



COMMONWEALTH OF MASSACHUSETTS  
**Board of Registration**  
**of**  
**Hazardous Waste Site Cleanup Professionals**  
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**PROFESSIONAL CONDUCT COMMITTEE**

Minutes of Meeting on March 19, 2015

Approved on April 16, 2015

**Prepared by:** Beverly Coles-Roby

**Meeting Location:** MassDEP NERO  
205B Lowell Street  
Wilmington, MA 01887

**List of Documents Used at the Meeting:**

1. Agenda
2. Draft Minutes of Meeting on February 19, 2015
3. Active Case List

- 1. Call to Order:** James Smith called the meeting to order at approximately 1:30 p.m. The other Board members in attendance were Benjamin Ericson, David Austin, Kathleen Campbell, Debra Listernick, Farooq Siddique, Gail Batchelder, and Robert Rein. Board members Jack 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 January 15, 2015, were approved as amended. David Austin abstained from voting.
- 3. Old Business**

**Status of Complaint Review Teams & Active Case Table**

At Mr. Smith's request, each Complaint Review Team ("CRT") reported on progress made since the February meeting. Ms. Coles-Roby gave the reports on the status of each case as updated on the Active Case List which reflected updates on cases pending before the Board. Farooq Siddique questioned what would happen with 05C-07 in light of the respondent's failure to accept the Board's offer of settlement. Ms. Batchelder likewise asked what next steps would be taken given the fact that the matter had already proceeded to a full Administrative Hearing and a Final Recommended Decision issued by the Presiding Officer pursuant to 801 CMR 1.00. Mr. Ericson indicated that the Board voted to affirm and adopt

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the decision during a Quasi-Judicial Session on October 7, 2013. Ms. Coles-Roby reported that pursuant to 309 CMR 7.10(3), she will draft a memorandum containing a final recommendation concerning the form of discipline or other disposition. The respondent then has 21 days to submit a memorandum in opposition. She added that the Board had also decided to allow the respondent's counsel to make oral argument solely on the issue of discipline at a Quasi-Judicial Session held on March 20, 2014. Ms. Coles-Roby stated that she hoped to have a draft decision written by the April 2015 meeting for the Committee's review. Mr. Smith requested that the Committee receive a copy of the CRT's recommendation with respect to discipline.

- 4. New Business:** None
- 5. Future Meetings:** The next meeting will take place before the LSP Board Meeting on April 16, 2015.
- 6. Adjournment:** The meeting was adjourned at 1:35 p.m.