



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

MINUTES
of
BOARD MEETING
Held on October 8, 2024
[Approved: November 12, 2024]

Meeting Location: **100 Cambridge Street, Boston, MA and remotely via ZOOM**

Prepared by: Terry Wood

List of Documents Used at the Meeting:

1. Board Meeting Agenda
2. Draft September 10, 2024 Board Meeting Minutes
3. ARP Docket
4. Renewal Dockets #1, 2, 3 and 4
5. Red-line draft amendments to the Board's regulations
6. Draft Background Document
7. Draft EO 562 Form
8. Draft RIA-SBS Form
9. Draft Outreach Plan

1. **Call to Order:** Diane Baxter, Board Chair, called the meeting to order at 12:20 p.m. Present remotely via ZOOM: Gail Batchelder, Kathleen Campbell, Patrick Herron, Gregg McBride, Paul McKinlay, and Jamie Smith. Board members present in the room: David Austin and Diane Baxter. Board members absent: Craig Ellis and Kirk Franklin.

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: Wendy Rundle, LSPA Executive Director; Kristi Lefebvre, LSPA Communications Manager; and Jane Parkin Kullmann.

2. **Announcements:** None
3. **Agenda:** The Board members agreed to follow the agenda as written.
4. **Minutes:** The Board members reviewed the draft minutes of the meeting held on September 10, 2024 and unanimously approved them without changes by roll call vote.

5. **Old Business:** None.

6. **Decisions Regarding Licensing of Applicants:**

A. Vote on Application Review Panel Docket

Mr. Lyne stated that the members of ARP #340 (Kirk Franklin, Paul McKinlay, Craig Ellis) recommend both applicants on the following docket be approved to take the licensing examination.

Recused Board Members: None

ID #	Applicant Name/Company Name	ARP #	REC.
5454	Lauren Brown, Cooperstown Environmental	340	A
7183	Matthew Tate, Irwin Engineers/Pennoni	340	A

The Board members voted unanimously by roll-call vote to accept the recommendation of the ARP.

7. **License Renewals**

A. Renewal Dockets. The staff presented the following License Renewal Dockets:

Renewal Docket No. 1
Date: October 8, 2024
Renewal Date: 10/30/2024
New Expiration Date: 10/30/2027

Has completed all requirements for renewal:

	LSP Number	First	Middle	Last
1	8396	Frank		Calandra
2	2715	Ronald		Myrick
3	9753	Tracey		Costa

A motion was made and seconded to renew the licenses of the LSPs on Docket #1 for the date indicated. All Board members voted in favor by roll-call vote with the exception of Ms. Baxter who was recused and did not vote.

Renewal Docket No. 2
Date: October 8, 2024
Renewal Date: October 30, 2024
New Expiration Date: January 30, 2025

Have requested a 90-Day extension:

	LSP Number	First	Middle	Last
1	1957	Walter		Hermenau
2	6048	Gregg		McBride

A motion was made and seconded to grant a 90-day extension to the LSPs listed on Docket #2. All Board members voted in favor by roll-call vote with the exception of Mr. McBride who was recused and did not vote.

Renewal Docket No. 3
Date: October 8, 2024
Renewal Date: 10/30/2023
New Expiration Date: 10/30/2027

Has completed all requirements for renewal:

	LSP Number	First	Middle	Last
1	7675	Martin		Hilfinger

A motion was made and seconded to renew the license of the LSP on Docket #3 for the date indicated. All Board members voted in favor by roll-call vote .

Renewal Docket No. 4
Date: October 8, 2024
Renewal Date: 4/30/2024
New Expiration Date: 10/30/2027

Has completed all requirements for renewal:

	LSP Number	First	Middle	Last
1	2248	Michael		Zylich

A motion was made and seconded to renew the license of the LSP on Docket #4 for the date indicated. All Board members voted in favor by roll-call vote .

B. Renewal Report. Matthew Lyne reported that 21 LSPs are up for renewal by October 30, 2024. He stated that, in addition to the 7 LSPs whose licenses were renewed at today’s meeting, the other 14 have until the end of the month to submit their renewal applications.

8. Other Licensing Related Matters

Scheduling of Future Application Review Panels – Mr. Lyne stated that one new application has been received (from Zachary Reynolds #8206, Moody & Associates/ERM) and he was seeking volunteers to serve on an Application Review Panel. Ms. Campbell, Mr. McKinlay and Mr. Smith volunteered.

A. Inactive Status Report

Ms. Dix reported the Total Number of LSPs on Inactive Status: 2

LSP Number	License Status Date	License Status	Last Name	First Name
7303	July 25, 2023	INACTIVE	Charron	Steve
7416	January 4, 2024	INACTIVE	Connolly	James

B. Total Number of LSPs on Active Status: 415

9. Annual Fees Report: Ms. Dix reported that the licenses of 4 LSPs remain Revoked due to nonpayment of their 2024 annual fee.

10. Examinations

Examination Committee Report: Mr. Lyne reported that members of the exam committee met on September 18th and October 2nd are continuing to review existing questions for compliance with recent amendments to the MCP and are drafting new questions for a 4th version of the exam. He stated that the review is taking longer than anticipated so the committee now anticipates the LSP next exam will be offered early in 2025. The committee’s next meeting is on October 16th.

11. **Continuing Education Committee Report:**

Report from Today's Committee Meeting:

Mr. Austin reported that the Committee met earlier in the day and voted to approve six new courses and to reapprove one existing course due to a change in presenters.

12. **Professional Conduct Committee Report:**

Mr. Smith reported that the Committee met earlier in the day and reviewed the active case list.

13. **Other Business:**

A. Personnel, Budget and Fees: Ms. Wood reported she had no new information regarding personnel or the Board budget.

B. LSP Board Member Vacancies: Ms. Baxter stated an applicant for the open environmental slot has been interviewed and recommended for appointment and that the candidate's application was currently under review by the Governor's office.

14. **Other Business**

A. Regulations Subcommittee Report: Ms. Wood reported that the regulations subcommittee met on October 1, 2024 and had determined that the proposed amendments and related forms were ready to go to the full Board for review.

B. Review of Proposed Regulatory Amendments: A red-line of proposed regulatory amendments and related draft forms regarding those amendments were included in the packet for today's Board meeting; however, the Board members reported that they were unable to open the red-line document.

Ms. Wood stated that, considering the Board members were unable to open the document displaying the proposed regulatory amendments, the Board would need to postpone discussion of the specific proposed amendments until the November meeting. She added that the regulations subcommittee had raised two policy issues regarding the regulations for discussion with the full Board that could be discussed today. She stated that the first issue is that the proposed amendments include a requirement that, in order to get credit, a person taking a live webinar is required to answer all polling questions presented during the time the person is in attendance. She added that several Board members on the regulations subcommittee had indicated they had not answered a polling question in time while taking a live webinar and thought, without some flexibility in the regulation, there could be a number of LSPs who would risk losing credit for attending these courses.

Mr. McBride stated that, in his experience with live webinars, the time left to answer a polling question is displayed on the screen or you can message the course provider

right away in the event you don't answer a question in the time allowed. Ms. Baxter asked whether some language could be added to the regulation to allow some flexibility such as allowing attendees to inform the course provider if they don't answer a question in time. Ms. Wood stated that she would consider alternate regulatory language to discuss at the November meeting.

Ms. Wood stated that the other issue was whether the Board should reconsider the regulation allowing applicants who fail the LSP exam to do an exam review where they can review the questions they got wrong and can challenge one or more questions. Ms. Batchelder stated that she believes the issue is with the applicants being able to review all the questions they answered incorrectly and how that could impact the security of the exam. She added that she is not aware of any exam where test takers are allowed to review the questions they answered incorrectly.

After discussion, the consensus of the Board members was to remove the regulation allowing exam reviews and exam challenges. Ms. Wood stated she would make this change in the draft proposed amendments that would be discussed at the November meeting.

15. **Future Meeting:** The next meeting will be hold on November 12, 2024, both in person at 100 Cambridge Street, Boston and remotely via ZOOM.
16. **A Motion was made and seconded to: 1) Enter Executive Session to Discuss Strategy Regarding Pending Litigation because an Open Meeting Could have a Detrimental Effect on the Litigating Position of the Board, and 2) to not return to open session. The motion passed unanimously by roll call vote.**
17. **Adjournment:** Meeting adjourned at 1:05 p.m.