



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

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**CONTINUING EDUCATION COMMITTEE**

Minutes of Meeting on June 18, 2015

Approved on August 13, 2015

**Prepared by:** Beverly Coles-Roby

**Meeting Location:** MassDEP WERO  
436 Dwight Street  
Springfield, MA 01103

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

1. Agenda
2. Draft Minutes of Meeting on May 21, 2015
3. Course List
  - a. **Call to Order:** John Guswa called the meeting to order at approximately 12:58 p.m. The Board members in attendance were Ben Ericson, Deb Listernick, Gail Batchelder, Kathleen Campbell, and Robert Rein. Board members Kirk Franklin, David Austin, and Farooq Siddique were absent. Board member James Smith arrived at 1:00 p.m. Staff members present were Beverly Coles-Roby and Lori Williamson. Also present was Wendy Rundle, Executive Director of the Licensed Site Professional Association (“LSPA”) and Mark Hellstein of Environmental Compliance Services (“ECS”). Linda Segal arrived at 1:35 p.m.
  - b. **Previous Minutes:** The draft minutes of the meeting held on May 21, 2015, were approved as amended. Kathleen Campbell and James Smith abstained from voting to approve the minutes.
4. **Old Business:** None
5. **New Business**
  - A. **Course Approval Requests:**
    1. ECS: *A Licensed Site Professional’s Guide for Understanding and Navigating Through the Regulatory and Technical Challenges of an Underground Storage*

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Tank (UST) Release in Massachusetts (8 Technical credits, Fall 2015, Greater Boston Area) **Recommend Approval for 6.75 credits contingent on receipt of a revised syllabus that moves the presentation on building renovation and demolition requirements to the end of the course, with no credit awarded for that presentation.**

2. LSPA: Estimating LNAPL Transmissivity: A Guide to Using ASTM Standard Guide E2856 (16 Technical credits, Fall 2015, Greater Boston Area) **Recommend Approval.**
3. Massachusetts Geological Society: Massachusetts Geological Society Field Trip (6 Technical credits, July 18, 2015, Lynn Woods and Breakheart Reservations, Lynn and Saugus, Massachusetts) **Recommend Approval.**
4. National Groundwater Association: 2015 NGWA Conference on Groundwater in Fractured Rock (6 hours 20 minutes Technical credits, September 28, 2015, 6 hours 10 minutes Technical credits September 29, 2015, Burlington, Vermont) **Recommend Approval for 1 Technical credit for every 2 hours of attendance.**

Mr. Guswa asked whether the financial sections of No. A(1), A Licensed Site Professional's Guide for Understanding and Navigating Through the Regulatory and Technical Challenges of an Underground Storage Tank (UST) Release in Massachusetts, make the course substantially different, so much so that it needs a new course number. He also questioned whether the financial portion has relevance to the Massachusetts Contingency Plan ("MCP") for LSPs. Mr. Rein suggested that the Committee go through each of the sections to determine if they are relevant to LSP work. Mr. Smith commented that they are relevant. Ms. Batchelder added that it is relevant because tank reporting details are valuable. When asked if the chapter 21J portion was relevant; the Committee members answered "yes." They agreed however, that the session from 4:00 p.m. until 5:00 p.m. was irrelevant. Mr. Guswa stated the following: Session 1 will be permitted 1 ¾ hours credit; Session 2 will be allotted 2 hours credit; no credit will be allowed for lunch; Session 3 will be allotted ½ hour credit; and Session 4 will be allotted ½ hour credit. The session from 2:45 p.m. until 4:00 p.m. was not approved. Mr. Guswa announced that the course was now down to five hours of technical credits. Ms. Listernick requested that when the course is posted it should be made clear which sessions the attendees must attend to receive credit.

Mr. Hellstein, of ECS, said that the course that accommodates LSPs may be a four hour session as opposed to an eight hour session. He thought that tax credits have some value to LSPs and that Sessions 4 and 5 are relevant. Mr. Smith asserted that the Committee recently approved Cherrytree Group's submission. He wondered how the ECS course differed.

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Mr. Guswa said that he had not practiced in the area of chapter 21J and was unsure how common it is. Ms. Listernick said that it is very common with petroleum work. Mr. Ericson also said that the question is whether LSPs are required to know Brownfields. He added that planning ahead to see what chapter 21J clean up costs are is relevant to LSPs. Ms. Batchelder told the Committee that historically the Committee has not given credit for these sorts of things. Mr. Ericson indicated that the question of financial responsibility is related to trying to get reimbursements so that the LSP can report that information to his client. Ms. Campbell thought that the Committee was going down a slippery slope. This is close to client management, she said.

Mr. Ericson asked who is qualified for chapter 21J reimbursement: is it a client's responsibility or a LSP's, pinpointing who is responsible for reimbursement. Mr. Hellstein informed the Committee that the course provides an overview on how to navigate chapter 21J. He agreed that LSPs must follow the MCP, but they must also discern how to fund the cleanup. He added that a LSP is on the front lines by default and needs to know chapter 21J.

Mr. Ericson noted that the Committee has approved all of the courses related to oil and hazardous waste cleanup. He suggested that the Committee look back to see what was approved and what was not approved. Mr. Hellstein further informed the Committee that there is a need for overview in building materials management. Mr. Guswa urged the Committee to make the decision today not to include demolition and building renovations part of the course offering and to have Lori Williams conduct some historical research.

Ms. Batchelder told Mr. Hellstein that the Committee would approve a certain number and that he could come back with more information. Mr. Hellstein said that the new tank regulations were the impetus behind the course's offering. He noted that it is similar to Cherry Tree Group's offering which was approved. Ms. Batchelder moved to approve the course for 6 ¾ credits. Mr. Guswa agreed, and he asked that the syllabus be resubmitted with the correct order of presentation of the sessions. Mr. Ericson added that approval was also conditioned on those portions not related to building renovations and demolition being moved to the end of the course. The Committee voted to approve the submission as a new course for 6 ¾ credits subject to a new agenda being submitted with demolition and renovations moved to the end of the course as well as the time and the locations of the course.

The LSPA course No. A(2), *Estimating LNAPL Transmissivity: A Guide to Using ASTM Standard Guide E2856* was approved for 16 Technical credits. Mr. Hellstein said "look how easily the LSPA course was approved compared to ECS." He asked whether he should present ECS's submission through the LSPA. Mr. Guswa said that he should speak with the LSPA about that. Ms. Rundle said that it was definitely a course that the LSPA would be interested in presenting.

Mr. Guswa asked whether No. A(3), *Massachusetts Geological Society Field Trip* was a course or a conference. He went on to say that these sorts of courses are generally approved because they provide LSPs with an appreciation for what is in the ground, the

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hydrogeology of rock. Mr. Rein commented that it is nice to go out in the field instead of just sitting in a classroom. Mr. Ericson said that the Committee needs to discuss how to handle these broad categories of courses related to geology. For example, is it ok that someone could take tons of courses in one area and not another. Mr. Guswa responded that there are a lot of courses that are similar.

With respect to National Groundwater Association course No. A(4) 2015 NGWA Conference on Groundwater in Fractured Rock, Mr. Ericson asked whether the Committee wanted conferences like this to request approval every year. Mr. Guswa noted that there are concurrent sessions. Ms. Listernick said this is definitely a conference. Ms. Williamson added that in the past the course was credited at the rate of ½ hour for every hour of attendance with a maximum number of credits earned per day; 3 ½ credits maximum the first day and 4 credits maximum the second day. Mr. Ericson stated it sounds like this is a good reason for a clarification of the rules. He said the Committee needs to set a minimal standard. Mr. Guswa told the Committee that there is plenty of time to ask for a clarification from the provider. Mr. Ericson said that the Committee could approve the course now unless Mr. Guswa believes that the Committee could make a better decision if it got more information. Ms. Williamson asked whether she should indicate that lunch was not approved when she forwarded notice to the National Groundwater Association. Ms. Batchelder noted that lunch was never credited when the Committee approved these courses in the past. Mr. Smith asserted that the technical content is fine. He moved to approve the course on the basis of 1 technical credit for every 2 hours of attendance.

### **B. Course Re-Approval Request:**

LSPA: Emerging Contaminants (4 Technical credits, June 19, 2015, Norwood, MA) (Course No. 1536) **Recommend Approval with same course number.**

Ms. Listernick asked whether there was anything new on the course that was tabled last month. Ms. Williamson said there was no new information.

### **6. Future Meetings: August 13, 2015 MassDEP NERO.**

### **7. Adjournment:** The meeting was adjourned at approximately 2:10 p.m.