



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

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CONTINUING EDUCATION COMMITTEE

Minutes of Meeting on October 15, 2015

Approved on November 19, 2015

Prepared by: Beverly Coles-Roby

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 August 13, 2015
3. Course List
4. Proposed LSPA-Sponsored Course on Board Discipline September 24, 2015 Letter
 - a. **Call to Order:** Farooq Siddique called the meeting to order at approximately 12:47 p.m. The Board members in attendance were Benjamin Ericson, Deb Listernick, David Austin, Gail Batchelder, and Robert Rein. Board members Kirk Franklin, James Smith, Kathleen Campbell, and John Guswa were absent. Staff members present were Beverly Coles-Roby and Lori Williamson. Also present was Wendy Rundle, Executive Director of the Licensed Site Professional Association ("LSPA"), Wes Stimpson of WES Associates, and Lawrence Feldman of GZA GeoEnvironmental Inc.
 - b. **Previous Minutes:** The draft minutes of the meeting held on August 13, 2015, were approved as written.
5. **Old Business:** None

6. New Business

A. Course Approval Requests:

1. McLane Environmental, LLC: Rapid Design and Analysis of Groundwater Remediation Systems (7 Technical credits, date and location to be determined) **Tabled.**
2. Environmental Business Council of New England: EBC Program on PCB Management: Managing PCB Impacted Building Materials (3.5 Technical credits, September 29, 2015, Boston, MA) **Recommend Denial.**
3. GZA GeoEnvironmental, Inc: Distal Glaciodeltaic Controls on Groundwater Flow and Contaminant Migration (6 Technical credits, October 9, 2015, Bloomfield, CT) **Recommend Approval.**
4. Environmental Business Council of New England: EBC Site Remediation Program: MassDEP Interim Policy on the Re-Use of Soil for Large Reclamation Projects (2.5 Technical credits, September 25, 2015, Boston, MA) **Recommend Approval.**
5. GeoPractical: Introduction to Measuring and Interpreting Fluxes Between Groundwater and Surface Water (8 Technical credits, April 22, 2016, Amherst, MA) **Tabled.**
6. Environmental Business Council of New England: EBC Site Remediation Program: Brownfields Massachusetts Update (3 Technical credits, October 20, 2015, Boston, MA) **Tabled.**
7. American Institute of Professional Geologists: New England Aquifers: Elusive and Complex (4 Technical credits, December 9, 2015, Marlborough, MA and December 16, 2015, Glastonbury, CT) **Recommend Approval.**
8. LSPA: Ethical Dilemma: Black Lines or Shades of Gray (1 Technical credit, November 12, 2015, Westborough, MA) **Recommend Approval.**

B. Announcements:

- NEWMOA will be offering a repeat of Course #1547, 1,4-Dioxane Assessment and Remediation Workshop on December 10, 2015 at the Fireside Inn and Suites, Lebanon, NH (5.5 Technical credits)

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With regard to Course No. A(1), Rapid Design and Analysis of Groundwater Remediation Systems Ms. Listernick commented that she had no idea what the course was about from its outline. Mr. Rein said that he was underwhelmed when he went through it. Mr. Austin stated that all of the necessary information was provided so it was just a question of what the course is about. Dr. Batchelder thought the course was proprietary. Mr. Rein asked whether there was a date for the course. Dr. Batchelder responded that there was no date. Mr. Rein asked if the course could be approved. Mr. Austin responded yes, the date would be “to be determined.” However, he added, there needed to be a more detailed description of the course, how it is relevant and a description of software. Mr. Siddique asked if the Committee should tell the provider to add another hour, as well as the date and location when decided Mr. Rein added. Mr. Siddique stated that the course was tabled until receipt of more information.

Course No. A(2), EBC Program on PCB Management: Managing PCB Impacted Building Materials, was discussed. Mr. Siddique thought that he attended a similar course. Mr. Austin inquired about a NEMOA and whether it was similar. Mr. Ericson commented that sometimes courses are approved that are outside the scope of waste site cleanup because they relate to LSP work in other areas. Mr. Austin believed that the course was very relevant. Mr. Ericson asked if there was any historical perspective here. Mr. Stimpson said it is an effort to intertwine the Massachusetts Contingency Plan (“MCP”) with studies. Mr. Feldman added that from a historical perspective, it would not have been approved. Mr. Siddique also asked whether this sort of course was approved in the past. Dr. Batchelder responded that it had not. Mr. Siddique informed the Committee that these days PCBs come from building materials and demolition. Mr. Austin noted that the course does not have to be solely about soil. Dr. Batchelder asserted that it does not count as either MCP work or Relevant Professional Experience. Mr. Ericson said that this is a slippery slope that would open the door to approving any course on any subject. Ms. Listernick said she looked at the slides and did not have that opinion. Mr. Siddique felt that it almost felt like an asbestos course. The Committee voted to deny approval of the course. Mr. Austin opposed the motion to deny approval.

Dr. Batchelder felt that Course No. A(3), Distal Glaciodeltaic Controls on Groundwater Flow and Contaminant Migration was directly relevant because of glacial deposits and the importance of characterizing contaminant migration. Both this course and Course No A(4), EBC Site Remediation Program: MassDEP Interim Policy on the Re-Use of Soil for Large Reclamation Projects were approved.

Mr. Siddique found Course No. A(5), Introduction to Measuring and Interpreting Fluxes Between Groundwater and Surface Water interesting. He went on to say that it had a very short description yet very complex subject matter. He asked whether only was person was presenting the course material. Dr. Batchelder answered yes. She also said that she had no real understanding how the presenter was handling travel time. Mr. rein thought the Committee should request a better agenda. Dr. Batchelder asserted that the course is planned for next year. She found it reasonable to ask how relevant or applicable the course is in general to LSP work. Mr. Austin suggested that the Committee ask for clarification on the eight hours and travel time. Specifically, is the travel time included in

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the eight hours? Is the field time separate, and what are the travel time logistics? Mr. Siddique wanted the provider reminded of the Board's general requirements for course approval. Ms. Williamson said that the provider had submitted courses for approval in the past. This course and Course No. A(6), *EBC Site Remediation Program: Brownfields Massachusetts Update* were tabled pending receipt of more information.

Mr. Siddique asked whether Course No. A(7), *New England Aquifers: Elusive and Complex* was about Drinking Water. Dr. Batchelder commented that this is how to rehabilitate your well. She opined that it is designed for utility personnel. Ms. Listernick wanted to know whether it would apply to remediation. Dr. Batchelder said that the Committee could approve the course for some credit--two hours. Ms. Listernick then asked if the first two hours of the course are relevant. Dr. Batchelder felt that LSPs need to understand how water moves. Mr. Austin added that some redevelopment techniques may be relevant. He felt that the Committee should approve the course for two hours credit with the stipulation that LSPs must attend the entire course. The course was approved on that basis.

Course No. A(8), *Ethical Dilemma: Black Lines or Shades of Gray* was approved with Dr. Batchelder and Ms. Campbell recusing themselves.

The Committee also considered two Petitions for Waiver for the course *Estimating LNAPL Transmissivity: A Guide to Using ASTM Standard Guide E2856*. Ms. Coles-Roby informed the members that she had instructed the petitioners to focus on demonstrating good cause. Mr. Siddique asserted that the petition of Matthew Barvenik did not provide a valid excuse; just that attendance of the full course was an inconvenience. He added that it amounted to "eight hours is a long day I have work to do." Mr. Rein said that a health related issue constitutes a crisis. Ms. Campbell asked why the LSP did not go back for the last bit of the course. Dr. Batchelder posed the question of whether the Committee should consider allowing credit for partial attendance. She then said the most compelling argument for denial of the petition is that it is precedent setting. Mr. Feldman indicated that the Committee needed to consider that the petitioner spoke with the course's proctor. Ms. Coles-Roby noted that the proctor, Matthew Hackman, telephoned the LSP Continuing Education Coordinator, Lori Williamson, the second day of the course to ask whether the regulatory 75% attendance requirement could be waived. She went on to say that she emailed Mr. Hackman on September 30th to advise him on the matter. Mr. Rein moved to deny the petition. Ms. Listernick abstained from voting. The second Petition for Waiver, from Alton Stone, who did not attend the first day of the same course, was likewise denied by the Committee.

The Committee also discussed a proposed LSPA sponsored workshop on discipline that would take place in February 2016. Mr. Siddique thought that Mr. Guswa who submitted the proposal wanted volunteers and the put the Board on notice that the course was being planned. Mr. Ericson thought it was a good idea to provide guidance for the LSPs. Ms. Coles-Roby said that the Power Point presentation would need to be updated. Mr. Austin asked whether the Board supported the effort. Ms. Rundle commented that Mr. Guswa

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would take the lead. Mr. Stimpson asked whether the course would be a LSP Board course. Mr. Austin told the Committee that statistics could be filled in at the last minute if the course is going to be presented by the Board.

7. Future Meetings: December 17, 2015.

8. Adjournment: The meeting was adjourned at approximately 1:48 p.m.