



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

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**CONTINUING EDUCATION 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. Course List
4. Petition for Waiver

**A. Call to Order:** Farooq Siddique called the meeting to order at approximately 12:30 p.m. The Board members in attendance were Maria Pinaud, Debra Listernick, David Austin, James Smith, and Robert Rein. Kathleen Campbell arrived 12:33 p.m. Dr. Gail Batchelder arrived at 12:37 p.m. 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 Licensed Site Professional Association (“LSPA”), and Susan Fessenden of MassDEP. Wes Stimpson of WES Associates arrived at 12:48 p.m.

**B. Previous Minutes:** The draft minutes of the meeting held on February 18, 2016, were approved as written.

5. **Old Business:** None

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### 6. New Business

#### A. Course Approval Requests:

1. NEWMOA/ITRC: *Petroleum Vapor Intrusion: Fundamentals of Screening, Investigation, and Management* (16 Technical credits, May 9-10, 2016, Denver, CO, September 26-27, Somerset, NJ, and November 9-10, Framingham, MA) **Recommend Approval.**
2. NWETC: *Principles of Quality Assurance and Quality Control in Environmental Field Programs* (13 Technical credits, March 1-2, 2016, Warren, NJ) **Recommend Approval.**
3. MassDEP: *Historic Fill* (1.5 DEP-Regulatory credits, April 12, 2016, Westborough, MA) **Recommend Approval.**

Ms. Campbell abstained from voting to approve Course No A(1), *Petroleum Vapor Intrusion: Fundamentals of Screening, Investigation, and Management*. Mr. Siddique noted that the course seemed interesting, and it would be good if the provider added the Massachusetts Contingency Plan. Mr. Smith indicated that LSPs needed to attend both days to obtain credit. Mr. Rein added that the credits were 7.25 for the first day and 8.75 for the second day which was 16 hours total.

With regard to Course No. A(2), *Principles of Quality Assurance and Quality Control in Environmental Field Programs*, Mr. Smith said that this course is a little different from what the Board sees from month to month, but he thought that it was good. Mr. Austin, Ms. Listernick, Ms. Pinaud and Mr. Siddique agreed. Ms. Listernick told the Committee that with the ongoing problems with labs, LSPs need to examine data packages from labs. Mr. Rein informed the Committee that he counted the hours which totaled 13.5. Mr. Smith stated that the provider requested 13 hours. Mr. Siddique announced that the course was approved for 13 hours.

In reviewing Course No. A(3), *Historic Fill*, Mr. Siddique said, “We’ve all been waiting for this course.” The course was approved without further discussion.

The Committee next took up the issue of a Petition for Waiver. In brief, the petitioner requested a waiver regarding the ASTM LNAPL Transmissivity Course in October 2015. At that time, he only attended the second day of a two-day course. He asked that the Board waive its 75 per cent attendance requirement. The Board denied the petition. The same course was being offered in 2016. Accordingly, the petitioner requested permission to attend the first day in order to receive the full 16 hours of Continuing Education credits. Ms. Listernick said that this waiver was submitted in October 2015 along with two other petitioners who were not given partial credit. Ms. Pinaud queried whether the other petitioners would have been given credit had they taken the missed portions and requested credit. Ms. Listernick responded that the Board would

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probably not have granted credit. Mr. Siddique added that the 75 per cent regulation gives the Board something to hang its hat on. Ms. Pinaud thought that such a request was reasonable in the face of illness. To which Ms Coles-Roby added, illness constitutes an emergency and good cause. Ms. Williamson asked what is the “good cause” standard in this instance. Mr. Siddique asked if the other petitioners should be given the same opportunity; whether this had been done before; and if the Board’s action would set precedent. The Board voted to grant the petition reasoning as follows: first, the course was offered very close in time to the initial course offering. Second, there were no modifications to the course. Third, the course was a two-day course that was more easily separated into two distinct parts.

### **6. Future Meetings: April 21, 2016--MassDEP WERO.**

**7. Adjournment:** The meeting was adjourned at approximately 12:51 p.m.