

NEW JERSEY SITE REMEDIATION PROFESSIONAL LICENSING BOARD

FINAL

March 2, 2015 Meeting Minutes

4:00 p.m., Public Hearing Room, DEP, Trenton

Board Members:

Present

Jorge Berkowitz
Philip Brilliant (absent)
Richard Dewling (absent)
Lawra Dodge
Joann Held
Christopher Motta
Karl Muessig
Mark Pedersen
Michael Pisauro
Constantine Tsentas
Ira Whitman

Others Present:

Board Secretary Karen Hershey
Board Staff Dana Haymes (absent)
DAG Kimberly Hahn

Proceedings:

- **Meeting called to Order at 4:06 by Chairman Pedersen**
- **Statement by Chairman Pedersen that adequate notice of the meeting was provided pursuant to the Open Public Meetings Act**
- **Roll Call**
- **Approval of the Minutes**

Minutes of February 17, 2015:

Motion to approve by Constantine Tsentas. Motion seconded by Jorge Berkowitz. Ira Whitman and Karl Muessig abstained. All others voted yes. The motion was carried.

- **Chairman's Report:**

Chairman Pedersen updated the Board on the Site Remediation Program's Compliance Assistance and Enforcement efforts.

- **Report of the Secretary:**

Secretary Hershey informed the Board that Dana Haymes was absent due to illness and briefly discussed some of the office technology tools that Dana plans to implement to facilitate Board functions.

- **Report of the Audit Committee: Philip Brilliant**

Philip Brilliant was absent from the meeting. No report.

- **Report of the Continuing Education Committee: Lawra Dodge**

Lawra Dodge presented to the Board her Committee's memorandum which sets forth recommended guidelines for review of applications for approval of alternative continuing education activities. Ira Whitman made a motion to approve the guidelines, seconded by Karl Muessig. Board discussion followed. Specifically, the Board discussed the DAG's caveat that the guidelines would likely not be enforceable and should therefore, only be used informally as internal guidance. Ira Whitman and Karl Muessig then withdrew their motion to approve the guidelines as adopted policy.

Motion by Lawra Dodge to approve the following 10 applications listed below:

Application for approval of CECs from LSRP Ed Sullivan for authoring a paper - .5 Technical CECs, Seconded by Ira Whitman. Roll call vote: All present voted Yes. Motion carried.

Application for approval of CECs from LSRP Ed Sullivan for instructing a course – 1 Technical CEC, Seconded by Ira Whitman. Roll call vote: All present voted Yes. Motion carried.

Application for approval of CECs from LSRP Ed Sullivan for a presentation – 1 Technical CEC, Seconded by Ira Whitman. Roll call vote: All present voted Yes. Motion carried.

Application for approval of CECs from LSRP David Russell for a presentation – 1 Technical CEC, Seconded by Ira Whitman. Roll call vote: All present voted Yes. Motion carried.

From Flask to Field – the Role of Treatability and Pilot Tests in Remediation from AEG-New York/Philadelphia – 1 Technical CEC, Seconded by Ira Whitman. All present voted Yes. Motion carried.

Application of Thermal Remediation in NJ from TerraTherm, Inc. – 3.5 Technical CECs, Seconded by Ira Whitman. All present voted Yes. Motion carried

Basics of Soil Resources I from RedVector – 2 Technical CECs, Seconded by Ira Whitman. All present voted Yes. Motion carried.

Basics of Soil Resources 2 from RedVector – 1 Technical CEC, Seconded by Ira Whitman. All present voted Yes. Motion carried.

Groundwater Hydrology from RedVector - 6 Technical CECs, Seconded by Joann Held. All present voted Yes. Motion carried.

Environmental Forensics/Environmental Crime Scene Investigation from LSRP Ed Sullivan – 6 Technical CECs, Seconded by Jorge Berkowitz. Roll call vote: All present voted Yes. Motion carried.

- **Report of the Finance Committee: Richard Dewling**

Richard Dewling was absent from the meeting. No report.

- **Report of the Licensure Committee: Ira Whitman**

Ira Whitman updated the Board on the upcoming exam and the status of license renewals. He then made a motion to extend the Caviart examination contract one year from August 2015 to August 2016. Motion seconded by Constantine Tsentas.

Roll Call Vote:

Berkowitz – Yes
Brilliant –absent
Dewling – absent
Dodge – Yes
Held – Yes
Motta – Yes
Muessig – Yes
Pisauro – Yes
Tsentas – Yes
Whitman – Yes
Pedersen – Yes

The Motion was carried.

- **Report of the Outreach Committee: Christopher Motta**

Christopher Motta reported that the implementation of a searchable continuing education database is moving forward. He indicated he will continue to work with Karen Hershey, Dana Haymes and the Site Remediation Program's web developer Anthony Teel to get the database up and running. Christopher Motta also gave a breakdown of the continuing education courses approved to date.

- Constantine Tsentas asked about what will happen to courses that LSRPs are going to take following license renewal application submission. Can they be counted toward next license term? Board discussion followed. Lawra Dodge made a motion to allow license holders with a July 9, 2015 license expiration date to apply continuing education credits earned after April 9, 2015 to count toward their next license term. Going forward, continuing education credits earned beginning the 89th day before your license expires can be counted toward the next license term. Ira Whitman seconded.

Roll call vote:

Berkowitz – Yes
Brilliant –absent
Dewling – absent
Dodge – Yes
Held – Yes
Motta – Yes
Muessig – Yes
Pisauro – Yes
Tsentas – Yes
Whitman – Yes
Pedersen – Yes

The Motion was carried. A listserv message with this information shall be distributed to LSRPs.

- **Report of the Rules Committee: Joann Held**

Joann Held reported that the public comment on the proposed new rules will close on March 6, 2015. Thus far, 5 comments have been received. The Rules Committee will meet next Wednesday to discuss the comments.

- **Report of the Professional Conduct Committee: Jorge Berkowitz**

Jorge Berkowitz reported that the Committee is working on developing guidance for use by Complaint Review Teams when evaluating complaints.

He then made a Motion to enter into Closed Session to discuss a disciplinary matter, Complaint # 003-2014. The motion was seconded by Lawra Dodge. All present voted Yes. The Motion was carried.

Closed session began at 5:25 pm

Return to full Board session at 6:11 pm

Motion by Jorge Berkowitz to declare a finding of No Violation with regard to Complaint #003-2014. Seconded by Joann Held. All present voted Yes, except Michael Pisauro, who abstained. The Motion was carried.

- **Ongoing Business:**

None.

- **New Business:**

None.

- **Second meeting in March 2015**

Motion by Constantine Tsentas to cancel second March meeting. Jorge Berkowitz seconded they Motion. All present voted Yes. The motion was approved.

- **Public Comments:**

Rodger Ferguson, LSRP, Holland Township. Questioned the Board's decision to allow continuing education credits to apply to next term after April 9, 2015, as opposed to after submission of the license renewal application. In response, the Board members affirmed their decision to allow credits to be applied to the next license term only after April 9.

David Hoffman, LSRPA. David Hoffman thanked the Board for supporting the Breakfast Roundtable and indicated he would be filing a Continuing Education application to obtain continuing education credits for the event.

Meeting adjourned at 6.22 pm.