



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

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STATE BOARD DISCIPLINES LICENSED SITE PROFESSIONAL

BOSTON – Ralph P. Penney of Mansfield has entered into a consent agreement with the Massachusetts Board of Registration of Hazardous Waste Site Cleanup Professionals to resolve a disciplinary complaint filed against him for work he performed at a contaminated site in Stoughton. Under the consent agreement, Mr. Penney, who is licensed by the Board, has been disciplined with a “public censure,” and he will be required to complete certain continuing education courses. The consent agreement took effect on July 23, 2008.

A public censure is among the least severe of the disciplinary actions the Board can impose. The Board also has the authority to suspend and, in the most serious cases, revoke an LSP’s license.

Hazardous Waste Site Cleanup Professionals, also known as “Licensed Site Professionals” or “LSPs,” are licensed by the Board to oversee the assessment and cleanup of property in Massachusetts that has become contaminated with oil, gasoline, or other hazardous materials. LSPs must also be retained to address threats of contaminant releases to the ground and groundwater. Property owners and others who are legally responsible for the contamination on their sites hire LSPs. In the course of doing their oversight work, LSPs and their clients must submit written reports to the Massachusetts Department of Environmental Protection (MassDEP). MassDEP and any member of the public may file a complaint with the Board alleging that an LSP did not meet state requirements or professional standards in conducting assessment and cleanup activities at contaminated sites or in addressing threats of releases.

Prior to the entry of the consent agreement, the Board was in the process of investigating allegations of professional misconduct contained in a complaint filed against Mr. Penney. While the Board had dismissed the majority of the allegations in the original complaint as outside the Board’s jurisdiction, the Board was in the process of investigating whether Mr. Penney had

excavated contaminated soil at the Stoughton site without properly notifying and seeking approval from MassDEP.

To resolve this matter the Board and Mr. Penney entered into a consent agreement that resulted in Mr. Penney receiving a public censure. The agreement also requires that he complete certain continuing education courses. In the consent agreement, Mr. Penney did not admit to any professional misconduct.

Debra Stake, a co-chair of the Board's Professional Conduct Committee, stated: "By entering into the agreement, the Board is upholding the Board's Professional Conduct Standards."

The Massachusetts Board of Registration of Hazardous Waste Site Cleanup Professionals works to maintain high standards of practice by LSPs. It protects public health, welfare and the environment by establishing qualifications for licensure, administering a licensing exam, requiring that LSPs obtain continuing education, and investigating complaints against LSPs to ensure compliance with state laws, regulations, and the Board's own rules of professional conduct.

Additional information about the Board, a list of LSPs, and other information about the state's waste site cleanup program can be found at the Board's Web site at www.mass.gov/lsp or by calling the number listed above.

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