



COMMONWEALTH OF MASSACHUSETTS
Board of Registration
of
Hazardous Waste Site Cleanup Professionals

ONE WINTER STREET, 3rd Floor
BOSTON, MA 02108

PROFESSIONAL CONDUCT COMMITTEE

Minutes of Meeting on March 17, 2016

Approved on April 21, 2016

Prepared by: Beverly Coles-Roby

Meeting Location: MassDEP Boston
One Winter Street
Boston, MA 02108

List of Documents Used at the Meeting:

1. Agenda
2. Draft Minutes of Meeting on February 18, 2016
3. Active Case List

- 1. Call to Order:** Co-Chairperson James N. Smith called the meeting to order at approximately 1:02 p.m. The Board members in attendance were Maria Pinaud, Farooq Siddique, Robert Rein, Debra Listernick, Kathleen Campbell, David Austin, and Dr. Gail Batchelder. Board members Dr. John Guswa and Kirk Franklin were absent. Staff members present were Beverly Coles-Roby and Lori Williamson. Also present were Wendy Rundle, Executive Director of the LSP Association ("LSPA"), and Wes Stimpson of WES Associates.
- 2. Previous Minutes:** The draft minutes of the meeting held on February 18, 2016, were approved as amended.
- 3. Old Business:**

Status of Complaint Review Teams & Active Case Table

At Mr. Smith's request, the Complaint Review Teams ("CRT") reported on progress made since the February 2016 meeting. Ms. Coles-Roby gave the reports on the status of each case as reflected in the Active Discipline Case List.

Ms. Coles-Roby stated that the Final Decision in 05C-07, approved by the Board in Quasi-Judicial Session on December 2, 2015 will be ready for signatures by non-recused Board members during Quasi-Judicial Session at the April 2016 Board meeting.

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She reported that witness preparation is on-going in 08C-03, adding that she moved to enlarge the time to file Board witness testimony in this case until March 21, 2016. The Presiding Officer granted the motion. The August 3-4, 2016 trial date was not affected.

With regard to 10C-01, Ms. Coles-Roby again reminded the Committee that the only issue is whether the Board has the statutory and/or regulatory authority to issue press releases. She said that she contacted the Assistant Attorney General assigned to represent the Board in 10C-01 to determine whether the matter could be resolved by motions if the parties could agree on a briefing schedule but had not yet received a response.

In the matter of 11C-04, Ms. Coles-Roby informed the Board that the CRT has offered the LSP dates for his/her interview which will take place at the MassDEP CERO office once confirmed.

Ms. Coles-Roby told the Committee that documents are being gathered in 12C-01.

Ms. Coles-Roby stated that in 16C-01, the LSP requested, and was granted an extension of time to file his response until March 11, 2016.

Ms. Coles-Roby announced that a new case, 16C-02, was filed on March 10, 2016. It is being reviewed by the Board's investigator, Ms. Williamson.

4. New Business:

Ms. Batchelder told the Committee that she continues to work on a historical compilation of the Board's disciplinary cases.

5. Future Meetings: April 21, 2016--MassDEP WERO.

6. Adjournment: The meeting was adjourned at approximately 1:10 p.m.