



COMMONWEALTH OF MASSACHUSETTS
Board of Registration
of
Hazardous Waste Site Cleanup Professionals
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CONTINUING EDUCATION COMMITTEE

Minutes of Meeting on June 1, 2017

Approved on June 21, 2017

Prepared by: Beverly Coles-Roby

Meeting Location:

**MassDEP Boston
One Winter Street
Boston, MA 02108**

List of Documents Used at the Meeting:

1. Agenda
2. Draft Minutes of Meeting on June 1, 2017
3. Table DEP Credits Offered January 30, 2014-January 30, 2017

Call to Order: Co-chairperson David Austin called the meeting to order at approximately 12:37 p.m. The Board members in attendance were Maria Pinaud, Kirk Franklin, Debra Listerick, Dr. Gail Batchelder, arrived at 12:48 p.m. Kathleen Campbell, Farooq Siddique and James N. Smith. Staff members present were Beverly Coles-Roby and Lori Williamson. Wendy Rundle, Executive Director of the LSP Association ("LSPA"), Wes Stimpson of WES Associates, Michael Penzo, LSPA President, and Michelle Zelch of the LSPA were also present.

1. Previous Minutes: The draft minutes of the meeting held on April 19, 2017, were approved as written. Mr. Franklin abstained from voting to approve the minutes.

2. Old Business: None

4. New Business:

A. Course Approval Requests:

1. LSPA: Remediation of Mixed Organics and Perfluoralkyl Compounds (PFAS) with OxyZone®, a Multi-Oxidant Blend (1 Technical credit, June 8, 2017, Westborough, MA). **Recommend Approval.**
2. LSPA: Sediment, Surface Water, and Biota Sampling Methods to Support MCP Assessments (8 Technical credits, June 22, 2017, Woods Hole/Falmouth, MA). **Recommend Approval.**
3. Remediation Workshop: Remediation Workshop 2017 (4 Technical credits, May 17, 2017 Waltham, MA) **Recommend Approval.**

B. Announcements:

1. MassDEP: Ensuring Approval and Acceptance of Contaminated Soil (1DEP credit, .5 non-DEP Technical credits, July 11, 2017, Springfield MA and Chicopee, MA) (Course No. 1575)
2. ASTM: LNAPL Transmissivity . . . ; A Guide To Using ASTM Standard Guide E2856 (16 Technical credits, June 13-June14, 2017, Taunton, MA) (Course No. 1544)

4. Petitions for Waiver

The members discussed two Petitions for Waiver. The first petition was redacted to protect the identity of the LSP. The LSP failed to meet the Renewal requirements and sought to prevent his/her license from expiring during the period of April 30 through May 21, 2017. The Committee voted to recommend that the Board take no action on the petition. The Committee based its decision on the fact that the LSP was able to attend a course and obtain the needed DEP credits by the time of the Board meeting.

The second petition that the Committee reviewed was a case in which the LSP failed to meet his/her DEP Renewal requirements. He/She hoped to substitute a NEWMOA workshop PFAS in the Northeast: State of Practice & Regulatory Perspectives on May 9, 2017 in Westford, MA for the missing DEP credits. This workshop was approved for 6 Technical credits, Course No. 1599). The LSP also indicated that he/she had been vigilant in trying to obtain DEP Regulatory credits, “but [was] closed out of DEP Regulatory Credit courses offered due to high volume of applicant[s].” Ms. Williamson said that she had checked the Board’s precedent on this issue and no such petition had ever been allowed. Dr. Batchelder indicated that the LSP had already taken the upcoming DEP courses. She added that several people had approached her about a LSPA regulatory course that was designated “non-DEP credit.” Ms. Campbell felt confident that DEP would offer more courses in the future. Mr. Smith commented that in one case the DEP course which had 200 seats filled up within three minutes. Dr. Batchelder told the Committee that she made the call for the LSP but seconds later could not register herself. Ms. Listernick said that

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this was not an issue for the Board. Dr. Batchelder disagreed asserting that it is not the number of classes but the number of seats that is the problem. She also said that DEP may not be offering enough credits during Renewal periods. Mr. Siddique thought that three years was enough time to obtain the necessary credits. Dr. Batchelder stated that this has been happening for years. Ms. Campbell wondered how many of the registrants were not LSPs. Ms. Rundle said the LSPA increased the number of seats for its May 31, 2017 course from 150 to 200 seats. Mr. Penzo asked how we could give preference to LSPs. He went on to say that he had taken calls from angry LSPs. He said that he reminded the LSPs that they have to be on top of this issue. Dr. Batchelder commented that some people always wait. Ms. Pinaud noted that MassDEP is aware of the situation. Ms. Rundle felt that the May 31, 2017 course offering was an anomaly. Additionally, she said that there were empty seats in the last two MassDEP course offerings. Mr. Austin suggested that we need to keep track of the courses over the next few years to determine if MassDEP is offering fewer courses. Ms. Pinaud said that she would speak with Paul Locke. Ms. Coles-Roby said that she had communicated with Susan Fessenden. She also stated that she was concerned about setting a precedent if the petition was granted. Dr. Batchelder informed the Committee that there are legitimate reasons why some people can't meet the requirements. Beyond that, she stated, Massachusetts has the highest number of Renewal credits of any jurisdiction. The Committee recommended denying the petition.

Looking for clarification, Ms. Rundle asked whether the LSPA is required to give course attendees a break: is a course three hours and fifteen minutes including a fifteen minute break or is it three hours with a ten minute break? The Committee noted that the LSPA could offer a course with a total time of three hours and fifteen minutes that includes a fifteen minute break for a total of three credit hours.

Ms. Pinaud concluded the discussion by saying the compliance tip of the month is knowing the difference between DEP credits and regulatory credits.

5. Future Meetings: To Be Determined

6. Adjournment: The meeting was adjourned at approximately 1:09 p.m.