



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

100 CAMBRIDGE STREET, 9th Floor
BOSTON, MA 02114

PHONE: (617) 556-1091 EMAIL: lsp.board@mass.gov

PROFESSIONAL CONDUCT COMMITTEE

Minutes of Meeting on January 13, 2026

Approved on: February 10, 2026

Prepared by: Terry Wood

Meeting Location: In person at 100 Cambridge Street, Boston and remotely via ZOOM

List of Documents Used at the Meeting:

1. Agenda
2. Draft Professional Conduct Minutes from November 18, 2025
3. Active Case List

1. Call to Order: Jamie Smith called the meeting to order at 12:07 p.m.

Present remotely via ZOOM: Gail Batchelder, Kathy Campbell, Kirk Franklin, Gregg McBride, Paul McKinlay and Jamie Smith. Kirk Franklin joined the meeting in progress. Board members present in the room: David Austin and Diane Baxter. Board members absent: Craig Ellis and Deirdre Menoyo.

Staff members present in the room: Christopher Borges, Matthew Lyne and Terry Wood. Staff members present via ZOOM: Notoshia Dix.

Also present remotely via ZOOM were: Kristi Lefebvre, LSPA Communications Manager; Michelle Zelch, LSPA Program & Events Manager; Brian Roden and Rebecca Buswell of MassDEP; Lori McCarthy; Carmen Love; Ian Philips; Darius Chlebica; and John-John.

2. Announcements: None.

**This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370**

3. Review of Draft Minutes from November 18, 2025 Committee Meeting Minutes

The draft meeting minutes from the November 18, 2025 meeting were approved without changes by all members in attendance via roll-call vote. (Mr. Franklin had not yet joined the meeting so did not vote.)

4. Old Business

A. Status of Complaint Review Teams (CRTs)

The active case list was reviewed, and the status of each case was discussed.

5. New Business

A. Review of Complaint 25C-02 and LSP Response

Mr. Lyne provided a summary of the complaint received in November 2025 and the LSP's response. He stated the complainant requested to remain anonymous. Pursuant to 309 CMR 7.03, anonymous complaints are allowed at the Board's discretion.

In December 1985, a release of TCE in groundwater was reported at the site at issue. In February 2024, the LSP Firm submitted a Temporary Solution Statement (TSS) that indicated that the remedial approach would include a downgradient reactive barrier. In December 2024, the LSP Firm completed a Pre-Design Investigation, which consisted of a soil boring program, bedrock evaluation, and groundwater sampling, to better understand the VOC distribution and groundwater flow pathway in and around a downgradient residential street. Based on the results of the investigation, the LSP Firm indicated that the downgradient reactive barrier would be unnecessary and that modifying the chemical injection process closer to the source area would mitigate the potential downgradient impact from the injections. The LSP Firm submitted a Phase IV Modification in April 2025, which included the plan for this revised chemical injection process near the source area and the elimination of the downgradient reactive barrier.

The Complainant's main issues were: whether replacement of the downgradient barrier with chemical injections was protective of downgradient receptors and rendered the TSS invalid pursuant to the MCP. Prior to filing the LSP Board complaint, these concerns were submitted to MassDEP in July 2025. MassDEP provided a response on 7/22/25 stating:

- 1) Enhanced bedrock injections served the same purpose as the downgradient groundwater barrier;
- 2) The responsible party had demonstrated that the downgradient area was already at or below a level of No Significant Risk and that further assessment of risk was not warranted; and

;

Professional Conduct Committee Minutes
January 13, 2026

- 3) Therefore, the TSS remained valid with or without the proposed downgradient barrier.

The written response to the complaint provided by the LSP included MassDEP's July 2025 communication as support for why the Complaint should be rejected.

Ms. Wood stated that the Committee should first vote whether to accept an anonymous complaint and, if they vote to accept it, to next vote whether to accept the complaint for investigation. A motion was made and seconded to accept the anonymous complaint. The motion passed unanimously by roll-call vote by all members in attendance. A motion was next made and seconded to dismiss the complaint for lack of facts demonstrating a violation of either the MCP or the Board's regulations. The motion passed unanimously by roll-call vote by all members in attendance.

6. Future Meeting – February 10, 2026.

7. Adjournment: The meeting was adjourned at 12:25 p.m.

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370