

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

WWWO LICENSING REGULATORY REVIEW COMMITTEE
OF THE
BOARD FOR WATERWORKS AND WASTEWATER WORKS OPERATORS AND ONSITE
SEWAGE SYSTEM PROFESSIONALS

Tentative AGENDA MONDAY, MAY 15, 2023 AT 10:00 AM
2nd FLOOR, BOARD ROOM 4

I. CALL TO ORDER

II. EMERGENCY EVACUATION PROCEDURES

III. APPROVAL OF AGENDA

1. Committee Agenda, May 25, 2023

IV. PUBLIC COMMENT PERIOD*

V. OVERVIEW

1. Review Purpose of Committee
2. Members & Staff
3. Primary Responsibilities of the Committee
 - a. Overview of Regulatory Review Process
4. Proposed Regulatory Review Timeline

VI. RESOURCES AND INFORMATION

1. Waterworks & Wastewater Works Operator Regulations
2. Chapter 23 of Title 54.1
3. SB 999/HB 1940

VII. NEW BUSINESS

1. Consider Necessary Regulatory Changes

VIII. OTHER BUSINESS

1. Discuss Topics for Next Meeting
2. Set Next Meeting Date(s)

IX. COMPLETE CONFLICT OF INTEREST FORMS AND TRAVEL VOUCHERS

X. ADJOURN

* Five minute public comment, per person.

Persons desiring to participate in the meeting and requiring special accommodations or interpretative services should contact the Department at (804) 367-0362 at least ten days prior to the meeting so that suitable arrangements can be made for an appropriate accommodation. The Department fully complies with the Americans with Disabilities Act.

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

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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

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Board Room 2

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

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Board Rooms 3 and 4

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

Training Room 2

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

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

PUBLIC COMMENT PERIOD

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

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

OVERVIEW

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



**WATERWORKS AND WASTEWATER
WORKS OPERATORS LICENSING
REGULATIONS**

Last Updated December 8, 2021

STATUTES

Title 54.1, Chapter 23



Department of Professional and Occupational Regulation

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(804) 367-8500

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**NOTICE
SUMMARY OF SIGNIFICANT CHANGES**

Included in this document are relevant excerpts from the Virginia Administrative Code. Please note that the Board for Waterworks and Wastewater Works Operators and Onsite Sewage System Professionals is responsible for promulgating regulations in accordance with the Administrative Process Act (§ 2.2-4000 et seq.), and the Virginia Code Commission is responsible for compiling and codifying all of the administration regulations of state agencies into the Virginia Administrative Code.

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

This document is a complete, edited (unofficial) copy of the Waterworks and Wastewater Works Operators Regulations (18VAC160-30). Please refer to the Virginia Administrative Code for an official copy of the regulations applicable to your profession or occupation. You can access the Virginia Administrative Code online at <http://law.lis.virginia.gov/admincode>.

The following is a brief summary of significant revisions to the regulations effective December 8, 2021, but may not include all changes that were made to the Waterworks and Wastewater Works Operators Licensing Regulations:

- The regulations were amended to conform to SB 1406, enacted by the General Assembly during the 2021 Special Session I. Requirements for licensure were revised to exclude marijuana-related misdemeanor convictions from convictions that must be disclosed on an application. Standards of conduct and practice were revised to exclude marijuana-related drug distribution misdemeanor convictions from convictions that a regulant must report to the Board.

STATEMENT OF PURPOSE

This document contains the information you will need to obtain your license. The law that governs your profession is found in the *Code of Virginia*, 1950, as amended, in Title 54.1, Chapter 23. That law permits the Department of Professional and Occupational Regulation to issue regulations that tell you more about what is expected of you in your profession. This document contains a copy of the law and regulations that you will need to know and obey to obtain and keep your license. **BE SURE YOU READ AND UNDERSTAND THE STANDARDS OF PRACTICE AND CONDUCT. YOUR FAILURE TO OBEY THESE STANDARDS COULD RESULT IN A MONETARY PENALTY OR THE LOSS OF YOUR LICENSE.**

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

Virginia Board for Waterworks and Wastewater Works Operators and Onsite Sewage System Professionals
Department of Professional and Occupational Regulation
9960 Mayland Drive, Suite 400
Richmond, Virginia 23233

You may also call the Agency at (804) 367-8500 or (804) 367-8595 or e-mail WaterWasteOper@dpor.virginia.gov.

TABLE OF CONTENTS

REGULATIONS:

Part I Definitions

18VAC160-30-10. Definitions	1
-----------------------------------	---

Part II Entry

18VAC160-30-20. Application procedures.....	3
---	---

18VAC160-30-30. General fee requirements.....	3
---	---

18VAC160-30-40. Fee schedule	4
------------------------------------	---

18VAC160-30-50. Examination fee.....	4
--------------------------------------	---

18VAC160-30-60. General requirements for licensure	4
--	---

18VAC160-30-70. Examination procedures and conduct	5
--	---

18VAC160-30-80. Individuals certified or licensed in another jurisdiction.....	6
--	---

18VAC160-30-90. License required	6
--	---

18VAC160-30-100. Full-time experience or equivalent.....	6
--	---

18VAC160-30-110. Qualifications for examination approval.....	7
---	---

18VAC160-30-120. Provisional licensure for nonclassified facility operation.....	9
--	---

18VAC160-30-130. Experience substitutions.....	9
--	---

18VAC160-30-140. Education.....	10
---------------------------------	----

Part III Renewal and Reinstatement

18VAC160-30-150. Expiration and renewal.....	11
--	----

18VAC160-30-160. Reinstatement	11
--------------------------------------	----

18VAC160-30-170. Status of license during period prior to reinstatement	12
---	----

18VAC160-30-180. Board discretion to deny renewal or reinstatement.....	12
---	----

Part IV Continuing Professional Education

18VAC160-30-190. Continuing professional education..... 13

18VAC160-30-200. CPE subject matter for waterworks operators..... 13

18VAC160-30-210. CPE subject matter for wastewater works operators 14

18VAC160-30-220. Use of training credits and formal education for CPE credit..... 14

18VAC160-30-230. Maintenance of CPE..... 15

Part V Training Course Approval

18VAC160-30-240. Approval of training courses 16

18VAC160-30-250. Application for training course approval 16

18VAC160-30-260. Maintenance of training approval 18

18VAC160-30-270. Withdrawal of approval..... 19

18VAC160-30-280. Training courses offered by certain entities;
board approval not required..... 19

Part VI Standards of Practice and Conduct

18VAC160-30-290. Grounds for disciplinary action..... 20

18VAC160-30-300. Maintenance of license..... 20

18VAC160-30-310. Notice of adverse action 20

18VAC160-30-320. Prohibited acts 21

18VAC160-30-330. Conflicts of interest 22

18VAC160-30-340. Licensee responsibility 22

18VAC160-30-350. Response to inquiry and provision of records..... 23

18VAC160-30-360. Wastewater works 23

18VAC160-30-370. Waterworks..... 25

EXCERPTS FROM THE *CODE OF VIRGINIA*:

Chapter 23 of Title 54.1 (§§ 54.1-2300 through 54.1-2302)..... 28

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PART I.

DEFINITIONS

18VAC160-30-10. Definitions.

- A. Section [54.1-2300](#) of the Code of Virginia provides definitions of the following terms and phrases as used in this chapter:

"Board"

"Onsite sewage system"

"Operator"

"Owner"

"Wastewater works"

"Waterworks"

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

"Applicant" means an individual who submits an application with the appropriate fee and other required documentation.

"Application" means a completed, board-prescribed form submitted with the appropriate fee and other required documentation.

"Category" means a profession under the board's purview, which includes waterworks and wastewater works as applicable to the licensure of waterworks and wastewater works operators.

"Classification" means the division within each category of license as it relates to the classified facility. Class 1 represents the highest classification for each category of license.

"Contact hour" means 50 minutes of participation in a structured training activity.

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

"DEQ" means the Virginia Department of Environmental Quality.

"Direct supervision" means being immediately available and fully responsible for the provision of waterworks and wastewater works operation regulated pursuant to Chapter 23 ([§ 54.1-2300](#) et seq.) of Title 54.1 of the Code of Virginia and this chapter.

"Direct supervisor" means a licensed waterworks or wastewater works operator who assumes the responsibility of direct supervision.

"Licensee" means an individual holding a valid license issued by the board.

"Licensure" means a method of regulation whereby the Commonwealth, through the issuance of a license, authorizes a person possessing the character and minimum skills to engage in the practice of a profession or occupation that is unlawful to practice without such license.

"Maintenance" or "maintain" means performing adjustments to equipment and controls and in-kind replacement of normal wear and tear parts such as light bulbs, fuses, filters, pumps, motors, or other like components. Maintenance includes pumping the tanks or cleaning the building sewer on a periodic basis.

"Operate" means the act of (i) placing into or taking out of service a unit process or unit processes or (ii) making or causing adjustments in the operation of a unit process at a waterworks or wastewater works.

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

"Training credit" means a unit of board-approved training or formal education completed by an individual that may be used to substitute for experience when applying for a license.

"Treatment works" means any device or system used in the storage, treatment, disposal, or reclamation of sewage or combinations of sewage and industrial wastes including pumping power and other equipment and appurtenances, septic tanks, and any works, including land, that are or will be (i) an integral part of the treatment processes or (ii) used for ultimate disposal or residues or effluent resulting from such treatment.

"VDH" means the Virginia Department of Health.

Historical Notes

Derived from Virginia Register [Volume 33, Issue 11](#), eff. April 1, 2017.

PART II.

ENTRY

18VAC160-30-20. Application procedures.

- A. All applicants seeking licensure shall submit an application with the appropriate fee specified in 18VAC160-30-40. Application shall be made on forms provided by the board or its agent. 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. The receipt of an application and the deposit of fees by the board does 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 to confirm or amplify information supplied. All applications shall be completed in accordance with the instructions contained in this chapter and on the application. Applications will not be considered complete until all required documents are received by the board. An applicant will not be permitted to sit for the applicable board-approved examination until the application is complete and approved.
- C. The applicant will be notified within 30 days of the board's receipt of an initial application if the application is incomplete. An individual who fails to complete the application process within 12 months of receipt of the application in the board's office must submit a new application. An applicant has 12 months from approval of the application to pass the board-approved examination. Failure to pass the board-approved examination within 12 months of approval will result in the applicant being required to submit a new application to be considered for licensure.
- D. The applicant shall immediately report all changes in information supplied with the application, if applicable, prior to issuance of the license or expiration of the application or examination period.

Historical Notes

Derived from Virginia Register [Volume 33, Issue 11](#), eff. April 1, 2017.

18VAC160-30-30. General fee requirements.

All fees are nonrefundable and shall not be prorated. The date on which the fee is received by the department or its agent will determine whether the fee is on time. Checks or money orders shall be made payable to the Treasurer of Virginia.

Historical Notes

Derived from Virginia Register [Volume 33, Issue 11](#), eff. April 1, 2017.

18VAC160-30-40. Fee schedule.

Fee Type	Fee Amount	When Due
Initial application (for each profession, class, and category of license)	\$100	With application
Renewal (for each profession, class, and category of license)	\$80	With renewal application
Reinstatement (for each profession, class, and category of license)	\$105 (renewal fee + \$25 reinstatement fee)	With reinstatement application

For wastewater works operator licenses expiring on February 28, 2018, and waterworks operator licenses expiring on February 28, 2019, the renewal fee shall be \$50. For reinstatement applications received after February 28, 2018, and on or before February 29, 2020, the total reinstatement fee shall be \$75.

Historical Notes

Derived from Virginia Register [Volume 33, Issue 11](#), eff. April 1, 2017; amended, Virginia Register [Volume 34, Issue 7](#), eff. January 1, 2018.

18VAC160-30-50. Examination fee.

The fee for examination or reexamination is subject to charges to the department 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). Fees may be adjusted and charged to the candidate in accordance with this contract.

Historical Notes

Derived from Virginia Register [Volume 33, Issue 11](#), eff. April 1, 2017.

18VAC160-30-60. General requirements for licensure.

A. In addition to the specific qualifications for each category and classification of licensure, each applicant for licensure shall meet the requirements provided in this section.

1. The applicant shall be at least 18 years old.
2. The applicant shall disclose the applicant's mailing address. A post office box is only acceptable as a mailing address when a physical address is also provided.
3. In accordance with [§ 54.1-204](#) of the Code of Virginia, each applicant shall disclose the following information.
 - a. All felony convictions.

- b. All misdemeanor convictions, except marijuana convictions, in any jurisdiction that occurred within three years of the date of application.

Any plea of nolo contendere or finding of guilt regardless of adjudication or deferred adjudication shall be considered a conviction for the purposes of this section. The record of conviction certified or authenticated in such form as to be admissible in evidence under the laws of the jurisdiction where convicted shall be admissible as prima facie evidence of such guilt.

- B. The board, at its discretion, may deny licensure to any applicant in accordance with [§ 54.1-204](#) of the Code of Virginia.

- C. The applicant shall report any suspension, revocation, or surrender of a license, certification, or registration in connection with a disciplinary action or that has been the subject of discipline in any jurisdiction prior to applying for licensure. The board, at its discretion, may deny licensure to any applicant based on prior suspensions, revocations, or surrenders of licenses based on disciplinary action by any jurisdiction.

Historical Notes

Derived from Virginia Register [Volume 33, Issue 11](#), eff. April 1, 2017; amended, Virginia Register [Volume 38, Issue 6](#), eff. December 8, 2021.

18VAC160-30-70. Examination procedures and conduct.

- A. Upon approval of the application, the board will notify the applicant of his eligibility to take the applicable examination. The license will not be issued prior to receipt of a passing score for the applicable examination.
- B. An applicant who does not receive a passing score within one year after the date of approval of the application by the board to sit for the examination, must submit a new application and meet the entry requirements in effect at the time of submittal of the new application.
- C. The applicant shall follow all rules established by the board with regard to conduct at the examination. Such rules shall include all written instructions communicated prior to the examination date and all instructions communicated at the site, either written or oral, on the date of examination. Failure to comply with all rules established by the board and the testing organization with regard to conduct at the examination may be grounds for denial of the application, voiding of examination scores, or any combination thereof.

Historical Notes

Derived from Virginia Register [Volume 33, Issue 11](#), eff. April 1, 2017.

18VAC160-30-80. Individuals certified or licensed in another jurisdiction.

An applicant holding a valid license or certificate in another jurisdiction who meets the requirements of this chapter, including having equivalent experience and education, shall pass a board-approved examination to become licensed.

Historical Notes

Derived from Virginia Register [Volume 33, Issue 11](#), eff. April 1, 2017.

18VAC160-30-90. License required.

- A. No individual shall serve as the operator of a waterworks or wastewater works without possessing a valid category of license issued by the board in a classification equal to or greater than the classification of the applicable waterworks or wastewater works.
- B. An individual cannot simultaneously hold two licenses of different classifications in the same category.
- C. Experience used to qualify for licensure must be obtained under the direct supervision of an operator holding a valid license of the same category and of a classification equal to or higher than the classification of the waterworks or wastewater works at which the experience was gained.
- D. Experience operating and maintaining water distribution systems shall only be considered for Class 5 or Class 6 waterworks operator license applicants.
- E. Experience limited solely to the operation and maintenance of wastewater collection systems, laboratory work, plant maintenance, and other nonoperating duties shall not be counted as experience as an operator or an operator-in-training.
- F. Provisional licensure alone shall not authorize an individual to serve as the operator of a classified waterworks or wastewater works facility.

Historical Notes

Derived from Virginia Register [Volume 33, Issue 11](#), eff. April 1, 2017.

18VAC160-30-100. Full-time experience or equivalent.

For the purposes of this part, experience requirements are expressed in terms of calendar periods of full-time employment as an operator or as an operator-in-training at a waterworks or wastewater works in the same category for which licensure is sought pursuant to this chapter.

1. A year of full-time employment is defined as a minimum of 1,760 hours during a 12-month period or a minimum of 220 workdays in a 12-month period. A workday is defined as attendance at a waterworks or wastewater works to the extent required for proper operation. More than 1,760 hours or 220 workdays during a 12-month period will not be considered as more than one year of full-time employment.

2. Partial credit may be given for actual hours of work experience if the applicant works as an operator or as an operator-in-training less than full time.

Historical Notes

Derived from Virginia Register [Volume 33, Issue 11](#), eff. April 1, 2017.

18VAC160-30-110. Qualifications for examination approval.

A. An applicant for licensure as a waterworks or wastewater works operator shall furnish acceptable documentation that one of the following qualifications has been met.

TABLE 1 Waterworks and Wastewater Works Operator Experience and Education					
Classes	Education Required	Current License	Minimum Experience	Facility Type	Experience with Substitutions
Class 6 (Waterworks Operator Only)	High school diploma or GED	N/A	Six months	Class 6 or higher facility	N/A
	No high school diploma or GED	N/A	One year	Class 6 or higher facility	N/A
Class 5 (Waterworks Operator Only)	High school diploma or GED	N/A	Six months	Class 5 or higher facility	N/A
	No high school diploma or GED	N/A	One year	Class 5 or higher facility	N/A
Class 4	High school diploma or GED	N/A	Six months	Class 4 or higher facility	N/A
	No high school diploma or GED	N/A	One year	Class 4 or higher facility	N/A
Class 3	Bachelor's or master's degree	N/A	Six months	Class 4 or higher facility	N/A
	Associate's degree	N/A	Nine months	Class 4 or higher facility	Six months

	High school diploma or GED	N/A	One year	Class 4 or higher facility	Six months
	No high school diploma or GED	Class 4 license	Three years	Class 3 or higher facility	One and one-half years
Class 2	Bachelor's or master's degree	N/A	One year	Class 3 or higher facility	Six months
	Associate's degree	N/A	18 months	Class 3 or higher facility	Nine months
	High school diploma or GED	N/A	Two years	Class 3 or higher facility	One year
	No High school diploma or GED	Class 3 license	Five years	Class 2 or higher facility	Three and one-half years
Class 1	Bachelor's or master's degree	Class 2 license	Two years	Class 2 or higher facility	One year
	Associate's degree	Class 2 license	Three years	Class 2 or higher facility	One and one-half years
	High school diploma or GED	Class 2 license	Four years	Class 2 or higher facility	Two years
	No high school diploma or GED	Class 2 license	Nine years	Class 2 or higher facility	Four and one-half years
Where applicable, the current license held, minimum experience, and the facility type must coincide with the category of license for which the application is being submitted.					

- B. The direct supervisor shall certify the experience on the application form as accurate and relevant to the classification and category of license for which is being submitted. In the event that a licensed operator is not available to certify the experience of the applicant, the experience may be certified by a representative of the facility owner with first-hand knowledge of the applicant's experience.

Historical Notes

Derived from Virginia Register [Volume 33, Issue 11](#), eff. April 1, 2017.

18VAC160-30-120. Provisional licensure for nonclassified facility operation.

An applicant for licensure as a provisional waterworks or wastewater works operator shall furnish acceptable documentation of having met all of the requirements of 18VAC160-30-110 except that the experience requirement may be met through experience gained as an operator or operator-in-training of a nonclassified facility. Such experience must be gained under the following conditions:

1. The experience is obtained at a nonclassified facility that is comparable in size and in treatment process as described in 18VAC160-30-360 and 18VAC160-30-370, as applicable.
2. The experience is obtained while performing nonclassified facility operation duties that provide experience comparable to that obtained at a classified facility. Experience operating and maintaining water distribution systems shall only be considered for a Class 5 or Class 6 provisional waterworks operator license. Experience limited solely to the operation and maintenance of wastewater collection system, laboratory work, plant maintenance, and other nonoperating duties shall not be counted as experience as a provisional operator or operator-in-training.
3. Any individual holding a provisional license may apply for licensure by submitting evidence of having met 50% of the experience required by 18VAC160-30-110 and submitting the appropriate application.

Historical Notes

Derived from Virginia Register [Volume 33, Issue 11](#), eff. April 1, 2017.

18VAC160-30-130. Experience substitutions.

- A. Experience obtained as a licensed alternative onsite sewage system operator before April 1, 2017, or a master alternative onsite sewage system operator may be substituted for the Class 4 wastewater works operator-in-training experience requirements.
- B. 18VAC160-30-110 A provides the maximum experience substitutions that may be applied for each applicable class of license.
 1. Experience gained in either waterworks or wastewater works operations may be substituted for up to one-half of the required experience in the alternate category so long as the experience was gained in an equivalent or higher class of facility.
 2. Education may substitute for part of the required experience in the category of license applied for at a rate of one month of experience credit for each semester hour of college credit. Coursework must be relevant to the category and classification of the license being sought. The college credit must be from an

accredited college or university that is approved or accredited by the Commission on Colleges of the Southern Association of Colleges and Schools, a regional or national accreditation association, or by an accreditation agency that is recognized by the U.S. Secretary of Education.

3. Board-approved waterworks or wastewater works operator training courses may be utilized for experience at a rate of one month experience for each training credit approved by the board.

C. Substitutions shall not exceed 50% of the total experience required for licensure.

Historical Notes

Derived from Virginia Register [Volume 33, Issue 11](#), eff. April 1, 2017.

18VAC160-30-140. Education.

A. Applicants seeking to qualify for licensure based on completion of an associate's, bachelor's, or master's degree shall submit an official transcript from the school where the applicable degree was obtained. Only degrees from an accredited college or university that is approved or accredited by the Commission on Colleges of the Southern Association of Colleges and Schools, a regional or national accreditation association, or by an accrediting agency that is recognized by the U.S. Secretary of Education will be considered. Formal education used to meet a specific education requirement for license entry cannot also be used as a training credit for experience substitution.

B. The following degrees shall be considered to qualify in accordance with 18VAC160-30-110:

1. Bachelor's or master's degree in engineering or engineering technology in a related physical, biological, environmental, or chemical science;

2. Bachelor's degree in a related physical, biological, environmental, or chemical science that includes a minimum 40 semester credit hours in any combination of science and math;

3. Master's degree in a related physical, biological, environmental, or chemical science, and a bachelor's degree in any major such that the combined degrees include a minimum 40 semester credit hours in any combination of science and math; or

4. Associate's degree in waterworks, in wastewater works, or in a related physical, biological, environmental, or chemical science that includes a minimum of 20 credit hours in any combination of science and math.

Historical Notes

Derived from Virginia Register [Volume 33, Issue 11](#), eff. April 1, 2017.

PART III.

RENEWAL AND REINSTATEMENT

18VAC160-30-150. Expiration and renewal.

- A. Licenses for waterworks operators shall expire on the last day of February of each odd-numbered year. Licenses for wastewater works operators shall expire on the last day of February of each even-numbered year.
- B. Prior to the expiration date shown on the license, the board shall mail a renewal notice to the licensee's address of record. The licensee shall return to the board a renewal notice and the applicable renewal fee. Failure to receive a renewal notice from the board does not relieve the licensee of the obligation to renew. If the licensee fails to receive the renewal notice, a copy of the license may be submitted with the required fee as an application for renewal.
- C. By submitting the renewal or reinstatement fee, the licensee is certifying his continued compliance with the Standards of Practice and Conduct (Part VI (18VAC160-30-290 et seq.) of this chapter, as established by the board. In addition, by submitting the renewal or reinstatement fee, licensees are certifying compliance with the continuing professional education requirements of this chapter.

Historical Notes

Derived from Virginia Register [Volume 33, Issue 11](#), eff. April 1, 2017.

18VAC160-30-160. Reinstatement.

- A. If all of the requirements for renewal of the license as specified in 18VAC160-30-150 are not completed within 30 days of the license expiration date, a reinstatement fee shall be required as established in 18VAC160-30-40.
- B. A license may be reinstated for up to one year following the expiration date of the license. An individual who fails to reinstate the license within 12 months after the expiration date shall apply for a new license and meet entry requirements in effect at the time of the submittal of the new application. Such individual shall be deemed to be eligible to sit for the examination for the same category and classification of license as the expired license.
- C. Any regulated activity conducted subsequent to the license expiration date may constitute unlicensed activity and be subject to the prosecution under Chapter 1 ([§ 54.1-100](#) et seq.) of Title 54.1 of the Code of Virginia.

Historical Notes

Derived from Virginia Register [Volume 33, Issue 11](#), eff. April 1, 2017.

18VAC160-30-170. Status of license during period prior to reinstatement.

A licensee who applies for reinstatement of the license shall be subject to all laws and regulations as if the licensee had been continuously licensed. The licensee shall remain under and be subject to the disciplinary authority of the board during this entire period.

Historical Notes

Derived from Virginia Register [Volume 33, Issue 11](#), eff. April 1, 2017.

18VAC160-30-180. Board discretion to deny renewal or reinstatement.

The board may deny renewal or reinstatement of a license for the same reasons as the board may refuse initial licensure or discipline a licensee. The licensee has the 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).

The board may deny renewal or reinstatement of a license if the licensee has been subject to a disciplinary proceeding and has not met the terms of an agreement for licensure, has not satisfied all sanctions, or has not fully paid monetary penalties and costs imposed by the board.

Historical Notes

Derived from Virginia Register [Volume 33, Issue 11](#), eff. April 1, 2017.

PART IV.

CONTINUING PROFESSIONAL EDUCATION

18VAC160-30-190. Continuing professional education.

- A. Each licensee shall have completed the following number of continuing professional education (CPE) contact hours during each renewal cycle. CPE provisions do not apply for the renewal of licenses that were held for less than two years on the date of expiration.
1. Class 1, Class 2, and Class 3 waterworks and wastewater works operators shall obtain a minimum of 20 contact hours.
 2. Class 4 waterworks and wastewater works operators shall obtain a minimum of 16 contact hours.
 3. Class 5 waterworks operators shall obtain a minimum of eight contact hours.
 4. Class 6 operators shall obtain a minimum of four contact hours.
- B. CPE contact hours completed during the license period immediately prior to the expiration date of the license shall be acceptable in order to renew the license. CPE contact hours completed during a licensing renewal cycle to satisfy the CPE requirements of the preceding licensing renewal cycle shall be valid only for that preceding license renewal cycle and shall not be accepted for any subsequent renewal cycles.
- C. The licensee will not receive CPE credit for completing the same continuing education course with the same content more than once during a license period.
- D. A licensee may receive CPE credit for teaching a course that otherwise meets the requirements of this chapter; however, additional credit shall not be given for subsequent offerings of a course or activity with the same content within the same licensing cycle. In addition, a licensee may receive two hours of CPE no more than once during a single licensing cycle for the initial development or substantial updating of a CPE course.
- E. Safety subjects shall not count for more than one-half of the total required CPE hours.

Historical Notes

Derived from Virginia Register [Volume 33, Issue 11](#), eff. April 1, 2017.

18VAC160-30-200. CPE subject matter for waterworks operators.

- A. The following course topics will be accepted for CPE credit for waterworks operators:
1. Waterworks operations;

2. Monitoring, evaluating, and adjusting treatment processes and systems;
3. Operating and maintaining equipment;
4. Security and safety procedures;
5. General science and mathematical principles;
6. Administrative processes and procedures applicable to licensure; and
7. Laws and regulations applicable to the profession.

B. Of the total 20 hours required, a minimum of five contact hours pertaining to utility management is required of Class 1 and Class 2 waterworks operators.

Historical Notes

Derived from Virginia Register [Volume 33, Issue 11](#), eff. April 1, 2017.

18VAC160-30-210. CPE subject matter for wastewater works operators.

A. The following course topics will be accepted for CPE credit for wastewater works operators:

1. Wastewater works operations;
2. Monitoring, evaluating, and adjusting treatment processes and systems;
3. Operating and maintaining equipment;
4. Security and safety procedures;
5. General science and mathematical principles;
6. Administrative processes and procedures applicable to licensure; and
7. Laws and regulations applicable to the profession.

B. Of the total 20 hours required, a minimum of five contact hours pertaining to utility management is required of Class 1 and Class 2 wastewater works operators.

Historical Notes

Derived from Virginia Register [Volume 33, Issue 11](#), eff. April 1, 2017.

18VAC160-30-220. Use of training credits and formal education for CPE credit.

Any course approved by the board for substitution as training credits or formal education semester hours, as provided for in Part V (18VAC160-30-240 et seq.) of this chapter, shall also be

acceptable on an hour-for-hour basis for CPE contact hours. One semester hour of college credit shall equal 15 CPE contact hours, and one-quarter hour of college credit shall equal 10 CPE credit hours.

Historical Notes

Derived from Virginia Register [Volume 33, Issue 11](#), eff. April 1, 2017.

18VAC160-30-230. Maintenance of CPE.

- A. For a period of at least two years following the end of the license renewal cycle for which the CPE was taken, the following evidence shall be maintained to document completion of the required hours of CPE:
1. Evidence of completion of a structured training activity, which shall consist of the name, address, and telephone number of the sponsor;
 2. The dates the licensee participated in the training;
 3. Description of the subject matter presented; and
 4. A statement from the sponsor verifying the number of hours completed.
- B. The board may conduct an audit of its licensees to ensure compliance with the applicable CPE requirements. Licensees who are selected for audit shall provide the necessary documentation stipulated in this section.

Historical Notes

Derived from Virginia Register [Volume 33, Issue 11](#), eff. April 1, 2017.

PART V.

TRAINING COURSE APPROVAL

18VAC160-30-240. Approval of training courses.

A. Training courses may be substituted for experience pursuant to the provisions of Part II (18VAC160-30-20 et seq.) of this chapter. With the exception of training courses provided pursuant to 18VAC160-30-280, training courses that may be substituted for required experience must be approved by the board prior to commencing.

B. Each training provider seeking course approval shall submit an application for approval on a form provided by the board. Only classroom, laboratory, and field trip contact time will be used to compute training credits. No credit will be given for breaks, meals, or receptions.

1. Organization. The board will only approve training offered by a provider that is an identifiable organization with a mission statement outlining its functions, structure, process, and philosophy and that has a staff of one or more persons with the authority to administer and coordinate a training course.

2. Training course records. The board will only approve training offered by a provider that maintains training course records for all participants for a minimum of seven years and that has a written policy on retention and release of training course records.

3. Instructors. The board will only approve training conducted by personnel who have demonstrated competence in the subject being taught, an understanding of the learning objective, and knowledge of the learning process to be used.

4. Objectives. The board will only approve courses that have a series of stated objectives that are pertinent to the tasks performed by a licensee. The training course content must be consistent with those objectives.

5. Course completion requirements. For successful completion of a training course, participants must attend 90% or more of the class contact time and must demonstrate their learning through written examinations, completion of a project, oral examination, or other similar assessment technique.

Historical Notes

Derived from Virginia Register [Volume 33, Issue 11](#), eff. April 1, 2017.

18VAC160-30-250. Application for training course approval.

A. The board shall consider the following information, to be submitted by the course provider or instructor on forms provided by the board:

1. Course information.

- a. Course title;
- b. Planned audience;
- c. Name of provider;
- d. Name, physical address, email address, and phone number of contact person;
- e. Scheduled presentation dates;
- f. Detailed course schedule, hour-by-hour, including start and ending times;
- g. List of planned breaks;
- h. Scheduled presentation location; and
- i. Identification of the category and classification of license to which the course is applicable and relevancy to the identified license type.

2. Instructor qualifications.

- a. Name of instructor;
- b. Title;
- c. Employer;
- d. Board license number or numbers, if applicable; and
- e. Summary of qualifications to teach the course.

3. Training materials.

- a. Course objectives. A listing of the course objectives stated in terms of the skills and knowledge the participant will be able to demonstrate as a result of the training.
- b. Course outline. A detailed outline showing the planned activities that will occur during the training course, including major topics, planned

presentation sequence, laboratory and field activities, audiovisual presentation, and other major activities.

c. Course reference materials. A list of the name, publisher, and publication date for commercially available publications. For reference materials developed by the course provider or available exclusively through the course, a copy of the reference.

d. Audiovisual support materials. A listing of any commercially available audiovisual support material that will be used in the program. A brief description of any provider or instructor generated audiovisual material that will be used.

e. Handouts. Identification of all commercially available handout materials that will be used, as well as copies of all other planned handouts.

4. Determination of successful completion. A description of the means that will be used to assess the learning of each participant to determine successful completion of the training program, such as examinations, projects, personal evaluations by the instructor, or other recognized evaluation techniques. Correspondence and other distance learning courses must include appropriate testing procedures to verify completion of the course.

B. Recurring training programs. If there are plans to present the same course of instruction routinely at multiple locations with only minor modifications and changes, the board may approve the overall program rather than individual presentations if so requested by the provider.

1. The board shall consider all of the information listed in subsection A of this section except those items related to specific offerings of the course.

2. Board approval will apply only to those specific offerings certified by the provider as having been conducted by instructors meeting the established criteria and in accordance with the board-approved course outlines and objectives.

Historical Notes

Derived from Virginia Register [Volume 33, Issue 11](#), eff. April 1, 2017.

18VAC160-30-260. Maintenance of training approval.

A. At times established by the board, the board may require that course providers that have previously obtained course approval provide the board with evidence, in a form set forth by the board, that the provider continues to comply with the requirements of this chapter. Failure to continue to comply with the board's requirements or respond to such a request may result in the board withdrawing its approval.

- B. Substantial modifications or changes to the information provided in 18VAC160-30-240 and 18VAC160-30-250 must be reported to the board within 30 days of the change. Failure to report the changes as required may result in the withdrawal of approval by the board.
- C. Any change of the address of the training provider shall be reported in writing within 30 days of the change.
- D. The board may conduct an audit of the training provider to ensure compliance with this chapter.

Historical Notes

Derived from Virginia Register [Volume 33, Issue 11](#), eff. April 1, 2017.

18VAC160-30-270. Withdrawal of approval.

The board may withdraw approval of any 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 manner.
3. The provider, instructor, or designee of the provider falsifies any information relating to the application for approval, course information, and student records.
4. The provider fails to respond to the board or any of its agents.

Historical Notes

Derived from Virginia Register [Volume 33, Issue 11](#), eff. April 1, 2017.

18VAC160-30-280. Training courses offered by certain entities; board approval not required.

- A. Training courses provided by (i) federal, state, or local government agencies; (ii) accredited colleges or universities approved or accredited by the Commission on Colleges of the Southern Association of Colleges and Schools; (iii) a regional or national accreditation association; or (iv) an accrediting agency that is recognized by the U.S. Secretary of Education do not require board approval to be used for experience substitution, provided the training course information submitted to the board includes the following:
1. The course must include the continuing education units awarded by the entity.
 2. The course's subject matter must be related to the license category and classification, if applicable, for which experience substitution is sought.

- B. The board may request additional information from the provider as necessary to ensure compliance with this section. If such assurance cannot be made by the board, the training course may not be used for experience substitution, or the provider may pursue board approval pursuant to this chapter.

Historical Notes

Derived from Virginia Register [Volume 33, Issue 11](#), eff. April 1, 2017.

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Materials contained in this agenda are proposed only for discussion
and are not to be construed as regulation of any individual position.
DRAFT AGENDA

PART VI.

STANDARDS OF PRACTICE AND CONDUCT

18VAC160-30-290. Grounds for disciplinary action.

The board may place a licensee on probation; impose a monetary penalty in accordance with [§ 54.1-202 A](#) of the Code of Virginia; or revoke, suspend, or refuse to renew any license when the licensee has been found to have violated or cooperated with others in violating any provision of the regulations of the board or Chapter 23 ([§ 54.1-2300](#) et seq.) of Title 54.1 of the Code of Virginia.

Historical Notes

Derived from Virginia Register [Volume 33, Issue 11](#), eff. April 1, 2017.

18VAC160-30-300. Maintenance of license.

- A. No license issued by the board shall be assigned or otherwise transferred.
- B. A licensee shall report, in writing, all changes of address and name to the board within 30 days of the change and shall return the license to the board. In addition to the address of record, a physical address is required for each license. If the licensee holds more than one license, the licensee shall inform the board of all licenses, certificates, and registrations affected by the address change. The board shall not be responsible for the licensee's failure to receive notices or correspondence due to the licensee's failure to report a change of address.
- C. Any change in any of the requirements and qualifications for licensure found in Part II (18VAC160-30-20 et seq.) or Part III (18VAC160-30-150 et seq.) of this chapter shall be reported to the board within 30 days of the change.

Historical Notes

Derived from Virginia Register [Volume 33, Issue 11](#), eff. April 1, 2017.

18VAC160-30-310. Notice of adverse action.

- A. Licensees shall notify the board of the following actions against the licensee:
 - 1. Any disciplinary action taken by any jurisdiction, board, or administrative body of competent jurisdiction, including any reprimand, license or certificate revocation, suspension or denial, monetary penalty, requirement for remedial education, or other corrective action.
 - 2. Any voluntary surrendering of a related license, certificate, or registration done in connection with a disciplinary action in another jurisdiction.

3. Any conviction, finding of guilt, or plea of guilty, regardless of adjudication or deferred adjudication, in any jurisdiction of the United States of any (i) misdemeanor involving lying, cheating, stealing, sexual offense, non-marijuana drug distribution, or physical injury, or relating to the practice of the profession, or (ii) felony, there being no appeal pending therefrom or the time for appeal having lapsed. Review of convictions shall be subject to the requirements of [§ 54.1-204](#) of the Code of Virginia. Any plea of nolo contendere shall be considered a conviction for the purpose of this section.

B. The notice must be made to the board in writing within 30 days of the action. A copy of the order or other supporting documentation must accompany the notice. The record of conviction, finding, or case decision shall be considered prima facie evidence of a conviction or finding of guilt.

Historical Notes

Derived from Virginia Register [Volume 33, Issue 11](#), eff. April 1, 2017; amended, Virginia Register [Volume 38, Issue 6](#), eff. December 8, 2021.

18VAC160-30-320. Prohibited acts.

The following acts are prohibited and any violation may result in disciplinary action by the board:

1. Violating, inducing another to violate, cooperating with another to violate, or combining or conspiring with or acting as agent, partner, or associate for another to violate any of the provisions of Chapter 1 ([§ 54.1-100](#) et seq.), 2 ([§ 54.1-200](#) et seq.), or 23 ([§ 54.1-2300](#) et seq.) of Title 54.1 of the Code of Virginia, or any of the regulations of the board.
2. Allowing a license issued by the board to be used by another.
3. Obtaining or attempting to obtain a license by false or fraudulent representation, or maintaining or renewing a license by false or fraudulent representation.
4. A licensee having been convicted, found guilty, or disciplined in any jurisdiction of any offense or violation enumerated in 18VAC160-30-310. Review of convictions shall be subject to the requirements of [§ 54.1-204](#) of the Code of Virginia.
5. Failing to inform the board in writing within 30 days that the licensee was convicted, found guilty, or disciplined in any jurisdiction of any offense or violation enumerated in 18VAC160-30-310.
6. Not demonstrating reasonable care, judgment, or application of the required knowledge, skill, and ability in the performance of the licensee's duties.
7. Having undertaken to perform or performed a professional assignment that the licensee is not qualified to perform by education, experience, training, or any combination thereof.

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Materials contained in this agenda are proposed topics for discussion
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8. Failing to report a change as required by 18VAC160-30-300.
 9. Negligence, misconduct, or incompetence in the practice of the profession.
 10. Making any misrepresentation or engaging in acts of fraud or deceit in providing professional services.
 11. Failing to adequately supervise and review work performed by licensed or unlicensed employees under direct supervision of the licensee.
 12. Submitting or recording or assisting another in the submission or recording of false or misleading operational information relating to the performance and monitoring requirements of a waterworks or wastewater works.
 13. Failing to act in providing waterworks and wastewater works operator services in a manner that safeguards the interests of the public.

Historical Notes

Derived from Virginia Register [Volume 33, Issue 11](#), eff. April 1, 2017.

18VAC160-30-330. Conflicts of interest.

The licensee shall:

1. Promptly and fully inform an employer or client of any business association, interest, or circumstance that may influence the licensee's judgment or the quality of service.
2. Not accept compensation, financial or otherwise, from more than one party for services on or pertaining to the same project, unless the circumstances are fully disclosed to and agreed to by all interested parties in writing.
3. Neither solicit nor accept financial or other valuable consideration from material or equipment suppliers for specifying their products or services.
4. Not solicit or accept gratuities, directly or indirectly, from contractors or their agents or other parties dealing with a client or employer in connection with work for which the licensee is responsible.

Historical Notes

Derived from Virginia Register [Volume 33, Issue 11](#), eff. April 1, 2017.

18VAC160-30-340. Licensee responsibility.

- A. The primary obligation of the licensee is to the public. If the licensee's judgment is overruled and not adhered to when advising appropriate parties of circumstances of a substantial threat to the public health, safety, or welfare, the licensee shall inform the

employer or client, as applicable, of the possible consequences and notify appropriate authorities.

- B. The licensee shall not knowingly associate in a business venture with, or permit the use of the licensee's name by, any person where there is reason to believe that person is engaging in activity of a fraudulent or dishonest nature or is violating any law or regulation of the board.
- C. A licensee who has direct knowledge that another individual may be violating any of the provisions of this chapter or the provisions of Chapter 23 ([§ 54.1-2300](#) et seq.) of Title 54.1 of the Code of Virginia shall immediately inform the board in writing and shall cooperate in furnishing any further information or assistance that may be required.

Historical Notes

Derived from Virginia Register [Volume 33, Issue 11](#), eff. April 1, 2017.

18VAC160-30-350. Response to inquiry and provision of records.

- A. A licensee must respond within 10 days to a request by the board or any of its agents regarding any complaint filed with the department.
- B. Unless otherwise specified by the board, a licensee of the board shall produce to the board or any of its agents within 10 days of the request any document, book, or record concerning any transaction pertaining to a complaint filed in which the licensee was involved, or for which the licensee is required to maintain records. The board may extend such timeframe upon a showing of extenuating circumstances prohibiting delivery within such 10-day period.
- C. A licensee shall not provide a false, misleading, or incomplete response to the board or any of its agents seeking information in the investigation of a complaint filed with the board.
- D. With the exception of the requirements of subsections A and B of this section, a licensee must respond to an inquiry by the board or its agent within 21 days.

Historical Notes

Derived from Virginia Register [Volume 33, Issue 11](#), eff. April 1, 2017.

18VAC160-30-360. Wastewater works.

- A. A Class 4 wastewater works licensee may operate any wastewater works as follows:
 - 1. A wastewater works employing biological mechanical methods (i.e., mechanical treatment process defined as those containing aerated and mixed flows using electrical or outside energy sources) with a design hydraulic capacity greater than 1,000 gallons per day but equal to or less than 0.04 MGD;

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2. A wastewater works employing natural treatment methods (referenced in 9VAC25-790-870 as land treatment utilizing a secondary process for pretreatment followed by irrigation, overland flow infiltration-percolation, or combination thereof or aquatic ponds or constructed wetlands) with a design hydraulic capacity greater than 1,000 gallons per day but equal to or less than 1.0 MGD; or
 3. Any other wastewater works classified by DEQ or VDH as a Class 4 wastewater works.

B. A Class 3 wastewater works licensee may operate any wastewater works as follows:

1. A wastewater works using biological treatment methods consisting of but not limited to (i) suspended growth reactors, (ii) aerated lagoons, (iii) constructed wetlands, (iv) filters or other attached growth contactors, (v) processes utilizing biological nutrient control, or (vi) processes utilizing land treatment having a design hydraulic capacity greater than 0.04 MGD, but equal to or less than 0.5 MGD;
2. A wastewater works using natural treatment methods (referenced in 9VAC25-790-870 as land treatment utilizing a secondary process for pretreatment followed by irrigation, overland flow infiltration-percolation, or combination thereof or aquatic ponds or constructed wetlands) with a design hydraulic capacity greater than 1.0 MGD;
3. A wastewater works using advanced waste treatment methods consisting of but not limited to (i) ammonia stripping, (ii) breakpoint chlorination, (iii) carbon adsorption, (iv) chemical coagulation, (v) flocculation, (vi) precipitation, (vii) filtration, or (viii) demineralization (i.e., ion exchange, reverse osmosis, or electro dialysis) having a design hydraulic capacity greater than 1,000 gallons per day but equal to or less than 0.1 MGD; or
4. A wastewater works classified by DEQ or VDH as a Class 3 or Class 4 wastewater works facility.

C. A Class 2 wastewater works licensee may operate any wastewater works as follows:

1. A wastewater works using biological treatment methods consisting of but not limited to (i) suspended growth reactors, (ii) aerated lagoons or constructed wetlands, (iii) filters or other attached growth contactors, (iv) processes utilizing biological nutrient control, or (v) processes utilizing land application having a design hydraulic capacity greater than 0.5 MGD but equal to or less than 5.0 MGD;

2. A wastewater works using advanced waste treatment methods consisting of but not limited to (i) ammonia stripping, (ii) breakpoint chlorination, (iii) carbon adsorption, (iv) chemical coagulation, (v) flocculation, (vi) precipitation, (vii) filtration, (viii) demineralization (i.e., ion exchange, reverse osmosis, or electro dialysis) and having a hydraulic capacity greater than 0.1 MGD but equal to or less than 2.5 MGD; or
3. A wastewater works classified by DEQ or VDH as a Class 2, Class 3, or Class 4 wastewater works.

D. A Class 1 wastewater works licensee may operate any wastewater works as follows:

1. A wastewater works using biological treatment methods consisting of but not limited to (i) suspended growth reactors, (ii) aerated lagoons or constructed wetlands, (iii) filters or other attached growth contactors, (iv) processes utilizing biological nutrient control, (v) processes utilizing land treatment and having a hydraulic capacity greater than 5.0 MGD;
2. A wastewater works using advanced waste treatment methods consisting of but not limited to (i) ammonia stripping, (ii) breaking chlorination, (iii) carbon adsorption, (iv) chemical coagulation, (v) flocculation, (vi) precipitation, (vii) filtration, (viii) demineralization (i.e., ion exchange, reverse osmosis, or electro dialysis) and having a design capacity greater than 2.5 MGD; or
3. A wastewater works classified by DEQ or VDH as a Class 1, Class 2, Class 3, or Class 4 wastewater works.

Historical Notes

Derived from Virginia Register [Volume 33, Issue 11](#), eff. April 1, 2017; Errata, 33:15 VA.R. XXXX March 20, 2017.

18VAC160-30-370. Waterworks.

A. A Class 6 waterworks licensee may operate any waterworks as follows:

1. A waterworks serving fewer than 400 persons that provides no treatment or employs one or more of the following treatment processes: (i) hypochlorination for disinfection, (ii) corrosion control with calcite or magnesium oxide contactors or solution feed except with caustic, or (iii) sequestration by solution feed; or
2. A waterworks classified by VDH as a Class 6 waterworks.

B. A Class 5 waterworks licensee may operate any waterworks as follows:

1. A waterworks serving 400 or more persons that provides no treatment or employs one or more of the following treatment processes: (i) hypochlorination

for disinfection, (ii) corrosion control with calcite or magnesium oxide contactors or solution feed except with caustic, or (iii) sequestration by solution feed; or

2. A waterworks classified by VDH as a Class 5 waterworks.

C. A Class 4 waterworks licensee may operate any waterworks as follows:

1. A waterworks or treatment facility serving fewer than 5,000 persons or having a treatment facility capacity of less than 0.5 MGD and employing one or more of the following: (i) disinfection other than with hypochlorination, (ii) caustic soda feed, (iii) iron and manganese removal, (iv) ion exchange, (v) slow sand filtration, (vi) aeration, (vii) rechlorination other than with hypochlorination, (viii) activated carbon contactors, (ix) membrane or other filtration technologies without chemical coagulation, or (x) fluoridation with a saturator; or

2. A waterworks classified by VDH as a Class 4 waterworks.

D. A Class 3 waterworks licensee may operate any waterworks as follows:

1. A waterworks or treatment facility serving fewer than 5,000 persons or having a treatment facility capacity less than 0.5 MGD, whichever is greater, and employing conventional filtration or chemical coagulation in combination with membrane filtration;

2. A waterworks or treatment facility serving 5,000 or more persons or having a treatment facility capacity of 0.5 MGD or more, whichever is greater, and employing one or more of the following: (i) disinfection other than with hypochlorination, (ii) caustic soda feed, (iii) iron and manganese removal, (iv) ion exchange, (v) slow sand filtration, (vi) aeration, (vii) rechlorination other than with hypochlorination, (viii) activated carbon contactors, (ix) membrane or other filtration technologies without chemical coagulation, or (x) fluoridation with a saturator or acid feed;

3. A waterworks or treatment facility employing fluoridation with other than a saturator not considered a Class 1 or Class 2 waterworks; or

4. A waterworks classified by VDH as a Class 3 waterworks.

E. A Class 2 waterworks licensee may operate any waterworks as follows:

1. A waterworks or treatment facility serving 5,000 or more persons but fewer than 50,000 persons or having a treatment facility capacity of 0.5 MGD or more but less than 5.0 MGD, whichever range applies, and employing rapid rate conventional filtration chemical coagulation in combination with membrane filtration;

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2. A waterworks or treatment facility serving fewer than 50,000 persons or having a treatment facility capacity of less than 5.0 MGD employing high rate conventional filtration; or
 3. A waterworks classified by the VDH as a Class 2 waterworks.

F. A Class 1 waterworks licensee may operate any waterworks as follows:

1. A waterworks or treatment facility serving 50,000 or more persons or having a treatment facility capacity of 5.0 MGD or more and employing conventional filtration or chemical coagulation in combination with membrane filtration; or
2. A waterworks classified by VDH as a Class 1 waterworks.

Historical Notes

Derived from Virginia Register [Volume 33, Issue 11](#), eff. April 1, 2017.

Included in this document are relevant excerpts from the *Code of Virginia*. Please note that the Virginia General Assembly is responsible for creating and amending the *Code*, not the Board for Waterworks and Wastewater Works Operators and Onsite Sewage System Professionals. The version contained herein contains all changes, if any, that have been made by the General Assembly through the 2021 session. Any changes made during the 2021 session became effective July 1, 2021 unless otherwise noted. It is your responsibility to stay informed of revisions to the regulations and the statutes governing your profession or occupation. Please consult the General Assembly or your local library for annual changes.

Code of Virginia

Title 54.1, Chapter 23

§ 54.1-2300. Definitions.

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

"Board" means the Board for Waterworks and Wastewater Works Operators and Onsite Sewage System Professionals.

"Onsite sewage system" means a conventional onsite sewage system or alternative onsite sewage system as defined in § [32.1-163](#).

"Operator" means any individual employed or appointed by any owner, and who is designated by such owner to be the person in responsible charge, such as a supervisor, a shift operator, or a substitute in charge, and whose duties include testing or evaluation to control waterworks or wastewater works operations or to operate and maintain onsite sewage systems. Not included in this definition are superintendents or directors of public works, city engineers, or other municipal or industrial officials whose duties do not include the actual operation or direct supervision of waterworks or wastewater works.

"Owner" means the Commonwealth of Virginia, or any political subdivision thereof, any public or private institution, corporation, association, firm or company organized or existing under the laws of this Commonwealth or of any other state or nation, or any person or group of persons acting individually or as a group, who own, manage, or maintain waterworks or wastewater works.

"Person" means any individual, group of individuals, a corporation, a partnership, a business trust, an association or other similar legal entity engaged in operating waterworks or wastewater works.

"Wastewater works" means each system of (i) sewerage systems or sewage treatment works, serving more than 400 persons, as set forth in § [62.1-44.18](#); (ii) sewerage systems or sewage

treatment works serving fewer than 400 persons, as set forth in § [62.1-44.18](#), if so certified by the State Water Control Board; and (iii) facilities for discharge to state waters of industrial wastes or other wastes, if certified by the State Water Control Board.

"Waterworks" means each system of structures and appliances used in connection with the collection, storage, purification, and treatment of water for drinking or domestic use and the distribution thereof to the public, except distribution piping. Systems serving fewer than 400 persons shall not be considered to be a waterworks unless certified by the Board to be such.

1970, c. 768, § 54-573.2; 1972, c. 682; 1988, c. 765; 2007, cc. [892](#), [924](#).

§ 54.1-2301. Board for Waterworks and Wastewater Works Operators and Onsite Sewage System Professionals; membership; terms; duties.

A. The Board for Waterworks and Wastewater Works Operators and Onsite Sewage System Professionals shall consist of 11 members as follows: the Director of the Office of Water Programs of the State Department of Health, or his designee, the Executive Director of the State Water Control Board, or his designee, a currently employed waterworks operator having a valid license of the highest classification issued by the Board, a currently employed wastewater works operator having a valid license of the highest classification issued by the Board, a faculty member of a public institution of higher education in the Commonwealth whose principal field of teaching is management or operation of waterworks or wastewater works, a representative of an owner of a waterworks, a representative of an owner of a wastewater works, a licensed alternative onsite sewage system operator, a licensed alternative onsite sewage system installer, a licensed onsite soil evaluator, and one citizen member. The alternative onsite sewage system operator, alternative onsite sewage system installer, and onsite soil evaluator shall have practiced for at least five consecutive years immediately prior to appointment. No owner shall be represented on the Board by more than one representative or employee operator. The term of Board members shall be four years.

B. The Board shall examine waterworks and wastewater works operators and issue licenses. The licenses may be issued in specific operator classifications to attest to the competency of an operator to supervise and operate waterworks and wastewater works while protecting the public health, welfare and property and conserving and protecting the water resources of the Commonwealth.

C. The Board shall establish a program for licensing individuals as onsite soil evaluators, onsite sewage system installers, and onsite sewage system operators.

D. The Board, in consultation with the Board of Health, shall adopt regulations for the licensure of (i) onsite soil evaluators; (ii) installers of alternative onsite sewage systems, as defined in § [32.1-163](#); and (iii) operators of alternative onsite sewage systems, as defined in § [32.1-163](#). Such regulations shall include requirements for (a) minimum education and training, including approved training courses; (b) relevant work experience; (c) demonstrated knowledge and skill; (d) application fees to cover the costs of the program, renewal fees, and schedules; (e) the

division of onsite soil evaluators into classes, one of which shall be restricted to the design of conventional onsite sewage systems; and (f) other criteria the Board deems necessary.

E. The Board shall permit any wastewater works operator to sit for the conventional onsite sewage system operator examination.

1970, c. 768, §§ 54-573.1, 54-573.3; 1981, c. 447; 1988, c. 765; 1989, c. 97; 2007, cc. [892](#), [924](#); 2008, c. [67](#); 2013, c. [731](#).

§ 54.1-2302. License required.

No person shall operate a waterworks or wastewater works, perform the duties of an onsite soil evaluator, or install or operate an alternative onsite sewage system, without a valid license.

1979, c. 408, § 54-573.18; 1988, c. 765; 2007, cc. [892](#), [924](#).

Code of Virginia

Title 54.1. Professions and Occupations

Subtitle II. Professions and Occupations Regulated by the Department of Professional and Occupational Regulation and Boards within the Department

Chapter 23. Waterworks and Wastewater Works Operators

Chapter 23. Waterworks and Wastewater Works Operators.

§ 54.1-2300. Definitions.

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

"Board" means the Board for Waterworks and Wastewater Works Operators and Onsite Sewage System Professionals.

"Onsite sewage system" means a conventional onsite sewage system or alternative onsite sewage system as defined in § 32.1-163.

"Operator" means any individual employed or appointed by any owner, and who is designated by such owner to be the person in responsible charge, such as a supervisor, a shift operator, or a substitute in charge, and whose duties include testing or evaluation to control waterworks or wastewater works operations or to operate and maintain onsite sewage systems. Not included in this definition are superintendents or directors of public works, city engineers, or other municipal or industrial officials whose duties do not include the actual operation or direct supervision of waterworks or wastewater works.

"Owner" means the Commonwealth of Virginia, or any political subdivision thereof, any public or private institution, corporation, association, firm or company organized or existing under the laws of this Commonwealth or of any other state or nation, or any person or group of persons acting individually or as a group, who own, manage, or maintain waterworks or wastewater works.

"Person" means any individual, group of individuals, a corporation, a partnership, a business trust, an association or other similar legal entity engaged in operating waterworks or wastewater works.

"Wastewater works" means each system of (i) sewerage systems or sewage treatment works, serving more than 400 persons, as set forth in § 62.1-44.18; (ii) sewerage systems or sewage treatment works serving fewer than 400 persons, as set forth in § 62.1-44.18 if so certified by the State Water Control Board; and (iii) facilities for discharge to state waters of industrial wastes or other wastes if certified by the State Water Control Board.

"Waterworks" means each system of structures and appliances used in connection with the collection, storage, purification, and treatment of water for drinking or domestic use and the distribution thereof to the public, except distribution piping. Systems serving fewer than 400 persons shall not be considered to be a waterworks unless certified by the Board to be such.

1970, c. 768, § 54-573.2; 1972, c. 682; 1988, c. 765; 2007, cc. 892, 924.

§ 54.1-2301. Board for Waterworks and Wastewater Works Operators and Onsite Sewage System Professionals; membership; terms; duties.

A. The Board for Waterworks and Wastewater Works Operators and Onsite Sewage System Professionals shall consist of 11 members as follows: the Director of the Office of Water Programs of the State Department of Health, or his designee, the Executive Director of the State Water Control Board, or his designee, a currently employed waterworks operator having a valid license of the highest classification issued by the Board, a currently employed wastewater works operator having a valid license of the highest classification issued by the Board, a faculty member of a public institution of higher education in the Commonwealth whose principal field of teaching is management or operation of waterworks or wastewater works, a representative of an owner of a waterworks, a representative of an owner of a wastewater works, a licensed alternative onsite sewage system operator, a licensed alternative onsite sewage system installer, a licensed onsite soil evaluator, and one citizen member. The alternative onsite sewage system operator, alternative onsite sewage system installer, and onsite soil evaluator shall have practiced for at least five consecutive years immediately prior to appointment. No owner shall be represented on the Board by more than one representative or employee operator. The term of Board members shall be four years.

B. The Board shall examine waterworks and wastewater works operators and issue licenses. The licenses may be issued in specific operator classifications to attest to the competency of an operator to supervise and operate waterworks and wastewater works while protecting the public health, welfare and property and conserving and protecting the water resources of the Commonwealth.

C. The Board shall establish a program for licensing individuals as onsite soil evaluators, onsite sewage system installers, and onsite sewage system operators.

D. The Board, in consultation with the Board of Health, shall adopt regulations for the licensure of (i) onsite soil evaluators; (ii) installers of alternative onsite sewage systems, as defined in § 32.1-163; and (iii) operators of alternative onsite sewage systems, as defined in § 32.1-163. Such regulations shall include requirements for (a) minimum education and training, including approved training courses; (b) relevant work experience; (c) demonstrated knowledge and skill; (d) application fees to cover the costs of the program, renewal fees, and schedules; (e) the division of onsite soil evaluators into classes, one of which shall be restricted to the design of conventional onsite sewage systems; and (f) other criteria the Board deems necessary.

E. The Board shall permit any wastewater works operator to sit for the conventional onsite sewage system operator examination.

1970, c. 768, §§ 54-573.1, 54-573.3; 1981, c. 447; 1988, c. 765; 1989, c. 97; 2007, cc. 892, 924; 2008, c. 67; 2013, c. 731.


§ 54.1-2302. License required.


No person shall operate a waterworks or wastewater works, perform the duties of an onsite soil evaluator, or install or operate an alternative onsite sewage system, without a valid license.

1979, c. 408, § 54-573.18; 1988, c. 765; 2007, cc. 892, 924.

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VIRGINIA ACTS OF ASSEMBLY -- 2023 SESSION

CHAPTER 633

An Act to amend and reenact § 54.1-2301 of the Code of Virginia, relating to waterworks and wastewater works operators; license reciprocity.

[S 999]

Approved March 26, 2023

Be it enacted by the General Assembly of Virginia:

1. That § 54.1-2301 of the Code of Virginia is amended and reenacted as follows:

§ 54.1-2301. Board for Waterworks and Wastewater Works Operators and Onsite Sewage System Professionals; membership; terms; duties.

A. The Board for Waterworks and Wastewater Works Operators and Onsite Sewage System Professionals shall consist of 11 members as follows: the Director of the Office of Water Programs of the State Department of Health, or his designee, the Executive Director of the State Water Control Board, or his designee, a currently employed waterworks operator having a valid license of the highest classification issued by the Board, a currently employed wastewater works operator having a valid license of the highest classification issued by the Board, a faculty member of a public institution of higher education in the Commonwealth whose principal field of teaching is management or operation of waterworks or wastewater works, a representative of an owner of a waterworks, a representative of an owner of a wastewater works, a licensed alternative onsite sewage system operator, a licensed alternative onsite sewage system installer, a licensed onsite soil evaluator, and one citizen member. The alternative onsite sewage system operator, alternative onsite sewage system installer, and onsite soil evaluator shall have practiced for at least five consecutive years immediately prior to appointment. No owner shall be represented on the Board by more than one representative or employee operator. The term of Board members shall be four years.

B. 1. The Board shall examine waterworks and wastewater works operators and issue licenses. The licenses may be issued in specific operator classifications to attest to the competency of an operator to supervise and operate waterworks and wastewater works while protecting the public health, welfare, and property and conserving and protecting the water resources of the Commonwealth.

2. *The Board shall, upon application by an individual, and without examination pursuant to subdivision 1, recognize licenses or certificates issued by another state as fulfillment of qualifications for licensure in the Commonwealth if the following conditions are met:*

a. The individual holds a current and valid professional or occupational license or government certification in another state in a profession or occupation with a similar scope of practice, as determined by the Board;

b. The individual has held the professional or occupational license or government certification in the other state for at least three years;

c. The other state or state of original licensure required the individual to pass an examination and to meet certain standards related to education, training, or experience;

d. There are no pending investigations or unresolved complaints against the individual, and the other state holds the individual in good standing;

e. The individual does not have a disqualifying criminal record as determined by the Board in accordance with § 54.1-204;

f. No other state has imposed discipline on the licensee, except for discipline involving only a financial penalty and no harm to the health or economic well-being of the public; and

g. The individual pays all applicable fees.

3. *For the purposes of this subsection, "other state" or "another state" means any state, territory, possession, or jurisdiction of the United States.*

C. The Board shall establish a program for licensing individuals as onsite soil evaluators, onsite sewage system installers, and onsite sewage system operators.

D. The Board, in consultation with the Board of Health, shall adopt regulations for the licensure of (i) onsite soil evaluators; (ii) installers of alternative onsite sewage systems, as defined in § 32.1-163; and (iii) operators of alternative onsite sewage systems, as defined in § 32.1-163. Such regulations shall include requirements for (a) minimum education and training, including approved training courses; (b) relevant work experience; (c) demonstrated knowledge and skill; (d) application fees to cover the costs of the program, renewal fees, and schedules; (e) the division of onsite soil evaluators into classes, one of which shall be restricted to the design of conventional onsite sewage systems; and (f) other criteria the Board deems necessary.

E. The Board shall permit any wastewater works operator to sit for the conventional onsite sewage system operator examination.

VIRGINIA ACTS OF ASSEMBLY -- 2023 SESSION

CHAPTER 632

An Act to amend and reenact § 54.1-2301 of the Code of Virginia, relating to waterworks and wastewater works operators; license reciprocity.

[H 1940]

Approved March 26, 2023

Be it enacted by the General Assembly of Virginia:

1. That § 54.1-2301 of the Code of Virginia is amended and reenacted as follows:

§ 54.1-2301. Board for Waterworks and Wastewater Works Operators and Onsite Sewage System Professionals; membership; terms; duties.

A. The Board for Waterworks and Wastewater Works Operators and Onsite Sewage System Professionals shall consist of 11 members as follows: the Director of the Office of Water Programs of the State Department of Health, or his designee, the Executive Director of the State Water Control Board, or his designee, a currently employed waterworks operator having a valid license of the highest classification issued by the Board, a currently employed wastewater works operator having a valid license of the highest classification issued by the Board, a faculty member of a public institution of higher education in the Commonwealth whose principal field of teaching is management or operation of waterworks or wastewater works, a representative of an owner of a waterworks, a representative of an owner of a wastewater works, a licensed alternative onsite sewage system operator, a licensed alternative onsite sewage system installer, a licensed onsite soil evaluator, and one citizen member. The alternative onsite sewage system operator, alternative onsite sewage system installer, and onsite soil evaluator shall have practiced for at least five consecutive years immediately prior to appointment. No owner shall be represented on the Board by more than one representative or employee operator. The term of Board members shall be four years.

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a. The individual holds a current and valid professional or occupational license or government certification in another state in a profession or occupation with a similar scope of practice, as determined by the Board;

b. The individual has held the professional or occupational license or government certification in the other state for at least three years;

c. The other state or state of original licensure required the individual to pass an examination and to meet certain standards related to education, training, or experience;

d. There are no pending investigations or unresolved complaints against the individual, and the other state holds the individual in good standing;

e. The individual does not have a disqualifying criminal record as determined by the Board in accordance with § 54.1-204;

f. No other state has imposed discipline on the licensee, except for discipline involving only a financial penalty and no harm to the health or economic well-being of the public; and

g. The individual pays all applicable fees.

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E. The Board shall permit any wastewater works operator to sit for the conventional onsite sewage system operator examination.

NEW BUSINESS

Consider Necessary Regulatory Changes

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

1. Discuss Topics for Next Meeting
2. Set Next Meeting Date(s)

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COMPLETE CONFLICT OF INTEREST
FORMS AND
TRAVEL VOUCHERS

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