



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

MINUTES
of
BOARD MEETING
Held on April 9, 2024
[Approved: May 14, 2024]

Meeting Location: **100 Cambridge Street, Boston, MA and via ZOOM**

Prepared by: Terry Wood

List of Documents Used at the Meeting:

1. Board Meeting Agenda
2. Draft March 12, 2024 Board Meeting Minutes
3. ARP Docket #1
4. Renewal Dockets #1 and 2

1. **Call to Order:** Diane Baxter, Board Chair, called the meeting to order at 12:35 p.m. Present via ZOOM: Gail Batchelder, Kathleen Campbell, Craig Ellis, and Paul McKinlay. Board members present in the room: Diane Baxter, David Austin and Gregg McBride. Board members absent: Kirk Franklin, Patrick Herron and Jamie Smith.

Staff members present in the room were: Chris Borges, Matthew Lyne, and Terry Wood. Staff member present remotely were: Notoshia Dix. Also present remotely via ZOOM were: Rebecca Buswell, LSP/DEP; Wendy Rundle, LSPA Executive Director; and Lars Anderson.

2. **Announcements:** None
3. **Agenda:** Ms. Wood stated that, when she discusses personnel, budget and fees later in the meeting, she will also discuss the status of the project to deal with the Board's paper files. There were no other changes to the agenda.
4. **Minutes:** The Board members reviewed the draft minutes of the meeting held on March 12, 2024 and unanimously approved them without changes by roll call vote.
5. **Old Business:** None.
6. **Decisions Regarding Licensing of Applicants:**

A. Vote on Application Review Panel Docket

Mr. Lyne reported that ARP #5450 (Kirk Franklin, Kathy Campbell and Gregg McBride) met on 4/4/24 to discuss Jane Parkin Kullman’s application and decided to ask the applicant for additional information so no action is needed by the Board today regarding the ARP docket that was included in the packet.

7. License Renewals

A. Renewal Docket. The staff presented the following License Renewal Dockets:

Renewal Docket No. 1
Date: April 9, 2024
Renewal Date: 4/30/2024
New Expiration Date: 4/30/2027

Has completed all requirements for renewal:

| | LSP Number | First | Middle | Last |
|---|-------------------|--------------|---------------|-------------|
| 1 | 8110 | Felix | | Perriello |
| 2 | 2028 | John | | Niedzielski |
| 3 | 7903 | David | | Hazebrouck |
| 4 | 9145 | Paul | | McKinlay |

A motion was made and seconded to renew the licenses of the LSPs on Docket #1 for the dates indicated. All Board members voted in favor by roll-call vote with the exception of Mr. McKinlay who was recused and did not vote.

Renewal Docket No. 2
Date: April 9, 2024
Renewal Date: 1/30/2024
New Expiration Date: 1/30/2027

Has completed all requirements for renewal:

| | LSP Number | First | Middle | Last |
|---|-------------------|--------------|---------------|-------------|
| 1 | 9463 | Jonathan | | Aisner |

A motion was made and seconded to renew the licenses of the LSPs on Renewal Docket #2 for the dates indicated. The motion was approved unanimously by roll call vote.

B. Renewal Report. Matthew Lyne reported that there is a renewal roster of 31 LSPs due to renew by April 30, 2024; 2 LSPs (Bruce Tease and Michael Billa) informed the Board they are retiring; 1 LSP requested to be placed on inactive status; 7 LSPs have already renewed and the Board just approved an additional 5 LSPs. The remaining 16 LSPs have until April 30, 2024 to submit their renewal applications and pay the renewal fee.

8. Other Licensing Related Matters

A. Scheduling of Future Application Review Panels – There are no new applications to assign today.

B. Inactive Status Report

Ms. Dix reported the Total Number of LSPs on Inactive Status: 2

| LSP Number | License Status Date | License Status | Last Name | First Name |
|------------|---------------------|----------------|-----------|------------|
| 7303 | July 25, 2023 | INACTIVE | Charron | Steve |
| 7416 | January 4, 2024 | INACTIVE | Connolly | James |

C. Total Number of LSPs on Active Status: 413

D. Annual Fees Report: Ms. Dix reported that 413 LSPs have so far paid their annual fees (39 LSPs of those paid by check and the remainder paid electronically). 13 LSPs were suspended as of April 2, 2024 for failure to pay. Suspension notices were sent out on April 3, 2024. The LSPs who were suspended due to non-payment have until June 30th to pay or their licenses will be revoked.

E. Update re: ACCELA Portal: Ms. Dix reported that 11 LSPs not yet linked to ACCELA.

9. Examinations

A. Examination Committee Report: Mr. Lyne reported that the exam committee met on March 20 and April 2, 2024. The committee is continuing to edit existing exam questions in light of recent MCP amendments and is also working on drafting new

questions with a goal of preparing a 4th exam. The next meeting is on April 17th.

10. **Continuing Education Committee Report:**

A. Report from Today's Committee Meeting:

Mr. Austin reported that the Committee had met earlier in the day and voted to approve three courses and had invited the LSPA to submit a course approval request regarding the upcoming June 2024 LSPA meeting where Board members and staff will make a presentation.

11. **Professional Conduct Committee Report:** Since all the Board members present at this meeting were also present at the meeting of the Professional Conduct Committee held earlier in the day, the Board agreed to forego a Committee report.

12. **Other Business:**

A. Personnel, Budget and the Board's Paper Files: Ms. Wood stated the Board no longer has a General Counsel. She added that, due to the current state hiring freeze, the position cannot be posted at this time. She stated that, in terms of the Board budget, the Board staff would be starting the process to contract a psychometrician to assist with the development of updated exams. She also stated that the Board staff needs to deal with a large number of boxes filled with the Board's paper files that had been at the Board's prior offices at One Winter Street and are now temporarily being stored in a conference room at 100 Cambridge Street. She stated that the staff will be reviewing the boxes and discarding paper files that, pursuant to the State's Retention Schedule, no longer need to be kept. The majority of the remaining paper files that need to be retained will be sent off-site for storage.

B. LSP Board Member Vacancies: Ms. Baxter stated that she and Ms. Wood are actively working to fill the open environmental seat and information is available on the Board's Web site regarding the requirements for the vacancy and how to apply.

13. **Other Business**

A. Regulations Revision Update: Ms. Wood reported that she is continuing to work on a revised red-line document with proposed amendments to the LSP Board regulations that was sent out in November of 2023.

B. Report from Quasi-Judicial Session: Ms. Baxter reported that, at a quasi-judicial session held on 2/13/24, the Board voted to dismiss Complaints 20C-01 and 20C-02 on the grounds the Board lacked jurisdiction to discipline the type of conduct alleged in the complaints. Both complaints alleged an LSP sought to have updates made to his/her information on the Board's Web site without the knowledge or permission of the Board's staff.

14. **Future Meeting:** The next meeting will be held on May 14, 2024, and will be both in person at 100 Cambridge Street, Boston and via Zoom.
15. **A Motion was made and seconded to: 1) Enter Executive Session to Review the Draft Minutes of the March 12, 2004 Executive Session, and 2) to not return to open session. The motion passed unanimously by roll call vote.**
16. **Adjournment:** Meeting adjourned at 12:57 p.m.