

CONTINUING EDUCATION MEETING MINUTES



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

ONE WINTER STREET, 3rd Floor
BOSTON, MA 02108

CONTINUING EDUCATION COMMITTEE

Minutes of Meeting on November 28, 2018

Approved on January 16, 2019

Prepared by: Beverly Coles-Roby, Esq.

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 October 17, 2018
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1. **Call to Order:** Co-chairperson David Austin called the meeting to order at 12:30 p.m. The Board members in attendance were, Maria Pinaud, Debra Listernick, Marc J. Richards, Gregg McBride, Kirk Franklin, Kathleen Campbell and James N. Smith. Dr. Gail Batchelder arrived at 12:40 p.m. Board member Farooq Siddique was absent. Staff members present were Beverly Coles-Roby, Richard Friend, and Richard Johnson. Wendy Rundle, Executive Director of the LSP Association ("LSPA") Wes Stimpson of WES Associates and Paul Locke, of MassDEP, were also present.
 2. **Previous Minutes:** The draft minutes of the meeting held on October 17, 2018, were approved as amended. Marc J. Richards, Gregg McBride, Kirk Franklin, and Kathleen Campbell abstained from voting to approve the minutes.
 3. **Old Business:** None

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4. New Business:

A. Course Approval Requests:

1. LSPA: *Simplified Approach for Petroleum LNAPL Sites*, 1 Technical credit, winter/spring 2019, location to be determined) **Recommend Approval.**
2. MassDEP: *Managing Construction in Contaminated Areas*, (2 DEP Regulatory credits, online--expected launch no later than December 15, 2018) **Recommend Approval.**
3. LSPA: *Faculty Roundtable: Managing Remediation and Hazardous Waste*, (4 Technical credits, winter/spring 2019, location to be determined) **Recommend Approval.**
4. EBC: *Site Remediation & Redevelopment Program: The MCP Amendments*, (1.25 Technical credits, December 4, 2018, Pierce Atwood LLP 100 Summer Street, Boston, MA 02110) **Recommend Approval.**

With respect to A2, *Managing Construction in Contaminated Areas*, Mr. Austin stated that he was excited to see this course. Mr. Smith commented that people will be delighted. Mr. Locke said that more effort went into developing the course, but it is well worth the time and effort that it took to do it. He went on to say that this will hopefully be the first of a series, a step toward building a library.

The LSPA course A3, *Faculty Roundtable: Managing Remediation and Hazardous Waste*, was described by Ms. Listernick as being similar to another recently offered course. She asked whether anyone had attended it. Mr. McBride said that he had attended the course, and it dealt with the regulatory aspects of waste management. Ms. Rundle said that the idea for this course came from a discussion of the previous course. Mr. Austin asked how the course differed from hazardous waste site classification or shipping. Ms. Listernick said that this course is not about waste site cleanup. Ms. Pinaud said that the difference is that this course can be applied to the management of remediation waste. Mr. Austin informed the Committee that the course is relevant to what LSPs do, but these sorts of courses have always been denied. Mr. Smith said that a portion of the course is clearly not devoted to hazardous waste site cleanup activity. Ms. Listernick agreed citing the storage and transportation portion of the course. Dr. Batchelder thought that a case could be made either way. She said that some of the course is relevant. She asked if the Committee could grant partial approval. She added that LSPs are subject to discipline if they send material to a facility that does not take hazardous waste site materials. It is relevant, she said, to dealing with remediation waste. Ms. Listernick, reviewing the course syllabus, said that one portion of the course is "Managing Waste at a Landfill." Mr. Locke said that he was not involved with this course. However, one thing that is seen in enforcement actions is the mismanagement of waste generated as part of the remediation process. He said the course is relevant. Dr. Batchelder and Ms. Pinaud agreed. Mr. McBride believed that the course is quite focused on hazardous waste site remediation. Ms. Rundle said that similar courses had been approved before. In the past, the presenter, Mr. Barroso, spoke generically about a site and

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discussed hazardous waste management at these types of facilities. Mr. McBride said that going forward the Committee needs to look carefully at these courses.

Mr. Richards asked whether the Committee should revisit the HRP course, MA Department of Environmental Protection and US Department of Transportation Hazardous Waste & Materials Training Course. Dr. Batchelder responded that the course was too facility oriented and had been discussed at the October 2018 meeting. Mr. Richards noted that the provider could revise and then resubmit the course for approval. Mr. Franklin said that some forms, such as Bills of Lading, must be stamped by LSPs.

Ms. Pinaud said that it would have been helpful to have more information on the non-MassDEP presenters. Ms. Campbell commented that Mr. Locke is the panel speaker and the course should be for two credits. Ms. Listernick felt that the course should be approved as requested, 1.25 credits. Mr. McBride agreed, adding that no credit is given for the “Welcome” portion of the course. Ms. Pinaud said the Committee did not have information on the other speakers, so it could not say that the course should be approved for two credits. Mr. Richards told the Committee that it is a topic that a lot of people want to talk about. Mr. Smith said the Committee could not speculate. Ms. Listernick said that the LSPA has its LSPA membership to discuss this. Ms. Pinaud said that the Committee should look at what is in front of it. Ms. Campbell disagreed. The Committee voted to approve the course as requested, with Ms. Campbell opposing the vote.

At the request of Environmental Business Council of New England Inc., the Committee reviewed a course entitled “Update on Management of Limited Reuse Soils (LRS) in New Hampshire Policies and Practices to determine whether it would be relevant to Massachusetts LSPs. Mr. McBride thought that the material was too specific to New Hampshire: all the speakers are from New Hampshire, and the topics are too specific to New Hampshire. Dr. Batchelder and Ms. Pinaud agreed.

Mr. Austin noted that there were three course announcements.

Ms. Coles-Roby explained the issue from AEHS, Foundation Inc. Currently, LSPs sign in and out at the AEHS registration desk, except for workshops, which take place on Monday afternoon, Tuesday evening, and Wednesday evening, where they sign at the doors. All other attendees must sign in and out at the doors for all events, both sessions and workshops, there is no option to sign in at the registration desk including Connecticut LEPs, and those from New Jersey LSRPs, Florida, New York, or Pennsylvania. Signing in at the registration desk and not the doors of the sessions, is a more lenient process than the other Boards of Registration allow. LSPs get credit for more time, i.e., visiting poster presentations, visiting the exhibit hall, lunches, and receptions, or worst-case scenario, they could potentially leave the conference altogether and come back at the end of the day to sign out, and AEHS has no way of knowing. This year, AEHS staff reported that an LSP said to AEHS staff at the registration desk, when signing out at the end of a reception, “This is great, I get credit for having a beer!” Having two differing types of credit causes confusion. Some people end up signing in the wrong place. AEHS posts signage, trains its temporary staff, and includes it in the correspondence, but there always seems to be confusion because of this anomaly. AEHS proposed having LSPs join the other types of

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credit seekers by signing in at the doors of the events instead of the central registration desk. Dr. Batchelder said to the provider's point, having a separate desk registration is difficult to manage. The Board approved AEHS's request: Massachusetts LSPs will sign in and out at the door of each session along with all other attendees.

Ms. Coles-Roby reported that a course provider contacted her saying an LSP who had to leave early asked he could qualify for the full eight (8) hours of credit by completing an extra assignment. The Committee discussed the issue. The members voted that the LSP cannot obtain an extra credit assignment. He can however, receive seven (7) hours of credit for the portion of the course that he/she attended.

5. Future Meetings: January 16, 2019--MassDEP SERO

6. Adjournment: The meeting was adjourned at approximately 1:23 p.m.