

# CONTINUING EDUCATION MEETING MINUTES



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

ONE WINTER STREET, 3<sup>rd</sup> Floor  
BOSTON, MA 02108

## CONTINUING EDUCATION COMMITTEE

Minutes of Meeting on September 23, 2019

Approved on October 8, 2019

**Prepared by:** Beverly Coles-Roby, Esq.

**Meeting Location:**

**MassDEP CERO**  
**8 New Bond Street**  
**Worcester, MA 01606**

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

1. Agenda
  2. Draft Minutes of Meeting on August 6, 2019
  3. AEHS 35<sup>th</sup> Annual International Conference on Soils Letter, August 22, 2019
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1. **Call to Order:** Co-chairperson David Austin called the meeting to order at 12:32 p.m. The Board members in attendance were, Millie Garcia-Serrano, Debra Listernick, David Austin, James N. Smith, Marc Richards, Kirk Franklin, and Gregg McBride. Board member Kathleen Campbell arrived at 12:34 p.m. Dr. Gail Batchelder arrived at 12:39 p.m. Board member Farooq Siddique was absent. Staff member Beverly Coles-Roby was present.
  2. **Previous Minutes:** The draft minutes of the meeting held on August 6, 2019, were approved as amended.
  3. **Old Business:** None

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### 4. New Business:

#### A. Course Approval Requests:

1. NEWMOA: Redevelopment of Contaminated Properties and Conflicts with Stormwater Requirements: What You Need To Know (5 Technical credits, September 25, 2019, University of Massachusetts Lowell, Lowell Inn and Conference Center, Lowell MA, 9:30 a.m.-4:00 p.m.; September 26, 2019, Fireside Inn and Suites, Lebanon, NH; 9:30 a.m.-4:00 p.m.; November 6, 2019, Quinebaug Valley Community College, Danielson, CT, 9:30 a.m.-4:00 p.m.) **Recommend Denial.**
2. EBC: Remediation of Sites by In-Situ Stabilization and Ex-Situ Sediment Stabilization (2 Technical credits, September 11, 2019, McLane Middleton, 300 Trade Center, Suite 7000, Woburn, MA, 8:00 a.m.– 10:30 a.m.) **Recommend Approval.**
3. American Ground Water Trust: New England PFAS Workshop: Solutions to Legacy Groundwater Contamination (6.5 Technical credits, September 18, 2019, Westford Regency Hotel, 219 Littleton Road, Route 110, Westford, MA, 8:30 a.m.-4:15 p.m.) **Recommend Approval.**

#### B. Course Re-Approval Requests:

1. LSPA: Facility Roundtable: Managing Remediation and Hazardous Waste (4 Technical credits, December 11, 2019, Mansfield Holiday Inn, Mansfield MA, 1:00 p.m.– 5:00 p.m.) (Course No. 1647) **Recommend Approval.**
2. LSPA: Horizontal Remediation Wells for Improved Site Cleanup (4 Technical credits, September 24, 2019, DoubleTree Hotel, 123 Old River Road, Andover, MA, 8:00 a.m.-12:00 p.m.) (Course No. 1464A) **Recommend Approval.**

#### C. Course Announcements:

1. LSPA: Sediment, Surface Water, and Biota Sampling Methods to Support MCP Assessments, (8 Technical credits, October 10, 2019, Woods Hole Group, 107 Waterhouse Rd, Bourne, MA, and Nearby Wetlands and Waterfront, 8:00 a.m.-5:15 p.m.) (Course No. 1603)

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2. LSPA: ISCO/ISCR Permeable Reactive Barrier (PRBs) to Prevent Migration of Contaminant Plumes, (2 Technical credits, November 21, 2019, Doubletree Hotel, 5400 Computer Drive, Westborough, MA, 1:00 p.m.-3:00 p.m.) (Course No. 1656)
3. LSPA: Remediation of Heavy Metals Using Insitu Approaches That Combines Multiple Mechanisms, (2 Technical credits, November 21, 2019, Doubletree Hotel, 5400 Computer Drive, Westborough, MA, 3:15 p.m.-5:15 p.m.) (Course No. 1657)
4. LSPA: PFAS Sampling for Environmental Professionals, (8 Technical credits, December 3, 2019, Doubletree Hotel, 5400 Computer Drive, Westborough, MA, 8:00 a.m.- 5:00 p.m.) (Course No. 1670)
5. MassDEP: LNAPL Regulatory Change, Guidance and Progress, (4 MassDEP credits, October 2, 2019, Westborough DoubleTree Hotel, 5400 Computer Drive, Westborough, MA 8:00-12:00 p.m.) (Course No. 1676)
6. MassDEP: LNAPL Regulatory Change, Guidance and Progress, (4 MassDEP credits, November 13, 2019, Mansfield Holiday Inn, 31 Hampshire Street, Mansfield, MA 8:00 a.m.-12:00 p.m.) (Course No. 1676)
7. MassDEP: LNAPL Regulatory Change, Guidance and Progress, (4 MassDEP credits, February 4, 2020, Westborough DoubleTree Hotel, 5400 Computer Drive, Westborough, MA, 1:00 p.m.-5:00 p.m.) (Course No. 1676)
8. EPOC: Sampling Domestic Wells for Contamination: Overcoming Concentration Averaging Issues (4 Technical credits, October 16, 2019, CTPA Center, Rocky Hill, CT, 1:00 p.m.-5:00 p.m.) (Course No. 1661)

With respect to course A1, NEWMOA's Redevelopment of Contaminated Properties and Conflicts with Stormwater Requirements: What You Need To Know, Ms. Listernick questioned the applicability of the course to the Massachusetts Contingency Plan ("MCP") and LSP professional services. Ms. Listernick also said her initial concern was about the stormwater. Ms. Campbell agreed. Mr. McBride said that the course was really for stormwater professionals and was very basic. He also said that some part of the course was applicable to LSP services. Mr. Austin suggested that the Committee approve only what applied to LSPs. He also said that the Committee does approve courses with relevant technical topics. Mr. McBride said that even in the portion of the workshop taught by Ms. Courtemanche, "What Stormwater Professionals Need to Know About Waste Site Cleanup" Massachusetts is one of three states that she is describing. Mr. Austin asked whether the Committee could approve the course for only two hours to cover what is relevant to LSPs. Mr. Austin stated that the provider could resubmit the course, explaining why it is relevant to waste site cleanup in Massachusetts. In the alternative, he said,

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the provider could re-submit the course with a reduced credit hour request. Dr. Batchelder said that it could be more than two hours if the provider gives a sufficient explanation. Ms. Garcia-Serrano said that stormwater seemed relevant to waste site cleanup. Mr. Richards said that stormwater and redevelopment go hand-in hand. It is extremely common at contaminated sites, he said. Mr. Austin commented that five hours about stormwater is not within the Board's jurisdiction. The Committee voted to deny approval of the course. Mr. Richards indicated that he would abstain from voting on the course.

Ms. Garcia-Serrano asked about the procedure when a course takes place before it is approved by the Board. Ms. Coles-Roby responded that the regulations require that the Board "shall attempt to act upon a complete request within two months of receipt; however, the Board's failure to act within two months shall not constitute approval of the course. Requests for retroactive approval of continuing education courses (*i.e.*, courses already commenced or completed by the time the Board meets to review the requests for their approval) are disfavored but may be approved, at the Board's discretion, if the provider has maintained a record of attendance and the other requirements for course approval are met." See 309 CMR 3.09(6)(a). However, the practice is to accept submissions up to fourteen days before the Board meeting. Late submissions run the risk of not being approved after the fact, she said. Mr. Austin said that it is difficult to put a course together and the gather all the necessary submittals in time.

Two LSPA courses B1, Facility Roundtable: Managing Remediation and Hazardous Waste and B2, Horizontal Remediation Wells for Improved Site Cleanup were re-approved with the same course number designation after discussion. Mr. Franklin opposed re-approval of course B2. Ms. Garcia-Serrano indicated that she would abstain from voting on course B1.

The Committee also discussed, AEHS 35<sup>th</sup> Annual International Conference on Soils Letter, dated August 22, 2019. Ms. Campbell said that currently LSPs get credit for up to five hours of credit in a day, if the AEHS proposal is approved they would get up to six. Mr. Austin said that the conference has been like this for twenty years. Dr. Batchelder said that the proposal goes outside the bounds of the regulatory requirement of one hour of continuous instruction. She added that the regulation also indicates that the least amount of time that the Board can approve is one hour. Approval of this proposal would mean making an exception for this conference, when no other conference does this, she added. Ms. Garcia-Serrano commented that the problem is not control at the door. Dr. Batchelder said that LSPs sign in and out of each session, but they would need at least one continuous hour of instruction based on the current regulatory requirement. She said, "I admit that this conference is unusual." Mr. Richards said that he views this conference as being broken up into workshops. He asked how the course was approved last year. Ms. Campbell responded that under the current regulations LSPs earn ½ credit for each hour of attendance. Mr. McBride asked whether the Board had ever made an exception like this in the past. Ms. Listernick, Mr. Franklin and Dr. Batchelder said no. Mr. Smith said that the Board has made significant changes to its Continuing Education regulations, and it will make further changes as we move toward the Public Comment phase of the process.

Mr. Austin reviewed the course announcements, C1-C8.

### **5. Future Meetings: October 8, 2019 MassDEP CERO**

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**6. Adjournment:** The meeting was adjourned at approximately 1:29 p.m.