



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

MINUTES
of
BOARD MEETING
Held on June 1, 2017
[Approved: June 21, 2017]

Meeting Location: Massachusetts Department of Environmental Protection
One Winter Street
Boston, MA 02108

Prepared by: L. Williamson

List of Documents Used at the Meeting:

1. Agenda
 2. Draft Minutes of Meeting held on April 19, 2017
 3. Renewal Dockets #1, #2, #3 and #4
 4. List of Action Items for LSP Board
 5. “*eDEP Registration for Newly Licensed LSPs*”
 6. Regulatory Reform Initiative Table
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1. **Call to Order:** Maria Pinaud called the meeting to order at approximately 1:32 p.m. Also present were David Austin, Gail Batchelder, Kathleen Campbell, Kirk Franklin, Debra Listernick, Farooq Siddique, and James Smith. No Board members were absent. Staff members present were Beverly Coles-Roby and Lori Williamson. Also present were Wendy Rundle, Michelle Zelch, Michael Penzo, and Wesley Stimpson.
 2. **Announcements:** Ms. Coles-Roby reported that Randi Augustine (BWSC/DEP) prepared a document titled “*eDEP Registration for Newly Licensed LSPs*”, which provides instructions for setting up an eDEP account. Ms. Coles-Roby stated that this document is very helpful and will now be included with the packets of information that are sent to those individuals who pass the exam.
 3. **Agenda:** The Board agreed to follow the draft Agenda.
 4. **Minutes of Meeting Held on April 19, 2017:** The members present reviewed the draft minutes of the meeting of the Board held on April 19, 2017. **A motion was made and seconded to approve the April 19, 2017 minutes as written. The motion passed unanimously.**
 5. **Decisions re: Licensing of Applicants:**

A. Vote on Renewal Dockets: The staff presented the following renewal dockets:

Renewal Docket #1

Renewal Date: April 30, 2017

New Renewal Date: April 30, 2020

Have completed all requirements for renewal:

	LSP #	First	Middle	Last
1	7675	Martin	F	Hilfinger
2	7812	Jonathan	D	Kitchen
3	2352	Samuel	P	Farnsworth

A motion was made and seconded to renew the licenses of the LSPs on Renewal Docket #1 for the three-year period ending on the date indicated. The motion was approved unanimously.

Renewal Docket #2

Renewal Date: April 30, 2017

New Renewal Date: July 29, 2017

Have requested a 90-day extension:

	LSP #	First	Middle	Last
1	5895	Brian	A	Emery
2	1006	Kevin	J	Scully
3	3477	Michael	J	Farell
4	7326	Andrew	T	Donoghue
5	6597	Debra	A	Stake
6	2152	Alan	D	Hanscom
7	1510	Jeffrey	A	Nangle
8	4129	Michele	SW	Paul

A motion was made and seconded to grant the LSPs on Renewal Docket #2 a 90-day extension. The motion was approved unanimously.

Renewal Docket #3

Renewal Date: January 30, 2017

New Renewal Date: January 30, 2020

Completed requirements within 90-day extension:

	LSP #	First	Middle	Last
1	9996	Mark	A	Germano

	LSP #	First	Middle	Last
2	5407	Frederick	K	Taylor
3	9495	Matthew	E	Robbins
4	8959	Anthony	M	DelTufo

A motion was made and seconded to renew the licenses of the LSPs on Renewal Docket #3 for the three-year period ending on the date indicated. The motion was approved unanimously.

Renewal Docket #4

Renewal Date: July 30, 2017

New Renewal Date: July 30, 2020

Has completed all requirements for renewal:

	LSP #	First	Middle	Last
1	9396	Lisa	M	Irwin

A motion was made and seconded to renew the license of the LSP on Renewal Docket #4 for the three-year period ending on the date indicated. The motion was approved unanimously.

B. Vote on ARP Recommendations: The staff presented the following Application Docket:

ID #	Applicant Name/Company Name	ARP #	REC.
6909	Jason Chrzanowski/GZA	287	A

Ms. Coles-Roby reported that there was some discussion amongst the ARP members regarding the applicant's role as principal decision maker and his relevant professional experience. She stated that the panel ultimately agreed the applicant should be approved to take the exam.

A motion was made and seconded to accept the recommendation from Application Review Panel #287 that the application submitted by Mr. Chrzanowski be approved, and he be found eligible to take the exam. The motion was approved unanimously.

C. New Panel Assignments and Scheduling: The following Board members were assigned to Application Review Panel #288: Mr. Austin, Ms. Campbell, and Ms. Pinaud.

6. Other Licensing Related Matters:

A. Appeals Status Report: None.

B. Annual Fee Payments: Ms. Coles-Roby reported that some LSPs still have not paid their annual fees. She stated that these individuals are currently listed as “expired”.

C. Inactive Status Report: The staff reported that the following LSPs are currently on Inactive Status:

LSP Number	License Status Date	License Status	Last Name	First Name
7613	July 22, 2015	Inactive	Warren	Robert
9451	February 12, 2016	Inactive	Zirbel	Martha
9070	January 30, 2017	Inactive	Kemper	Timothy
8501	January 22, 2016	Inactive	Taliadouros	Kleo
9830	March 1, 2017	Inactive	Gates	Robert

D. Total Number of Active LSPs: As reported in the Agenda, the total number of Active LSPs was 490 as of May 9, 2017.

7. Examinations:

A. Exam Dates: Ms. Coles-Roby reported that the exam was offered on April 26, 2017, May 3, 2017, and May 10, 2017. She stated that the next exam offering will be in late November/early December 2017.

B. Exam Report: Ms. Coles-Roby stated that a total of thirteen individuals took the most recent exam, and seven passed. She reported that two people have come in for exam reviews, one of which submitted a challenge for one question. She indicated that she has forwarded the challenge to the Board’s technical expert. She stated that several more reviews are scheduled for the upcoming weeks. Ms. Coles-Roby stated that the Board will need to hold a quasi-judicial session in the near future to discuss what to do about applicants who have taken all three versions of the exam. Mr. Austin questioned whether there are any individuals in that situation currently. Ms. Coles-Roby responded that there are at least two individuals who have taken all three exams. Mr. Siddique asked how many of those that passed were first-time takers. Ms. Coles-Roby responded that approximately five were first-time takers and approximately two were repeat-takers. Mr. Austin asked if the first-time takers were given exam 100.1. Ms. Coles-Roby responded that all thirteen applicants were given exam 100.3. Mr. Austin commented that many of the recent applicants who were approved had been in the industry for a long time. Dr. Batchelder stated that it would be helpful to know whether more people are having difficulty with the regulatory questions or technical portion of the exam. She stated that the information had been available for the old exams, and it may be beneficial to request it for the new exams. Mr. Penzo stated that he wonders if there is a correlation between the pass rate and the years of experience, and whether enough mentoring is occurring. He stated that the LSPA is trying to develop more courses and study groups for individuals who intend to take the exam. Ms. Coles-Roby stated that the applicants should also be taught strategies for test-taking and time allotment.

8. **Continuing Education Committee Report:**

A-B. Report on Course and Conference Approval Requests: Mr. Austin reported that the Committee met earlier in the day and made the following course recommendations to the Board:

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

A motion was made and seconded to accept the Continuing Education Committee's recommendations. The motion passed unanimously.

C. Other Business: None.

9. **Professional Conduct Committee:** The Board agreed to forego a Professional Conduct Committee report, because all the Board members present at this meeting were also present at the meeting of the Professional Conduct Committee held earlier in the day.

10. **Personnel, Budget, and Fees:** Ms. Coles-Roby stated that she intends to restart the General Counsel interviews in July. She stated she is looking for someone who can write well and has trial experience.

Ms. Coles-Roby reported that the Board still needs to pay the psychometrician for his services.

11. **Status of Board Member Replacements by Governor:** Ms. Coles-Roby reported that she spoke to the Commissioner recently and urged him to get this process moving. She stated she informed the Commissioner that the Board has been forced to postpone meetings because quorums could not be met, and explained that each Board member should not be under pressure every month to attend the meeting, or it will be canceled. Ms. Listernick asked if applications could be submitted while the Board waits for the approval to advertise. Ms. Coles-Roby responded that applications can be submitted, and some have, but interviews cannot take place until approval is received from the Secretariat to advertise

the positions. Mr. Stimpson asked how the advertisements will be publicized. Ms. Coles-Roby responded that they will be posted on the Board's website, LSPA's website, and recruiting efforts will be undertaken.

12. Other Business:

A. Action Items List: No report was made.

B. Status of 309 CMR 7.00 Procedure Governing Disciplinary Proceedings and Other Dispositions- Proposed Amendments: The Board agreed comments should be distributed to all Board members and a discussion should be had at the next meeting.

C. 309 CMR 5.00 Advisory Rulings- Proposed Amendments: No report was made.

D. LSP License Designation: The staff agreed to provide the Board with the list of status descriptions and definitions for the next meeting for further discussion.

13. Future Meetings: The Board's next meeting will be on June 21, 2017, in the Southeast Regional Office of MassDEP in Lakeville. The Board agreed to continue to hold meetings on the third Wednesday of the month, and to hold the meetings at NERO, WERO, SERO, and Boston once per year, with the remainder being held in CERO. The schedule and locations for the next fiscal year will be finalized at the June 21st meeting.

14. Adjournment: A motion was made and seconded to adjourn, and by unanimous vote, the Board meeting was adjourned at approximately 2:16 p.m.