



COMMONWEALTH OF MASSACHUSETTS
Board of Registration
of
Hazardous Waste Site Cleanup Professionals
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PROFESSIONAL CONDUCT COMMITTEE

Minutes of Meeting on January 21, 2025

Approved on: February 11, 2025

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 12, 2024
3. Active Case List

1. Call to Order: Jamie Smith called the meeting to order at 12:20 p.m.

Present remotely via ZOOM: Gail Batchelder, Kathleen Campbell, Craig Ellis, Kirk Franklin, Gregg McBride, Paul McKinlay, Deirdre Menoyo and Jamie Smith. Board members present in the room: David Austin, and Diane Baxter. Board members absent: None.

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

Also present remotely via ZOOM were: Sneha Kalagarla, EEA; Wendy Rundle, LSPA Executive Director; Brian Roden, MassDEP; and Lars Andersen.

2. Announcements: There were no announcements.

3. Review of Draft Minutes from November 12, 2024 Committee Meeting Minutes

The draft meeting minutes from the November 12, 2024 meeting were approved without changes by all members in attendance via roll-call vote except for Ms. Menoyo who abstained.

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. Complaint 24C-01

Ms. Wood stated that this complaint was from a private party against another private party that had sold a residential property to the complainant. The complaint alleged that: 1) the seller failed to disclose to the complainant the existence of a fuel oil release on property, and 2) that the seller had undertaken cleanup actions unauthorized by MassDEP at the property and, as a result, had acted as an LSP in violation of the Board's regulations. Ms. Wood stated that the Board's jurisdiction over a non-LSP acting as an LSP relates to a non-LSP telling others or advertising that they are an LSP and not to the kind of claims asserted in the complaint. As a result, she said that Board staff dismissed the complaint for lack of Board jurisdiction. Ms. Batchelder asked whether MassDEP had been informed regarding the allegations in the complaint that unauthorized cleanup activities had occurred. Ms. Wood stated that the email sent to the Board that included the complaint had been copied to a number of staff members in MassDEP's Bureau of Waste Site Cleanup.

B. Complaint 24C-02

Ms. Wood stated that another complaint had been received by staff and forwarded to the LSP named in the complaint for a response. The LSP asked for an extension until January 31, 2025 to submit a written response which the Board staff granted.

6. Future Meeting – February 11, 2025.

7. Adjournment: The meeting was adjourned at 12:26 p.m.