backfilled with clean fill to the water level. A two-foot-thick bentonite plug shall be placed immediately above the water level. Clean fill shall be placed on top of the bentonite plug and brought up to at least five feet from the ground surface. The top five feet of the well casing, if present, shall be removed from the bore hole. If an open annular space is present around the well casing, the annular space shall be filled with grout to the maximum depth possible, but not less than or equal to 20 feet. A one-foot-thick cement or bentonite grout plug that completely fills the bore void space shall be placed a minimum of five feet from the ground surface. The remaining space shall be filled with clean fill which is mounded a minimum of one foot above the surrounding ground surface. When the well is fewer than 25 feet deep, this procedure shall be followed to the greatest extent possible, including removing at a minimum the top five feet of casing below ground and grouting the open annular space as described in this subdivision. The location of these wells shall be permanently marked for future reference.

b. Grout abandonment method. Bored, rock or brick-lined, and uncased wells abandoned by this method shall no longer be designated as wells, with the exception of subdivision 5 b (3) of this subsection. At a minimum, the top five feet of well casing below ground, if present, shall be removed from the well bore.

(1) When a continuous annular space is present around the well casing, the annular space shall be filled with grout, placed via a tremie pipe, to the maximum depth possible, but not less than 20 feet.

(2) When an annular space is present but not continuous, materials shall be completely removed from the annular space to the maximum depth possible, but not less than 20 feet, and the annular space shall be filled with grout placed via a tremie pipe.

(3) When an annular space is present but not continuous, and cannot be cleared sufficiently for the annular space to be filled with grout to a depth not less than 20 feet, then accessible annular space will be filled with grout placed via a tremie pipe. Wells in which the annular space cannot be filled with grout to depth of at least 20 feet shall be treated as a well with respect to the siting of onsite sewage treatment components per the requirements of 12VAC5-610 and 12VAC5-613.

(4) If existing well documentation (uniform water well completion report) indicates that the annular space is filled with grout to a minimum depth of 20 feet, the condition of the grout shall be confirmed by visual observation of the top of the grout following the removal of the

top five feet of well casing below ground. If the grout appears intact, no further confirmation of grout condition shall be required and abandonment shall proceed. If the grout condition appears compromised based on visual examination, then the requirements of subdivision 5 b (2) or 5 b (3) of this subsection shall apply.

(5) Once the annular space is addressed, the well shall be pumped dry and completely filled with grout poured from the surface. If the well is not pumped dry, grout shall be placed by introduction through a tremie pipe. The placement of grout in the well bore shall completely fill the bore void space to within a minimum of five feet from the ground surface. The well shall be capped with clean fill which is mounded a minimum of one foot above the surrounding ground surface. When the well is fewer than 25 feet deep, this procedure shall be followed to the greatest extent possible, including removing at a minimum the top five feet of casing below ground and cleaning or grouting the open annular space as described in this subdivision.

6. Drilled wells, including observation, monitoring, and remediation wells constructed in collapsing material shall be completely filled with grout placed via a tremie pipe. The well shall be capped with clean fill mounded to a minimum of one foot above the surrounding ground surface and graded to provide positive drainage away from the well.

7. Drilled wells, including observation, monitoring, and remediation wells, constructed in consolidated rock formations or which penetrate zones of consolidated rock shall be completely filled with grout placed via a tremie pipe. At the discretion of the water well service provider, the well may be filled with sand or gravel opposite the zones of consolidated rock. The top of the sand or gravel fill shall be at least five feet below the top of the consolidated rock and at least 20 feet below the land surface. The remainder of the well shall be filled with grout placed via a tremie pipe. The well shall be capped with clean fill mounded to a minimum of one foot above the surrounding ground surface and graded to provide positive drainage away from the well.

8. Other abandonment procedures may be approved by the division on a case by case basis.

9. When bored wells are advanced and a water source is not found, and the casing has not been placed in the bore hole, the well bore shall be abandoned by backfilling with the cuttings or clean fill or both to at least five feet below the ground surface. A two-foot-thick plug of grout shall be placed at a minimum of five feet from the ground surface. The remainder of the bore hole shall be filled with the cuttings or clean fill or both.

Statutory Authority

§§32.1-12 and 32.1-176.4 of the Code of Virginia.

Historical Notes

Derived from VR355-34-100 § 3.11, eff. April 1, 1992; amended, Virginia Register Volume 41, Issue 4, eff. November 6, 2024.

Part II. Operation Regulations for Waterworks

Article 3. Operation of Waterworks [Repealed]

12VAC5-590-475. Removal of wells from service.

A. Temporary inactivation.

1. A water well temporarily inactivated shall be sealed with a watertight cap or wellhead seal.
2. The well shall be maintained so that it will not be a source or channel for contamination during temporary inactivation.
3. The wellhead shall be visually inspected and observations documented to verify adequate sanitary integrity on a quarterly basis.
4. The well lot shall be maintained.

B. Permanent abandonment.

1. Well abandonment shall be supervised by a certified water well systems provider.
2. All well abandonments shall be documented on a Uniform Water Well Completion Report, Form GW-2, and submitted to the department within 30 days of completing the physical abandonment.
3. Groundwater wells that are abandoned shall be sealed by methods that will restore to the fullest extent possible the controlling geological conditions that existed before the wells were constructed.
4. Casing and screen materials may be salvaged.
5. The well shall be checked from land surface to the entire depth of the well before it is sealed to ascertain freedom from obstructions that may interfere with sealing operations. Effort shall be made to remove or clear any obstacles that may prohibit sealing by grouting the complete well depth.
6. The well shall be thoroughly chlorinated before sealing.
7. Bored wells and uncased wells shall be backfilled with clean fill to the water level. A two-foot-thick bentonite grout plug shall be placed immediately above the water level. Clean fill shall be placed on top of the bentonite grout plug and brought up to at least five feet from the ground surface. The top five feet of the well casing, if present, shall be removed from the bore hole. If an open annular space is present around the well casing, then the annular space shall be filled with bentonite grout to the maximum depth possible, but less than or equal to 20 feet.

A one-foot-thick cement or bentonite grout plug that completely fills the bore void space shall be placed a minimum of five feet from the ground surface. As an alternative, bored wells and uncased wells may be completely filled with concrete, sand-cement, bentonite-cement, or neat cement grout to within a minimum of five feet from the ground surface by introduction through a pipe initially extending to the bottom of the well. The pipe shall be raised but remain submerged in grout or concrete as the well is filled. The remaining space shall be filled with clean fill that is mounded a minimum of one foot above the surrounding ground surface.

8. Non-bored wells constructed in unconsolidated formations shall be completely filled with concrete, sand-cement, bentonite-cement, or neat cement grout to within a minimum of five feet from the ground surface by introduction through a pipe initially extending to the bottom of the well. The pipe shall be raised but remain submerged in grout or concrete as the well is filled. The remaining space shall be filled with clean fill that is mounded a minimum of one foot above the surrounding ground surface.

9. Wells constructed in consolidated rock formations or that penetrate zones of consolidated rock may be filled with sand or gravel opposite the zones of consolidated rock. The top of the sand or gravel fill shall be at least five feet below the top of the consolidated rock and at least 20 feet below land surface. The remainder of the well shall be filled with concrete, sand-cement, bentonite-cement, or neat cement grout to within a minimum of five feet from the ground surface by introduction through a pipe initially extending to the bottom of the well. The pipe shall be raised but remain submerged in grout or concrete as the well is filled. The remaining space shall be filled with clean fill that is mounded a minimum of one foot above the surrounding ground surface.

10. The location of the well shall be permanently documented for future reference.

Statutory Authority

§§32.1-12 and 32.1-170 of the Code of Virginia.

Historical Notes

Derived from Virginia Register Volume 37, Issue 20, eff. June 23, 2021.

Application extensions for QI exam time endorsements

Marjorie King, Regulatory Boards Administrator informed the Board currently qualified individual approvals remain active for a period of one year from the date of receipt and all applications and exams must be completed within that time frame. Staff recommends aligning with the Individual Tradesman application, and allowing QI exam approvals to be (1) one year from the date of exam approval.

Application extensions for QI exam time endorsements

A motion was made by Ms. Tomlin seconded by Mr. Hux to align the QI exam expiration with the Individual Tradesman application, and allowing QI exam approvals to be (1) one year from the date of exam approval.

The motion was approved with a vote of 12-0-0. Ayes: King, Johnson, Hux, Lowe, Groh, O'Dell, Tomlin, Mitchell, Korpe, Burr, Saucedo-Broach, and Burwell. **Nays:** None **Abstain:** None **Absent:** Woods, Pardo-Monell, Haddock and Plummer.

Well Abandonment License Requirement

Marjorie King, Regulatory Boards Administrator informed the Board staff has received calls regarding H/H Contractors not being able to perform well abandonment of a well.

Well Abandonment License Requirement

After discussion, a motion was made by Mr. Johnson and seconded by Mr. Mitchell to allow H/H to properly abandon Class 3C Board Wells when doing site work in accordance with VDH Regulations.

The motion was approved with a vote of 12-0-0. Ayes: King, Johnson, Hux, Lowe, Groh, O'Dell, Tomlin, Mitchell, Korpe, Burr, Saucedo-Broach, and Burwell. **Nays:** None **Abstain:** None **Absent:** Woods, Pardo-Monell, Haddock and Plummer.

Marjorie King, Regulatory Boards Administrator informed the Board once public comment has been received, staff will update the Boards Guidance Document Policy.

AES – Scope of practice

Marjorie King, Regulatory Boards Administrator informed the Board staff has received calls regarding the scope of work for AES. The Board recommended this be reviewed at the upcoming Board for Contractors Regulatory Workgroup Meeting on October 24, 2022.

AES – Scope of practice

9. Other Board Business

Other Board Business

Well Driller Article, featuring interview with Mr. O'Dell was provided to the Board for informational reading.

Well Digger Article

Board Member Training Conference October 13 - October 14, 2022

Board Member Training

Guidance Document #2959

**Guidance
Document
#2959**

Joseph Haughwout, Regulatory Affairs Manager, presented the Board with revised amendments to Guidance Document #2959.

After discussion, a motion was made by Mr. Spencer, seconded by Mr. Crider, to adopt the draft proposed amendments to Guidance Document #2959.

The motion was approved with a vote of 14-0-0. Ayes: King, Groh, Branin, Brannan, Costen, Comstock, Crider, Helmandollar, Lowe, McGonegal, Spencer, Taylor, Thornton and Trice. **Nays:** None. **Abstain:** None. **Absent:** Heinline, Yoakum.

Board members Brannan and Taylor exited the meeting and will no longer be included in the vote.

**Board Member
Attendance**

Water Well Abandonment

**Water Well
Abandonment**

Marjorie King, Executive Director, inquired of the Board regarding a misalignment between Board guidance and Virginia Department of Health (VDH) regulations pertaining to who is allowed to perform water well abandonments.

After discussion, a motion was made by Mr. Spencer, seconded by Mr. Trice, to form a work group, comprising of various Board members and industry professionals, to review and provide further insight into water well abandonment.

The motion was approved with a vote of 12-0-0. Ayes: King, Groh, Branin, Costen, Comstock, Crider, Helmandollar, Lowe, McGonegal, Spencer, Thornton and Trice. **Nays:** None. **Abstain:** None. **Absent:** Brannan, Heinline, Taylor, Yoakum.

Remedial Education Discussion

**Remedial
Education
Discussion**

Marjorie King, Executive Director, presented the Board with a revised class schedule for the Remedial Education class.

Ms. King informed the Board that due to inconsistent attendance numbers, the Remedial Education class should be held every two months rather than monthly.

A motion was made by Mr. Spencer, seconded by Mr. Groh, to approve the bi-monthly schedule for the Remedial Education class.

The motion was approved with a vote of 12-0-0. Ayes: King, Groh, Branin, Costen, Comstock, Crider, Helmandollar, Lowe, McGonegal, Spencer, Thornton and Trice. **Nays:** None. **Abstain:** None. **Absent:** Brannan, Heinline, Taylor, Yoakum.



Board for Contractors

PROPOSED Guidance Document:

Contractor License Specialty Requirement for Well Abandonments

Adopted September 20, 2022

Anticipated Effective Date: January 18, 2023

Effective upon conclusion of the public comment period required pursuant to § 2.2-4002.1 of the Code of Virginia

I. Background

Department staff has received inquiries regarding the contractor license specialty requirements for well abandonments of Class IIIC wells under 12VAC5-630-360. Traditionally, the abandonment of these wells has been performed by contractors with the water well/pump contracting (WWP) specialty.

II. Issue

Section 54.1-1128 of the Code of Virginia defines a “water well systems provider” as:

“...any individual who is certified by the Board in accordance with this article and 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.”

Section 18VAC50-22-30 of the Board for Contractors regulations defines “water well/pump contracting” as

“the service that provides for the installation of a water well system, including geothermal wells, which includes construction of a water well to reach groundwater, as defined in § [62.1-255](#) of the Code of Virginia, and the installation of the well pump and tank, including pipe and wire, up to and including the point of connection to the plumbing and electrical systems. No other classification or specialty service provides for construction of water wells. This regulation shall not exclude the PLB, ELE, or HVA classification from installation of pumps and tanks.”

During the course of an excavation of property, the contractor with the highway/heavy contractor (H/H) classification may uncover wells that need to be properly abandoned to ensure they are not a danger to the public.

III. Board Guidance

The Board provides the following guidance:

A licensed contractor with the H/H classification is allowed to properly abandon a Class IIIC bored/drilled well in accordance with Virginia Department of Health regulations when performing site work.

The Virginia Board for Contractors will be taking public comment on this proposed guidance document. A 30-day comment period will begin on December 19, 2022.

If you wish to comment on the proposed guidance document, you may do so via the Town Hall website or you may submit written comments so that they are received before the end of the 30-day comment period to:

*Marjorie King, Board Administrator
Board for Contractors
Department of Professional and Occupational Regulation
9960 Mayland Drive, Suite 400
Richmond, VA 23233
contractor@dpor.virginia.gov*

Guidance Document

To: Regulators & Other Members of the Public

From: Virginia Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers, and Landscape Architects (APELSCIDLA Board)

Date: December 15, 2011 (Revised March 17, 2015 and June 13, 2016)

Re: Onsite Sewage Systems Designed by PE's and Onsite Soil Evaluators

Purpose

The purpose of this document is to clarify the requirements for onsite sewage systems designs as completed by a licensed professional engineer (PE) or a licensed onsite soil evaluator. All systems consist of both the treatment *and* dispersal components.

Background

§ 54.1-406 of the *Code of Virginia* requires a license for any person engaging in the practice of engineering unless otherwise exempt pursuant to §§ 54.1-401, 54.1-402, or 54.1-402.1. The full text of the statute reads as follows:

A. Unless exempted by §§ 54.1-401, 54.1-402, or 54.1-402.1, a person shall hold a valid license prior to engaging in the practice of architecture or engineering which includes design, consultation, evaluation or analysis and involves proposed or existing improvements to real property.

§ 54.1-402 of the *Code of Virginia* contains various exemptions from licensure for specific activities meeting specific conditions. The full text of the licensure exemption regarding onsite sewage systems is contained in § 54.1-402(A)(11) reads as follows:

§ 54.1-402 Further exemptions from license requirements for architects, professional engineers, and land surveyors.

A. No license as an architect or professional engineer shall be required pursuant to § 54.1-406 for persons who prepare plans, specifications, documents and designs for the following, provided any such plans, specifications, documents or designs bear the name and address of the author and his occupation:

11. Conventional and alternative onsite sewage systems receiving residential wastewater, under the authority of Chapter 6 of Title 32.1, designed by a licensed onsite soil evaluator, which utilize packaged equipment, such as equipment of catalogued standard design that has been coordinated and tested by the manufacturer, and complies with all applicable codes, provided (i) the flow is less than 1,000 gallons per day; and (ii) if a pump is included, (a) it shall not include multiple downhill runs and must terminate at a positive elevational change; (b) the discharge end is open and not pressurized; (c) the static head does not exceed 50 feet; and (d) the force main length does not exceed 500 feet.

SECTION A: Onsite Sewage Systems Receiving Residential Wastewater

Normally, a PE license is required to design an onsite sewage system; however, pursuant to the exemption listed above, an onsite soil evaluator, *who holds the appropriate license issued by the Board for Waterworks and Wastewater Works Operators and Onsite Sewage System Professionals ("WWWOSSP Board"),* may design an *onsite sewage system receiving residential wastewater* so long as the system meets all of the following criteria:

1. Utilizes packaged equipment, such as equipment of catalogued standard design that has been coordinated and tested by the manufacturer, and complies with all applicable codes;
2. Produces a flow which is less than 1,000 gallons per day; and
3. The pump (if a pump is included) does not include multiple downhill runs, terminates at a positive elevational change; the discharge end is open and not pressurized; the static head does not exceed 50 feet; and the force main length does not exceed 500 feet.

As long as all three of the above criteria are met, a PE license is not required and *the onsite sewage system receiving residential wastewater* may be designed by an onsite soil evaluator, *who holds the appropriate license issued by the WWWOSSP Board.* However, if any of the above three conditions are not met, *the onsite sewage systems receiving residential wastewater* (and not just that component) must be designed by a licensed PE.

If the onsite sewage system that does not meet *each* of the three criteria *in Section A* the onsite system must be designed by a licensed PE. For any condition that is not met, it is not acceptable to have a PE sign and seal only that component; the PE is responsible for the entire system design. An onsite soil evaluator shall be responsible for any work he performs regarding a soil evaluation. A PE shall be responsible for the work he performs based on the soil evaluation. The PE must sign and seal the entire system because the licensed onsite soil evaluator no longer meets the exemption contained in § 54.1-402(A)(11).

An *onsite sewage system receiving residential wastewater that meets the above three criteria* may be designed by a licensed onsite soil evaluator, *who holds the appropriate license issued by the WWWOSSP Board,* in accordance with § 54.1-402(A)(11). Should a PE be involved in any design of the system, regardless if a PE license is required, the PE must sign and seal his work pursuant to Board regulations.

SECTION B: Residential Wastewater

§ 54.1-400 of the Code of Virginia states, in part:

"Residential wastewater" means sewage (i) generated by residential or accessory uses, *not* containing storm water or industrial influent, and having no other toxic, or hazardous constituents not routinely found in residential wastewater flows, or (ii) as certified by a professional engineer.

The fact that the locality has approved a use as an "accessory use" for zoning or other purposes is not dispositive to the determination that the wastewater constitutes "residential wastewater" as defined by § 54.1-400.

Factors to consider in determining whether the wastewater meets the definition of subsection (i) of "Residential wastewater" contained in § 54.1-400 include, but are not limited to:

- 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
1. Does the location/source of the wastewater come from a structure that is primarily a residence?
 2. Is the accessory use incidental and subordinate to the primary residence?
 3. Does the wastewater from the structure that enters the onsite sewage system not contain storm water, industrial influents, other toxics or hazardous constituents not routinely found in residential wastewater such as chemicals, increased Biochemical Oxygen Demand or Total Suspended Solids?

If the answer to any of the above three questions is "No" then a licensed PE must certify that the wastewater is of residential strength

Further, calculations to determine wastewater characterizations or to certify that the wastewater is of residential strength shall only be done by a licensed PE.

If the onsite system meets the criteria of Section A, and B or a PE has determined and certified the wastewater is of residential strength, then an onsite soil evaluator, who holds the appropriate license issued by the WWOOSSP Board may design the system. A PE who has determined and certified the wastewater is of residential strength, shall sign and seal his work.