

Panel Discussion: LSRP Roles and Responsibilities

Panelists: **Wanda Chin Monahan**, Esq., *Moderator*

- **Ken Kloo**, Director, Division of Remediation Management, SRWMP
- **Keith Gagnon**, LSRP Consulting
- **Ken Goldstein**, Ransom Environmental, LSRP
- **Jillian K. Mooney**, Esq., Bressler Amery Ross
- **Susan McCurrie**, Esq., Hudson County (RP perspective)

1. General role of an LSRP

DEP and LSRP perspectives

- To educate, inform and advise PRCR – **Ken Kloo**
 - LSRP as client advocate (while meeting all the rules); not an “agent of the state.” – **Ken Goldstein**
 - LSRP’s role is to assist PRCR while still complying with rules – not mutually exclusive.
 - LSRP in third party role (i.e. not the remediation contractor). – **Keith Gagnon**
 - Different scenarios for LSRPs relationship with rest of client’s team.
- Reporting requirements of a LSRP – **Ken Kloo**
- LSRP retained for a site vs. LSRP conducting due diligence – **Ken Kloo**

Public PRCR perspective – Susan McCurrie

- Expectations
- Range of proposals for scope of work and costs
- Differing views of their role as retained LSRP

2. Retained LSRP – Self-Dismissal by LSRP

DEP perspective – Ken Kloo

- LSRP retention is key indicator but DEP will not know if PRCR is in compliance
- Withdrawal by LSRP is only notice to DEP that PRCR is out of compliance
- LSRP business concerns vs. LSRP compliance with regulations, Code of Conduct

LSRP perspective

- Issues with PRCR having financial limitations – **Ken Goldstein**
- Business concerns vs. compliance with regs, Code of Conduct – **Ken Goldstein**
- LSRP obligations under Licensing Board Rules – **Keith Gagnon**
- Notification of DEP of impending non-compliance – **Keith Gagnon**

Attorney perspective - Jillian Mooney

- Keeping PRCR in compliance
- Balancing PRCR's needs with LSRP's responsibilities
- Disclosures to DEP vs. LSRP's contractual obligations to PRCR

Public PRCR perspective - Susan McCurrie

- Establish a trusting relationship with LSRP
- Aid of LSRP to maintain compliance within PRCR's realities
- "Threat" of withdrawal by LSRP
- Disclosures to DEP

3. Multiple LSRPs for single site – Jillian Mooney

- Circumstances where multiple LSRPs for single site
- Challenges presented
- DEP administration – on-line submissions, forms