



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

**MINUTES
of
BOARD MEETING
Held on July 10, 2014**
[Approved: September 11, 2014]

Meeting Location: Massachusetts Department of Environmental Protection
Southeast Regional Office
20 Riverside Drive
Lakeville, MA

Prepared by: L. Read

List of Documents Used at the Meeting:

1. Agenda
2. Draft Minutes of Meeting held on May 15, 2014
3. Renewal Dockets #1, #2, #3, and #4
4. List of Action Items for LSP Board

1. **Call to Order:** Benjamin Ericson called the meeting to order at approximately 2:44 p.m. The other Board members present were David Austin, Gail Batchelder, John Guswa, Robert Rein, Farooq Siddique, and James Smith. The Board members absent were Kathleen Campbell, Kirk Franklin, and Debra Listernick. The LSP Board staff members present were Beverly Coles-Roby, Lori Williamson, and Lynn Read. Also present were Matthew Hackman, President of the LSP Association (LSPA); Wesley Stimpson of WES Associates; and Carolyn Matthews of EnviroPike, LLC.
2. **Announcements:** Mr. Ericson announced that the Board received a letter from Senator Rush asking for an explanation of the Board's conflict of interest rules as they pertain to the testing and delivery of soil from construction sites. He said **Ms. Coles-Roby will send the letter to the Board, and the Board should consider how to respond.** Ms. Coles-Roby said this would be elevated to the MassDEP Commissioner and the Secretary of Energy and Environmental Affairs. Dr. Batchelder stated that there are minutes of Board meetings when the Board added the Conflict of Interest regulation, 309 CMR 4.04.
3. **Agenda:** The Board members agreed to follow the draft agenda.
4. **Minutes of Meeting Held on May 15, 2014:** The members present reviewed the draft minutes of the meeting of the Board held on May 15, 2014. Ms. Read added a phrase to Item 10.d. **A motion was made and seconded to approve the May 15, 2014 minutes as amended. The motion passed with Ms. Batchelder abstaining.**

5. **Regulations Committee:** The members present tabled discussion of the Regulations Committee for discussion at a later meeting.

6. **A-B. Decisions Regarding Licensing of Applicants:** The Application Docket was tabled until item 15.C below, to allow the Application Review Panel (“ARP”) to meet and report to the Board.

C. Application Committee: The members present tabled discussion of the Applications Committee for discussion at a later meeting.

7. **License Renewal Applications:**

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

Renewal Docket #1

Renewal Date: July 30, 2014

New Renewal Date: July 30, 2017

Have completed all requirements for renewal:

B.

	LSP #	First	Middle	Last
1	1509	Lawrence	M.	Goldman
2	9923	Benson	R.	Gould
3	5867	Michael	N.	Duchesneau
4	9739	Nicholas	A.	Lanney
5	9185	Samuel	W.	Butcher
6	3507	Stephen	A.	Vetere
8	6524	George	D.	Naslas
9	3605	Jonathan	B.	Higgins
10	9456	Matthew	E.	Hackman
11	8972	Robert	H.	Bird
12	4521	Raymond	G.	Ball
13	7281	Anne	E.	Heffron
14	9988	Luke	A.	Fabbri
15	8331	Richard	R.	Lamothe
16	9632	Douglas		Heely
17	4165	Abhijit		Nobis
18	4938	Marc	E.	Brochu
19	4141	Michael	P.	Bingham
20	6846	Toivo	A.	Lamminen, Jr.
21	4718	Steven	R.	Passafaro
22	8104	William	E.	Kuriger

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	LSP #	First	Middle	Last
23	6016	Daniel	A.	Watton
24	9830	Richard	W.	Gates
25	7565	Robert	S.	Berger
26	7880	Philip	G.	Clark
27	9994	A.	Raymond	Quinn
28	5539	Shawn	D.	Rising
29	9652	William	J.	Fabbri
30	4290	Robert		Nicoloro
31	3180	Kelley	C.	Race
32	9778	George	G.	Gurney
33	4913	Jack	M.	McKenna
34	1553	Glen		Gordon
35	9984	Kathleen	L.	Campbell

Ms. Williamson reported that Mr. Nicoloro’s renewal application included a certificate of completion issued by the course provider, Princeton Groundwater, Inc., and not the Board’s Continuing Education Attendance Certification Form. She said the certificate was for a remediation course that the Board approved in 1999, but the provider offered the course again in 2012 using different instructors, without informing the Board in advance or providing the Board’s attendance form. After discussion, a **motion was made and seconded to renew the licenses of the LSPs on Renewal Dockets #1. The motion was approved unanimously, and the members present instructed the staff to inform Princeton Groundwater, Inc. of the requirement to submit a new proposal when the provider changes the course instructor or the substance of the course.**

Renewal Docket #2

Renewal Date: January 30, 2014

New Renewal Date: January 30, 2017

Completed requirements within 90-day extension:

	LSP #	First	Middle	Last
1	9445	Brandon	J.	Fagan
2	4014	Dolores	M.	Branco
3	9749	Jeffrey	A.	Curtis
4	9595	John	M.	O’Donnell
5	2025	Thomas	F.	Maguire
6	7710	James	S.	Young

A motion was made and seconded to renew the licenses of the LSPs on Renewal Docket #2 for the three-year period ending on the dates indicated. The motion was approved unanimously.

**Renewal Docket #3
Old Renewal Date: October 30, 2013
New Renewal Date: July 30, 2017**

License expired on October 30, 2013, for lack of credits.
Individual has completed renewal requirements within
1-year deadline and is now eligible for active status:

	LSP #	LSP Name
1	7303	Steven D. Charron

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 dates indicated. The motion was approved unanimously.

**Renewal Docket #4
Renewal Date: April 30, 2014
Have requested a 90-day extension:**

	LSP #	LSP Name
1	7349	James M. Nuss
2	1976	Hayden S. Solomon

A motion was made and seconded to grant the LSPs on Renewal Docket #4 a 90-day extension. The motion was approved unanimously.

B. Other Renewal-related Matters. Ms. Coles-Roby said that as of July 9, 2014, 26 LSPs had not yet paid their renewal fees after the staff had sent reminder letters by certified mail. She said the staff will call each of these LSPs.

8. Other Licensing-Related Matters:

A. New Panel Assignments and Scheduling. The following Board members were assigned to Application Review Panel #261: Dr. Guswa, Mr. Smith, and Dr. Batchelder. The members present discussed the date of the next Board meeting, and decided it would be September 11, 2014.

B. Appeals Status Report. There were no pending appeals of any denials by the Board of license applications.

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
9282	January 3, 2013	Inactive	Welsh	Mark
2349	January 30, 2014	Inactive	Howell	Deborah
9090	January 30, 2014	Inactive	McCreery	Charles

D. Total Number of Active LSPs. As reported in the Agenda, the total number of Active LSPs was 567 as of July 1, 2014.

9. Examinations:

A. New Licensees: Ms. Coles-Roby said about 15 people took the exam in may and June 2014, and as reported in the Agenda, the new licensees are:

- Lauren Konetzny (#7232)
- Jean Westervelt (#4097)
- Mary Brittain (#8246)
- Lisa Irwin (#9396)
- Michael Robinson (#1993)

B. Ms. Coles-Roby said that the **dates of the next exam will be determined after the Board finishes developing the new exam.**

C. Exam Committee: Ms. Coles-Roby said a psychometrician is interested in being engaged by the Board, and the Exam Committee will meet on July 22, 2014.

D. Exam Challenge: There was no discussion of exam challenges.

10. Continuing Education Committee Report:

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

- a. Sponsor: ARCADIS
 Course Title: *Monitored Natural Attenuation Training*
 Credits Requested: 5.5 Technical credits, online course
 Committee Recommendation: **Tabled**
- b. Sponsor: ARCADIS
 Course Title: *Air Sparging & Soil Vapor Extraction*
 Credits Requested: 5.5 Technical credits, online course
 Committee Recommendation: **Tabled**

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- c. Sponsor: MassDEP
Course Title: VPH, EPH, and APH Methods Workshop
Credits Requested: 4 DEP Regulatory credits,
Date and Location: October 20, 2014, University of MA at Amherst
Committee Recommendation: **Approve**

- d. Sponsor: PCPG
Course Title: Introduction to Inorganic and Organic Groundwater Geochemistry
Credits Requested: 15 Technical Credits
Date and Location: July 17-18, 2014 and July 21-22, 2014, Monroeville and Malvern, PA
Committee Recommendation: **Approve for 16 hours of Technical credit**

A motion was made and seconded to accept the Continuing Education Committee's recommendations. The motion passed with Mr. Ericson abstaining as to the MassDEP course.

Other Business: None.

- 11. **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.

- 12. **Website Update:** Ms. Coles-Roby said the approved minutes of the Board, the Professional Conduct Committee, and the Continuing Education Committee meetings are being posted promptly, and Ms. Williamson and Ms. Wyche are posting Continuing Education courses. She recommended that the names of new LSPs be posted on the website, and that the Board members and staff write articles. Dr. Batchelder requested that such articles be circulated to the Board and approved before being posted on the website.

- 13. **Personnel, Budget, and Fees:** Ms. Coles-Roby said she met with the Commissioner of MassDEP about the possibility of obtaining additional staff, because the Board used to have six staff members, and the Board is still understaffed.

- 14. **Status of Board Member Replacements by Governor:** Ms. Coles-Roby said she submitted to the governor's office two requests by Board members for reappointment, and she hopes they will be approved before the governor leaves office in January 2015.

- 15. **Other Business**
 - A. **LSPA News Topic:** Discussion of a topic for the LSPA Newsletter was tabled for consideration at a later meeting.

 - B. **Action Items List:** Ms. Read distributed an updated Action Items List.

C. Decisions Regarding Licensing of Applicants: ARP #260 presented the following Application Docket:

ID #	Applicant Name/Company Name	ARP #	REC.
6030	Daniel J. Martin/The Louis Berger Group, Inc.	260	D
4407	Eric E. LaMontagne/NSTAR Electric & Gas	260	A

Mr. Ericson asked the ARP members Mr. Austin, Mr. Siddique, and Mr. Ericson to describe briefly their reasons for recommending that Mr. Martin’s application be denied and Mr. LaMontagne’s application be approved. ARP members stated that Mr. Martin lacked relevant professional experience because he worked primarily on New Jersey landfills, and none of his application was translatable to hazardous waste site cleanup in Massachusetts. The ARP said they recommended approval of Mr. LaMontagne because he had many years of experience on oil-related cleanups. They said they had much discussion about whether his experience was too limited to oil cleanups, but they concluded he had a wide range of work in that area and enough practical waste site cleanup experience to meet the Board’s requirements. Mr. Hackman asked if experience only on petroleum cleanups would be too limited. The said although Mr. LaMontagne’s experience was in emergency response for the utility industry and some remediation of manufactured gas plants, a majority of the panel felt that he met the Board’s requirements. **A motion was made and seconded to accept the recommendations from Application Review Panel #260 that the application submitted by Daniel Martin be denied and he be found ineligible to take the exam, and that the application submitted by Eric LaMontagne be approved and he be found eligible to take the exam. The motion was approved unanimously.**

Dr. Batchelder said the Board used to review denial letters, which spelled out the Board’s reasoning for each project in the application. She said the Board reviewed the denial letters so that if a denied applicant re-applied, the Board would not be inconsistent.

16. **Future Meetings:** As discussed in Item 8.A above, the Board’s next meeting will be on September 11, 2014, in the Central Regional Office of MassDEP in Worcester. **Mr. Ericson said he will send electronic mail to the Board members to organize dates for Board meetings in the upcoming year.**
17. **Quasi-Judicial Session:** The quasi judicial session will be rescheduled.
18. **Adjournment:** **A motion was made and seconded to adjourn, and by unanimous vote, the Board meeting was adjourned at approximately 3:31 p.m.**