



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

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**HAZARDOUS WASTE SITE CLEANUP PROFESSIONAL
SURRENDERS LICENSE TO STATE BOARD**

BOSTON – Nathaniel L. Finsness, whose office is in Somerset, has entered into a consent agreement with the Massachusetts Board of Registration of Hazardous Waste Site Cleanup Professionals to resolve a disciplinary complaint that was being investigated by the Board. As part of the consent agreement, Mr. Finsness has voluntarily surrendered his state license to practice as a Hazardous Waste Site Cleanup Professional and agreed not to reapply for a license for three-and-a-half years.

Hazardous Waste Site Cleanup Professionals, who are also known as “Licensed Site Professionals” or “LSPs,” are licensed by the Board to oversee the assessment and cleanup of property in Massachusetts that has become contaminated with oil, gasoline, or other hazardous materials. Property owners and other parties, who are legally responsible for the cleanup of contamination, hire LSPs. In the course of doing their oversight work, LSPs and their clients must submit a variety of written reports to the Massachusetts Department of Environmental Protection (MassDEP). MassDEP audits a percentage of the reports submitted to ensure that the work being done is protective of public health and the environment. MassDEP and any member of the public may file a complaint with the Board alleging that an LSP did not meet state requirements or professional standards in conducting assessment and cleanup activities at contaminated sites.

Prior to the entry of the consent agreement, the Board was in the process of investigating allegations of professional misconduct contained in a disciplinary complaint filed against Mr. Finsness. The complaint, filed by MassDEP in 2006, referred to work Mr. Finsness performed at several sites, including a former gas station in Acushnet in close proximity to two homes. MassDEP alleged that in 2002 Mr. Finsness inadequately investigated whether petroleum that had leaked from underground tanks at the former gas station had migrated to residential properties. The Board was also investigating work by Mr. Finsness during the period from 2002 through 2006 at sites located in New Bedford, Somerset, and Hadley.

Before the Board concluded its investigation, Mr. Finsness agreed to enter into a consent agreement to resolve the matter without further investigation. Pursuant to this consent order,

while Mr. Finsness did not admit to any wrongdoing, he agreed to surrender his license and not to reapply for a license.

Robert Luhrs, a member of the Board, stated: “This agreement protects the public and the environment and upholds the Board’s professional conduct standards by removing this LSP from the profession.”

The Massachusetts Board of Registration of Hazardous Waste Site Cleanup Professionals works to maintain high standards of practice by LSPs. It protects public health, welfare, and the environment by establishing qualifications for licensure, administering a licensing exam, requiring that LSPs obtain continuing education, and investigating complaints against LSPs to ensure compliance with state laws, regulations, and the Board’s own rules of professional conduct.

Additional information about the Board, a list of LSPs, and other information about the state’s cleanup program for hazardous waste sites can be found at the Board’s Web site at <http://www.mass.gov/lsp> or by calling the number listed above.

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