

BOARD FOR WASTE MANAGEMENT FACILITY OPERATORS

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

Thursday, November 6, 2025 - 10:00 a.m.
Second Floor, Board Room 4

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
- b. Determination of Quorum

II. ADMINISTRATIVE MATTERS

- a. Approval of Agenda
- b. Approval of Minutes:
 - i. May 22, 2025, Board for Waste Management Facility Operators draft meeting minutes.

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

IV. CASE FILES – None

V. NEW BUSINESS

- a. Examination Updates
- b. Regulatory Update
- c. Criminal History Matrix
- d. Executive Director Report
- e. Board Member Professional Development

VI. COMPLETE CONFLICT OF INTEREST FORM AND TRAVEL VOUCHER

VII. ADJOURNMENT

NEXT MEETING SCHEDULED FOR THURSDAY, JANUARY 29, 2026

- ❖ *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.*

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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 BOARD FOR WASTE MANAGEMENT FACILITY OPERATORS MEETING MINUTES

The Virginia Board for Waste Management Facility Operators met on May 22, 2025, at the offices of the Department of Professional and Occupational Regulation (DPOR), Perimeter Center, 9960 Mayland Drive, 2nd Floor, Board Room 4, Richmond, Virginia, 23233.

The following members of the Board were present:

Ellen C. Thacker, Chair
Donald Lawhorne, Vice-Chair
Wade Bailey
Joshua Byerly
Matthew Terrell
Brent Williams

Board member absent from the meeting:

Jason Williams

Elizabeth Peay, Board Counsel, was present at the meeting.

Jemmalyn Hewlett, Board Liaison, was not present at the meeting.

The following staff members were present at all or part of the meeting:

Jeb Wilkinson, Chief Deputy Director
Steve Kirschner, LRPD Deputy Director
Marjorie King, Executive Director
Stephanie Keuther, Assistant Executive Director
Joe Haughwout, Regulatory Affairs Manager
Cameron Parris, Regulatory Operations Administrator
Khang Le, Administrative Coordinator

Chair, Thacker called the May 22, 2025, Board for Waste Management Facility Operators Meeting to order at 10:01 A.M.

Call To Order

Chair, Thacker declared a quorum of Board members to be in attendance.

Marjorie King, Executive Director reviewed the emergency egress procedures with the Board and members of the public.

Emergency Egress

II. ADMINISTRATIVE MATTERS

Mr. Lawhorne made a motion, seconded by Mr. Terrell, to adopt the agenda of the May 22, 2025, Board for Waste Management Facility Operators meeting.

Approval of the Agenda

The motion was approved with a vote of 6-0-0. Ayes: Thacker, Lawhorne, Bailey, Byerly, Terrell, and B. Williams. **Nays:** None. **Abstain:** None. **Absent:** J. Williams

Mr. Byerly made a motion, seconded by Mr. Lawhorne, to approve the draft minutes of November 19, 2024, Board for Waste Management Facility Operators meeting as presented.

Approval of Minutes

The motion was approved with a vote of 6-0-0. Ayes: Thacker, Lawhorne, Bailey, Byerly, Terrell, and B. Williams. **Nays:** None. **Abstain:** None. **Absent:** J. Williams

III. PUBLIC COMMENT

Public Comment

Chair, Thacker opened up the public comment period of the meeting.

With no one wishing to come forward, Chair, Thacker closed the public comment period of the meeting.

IV. CASE FILES

Case Files

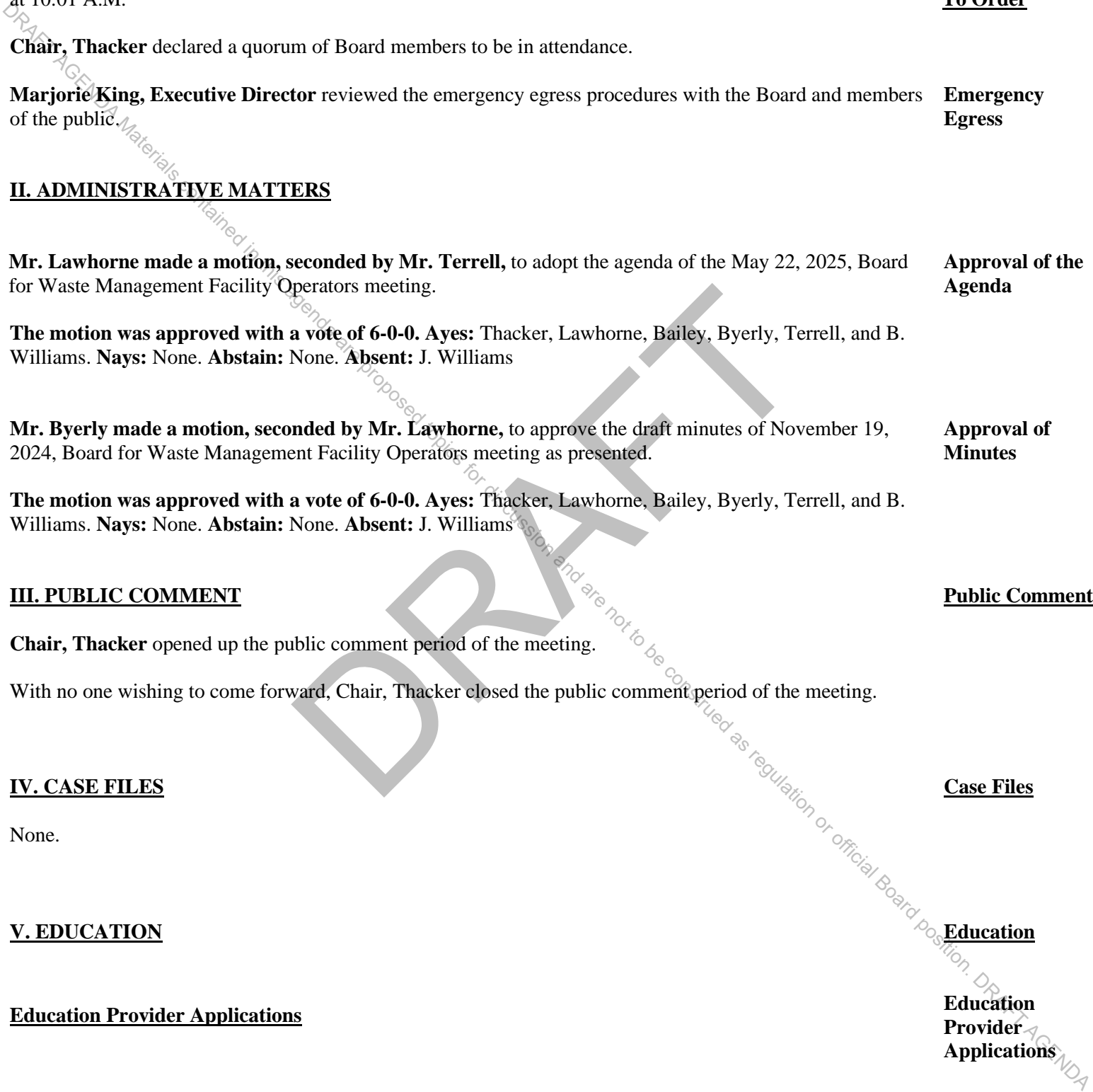
None.

V. EDUCATION

Education

Education Provider Applications

Education Provider Applications



Stephanie Keuther, Assistant Executive Director, shared that staff recommends approval for:

Fairfax County Solid Waste Management Program – One (1) classroom pre-license course for Waste Management Facility Operators.

**Fairfax County
Solid Waste
Management
Program**

A motion was made by Mr. Bailey, seconded by Mr. B. Williams, for approval.

The motion was approved with a vote of 6-0-0. Ayes: Thacker, Lawhorne, Bailey, Byerly, Terrell, and B. Williams. **Nays:** None. **Abstain:** None. **Absent:** J. Williams

Mrs. Keuther shared that staff recommends approval for:

Raymond B. Wesley – One (1) classroom continuing education and four (4) pre-license courses for Waste Management Facility Operators.

**Raymond B.
Wesley**

A motion was made by Mr. Bailey, seconded by Mr. B. Williams, for approval.

The motion was approved with a vote of 6-0-0. Ayes: Thacker, Lawhorne, Bailey, Byerly, Terrell, and B. Williams. **Nays:** None. **Abstain:** None. **Absent:** J. Williams

VI. NEW BUSINESS

New Business

Regulatory Update

**Regulatory
Update**

Fee Amendment (18VAC155-20)	<ul style="list-style-type: none"> Board to revisit Final regulation and consider adoption with amendments.
General Regulatory Reduction Initiative (18VAC155-20)	<ul style="list-style-type: none"> Regulation to become effective July 1, 2025.

Examinations Updates

**Examinations
Update**

Examination Statistics

**Examination
Statistics**

Marjorie King, Executive Director, provided the Board with detailed reports for examination statistics for the periods covering January 1, 2023, to April 31, 2025.

Ms. King explained that statistics show consistency with no discrepancies that indicate issues in examination.

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Remote Proctoring

Remote Proctoring

Marjorie King, Executive Director, inquired with the Board regarding the potential to adopt remote proctoring for examinations within the Board.

Ms. King explained that the adoption of remote proctoring has been successful for other boards and has not presented any sufficient drawbacks.

The Board agreed to bring the discussion to the next meeting and allow staff to demonstrate the remote proctoring process.

Examination Review Committee

Examination Review Committee

Marjorie King, Executive Director, inquired with the Board regarding the formation of an examination review committee.

The following individuals were nominated for the examination review committee:

- Matthew Terrell
- Joshua Byerly
- Brent Williams
- Jenny Poland
- Priscilla Rohrer
- Donald Lawhorne (alternate member)

After discussion, a motion was made by Ms. Thacker, seconded by Mr. B. Williams, to create the examination review committee.

The motion was approved with a vote of 6-0-0. Ayes: Thacker, Lawhorne, Bailey, Byerly, Terrell, and B. Williams. **Nays:** None. **Abstain:** None. **Absent:** J. Williams

Fee Adjustment

Fee Adjustment

Steve Kirschner, Director of LRPD, presented the Board with draft proposed amendments pertaining to the Board's fee structure.

Mr. Kirschner explained that DPOR has implemented additional measures to ensure proper management of funds and oversight of the budget. Mr. Kirschner further explained that due to the additional measures, DPOR will not require the previously approved fee adjustments.

After discussion, a motion was made by Mr. Lawhorne, seconded by Mr. Byerly, to adopt the revised fee amounts and approve the proposed amendments as presented.

The motion was approved with a vote of 6-0-0. Ayes: Thacker, Lawhorne, Bailey, Byerly, Terrell, and B. Williams. **Nays:** None. **Abstain:** None. **Absent:** J. Williams

Election of Officers

Election of Officers

The chair was shifted to the Executive Director to the Board for Waste Management Facility Operators, Marjorie King, who chaired the meeting so the Board could conduct election of officers.

The floor was open for the nomination for the office of Board Chair: **Ms. Thacker** nominated **Mr. Lawhorne for the office of Chair.**

Ms. King asked if there were any additional nominations for the office of Board Chair (three times). There being none, **Ms. Thacker** offered a motion to close the floor for nominations. It was seconded by **Mr. B. Williams.**

The motion was approved with a vote of 6-0-0. Ayes: Thacker, Lawhorne, Bailey, Byerly, Terrell, and B. Williams. **Nays:** None. **Abstain:** None. **Absent:** J. Williams

Ms. King opened the floor for the nomination for the office of Board Vice-Chair. **Mr. Lawhorne** nominated **Mr. Terrell** for the office of Board Vice-Chair.

Ms. King asked if there were any additional nominations for the office of Board Vice-Chair (three times). There being none, **Mr. Lawhorne** offered a motion to close the floor for nominations. It was seconded by **Mr. B. Williams.**

The motion was approved with a vote of 6-0-0. Ayes: Thacker, Lawhorne, Bailey, Byerly, Terrell, and B. Williams. **Nays:** None. **Abstain:** None. **Absent:** J. Williams

Ms. Thacker resumed as the Chair.

Executive Director Report

Executive Director Report

Marjorie King, Executive Director, informed the Board of current and past statistical data related to licensing applications and current licensees.

Board Member Professional Development

Board Member Professional Development

Marjorie King, Executive Director, informed the Board of the newly introduced Board Member Professional Development. Ms. King explained that 10 to 15 minutes would be allocated for professional development during each Board meeting moving forward.

Ms. King briefly provided the Board with several reminders and discussed the importance in playing a role as Board members.

VIII. COMPLETION OF PAPERWORK

Completion of Paperwork

Chair, Thacker reminded Board members to complete their Conflict-of-Interest Statements and Travel Reimbursement Forms.

IX. ADJOURNMENT

Adjournment

Chair, Thacker thanked the Board for Waste Management Facility Operators and adjourned the meeting at 11:06 A.M.

The next board meeting is scheduled for **August 7, 2025**.

Donald W. Lawhorne, Jr., Chair

Date

Brian P. Wolford, Director

Date

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Board for Waste Management Facility Operators

Update on Regulatory Actions – 18 VAC 155-20

(as of November 6, 2025)

Action: General Regulatory Reduction Initiative

Next Step: Effective

- Regulation became effective July 1, 2025.

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BOARD FOR WASTE MANAGEMENT FACILITY OPERATORS APPLICATION REVIEW MATRIX CRIMINAL HISTORY

Revised November 6, 2025

Delegation of Authority to DPOR Staff

The Board hereby delegates authority to the Department of Professional and Occupational Regulation to conduct predetermination and licensing informal fact-finding conferences in accordance with the applicable portions of the Administrative Process Act (Code of Virginia 2.2-4000 et. seq.).

Authorization to Approve Certain Prior Criminal Convictions

Applications and Predetermination Requests disclosing the following convictions will not be reviewed by the Board and may be approved by DPOR staff:

1. Felony convictions **over** five years old with no subsequent reportable convictions, unless the incarceration release date is **under** three years from the application date. This **excludes** convictions involving murder, manslaughter, sexual assault, rape, robbery, indecent liberties, fraud, embezzlement, abduction, assaulting a police officer, resisting arrest or **environmental-related** convictions.
2. Misdemeanor convictions **over** three years from the **application date**. This **excludes** any **environmental-related** convictions.
3. Misdemeanor convictions for possession or distribution of a controlled substance with no other convictions.
4. Felony convictions for possession of controlled substance **over** two years old, where the applicant completed a deterrence program.
5. Felony convictions **under** Title 46 of the *Code of Virginia* (Traffic Code) **over** three years old.
6. Misdemeanor convictions for simple assault (except domestic assault and assaulting a police officer), disorderly conduct, or trespassing.
7. Convictions of larceny, breaking and entering, or burglary, **over** five years old with no subsequent convictions, provided they did not result in incarceration where the release date is **under** three years from the application date.

8. DUI convictions where the applicant has completed VASAP or another similar program accepted by the court or DMV after the latest conviction. This **excludes** felony convictions.

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