

**COMMONWEALTH OF VIRGINIA**  
**DEPARTMENT OF ENVIRONMENTAL QUALITY**  
**WATER DIVISION**

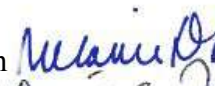

**P.O. Box 1105**

**Richmond, VA 23218**

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**Subject:** **Water Guidance Memo No. 18-2005**  
Provisional Certification for Stormwater Management and Erosion & Sediment Control

**To:** Regional Directors

**From:** Melanie D. Davenport, Director, Water Permitting Division   
Valerie E. Thomson, Director, Administration Division 

**Date:** September 17, 2018

**Copies:** Jeff Steers, James Golden, Kevin Vaughan, Regional Stormwater Managers

**Summary**

This guidance rescinds and replaces Water Guidance Memo No. 14-2010, and is intended to establish a provisional certification for one year after individuals have completed required training courses.

The previously issued Water Guidance Memo No 14-2010 provided time for localities to complete all training and certification requirements in accordance with the phased time frames established in the regulation without extending the maximum time allowed.

The purpose of this updated guidance memo is to re-align the concept of provisional certification with the requirements of regulation 9VAC25-850-50 which states that individuals have one year to pass the certification exam after completing required courses.

**Electronic Copy**

An electronic copy of this guidance in PDF format is available on DEQ's website at:  
<http://www.deq.virginia.gov/ConnectWithDEQ/TrainingCertification.aspx>

**Contact Information**

Please contact Kevin Vaughan, Training Manager at (804) 698-4470 or [kevin.vaughan@deq.virginia.gov](mailto:kevin.vaughan@deq.virginia.gov) with any questions you have regarding this guidance.

**Disclaimer:**

**This document is provided as guidance and, as such, sets forth standard operating procedures for the agency. However, it does not mandate or prohibit any particular action not otherwise required or prohibited by law or regulation. If alternative proposals are made, such proposals will be reviewed and accepted or denied based on their technical adequacy and compliance with appropriate laws and regulations.**

## **I. Introduction**

The Virginia Stormwater Management Act (§ 62.1-44.15:30) requires personnel working for a Virginia Stormwater Management Program (VSMP) authority, including anyone who is contracted by a VSMP authority, to obtain and maintain a certificate of competence from the State Water Control Board in the area of stormwater management. The Department of Environmental Quality (DEQ) is required by the Act to administer a stormwater management training and certification program.

The Erosion and Sediment Control Law (§ 62.1-44.15:52) requires personnel working for a VESCP authority, including anyone who is contracted by a VESCP authority, to obtain and maintain a certificate of competence from the State Water Control Board in the area of erosion and sediment control. Any person employed as a plan reviewer who is licensed as a professional engineer, architect, certified landscape architect, land surveyor, or professional soil scientist shall qualify as a certified plan reviewer for ESC and will not require a certificate of competence from the Board. DEQ is required by the Law to administer an erosion and sediment control training and certification program.

## **II. Definitions**

The following are terms defined in § 62.1-44.15:24 and § 62.1-44.15:51:

"Virginia Stormwater Management Program authority" or "VSMP authority" means an authority approved by the Board after September 13, 2011, to operate a Virginia Stormwater Management Program or the Department. An authority may include a locality; state entity, including the Department; federal entity; or, for linear projects subject to annual standards and specifications in accordance with subsection B of § 62.1-44.15:31, electric, natural gas, and telephone utility companies, interstate and intrastate natural gas pipeline companies, railroad companies, or authorities created pursuant to § 15.2-5102.

"Virginia Erosion and Sediment Control Program authority" or "VESCP authority" means an authority approved by the Board to operate a Virginia Erosion and Sediment Control Program. An authority may include a state entity, including the Department; a federal entity; a district, county, city, or town; or for linear projects subject to annual standards and specifications, electric, natural gas, and telephone utility companies, interstate and intrastate natural gas pipeline companies, railroad companies, or authorities created pursuant to § 15.2-5102.

## **III. Authority**

This document provides guidance to implement the Erosion and Sediment Control and Stormwater Management Certification Regulations (9VAC25-850-50).

The authority for promulgation of these regulations and development of this guidance is contained in §62.1-44.15:30 and §62.1-44.15:52 through :53 of the Code of Virginia.

**IV. Guidance**

Individuals seeking SWM or ESC certification will be considered provisionally certified as a program administrator, an inspector, and/or a plan reviewer for one year from the date they complete the required training course(s).

For the purposes of program reviews under 9VAC25-870-144 DEQ considers individuals enrolled in training courses to be provisionally certified.

Individuals can only be provisionally certified once per certification type.