

**Commonwealth of Massachusetts
Board of Registration
of
Hazardous Waste Site Cleanup Professionals**

CONTINUING EDUCATION COMMITTEE

Minutes of Meeting on April 17, 2013

Prepared By:
Allen Wyman

Location:
MassDEP Central Regional Office
627 Main Street
Worcester, MA

1. **Call to Order:** John Guswa, the Committee Chair, called the Continuing Education Committee meeting to order at 12:30 p.m. The Committee members present were: Ben Ericson, Kirk Franklin, Debra Listernick, Robert Luhrs, Kelley Race, and Farooq Siddique. Gail Batchelder entered at 1:10 p.m. Deborah Farnsworth was not present. The staff members present were Beverly Coles-Roby, Lynn Read, and Allen Wyman. Larry Feldman, Wendy Rundle, and Wes Stimpson of the LSPA were also present.
2. **Meeting Minutes:** The February 5, 2013, committee minutes were approved as is.
3. **Old Business:** Internet Based Courses. **Tabled.**

Mr. Guswa thought it best to wait for Gail Batchelder for this discussion. Ms. Batchelder had been coordinating with Wendy Rundle. Ms. Coles-Roby stated that the Board had already formed a committee. She said that she, Ms. Rundle, Mr. Ericson, and Ms. Batchelder were to get together. Mr. Ericson stated his desire that a meeting of this committee be conducted and doing so made an action item. Ms. Coles-Roby said that she would send an email to committee members to set up a meeting. Ms. Batchelder was to have some standard procedures set up to discuss at the meeting. There would also be a need to look into the possibility of regulation changes. Mr. Ericson recommended the committee generate criteria and bring that back to the Board.

4. **Course and Conference Approval Requests:**

- a. Battelle: *Seventh International Conference on Remediation of Contaminated Sediments* (12 non-DEP Technical credits).

Mr. Guswa stated that there was no record of the Committee approving a request made after someone goes to the conference. The LSP has requested 8 non-DEP credits for attending the Battelle-organized sediment conference and 4 non-DEP credits for attending a Workshop at that conference. The Committee has approved credit for attendance at the Battelle-organized Remediation of Chlorinated and Recalcitrant Compounds Conference, and Battelle maintains an attendance record at that conference. For the Battelle-organized sediment conference, however, there has

been no pre-conference request to approve the conference for LSP credit, and no conference attendance records were kept. The LSP requesting credits did provide a Certificate of Attendance at a 4-hour Workshop given at the sediment conference. The Committee discussed denying the conference because of the attendance requirements, which are part of the regulations. Mr. Luhrs stated that approval for attendance at a Conference after it had already been offered would be a slippery slope.

Recommend Denial.

- b. Battelle: *Efficiencies in Sediment Remedial Selection and Implementation* (4 non-DEP Technical credits).
As with the previous request, this course cannot be approved because of the regulatory attendance requirement.
Recommend Denial.
- c. The Academy at DHI: *FEFLOW Introduction to Groundwater Modeling* (33 non-DEP Technical credits).
Recommend Approval.
- d. MassDEP: *Incremental Sampling Methodology* (1 DEP Regulatory credit).
Recommend Approval.
- e. GWPC: *Well Integrity Workshop* (6 non-DEP Technical credits).
As with requests a. and b., the applicant made the request after attending the workshop. This course cannot be approved because of the regulatory attendance requirement.
Recommend Denial.
- f. UNH: *Intro to ArcGIS 10.1* (18 non-DEP Technical credits).
This course request came in prior to the course presentation. However, the presentation has been given before the LSP Board had a chance to meet on the request.
Recommend Approval. Contingent upon Continuing Education Coordinator verifying the presenter's biography is in the record and getting attendance verification.
- g. RemTEC: *RemTEC Summit 2013* (1:2 non-DEP Technical credits).
Recommend Approval.
- h. MassDEP: *An Overview of Proposed Amendments to the Massachusetts Contingency Plan* (1 DEP Regulatory credit).
Recommend Approval.
- i. MassDEP: *Demystifying the Audit Process* (1 DEP Regulatory credit).
Recommend Approval.
- j. MassDEP: *Characterization of #2 Fuel Oil Spills* (2 DEP Regulatory credits).

Recommend Approval.

5. Other Business:

Pre-approval of MassDEP courses

The Committee discussed whether to give the Continuing Education Chair authority to approve MassDEP courses in between meetings and to make such approval venue neutral. In December 2010, the Board had previously approved the Committee’s recommendation that the Chair could approve MassDEP courses that were offered at one of the MassDEP Regional Offices. Mr. Ericson read aloud the previous approval as was written in the December 6, 2010, Continuing Education Committee meeting minutes [shown as the three bulleted paragraphs on Page 4, the last written paragraphs in the December 2010 minutes.] Mr. Ericson said that it would surprise him if location was important to the Board. A Committee member pointed out that the original approval was based upon simple, short technical courses that would definitely be approved. Mr. Luhrs said that there is little likelihood that MassDEP courses would not be approved. Mr. Ericson reread the December approval. Mr. Luhrs asked who would give such approval if the Chair was not available and who decides that? Mr. Siddique indicated that this was not a one shot deal, and that the courses can be approved later on. He didn’t believe there was a rush to approve courses in this way. If all the checks and balances are in place, then a course could be approved at any time thereafter. Mr. Wyman explained that the intent of the December 2010 motion was to save resources and allow the MassDEP to hand out Continuing Education Certification Forms at the course. As currently written, the top of the forms state credits are pending Board approval. Ms. Rundle explained that the MassDEP courses often come up quickly. Ms. Race raised the potential for the LSP Board offering a course and whether it can be approved as a DEP course. Ms. Listernick asked Ms. Rundle if the last two MassDEP courses [where pre-approval was requested but not provided], were a problem. Ms. Rundle stated that, overall; the provisional certificates were not a problem. She was concerned about refunding LSPs if a course was not approved. She thought one solution might be the LSP Board having a predictable meeting schedule. Mr. Ericson made a motion to amend the previously approved December 2010 motion by inserting, “regardless of location.” Mr. Guswa asked if “we” could come up with wording before the next meeting. Mr. Luhrs said that he didn’t like the idea of giving a blanket approval for one group and not another. Mr. Franklin agreed. Mr. Feldman asked if a DEP course has ever been denied. If not, then there shouldn’t be an issue. Mr. Siddique said that the Board should be having meetings more frequently. Mr. Ericson offered to amend his motion to read, “For any new MassDEP course offered prior to the scheduled LSP Board meeting, the Committee recommends granting approval authority to the Continuing Education Committee Chairperson or Acting Chairperson. This approval is contingent upon the course presenter(s) meeting all other requirements of 309 CMR 3.09(6) and only for courses directly related to the MCP.”

Clarification of Board’s Policy Regarding Course Presenters

Via email, Susan O’Brien, LSPA Education Committee Member, had requested clarification on whether an LSP with a previously suspended license could teach an LSP Board approved course. Mr. Guswa pointed out that the Board had precedent for not allowing a disciplined LSP to teach a course. The Committee agreed that the precedent does exist. Mr. Wyman pointed out that any change in course instructor requires prior Board approval as stated in the Board’s regulations. The Committee instructed the Continuing Education Coordinator to inform Ms. O’Brien of the

precedent and let her know that the Committee would have to review the content of the course in relation to the discipline [in this case a suspension]. The Board would need more information to do this.

6. **Future Meetings:** Before the next Board meeting.

7. **Adjournment:** The meeting was adjourned at 1:24 p.m.