

**Massachusetts Board of Registration of
Hazardous Waste Site Cleanup Professionals**

**Instructions for the Application
to Qualify for Examination**

1. INTRODUCTION

The Board of Registration of Hazardous Waste Site Cleanup Professionals (the “Board”) has prepared the following application instructions for those individuals who are seeking to become eligible to take the Board’s licensing examination. Please read these instructions carefully before you begin preparing the application forms.

NOTE: If you are reapplying and the Board has previously approved an application you submitted, you may not need to submit this type of application. Please check with the Board’s staff at 617-556-1091 to determine whether you may file a “limited” application to re-take the exam.

The Board’s process for evaluating applications is designed to ensure that each applicant receives a fair and impartial decision based on the information presented to it. You can assist the Board to accomplish this goal by remembering that:

- *All applicants should read these instructions, the LSP regulations, and the other information in the application package carefully before beginning to complete the LSP application forms.* The Board has a responsibility to apply its application criteria as defined by the LSP regulations; applicants’ misunderstanding of those regulations or of the Board’s application procedures or these instructions may cause applications to be delayed or denied.
- *Applicants have the burden to both claim and demonstrate that they meet the requirements for licensure.* Applicants should review their applications to ensure that the Board’s questions are answered fully and completely. The Board relies primarily upon the written information provided in the application forms to decide whether or not an applicant is qualified to take an examination.
- *Applicants should ensure that the information they provide in the application forms stands alone and does not depend upon any other information or knowledge, not contained in the application, about the applicant or his or her reputation, firm, or experience.* The Board’s discretion to consider information external to the application form is limited by statute and the Board’s application evaluation procedures. Therefore, unless specifically requested to do so by the Board, applicants will not have the opportunity, once an application is submitted, to add any other written or oral

information to their applications. Also, please do not submit additional materials, site assessment reports, publications or letters from your supporters. These are not considered to be part of the application and will be returned to you.

- ***Applicants should not rely upon their general understanding of the Board's mission or upon information from other sources as a basis for completing the application forms.*** They should refer to these instructions, the LSP regulations, the definitions of terms in the LSP regulations, and other information in the application package to understand the criteria that the Board uses to evaluate applicants' qualifications.

If applicants need additional information during the preparation of this Application, they may call the Board's offices at 617-556-1091. Please note that staff will answer general questions about the application and the evaluation process, but they must refrain from discussing the specifics of any applicant's qualifications. Applicants with special needs may contact the Board for assistance or additional information.

The Board's regulations describe in detail the qualifications and standards of practice for LSPs. A copy of these regulations (309 Code Mass. Regs. [C.M.R.] 1.00 through 9.00) is in this application package. The statute, which created the Board and authorizes the Board to establish a licensing program is Mass. General Laws [M.G.L.] c. 21A, sections 19-19J.

2. INFORMATION ABOUT THE APPLICATION PROCESS

Approved applicants who pass an examination will receive LSP licenses valid for a 3-year period. The examination will test an applicant's overall technical and regulatory understanding. The other requisites for licensure as an LSP are evaluated through the application review process.

Confidentiality of Information on the Application Form: Since the Board is a state agency; it is subject to the state's Public Records Law. The Board may be compelled to release information from an applicant's file form to other people or to the general public in certain circumstances.

- *The Application Forms themselves are generally considered to be public records.*
- *The Board will seek to keep Professional Reference Forms confidential, as they are not considered by the Board to be public records.*

Application Time Frames: Applications are being accepted by the Board continually, and the Board intends to continue to make decisions on applications at each of its monthly meetings. Applicants can expect 10 to 12 weeks between the date their complete application is submitted and the date the Board takes action on the application. This time frame will be extended if the Board asks an applicant to submit additional information.

Board Action on Applications: The Board will first review each application for administrative completeness. If the application is determined to be "incomplete," a letter will be sent to the applicant requesting additional information or application materials. The applicant assumes full responsibility for the timely submission of all materials.

Complete applications are sent to an *Application Review Panel (ARP)* for substantive evaluation. That panel consists of a set of three of the eleven Board members. The three members of the panel evaluate the application and make a recommendation to the full Board. At a meeting of the **ARP**, the **ARP** may recommend an application be approved or denied, or it may "pend" the application if the **ARP** believes it needs additional information prior to making a recommendation to the full Board.

If an application is "pending," the **ARP** will reserve taking action on an application pending its receipt of additional information from the applicant, supervisors, references, or other sources. If additional information is requested from applicants, they may provide the information to the Board, voluntarily withdraw their application, or ask the Board to make a decision based upon the information available to the Board at that time.

Recommendations from **ARPs** are sent to the full Board for its consideration and action. These recommendations remain confidential until the day of the Board's meeting.

*How can I influence the Board's decisions before the meetings?
Does the Board allow applicants to present additional information at the meetings?* The Board has a responsibility to the public as well as to other applicants to ensure that the application review process is as objective as possible. The Board's application evaluation process requires that all information from the applicants come to the Board within the application forms, or in response to specific questions from

ARPs. Applicants are not permitted to add information to their applications by making oral presentations to the Board.

Applicants approved by the Board will receive letters informing them that their applications were approved and, therefore, they are eligible to take an exam. Each applicant whose application is denied by the Board will receive a letter explaining the Board's decision, describing appeal rights, and offering an interview with the staff person who handled the application to discuss the reasons for the Board's decision.

Outside Information: It is possible that the Board may receive written information regarding an applicant's qualifications from other sources. In addition, the law establishing the LSP program requires the Board to notify the Department of Environmental Protection (DEP) of all applicants.

How will the Board deal with letters from DEP or disgruntled clients regarding an applicant? The Board may receive written comments regarding applicants from DEP and from members of the public. The Board will consider this "outside" information if it is credible and relevant to whether the applicant should receive a license. However, before any "outside" information is provided to the ARP reviewing an application, that information will be reviewed carefully to ensure that it is not frivolous or false.

References and Other Persons: With or without notifying the applicant, the Board may contact the applicant's references, other persons identified in the application, and others to obtain additional information about an applicant's qualifications.

Substitutions for Requirements: All applicants must meet all requirements to obtain a license. There are a limited number of instances in which the regulations provide substitutions for these requirements. (For example, up to two years of credit for *Total Professional Experience (TPE)* may be obtained through specific educational substitutions.) In those limited instances, the applicant has the burden of proof and must specifically provide sufficient information in support of the substitution.

Interview: While the Board usually does not do so, it can require an in-person interview with an applicant to obtain information pertaining to the application. That interview may be with the entire Board, an *Application Review Panel*, or a subcommittee of the Board.

Proof of Education: All applicants must submit original transcripts or other documentation from the appropriate educational institution(s) to verify that he or she meets the required educational qualifications.

Note that copies made by the applicant of documents he or she received from educational institutions do not meet this requirement.

The Standard Track and the Alternate Track have different minimum educational requirements:

- ⇒ *Standard Track:* college or higher degree in a field listed in Chapter 3.00, Appendix A, of the Board's regulations;
- ⇒ *Alternate Track:* graduation from high school

Reapplication: If the Board does not approve an application, an applicant may reapply at any time unless the Board specifies otherwise in denying the prior application. To reapply, an applicant must submit a complete set of application materials and another application fee. If the reapplication occurs within 6 months of the Board's decision on the prior application, applicants are permitted to use the references they provided in the prior application. Once an original transcript has been submitted in support of an application, it need not be submitted again when an applicant reapplies.

Fees: The Board is required by law to charge fees sufficient to recover all costs of its operation. This means that all the activities of the Board must be supported by imposing fees on those who choose to use the Board's services. Applicants and licensees are required to pay the following fees:

- ◆ *an application fee* of \$245 payable at the time the application is submitted;
- ◆ *an annual fee* of \$225 payable within 30 days after a license is granted and annually thereafter;
- ◆ *a renewal fee* of \$100 payable when an LSP renews his or her license every three years; and
- ◆ *an examination fee* of \$325 payable before each exam is taken.

The application fee (\$245) must be paid by check or money order and mailed to a special lockbox; the fee should NOT be submitted with the application. All checks or money orders must be made payable to the **Commonwealth of Massachusetts/LSP Board**. The name of the applicant must clearly be identified on the front of the check. Thus, if the applicant's company pays the fee, the applicant's name must be printed in large block letters on the front at the top of the check. Otherwise, the Board may not be able to identify for which applicant a fee has been submitted. The check must be placed in a separate envelope (separate from the application) and mailed to the following lockbox:

**COMMONWEALTH OF MASSACHUSETTS
LSP BOARD
P.O. BOX 4062
BOSTON, MA 02241-4062**

The application fee must be submitted at the same time the completed application is submitted. While the fee should be submitted separately from the application, both should be mailed at the same time. If the Board cannot determine that an applicant has paid the application fee, the Board will stop working on that application.

The completed application must be mailed separately from the fee to the following address:

**LSP Board
1 Winter St., 3rd Floor
Boston, MA 02108**

Examination: The Board administers a licensing examination to evaluate two of the eight attributes necessary to become an LSP: overall regulatory understanding and overall technical understanding. (See regulations at 309 CMR 3.09(1) for the definitions of the terms "regulatory" and "technical.") The Board will notify all those whose written applications have been approved that they have two years to take and pass the licensing exam. The Board is currently administering its own licensing examination. Exams are offered by appointment only on pre-selected dates at intervals of approximately 6 to 8 weeks. When the Board notifies an applicant that his or her written application has been approved, the applicant will be instructed to contact the Board to schedule an appointment to take an exam. Those whose applications have yet to be approved may not take an examination.

3. INFORMATION ABOUT QUALIFICATIONS FOR LICENSING

Attributes of an LSP

An LSP is “an individual who, by reason of appropriate education, training, and experience, is qualified, as attested by being licensed by the Board, to render waste site cleanup activity opinions that can be relied on as sufficient to protect public health, safety, welfare, and the environment.” M.G.L. c. 21A, § 19.

The Board’s regulations establish eight attributes that an individual must have to be licensed as an LSP. Two of these attributes (overall technical understanding and overall regulatory understanding) are evaluated through an examination.

The other six attributes are evaluated through the application process. Applicants must meet the minimum requirements for all of these attributes to be eligible to take an examination. The six attributes are:

- waste site cleanup decision making experience;
- practical experience;
- proficiency;
- total professional experience;
- good moral character; and
- appropriate education.

The first four of these attributes pertain to the requisite **experience** that an applicant must have to be licensed (see below). Those applicants with the **appropriate education** (i.e., Standard Track applicants) need to have fewer years of experience than those who did not obtain that level of education (i.e., Alternate Track applicants). In addition to the requisite years of experience, an applicant must also have a **good moral character** to be licensed.

Minimum Experience Requirements

The minimum experience requirements are set forth in Section 3.02 of the Board’s regulations:

Standard Track applicants must have eight (8) years of “**Total Professional Experience**,” five (5) years of which must be “**Relevant Professional Experience**.” These terms are specifically defined in Section 2.02 of the regulations. At least three (3) years of the **Relevant Professional Experience** must have been acquired by the applicant within five (5) years immediately prior to the submission of the application.

Alternate Track applicants must have fourteen (14) years of “**Total Professional Experience**,” seven (7) years of which must be “**Relevant Professional Experience**.” Here, too, at least three (3) years of the **Relevant Professional Experience** must have been acquired by the applicant within the five (5) years immediately prior to the submission of the application.

Total Professional Experience (referred to as “**TPE**”) is defined as all of an applicant’s professional experience that is determined by the Board to be experience applying scientific or

engineering principles in the environmental, scientific, or engineering fields where the resultant conclusions form the basis for reports, studies, and other similar documents.

Relevant Professional Experience (referred to as “**RPE**”) is the kind of experience that comes closest to the work that LSPs do. **RPE** is experience that the Board determines, separately for each position held by an applicant, is a concurrent combination of **Waste Site Cleanup Decision Making Experience** and **Practical Experience**, both performed with **Proficiency**. All persons who are considering applying for licensure should carefully study the definitions of **RPE** and these three other attributes in the Board’s regulations at Section 2.02 before deciding to apply. Most of the applicants whose applications are not approved by the Board are found by the Board to lack the requisite **RPE**. And most of the time the Board spends reviewing applications is devoted to reviewing the **RPE** that the applicants claim to have. Frequently, the Board finds that experience that an applicant claims to be **RPE** does not meet the requirements to qualify as **RPE**. Applicants have the burden of both claiming and demonstrating that they meet the regulatory requirements for **RPE**. The next section describes how the Board will evaluate the information provided by applicants about their **RPE**.

Relevant Professional Experience

The Board’s determination of whether an applicant possesses sufficient **RPE** to be given a license is a central component of the licensing process, and is viewed by the Board as core experience that must be demonstrated to receive an LSP license.

The Board’s regulations at Section 2.02 define **RPE** as “a concurrent combination of waste site cleanup decision making experience and practical experience, both performed with proficiency.” The terms “*waste site cleanup decision making experience*” and “*practical experience*” are also defined in the Board’s regulations at 309 CMR 2.02. Please read those important definitions carefully. Also please note that in the regulatory definition of **RPE**, following the sentence quoted above, the Board has listed a number of the criteria that the Board will consider in evaluating whether a given position constitutes **RPE**. All applicants should review these criteria in the regulations. Following these criteria, the regulations offer this limitation on **RPE**: **RPE** “does not include experience involving only or primarily non-scientific or non-technical activities associated with a disposal site, such as contract management, budget control, legal analysis, and other similar management activities.”

The regulations require that at least three years of an applicant’s **RPE** have occurred within five years prior to submission of this application. This requirement applies regardless of whether the applicant is applying under the Standard or Alternate tracks.

*What will the Board accept as a demonstration that I have the needed **RPE**?* The Board’s questions on **Form 2 (Positions)** and **Form 3 (Projects)** are designed to elicit detailed and relevant information about the nature of an applicant’s work experience and decision-making responsibilities. Applicants have the burden of presenting written evidence and supporting information that backs up their claim that they meet the requirements for licensing.

The Board Will Conduct a Position by Position Review: The ARP conducts a position-by-position review. Each position for which the candidate claims RPE (and for which a Form 2 is submitted) will be scrutinized to determine whether the candidate met all the aspects of RPE for the duration of the position. The Panel will not try to assign partial “credit” to any position that does not entirely meet the requirements of the definition for RPE.

When new responsibilities are taken on, which raise the candidate’s level of responsibility to that of **Principal Decision Maker**, the Form 2 must identify this increase of responsibility as the beginning of a new position description. A new Form 2 must be submitted for this new position. It is incumbent upon the candidate to break out any changes of responsibility, whether the position title changed or not. Lumping a single position, held over a protracted period of time, part of which is RPE and the remainder non-RPE, will not be credited as RPE, even partially.

Form 2 “Relevant Professional Experience Waste Site Cleanup Decision Making Experience Position Descriptions” must be filled out to demonstrate that the position to which it relates was RPE. For each Form 2 there must be a minimum of two Form 3 “Relevant Professional Experience Practical Experience Project Descriptions” that, again, demonstrate that the Form 2 position for which it was submitted was RPE.

Applicants as Principal Decision Makers: Included in the requirements for **RPE** is a requirement that the applicant “demonstrate that [he or she has] been an active participant and a principal decision maker” in performing waste site cleanup activities.

The term *Principal Decision* maker is also defined in Section 2.02 of the Board’s regulations. It means:

“an individual who regularly bears all or a significant portion of the responsibility and accountability for the overall conduct of one or more major components (site investigation, risk characterization, remediation) of response actions at disposal sites. In general, this denomination will not include individuals with responsibility and accountability only for sub-tasks (e.g., field exploration program, groundwater modeling, data manipulation) within the major components of response actions.”

Therefore, applicants do not have the burden of demonstrating that they are the *sole* principal decision maker for each position. However, applicants must clearly demonstrate that their technical decisions were significant enough components of decisions made at sites to warrant a finding that they were principal decision makers.

It seems as though only LSPs can be “principal decision makers.” How can I gain such decision-making experience in Massachusetts if I’m not already an LSP? Under the MCP there are many opportunities for decisions to be made regarding work at sites; only a small number of those decisions are “waste site cleanup activity opinions” reserved by regulations and law solely to LSPs. All other decisions and recommendations may be made by other experienced individuals, depending upon the particular requirements of the project and of the firms carrying out the work. An applicant’s recommendation and decision may be made under the supervision of a more senior individual who also holds an LSP license; in such a case the applicant’s burden is

still that of demonstrating that he or she is a principal decision maker, not the principal decision maker.

The Board recognizes that in performing those activities, the applicant may have engaged in collaborative work with others possessing different fields of expertise. In deciding whether the applicant was a “principal decision maker,” the Board will evaluate whether the applicant exercised significant overall technical and managerial decision-making responsibility in that position as a whole.

In so doing, the Board will consider the nature of the position, the size and complexity of the corresponding projects, the applicant’s decision-making role in those projects, and the extent to which the applicant was involved in technical and managerial aspects of the significant cleanup decisions made at sites.

Must all of my work have been done in Massachusetts? No. The regulations do not specify that positions described in **Form 2** or the projects described in **Form 3** must have occurred in Massachusetts. The Board’s examination assesses each applicant’s “overall technical understanding” and “overall regulatory understanding,” the latter being specific to Massachusetts.

Not all positions or projects that involve waste site cleanup activities will meet the principal decision maker requirement. For example, in positions that primarily involve the provision of field or analytical support for other decision makers, or project management without demonstrated technical decision making, an applicant would not make the types of decisions which would qualify the applicant as a principal decision maker. Also, positions or projects limited to sub-parts of an assessment, containment or removal activity which do not demonstrate a connection to principal decision making as a whole will not be regarded as evidence of **RPE** by the Board.

I do risk assessment. Can I become an LSP with a specialty in such a narrow field? There is nothing in the regulations to prevent a person who has a narrow specialty within the hazardous waste site cleanup field from becoming an LSP, as long as they meet all the regulatory requirements, including that of being a principal decision maker for assessment, containment, or removal activities.

Assessment, Containment, or Removal Activities as an Integral Component of Position Responsibilities: Included in the requirements for **RPE** is a requirement that an applicant’s assessment, containment, or removal responsibilities are an *integral component* of his or her position.

The Board recognizes that all applicants spend less than 100% of their time making decisions at disposal sites, whether those other activities are supervising employees, conducting or receiving training, developing client relationships, or conducting other environmental work. However, applicants must demonstrate that their assessment, containment, or removal responsibilities were an integral component of their position responsibilities.

I work in manufacturing 60% of the time and do sites work 40% of the time. Will this position count as RPE? Assuming all other

requirements are met, an applicant may receive RPE credit for a position if his or her “assessment, containment or removal responsibilities were an integral component of his or her position.” The regulations do not specify that a certain percentage of time must be spent doing sites work. It is within the portion of the position involving sites work that applicants must demonstrate that they exercised sufficient responsibility to meet the requirements for **RPE**.

Thus, a position that includes waste site cleanup activities as but one of many functions may still qualify as RPE, provided that performance of these activities is a regular and integral part of the position. Where performance of these activities is only rare, occasional, or merely tangential to other functions, the position will not be credited as RPE. Of course, a qualifying position must always meet all other requirements.

The Board does not use any particular quantitative measure in determining whether a position meets this requirement. The Board will instead make a qualitative determination about whether an applicant’s waste site cleanup activities comprise a significant or substantial portion of the position responsibilities. In addition to examining information provided by the applicant concerning the frequency or time spent on performing waste site cleanup tasks, the Board will consider the depth and breadth of the waste site cleanup tasks performed, their technical or regulatory complexity, and the applicant’s overall role in performing them.

Applicants’ Relationship with Consultants: The Board is aware that in describing particular positions, the applicant’s precise decision-making role in performing waste site cleanup activities may not always be readily apparent. This is often of particular concern when, in performing such activities, the applicant employed or otherwise utilized contractors, consultants or other assessment, containment, or remediation specialists to perform some or all of the technical, regulatory, oversight or management aspects of assessment, containment or remediation work.

Applicants are therefore directed to set forth in detail precisely under what circumstances they employed such experts, what their day-to-day and overall roles were in relation to those experts, what aspects of the projects were performed by the experts, and approximately how much of their waste site cleanup work was performed in that manner (and how much was performed by the applicants directly).

Since I work in a small company, I do not directly supervise other people doing sites work. What must I do to have the Board accept that I supervise or coordinate other people’s work? The regulations refer to “supervise” or “coordinate” in order to recognize that applicants may direct the work of someone over whom they do not have direct supervisory authority. For example, some applicants may direct the activities of teams of workers who work for other firms. Each applicant should describe the manner and degree to which others’ work was done at the applicant’s direction.

In providing this information, it may be useful to describe the decision-making structure or hierarchy of the corporation, firm or other entity in which the applicant held the position, focusing in particular upon the applicant’s level of authority relative to his or her supervisors and other officials or personnel.

4. APPLICATION INSTRUCTIONS

On the following pages are detailed instructions for each set of forms. The Board will use the information presented on these forms as critical indicators of an applicant's ability to render competent waste site cleanup decisions.

Applicants should read thoroughly the Application Instructions, the LSP regulations and all other information in this application package before attempting to complete these forms. Failure to understand the nature of the information the Board is seeking in each section may cause your answers to fail to demonstrate that you meet the requirements for licensure.

The Board Requires Typed Applications: Handwritten applications will be deemed incomplete and will not be forwarded to the *Application Review Panels* for evaluation or to the Board for a decision. In addition, the font size may be no smaller than 10 point type.

The Board requires that the answers on the application form be provided in the space provided. Do not submit additional information unless specifically requested to do so by the Application Review Panel that reviews your application. Information provided by applicants that is not requested in the application forms will not be used by the Board to make its licensing decisions.

Applicants have a responsibility to both claim and clearly demonstrate that they meet the requirements for licensure. Applicants should provide information in the application form that is relevant to the criteria that the LSP Board will evaluate and refrain from providing information not germane to the LSP requirements.

Since the LSP license is issued to an individual, applicants should use the first person singular to describe specifically their own work experience and responsibilities. (Do not simply describe what the firm as a whole did.)

Completed applications should be mailed separate from the application fee to the following address:

**LSP Board
1 Winter St., 3rd floor
Boston, MA 02108**

5. FORM - BY - FORM INSTRUCTIONS

Purpose of the Application Forms: The purpose of these forms is to provide the Board with information it needs to determine whether you meet the qualifications for licensure. After asking for general information (**Form 1**) the forms focus upon your:

- ◆ *Relevant Professional Experience (Forms 2, 3, 4, and 5)*
and
- ◆ *Total Professional Experience (Forms 6 and 7).*

The Board will decide whether to grant *Relevant Professional Experience* for each **Form 2** position based upon all the information made available to the Board, including your references.

FORM 1
APPLICANT INFORMATION

Form 1 - Applicant Information: This form gathers basic information about each applicant, including the mailing address you want the Board to use in all correspondence, information concerning your educational background, your selection of either the Standard Track or Alternate Track, information regarding your moral character and proficiency in past work, and a statement for you to write in your own handwriting that attests to the correctness of the information in this form and provides a means of identification.

If this is a re-application, write your previous application number in the space provided at the top of **Form 1**, page 1.

The Board will use the information provided in this form for all its official records. Type your name, address, and telephone number(s) exactly as you want them to appear in your LSP file. You are responsible for the accuracy of the information you provide.

If the records you submit to the Board in support of your application refer to you under a different name, type that name in the space provided.

Check the appropriate line to indicate under which Track (Standard or Alternate) you want the Board to consider your application. If you are unsure which Track you fit into, re-read the appropriate sections of the LSP regulations.

Use the next line to summarize your qualifying degree. Fill in the field of study, the initials of the type of degree you received (e.g., AA, BA, BS, MS), and the year you obtained this degree. Describe your other education using the table provided on page 2.

*If I am relying upon a Masters Degree to qualify for the Standard Track, do I also need to submit documentation to the Board for my high school and Bachelor's degrees? No. As noted in the instructions, you will be selecting the degree you wish to use to qualify for the Standard or Alternate Track. For the purposes of qualifying for a track, the Board requires documentation for that **one degree only**.*

Note that applicants requesting to use a degree in order to receive educational credit towards Total Professional Experience may need to submit additional documentation.

Attach original documentation that demonstrates that you received the degree you have selected as your qualifying degree.

Could the Board be more specific in defining what it will accept as "original documentation" from schools? When do I need to submit transcripts? The Board needs to see a document sent from a school or university that contains information verifying that the applicant has in fact received or achieved the educational degree or level that he or she is claiming. Some applicants will be claiming degrees; for those applicants the document from the

school or university (whether a letter or transcripts) will not need to show specific courses. Other applicants' claims may be based upon the specific courses taken; for those applicants the documents from the school or university must contain the course information to back up the applicant's claim. All documents submitted must be originals; copies will not suffice.

If the applicant is relying upon a college or higher degree, it must be listed in **Appendix A** of 309 CMR 3.00 as a qualifying degree. If your degree is not listed and you want the Board to consider approving the degree, explain on a separate page why the degree should be considered equivalent to those in **Appendix A**. Then attach that page following **Form 1**. Each applicant must decide the best way to make the claim, whether based on courses, program requirements, general purposes of the major, or other bases.

You must answer each question in the section regarding moral character and proficiency. If you answer **“yes”** to any question, explain the circumstances on a separate page and attach it following **Form 1**.

The Board will use the affidavit and handwriting sample you provide here for two purposes: (1) to ensure that the information you provide is accurate and (2) as a means of establishing the authenticity of your signature if questions arise in the future about your signature or an LSP opinion or other document.

When all parts of the application are ready to be submitted, **sign and date Form 1** and send the completed application to the Board.

FORM 2
RELEVANT PROFESSIONAL EXPERIENCE
WASTE SITE CLEANUP DECISION MAKING EXPERIENCE
POSITION DESCRIPTIONS

Form 2 - Waste Site Cleanup Decision Making Experience: Form 2 asks you to describe in detail the type and scope of your “waste site cleanup decision making experience,” which is a key component of *Relevant Professional Experience*. It includes questions regarding the responsibilities of the position, your role in selecting methodologies, your supervisory experience, the degree to which you exercised independent judgment, and other information that will enable applicants to both claim and demonstrate that they meet the requirements for licensure.

The Board will decide whether to grant *Relevant Professional Experience (RPE)* for each **Form 2** position based upon all the information made available to the Board. The Board will be applying the definition of *RPE* contained in the LSP Board’s regulations. Applicants should not rely upon a dictionary definition of the word “*relevant*.”

What is the difference between Form 2 and Form 3? When completed by the applicant, each **Form 2** describes a single position (i.e., a single set of job responsibilities) that the applicant claims constitutes *RPE* for the period of time between the “start date” and the “end date.” Each **Form 3**, when completed, describes a single specific but representative project that the applicant worked on while holding one of the positions described in a **Form 2**. The answers applicants give to the questions on both forms (as well as information contained in the references and other information obtained by the ARP) are used by the Board to determine whether the positions described in the **Form 2**’s qualify as *RPE* by being a concurrent combination of “waste site cleanup decision making experience” and “practical experience” performed with proficiency.

Note that both Form 2’s and Form 3’s should be used by applicants to demonstrate their RPE.

Complete one copy of **Form 2** for each of your waste site cleanup decision making positions. Use discrete time periods for each of your positions. The time period for each **Form 2** position should end before the time period for the next **Form 2** position begins. In other words, no one **Form 2** position should overlap with any other **Form 2 RPE** or (**Form 7 TPE**) position. Make as many copies of this form as needed.

Describe your most recent position first, then work back in time, numbering the positions consecutively in the upper right hand box on page 1 of each Form 2.

In order to obtain as full and as accurate a description of your decision-making responsibilities as possible, the Board expects you to regard the term “**position**” as a set of particular waste site cleanup responsibilities, rather than as an organizational rank or title. Using this definition, your waste site cleanup decision making position responsibilities may have changed for a variety of reasons while formal titles or rank stay the same, resulting in more than one “**position**.”

What is a “position”? Could you give some examples? How many Form 2’s should I fill out? While there is no regulatory definition for a “position,” **Form 2** focuses upon a set of particular waste site cleanup responsibilities, not simply an applicant’s organizational rank or title. An applicant’s responsibilities may have changed over time, even though his or her title has remained the same. In such instances, applicants may choose to describe multiple positions, describing the most recent position first, then working back in time. Other applicants may have been exercising the same set of responsibilities over an extended period of time, although the job title may have changed. These applicants may choose to describe their responsibilities as one position. If you go to work for a new employer, however, you should describe your new job as a new position on a separate **Form 2**, even if your position responsibilities are identical to those in your previous employment.

You are urged to provide enough information to the Board so that it can make an informed evaluation of your decision-making responsibilities over time. If your decision-making responsibilities have changed over time, the Board expects that you will submit multiple **Form 2’s** so that you may accurately describe those changes in responsibilities.

STEP 1: Provide the general information requested about the position, including the name and telephone number of your supervisor.

The question regarding average number of hours worked *does not* refer to the number of hours doing waste site cleanup work; it refers to the number of hours in the position. If you worked in the position for an average of less than 20 hours per week, state the average number of hours that you worked.

If the Board has some question about whether I have 20 hours per week doing sites work, will the Board examine time sheets to make sure I worked on sites that often? First, it is important to note that the Board’s question regarding average hours per week does not refer to number of hours doing sites work; it refers to the number of hours in the position as a whole including, but not limited to, sites work, non-site environmental work, and related administrative work. Second, if the Board has questions about any of the information on the application, it will begin its search for information using the resources made available to it within the application process (e.g., the applicant, supervisors, references, etc.). If questions are answered to the Board’s satisfaction, it will not proceed further. If questions remain, the Board can choose to seek additional information.

Do not prorate your experience on Forms 2 unless specifically directed to do so by these instructions. According to the Board’s regulations, applicants who demonstrate that they meet the requirements for waste site cleanup decision making will receive credit for the entire time period, even if that position also contains additional responsibilities that are not related to hazardous waste site assessment, containment, or removal.

I work at my position 60 hours a week, and I can document that time. Can I receive additional years of credit for working more

than 40 hours per week and, for example, earn my five years of Relevant Professional Experience in 3 years? No. If an applicant works 60 hours per week, even at two different jobs, the applicant gets credit for only that one week of work.

STEP 2: Include a short description of your field(s) of expertise for this position. The Board will evaluate your suitability to become an LSP in part upon your own definition of your field or fields of expertise. While the Board does not require that any applicant possess a predetermined breadth or depth of knowledge in the assessment, containment or removal fields, it will closely examine your application and supporting materials to ensure that you have sufficient expertise within your field or fields of expertise to render waste site cleanup activity opinions.

STEP 3: Form 2 then asks four questions regarding the nature of your waste site cleanup decision-making responsibilities in this position. Using only the space provided (no attachments), answer these questions thoughtfully and carefully. The Board will look for supporting information in other parts of the application to ensure that you have exercised sufficient decision-making responsibilities in a proficient manner. Be as specific as possible in your answers. Use the first person singular whenever possible.

Question d asks you about the level of responsibility and independent judgment you exercised in this position. The Board recognizes that waste site cleanup decision making experience may consist of work that includes the contributions of others in reaching decisions on waste site cleanup activities. Applicants must demonstrate that they have been an active participant and a principal decision maker, as required in the regulations.

How do I gain experience to qualify as an LSP if the LSPs are the ones making the decisions at sites? LSPs are required by law to issue waste site cleanup activity opinions, which are required at certain milestones during activities at a site. These opinions are often based on a series of actions and decisions by other individuals. While it is hypothetically possible for a firm or client to reserve all active participation and principal decision making at sites solely to LSPs, in practice LSPs issuing the opinions often rely significantly upon collaboration with others in making many critical decisions.

STEP 3: In the bottom right box on page 3, list the number of years and months of RPE you claim for in this position. If you worked in the position for an average of less than 20 hours per week, you must prorate your experience: divide the average number of hours you worked per week by 20 and multiply that fraction times the number of months you were in this position.

How do I handle a leave of absence? Applicants are responsible for demonstrating that they have the minimum number of years of experience for receiving a license. At the same time, applicants must represent to the Board as accurately as possible the amount of experience they have. Misrepresentations made to the Board will be taken very seriously and may constitute sufficient grounds to deny an application. Applicants have choices about how to inform the Board that they have a gap in service: the “*duration*” lines in **Form 2**, separate **Form 2s** for experience on either side of the gap, and/or **Form 5** to explain these circumstances.

Note that the Board's regulations do not allow any educational substitutions for *Relevant Professional Experience*. In order to claim employment as a teacher or as a student research assistant as *RPE*, the applicant must demonstrate that the responsibilities of that position meet the requirements for *RPE* in the same manner as any other position. In addition, there are further restrictions upon a student's ability to claim *RPE* (see Section 3.02(2)(c) of the Board's regulations).

*Many graduate students work while going to school. I worked as a Research Assistant 15 hours per week during the school year while getting my Masters degree doing fate and transport research at sites. My work was not part of my degree requirements, and I did earn the Masters. Can I count the work I did as **RPE** and get credit for my degree?* The answer to this question depends upon individual circumstances. Assuming that the work done meets all other requirements for **RPE** (e.g., principal decision making), and assuming that the work done was not required as part of the graduate degree requirements, applicants could claim and receive credit for both the degree and the work. Since work in a position less than 20 hours per week must be prorated, a person working 15 hours per week for 8 months during a calendar year would claim 6 months of work ($15/20 \times 8$ months).

FORM 3
RELEVANT PROFESSIONAL EXPERIENCE
PROJECT DESCRIPTIONS

Form 3 - Project Descriptions: Through descriptions of between 5 and 10 assessment, containment, and/or removal projects, your **Form 3's** illustrate your **Waste Site Cleanup Decision Making Experience and your Practical Experience**. The form includes questions regarding the application of your technical expertise, the nature and extent of contamination associated with the project, and your decision-making role on the project.

Complete at least five but no more than ten Form 3's. Using only the space provided (no attachments), describe one of your assessment, containment, and/or removal projects on each form. In the upper right hand box on page 1, number each project description.

*Submit at least 2 project descriptions for each **Form 2** position.*

You should select representative projects that best describe your experience, and that allow the Board to evaluate your understanding of your field or fields of expertise. You do not have to include projects in all components of waste site cleanup work; you should, however, carefully select the projects you describe so that they accurately convey your understanding of the assessment, containment, and/or removal work that you performed in each **Form 2** position. The Board will look for supporting information in this and other parts of the application to determine whether you have gained sufficient "waste site cleanup decision making experience" and "practical experience," and that you performed both in a proficient manner.

How does the Board define a "project"? Can I separate a site into operable units, or separate a site into phases, and claim each as a separate project? Yes. However, if you do decide to do this, you should clearly describe the overall project and your role in that overall project.

You may choose to describe projects that you believe are equivalent to assessment, containment, and/or removal projects, as specified in the LSP Board's regulations. If you do so, explain why you believe those projects are equivalent to assessment, containment, and/or removal projects using **Form 3** and **Form 5** ("*Optional Statement of Qualifications*").

*If my main responsibilities appear to be something other than site assessment, containment and removal responsibilities (e.g., landfill assessment, asbestos removal, hazardous waste coordination), will that experience still count as **Relevant Professional Experience**? Normally, not. But it may under certain circumstances. If I come from this background, how do I demonstrate that this experience qualifies as **RPE**? **RPE** consists of both waste site cleanup decision making experience and practical experience. The definition of waste site cleanup decision making experience requires that an applicant's assessment, containment or removal responsibilities were an "integral and substantial component" of his or her position. Applicants whose responsibilities appear not to be assessment, containment or removal must demonstrate that they meet the regulatory requirements. **Form 5**, the Optional Statement, can*

be used by all applicants to provide information that may not fit into the other forms.

If your work on a given project continued from the time you performed in one **Form 2** position into the time you performed in another **Form 2** position, please explain how your role on the project may have changed as your job responsibilities changed.

In filling out each **Form 3**, provide all information requested about the project, including identification of the client. Do not leave any lines or boxes unfilled. Be aware that while listing a client as “confidential” does not render your application incomplete, the Board’s ability to verify the information you provide or to obtain further information regarding your project may be impeded if you choose to refrain from listing a client.

FORM 4
RELEVANT PROFESSIONAL EXPERIENCE
SUMMARY OF POSITIONS

Form 4 - Summary of RPE Positions: Summarize the positions from **Form 2**. Here you will claim your years and months of **RPE**.

Using the position numbers from your **Form 2's**, provide a short description of each position. Then list the number of years and months of RPE you are claiming for each position.

Then list the numbers of the **Form 3's** (*Project Descriptions*) that correspond to the projects you have described for each position. In the right-hand column indicate the month and year that you started and finished that position. (You should bring that information forward from the position duration portion of each **Form 2**.)

In the box at the bottom of **Form 4**, total the years and months of **RPE** you have claimed for all your positions. That resulting number is the total time you are claiming as **RPE**.

Note that the regulations require that at least three years of an applicant's RPE must have occurred within the five-year period prior to submission of this application. This requirement applies regardless of whether the applicant is applying under the Standard or Alternate Tracks.

FORM 5
OPTIONAL STATEMENT OF QUALIFICATIONS

Form 5 - Optional Statement: You may write a statement up to two-hundred fifty words in length to provide additional information in support of your claim, as demonstrated in your application, that you meet the requirements for **RPE**. For guidance, see the definition of **RPE** in the regulations.

FORM 6
TOTAL PROFESSIONAL EXPERIENCE
POSITION DESCRIPTIONS

Form 6 - Total Professional Experience (TPE) Positions: Using this form (one for each position) you will describe any additional scientific, engineering, or environmental positions you held that you claim meet the Board's requirements for **TPE**.

If I have more than 8 years of Relevant Professional Experience and am on the Standard Track, do I have to fill out any Form 6's? That decision is at the discretion of the applicant. If you choose not to fill out any Form 6's, include one blank form in your application and mark it "NA." Before you do this,

however, be sure that you have claimed in **Box 4** on **Form 7** the number of years of **TPE** required for your track.

Complete one **Form 6** for each of your environmental, scientific, or engineering positions that you are claiming as **TPE**. Do not include any positions you already claimed as *Relevant Professional Experience* in your **Form 2's**.

Should I list my RPE positions on Form 6 to claim them as TPE? No. **Form 7, Box 1**, provides a way for you to carry forward your **RPE** into the calculation for **TPE**. (That is done because, as defined in the regulations, **RPE** is a subset of **TPE**.)

Note that the regulations place specific conditions upon any claims for substitutions for TPE, and that claims for TPE during a period of full-time education are significantly restricted by the LSP regulations. See 309 CMR 3.02 (2)(c).

Is teaching experience considered by the Board to be Total Professional Experience? If the work done meet the regulatory requirements, it will be counted. Applicants who want to claim teaching as **TPE** must demonstrate that they meet the requirements for total **TPE**.

Make additional copies of **Form 6** as needed. In the table (“*Summary of Form 6 Positions*”), use the position numbers from your **Form 6's** and list the employer along with the number of years and months of **TPE** you are claiming for each position. In the right-hand column, indicate the month and year you started and finished each position. (You should bring that information forward from the Position Duration portion of each **Form 6**.) Describe your most recent **TPE** position first; then work back in time, numbering each position consecutively in the box in the upper right corner of **Form 6**.

Provide all the information requested. If you worked in a position for an average of less than 20 hours per week, list the average number of hours that you worked. In the bottom right box of each **Form 6** lists the number of years and months of **TPE** you claim for the position described on that form. If you worked in the position for an average of less than 20 hours per week, you must pro rate your experience: divide the average number of hours you worked per week by 20 and multiply that fraction times the number of months you were in this position.

FORM 7
TOTAL PROFESSIONAL EXPERIENCE
POSITION DESCRIPTIONS

Form 7 - Summary of TPE Positions: By adding together the amount of time you spent in positions performing *Relevant Professional Experience* (**Box 1**), the time you spent in positions performing *Total Professional Experience* (**Box 2**), and any credits for education (**Box 3**), this form summarizes the number of years of **TPE** claimed (**Box 4**). In the table (“*Summary of Form 6 Positions*”), use the position numbers from your **Form 6's** and list the employer, the number of years and months of **TPE** you are claiming for each position. In the right-hand column, indicate

the month and year you started and finished each position. (You should bring that information forward from the Position Duration portion of each **Form 6**.)

Note that the form automatically counts your claimed *RPE* from Form 4 as *TPE*.

The Board's regulations grant educational credit for **TPE** only under specific limited circumstances. Generally, credit may be claimed only for completed degrees, but may not be claimed for degrees used to meet the minimum requirements for the Standard or Alternate Track.

If you request an "education substitution" for **TPE**, attach immediately following **Form 7** the original documentation from a college or university confirming that you received the appropriate degree.

If you are in the Standard Track, a degree for which you claim credit must be from the list of qualified degrees in Appendix A to 309 CMR 3.00. For the Alternate Track, credit may be claimed for any AA, baccalaureate, or higher degree. A maximum of two years' credit may be claimed.

SUMMARY OF REFERENCES **PROFESSIONAL REFERENCE FORMS**

Summary of References: List the names, addresses and telephone numbers of the four people that are submitting professional references on your behalf. Carefully follow the "*Reference Handling Instructions*" on the Summary of References form.

Professional Reference Forms: The application package contains 4 Professional Reference Forms as well as 4 envelopes, one for each reference form. You will send one reference form and one envelope to each of your references. They will complete the forms, seal them in the envelopes provided, and return them to you. You then will submit the four sealed references as part of your completed application. If you did not request and receive an application package containing the 4 return envelopes, please instruct each of your references to return the completed form to you in a sealed envelope with their signature across the seal.

For each of the three-page reference forms, fill in the information about each reference in **Box 1 (on page 1)**. Then fill in the waiver of liability information in **Box 2 (also on page 1)**.

You must choose whether or not to waive any claims you may have against the reference arising from the giving of information to the Board. You must also decide whether or not to waive any right you may have to review the reference's submittal. Sign and date **Box 2** on the line provided.

In connection with the waiver statement on the reference forms, what will happen if I don't choose either "do" or "do not"? As long as the rest of the reference form is complete, the Board will consider the reference information in its application review.

Send the following items to each person from whom you are seeking a reference:

- ◆ the appropriate three-page reference form;
- ◆ the one-page description of the LSP program provided in this package; and
- ◆ the return envelope with the signature line on the back flap of the envelope.

Be sure to arrange for each reference to return **to you** their completed reference form sealed inside the return envelope with the reference's signature across the back of the envelope. If you work at a company that has a mailroom that normally opens your mail, be sure to instruct the mailroom staff not to open these envelopes when they are returned to you. A better idea may be to direct your references to mail the envelopes inside another envelope. Alternately, the envelopes can be mailed to your home. You will then submit these four sealed envelopes as part of your application.

IF YOU HAVE ANY QUESTIONS ABOUT THE APPLICATION FORMS OR THESE INSTRUCTIONS, PLEASE CALL THE LSP BOARD STAFF AT 617-556-1091.