



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

**MINUTES**  
**of**  
**BOARD MEETING**  
**Held on April 26, 2018**  
[Approved: May 16, 2018]

Meeting Location: Massachusetts Department of Environmental Protection  
One Winter Street  
Boston, MA 02108

Prepared by: L. Williamson

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

1. Agenda
2. Draft Minutes of Meeting held on March 29, 2018
3. Renewal Dockets #1 and #2

1. **Call to Order:** Maria Pinaud called the meeting to order at approximately 1:56 p.m. Also present were David Austin, Gail Batchelder, Kathleen Campbell, Debra Listernick, Gregg McBride, Farooq Siddique, and James Smith. Board members absent were Kirk Franklin and Marc Richards. Staff members present were Beverly Coles-Roby and Lori Williamson. Also present were Wendy Rundle (Executive Director of the LSP Association, Wesley Stimpson, and Michael Penzo.
2. **Announcements:** No announcements were made.
3. **Agenda:** The Board members agreed to follow the draft agenda.
4. **Minutes of Meeting Held on March 29, 2018:** The members present reviewed the draft minutes of the meeting of the Board held on March 29, 2018. Ms. Listernick made a correction to Section 1 of the draft minutes. **A motion was made and seconded to approve the March 29, 2018 minutes as amended. The motion passed unanimously.**
5. **Decisions Regarding Licensing of Applicants:**  
**A. Application Review Panel Recommendations:** The staff presented the following Application Dockets:

ID #	Applicant Name/Company Name	ARP #	REC.
6503	Chunhua Liu/GZA GeoEnvironmental, Inc.	294	D

ID #	Applicant Name/Company Name	ARP #	REC.
4422	Alison L. Holmes/SWCA, Incorporated	295	A

Ms. Coles-Roby reported that ARP #294 recommended Ms. Liu’s application be denied, with a vote of two to one. She stated that Mr. Siddique thought the applicant had strong credentials but did not have enough MCP or principle decision-making experience. Ms. Campbell stated she disagreed, and that the applicant conducted a lot of risk assessment work and appears to have made decisions about selecting remedial measures to achieve cleanup goals. She stated the regulations do not require an applicant’s experience to be all MCP. Dr. Batchelder agreed that an applicant’s experience does not have to be confined to Massachusetts. Mr. Siddique stated that an LSP should be able to do a range of things, and not be limited to just one area such as risk assessment. Dr. Batchelder stated that it is important for the Board to discuss what is needed to demonstrate Relevant Professional Experience (RPE) and what limitations the Board should set regarding work experience. She stated the Board has historically not credited task-related activities, and typically looked at the full body of what is presented in the application. She stated that an applicant may have a skill set because of their educational background, for example, which is not necessarily reflected in their work experience.

Mr. McBride suggested that a general discussion on RPE be added to next month’s Agenda. Ms. Pinaud stated that the Board will also have the opportunity to clarify the requirements as part of the regulation revisions.

Ms. Coles-Roby stated that the members of ARP #295 recommended Ms. Holmes’ application be approved. Ms. Pinaud thought the applicant had good range of experience. Mr. Austin thought the application was well-written, the references were good, and the applicant showed a good cross section of work. Mr. McBride thought the applicant included a large number of projects and showed a great breadth of MCP experience.

**A motion was made and seconded to accept the recommendations from Application Review Panels #294 and #295 that the application submitted by Ms. Liu be denied and the application submitted by Ms. Holmes be approved and she be found eligible to take the exam. The motion was approved unanimously. Mr. McBride abstained from voting.**

**B. Renewal Dockets:** The staff presented the following License Renewal Dockets:

**Renewal Docket #1**  
**Renewal Date: January 30, 2018**  
**New Renewal Date: January 30, 2021**  
 Completed requirements within 90-day extension:

	<b>LSP #</b>	<b>First</b>	<b>Middle</b>	<b>Last</b>
1	6696	Craig	R	Ellis
2	9867	Stephen	S	Parker
3	1404	Stewart	A	Mountain
4	9882	Steven	W	Rumba
5	1286	Paul	D	Steinberg
6	8188	Jarrod	P	Yoder
7	2075	Timothy	F	Condon
8	7416	James	B	Connolly

**A motion was made and seconded to renew the licenses of the LSPs on Renewal Docket #1 for the three-year period ending on the date indicated. The motion was approved unanimously.**

**Renewal Docket #2**

**Renewal Date: April 30, 2018**

**New Renewal Date: April 30, 2021**

Has completed all requirements for renewal:

	<b>LSP #</b>	<b>First</b>	<b>Middle</b>	<b>Last</b>
1	4725	Joel	J	Trifilo
2	9347	Andrew	M	Stead
3	4275	Bruce	E	Tease
4	7903	David	J	Hazebrouck
5	3904	Adam	J	Last
6	2347	Daniel	G	Jaffe
7	9985	James		Greacen
8	3675	Reginald	H	Achillies
9	5211	Marc	J	Richards
10	2028	John	J	Niedzielski
11	9857	Alexandra	N	Riddle
12	5586	Francis	M	Ricciardi
13	9367	Stephen	S	Boynton
14	9654	Michael	E	Billa
15	9145	Paul	A	McKinlay

**A motion was made and seconded to renew the licenses of the LSPs on Renewal Docket #2 for the three-year period ending on the date indicated. The motion was approved unanimously.**

6. **Other Licensing-Related Matters:**

**A. New Panel Assignments and Scheduling:** The following Board members were assigned to Application Review Panel #296: Mr. Siddique, Ms. Pinaud, and Ms. Listernick.

**B. Appeals Status Report:** There were no pending appeals of any denials by the Board of license applications.

**C. Inactive Status Report:** The staff reported that the following LSPs are currently on Inactive Status:

LSP Number	License Status Date	License Status	Last Name	First Name
9070	January 30, 2017	Inactive	Kemper	Timothy
9830	March 1, 2017	Inactive	Gates	Richard
5019	December 4, 2017	Inactive	Rein	Robert

**D. Total Number of Active LSPs:** As reported in the Agenda, the total number of Active LSPs was 511 as of April 13, 2018. Ms. Coles-Roby stated that suspension letters for the non-payment of annual fees were issued to nine LSPs on April 20, 2018, and as of yesterday four still had not paid.

7. **Examination Report:** Ms. Coles-Roby reported that the exam will be offered on May 9, 2018. She stated five people are signed up to take it.

8. **Continuing Education Committee Report:**

**A-B. Report on Course and Conference Approval Requests:** Mr. Austin reported that the Committee met earlier in the day and made the following course recommendations to the Board:

a. EnviroWorkshops: Remediation Workshop 2018 (4 Technical credits, April 11, 2018, Waltham, MA).

Committee Recommendation: **Approve**

b. NGWA: Groundwater/Surface Water Interactions: Field and Mathematical Approaches to Evaluating Groundwater Seepage (14 Technical credits, December 6-7, 2018, Las Vegas, NV).

Committee Recommendation: **Approve**

c. MCTA: Polyfluoroalkyl Substances (PFAS): Regulation, Research, Risk Mitigation & Alternatives (4 Technical credits, May 10, 2018, Marlboro, MA).

Committee Recommendation: **Approve**

- d. NAC SETAC: Creating Effective Graphics for Scientific Presentations (8 Technical credits, May 21, 2018, Durham, NH).

Committee Recommendation: **Deny**

- e. VSP Training LLC: Visual Sample Plan (VSP) Online Training (32 Technical credits, online course)

Committee Recommendation: **Table**

Course Re-approval Requests:

- f. Directional Technologies, Inc.: Horizontal Remediation Wells for Improved Site Cleanup (8 Technical credits, April 24, 2018, Waltham, MA)(Course #1464)

Committee Recommendation: **Re-approve**

- g. LSPA: Sediment, Surface Water, and Biota Sampling Methods to Support MCP Assessments (8 Technical credits, June 13, 2018, Woods Hole, MA)(Course #1603)

Committee Recommendation: **Re-approve**

**A motion was made and seconded to accept the Continuing Education Committee's recommendations. The motion passed unanimously.**

- 9. **Professional Conduct Committee:** Mr. Smith reported that the Professional Conduct Committee reviewed supplemental information provided by Complainant #2 in Complaint 17C-05, and voted to confirm its original vote to dismiss the Complaint. He stated the Committee also reviewed and voted to approve the three draft Dismissal Letters as amended. Mr. Smith reported that the Committee also voted to assign a CRT to Complaint 18C-01.

10. **Other Business**

- A. **Public Records Request:** Ms. Coles-Roby stated that the Board received a Public Records Request pertaining to Complaint 17C-05 from a freelance journalist. She stated the documents were provided electronically and totaled 176 pages. Mr. McBride asked if the Board charges a fee to produce the records. Ms. Coles-Roby responded that the Board follows Governor Baker's House Bill 3665 which states that agencies should not charge for the first 200 pages; after 200 pages the charge is 5 cents per page; and the documents should be provided within ten days. She stated that she notified the data subject of the Request, who in turn requested a copy of all the documents provided.

**B. 309 CMR 4.00- Proposed Amendments Report:** Ms. Pinaud stated that a subset of the Board met earlier in the day to review a redline strikeout version of draft revisions to 309 CMR 4.00. Ms. Coles-Roby stated she will update the redline strikeout document for the next meeting. The Board determined the next section to be revised will be 309 CMR 9.00.

**C. Strategic Plan- Fiscal Year 2018-2019:** Ms. Coles-Roby stated she is still accepting suggestions. Ms. Rundle asked if any new information was available regarding the empty Board member seats. Ms. Pinaud and Ms. Coles-Roby responded that they have not received any new information. Ms. Coles-Roby stated she will see what she can find out for the next meeting.

**11. Future Meetings:** The Board's next meeting will be on May 16, 2018 in the Central Regional Office of MassDEP in Worcester.

The Board determined the 2019 fiscal year Board meeting schedule to be as follows:

- July 2018- no meeting
- August 15, 2018- Northeast Regional Office (NERO)
- September 19, 2018- Western Regional Office (WERO)
- October 17, 2018- Central Regional Office (CERO)
- November 28, 2018- Boston Office
- December 2018- no meeting
- January 16, 2019- Southeast Regional Office (SERO)
- February 27, 2019- Northeast Regional Office (NERO)
- March 20, 2019- Central Regional Office (CERO)
- April 24, 2019- Boston Office
- May 15, 2019- Southeast Regional Office (SERO)
- June 19, 2019- Central Regional Office (CERO)

**12. Adjournment:** A motion was made and seconded to adjourn, and by unanimous vote, the Board meeting was adjourned at approximately 2:40 p.m.