

NEW JERSEY SITE REMEDIATION PROFESSIONAL LICENSING BOARD

FINAL

**June 4, 2018 Meeting Minutes**

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

**Board Members:**

*Present*

Jorge Berkowitz  
Phil Brilliant  
Lawra Dodge (via teleconference)  
Joann Held  
Mark Pedersen  
Kathi Stetser  
Peter Strom  
Connie Tsentas  
Ira Whitman

*Absent*

Jeffrey Hoffman  
Christopher Motta

*Others Present:*

Board Executive Director Janine MacGregor  
Board Staff Dana Haymes  
DAG Nielsen Lewis

*Proceedings:*

- Meeting called to Order at 4:07 PM by Chairperson Mark Pedersen.
- Chairperson Pedersen read the Statement of Adequate Public Notice of the meeting required by the Open Public Meetings Act.
- Roll Call:
  - Jorge Berkowitz - present
  - Phil Brilliant - present
  - Lawra Dodge - present (via teleconference)
  - Joann Held - present

Jeffrey Hoffman - absent  
Christopher Motta - absent  
Mark Pedersen - present  
Kathi Stetser - present  
Peter Strom - present  
Connie Tsentas - present  
Ira Whitman - present

A quorum of the Board was in attendance.

- Motion by Ira Whitman to approve the April 7, 2018 Board Meeting Minutes.

Motion seconded by Peter Strom.

Executive Director Janine MacGregor noted that she will add a heading to create a section for the Acting Commissioner's address to the Board.

On Page 2, for the roll call vote for approval of the April 2, 2018 Board Meeting Minutes of the closed session, make the following changes:

Change Jorge Berkowitz to "recused from the Board's April 2, 2018 closed session as to Complaints 003-2016 and 004-2016."

Change Christopher Motta to "recused from the Board's April 2, 2018 closed session as to Complaint 003-2016, abstained as to the remainder of the April 2, 2018 closed session minutes."

On Page 5, the Board discussion following the roll call vote should note that the application form for continuing education credits for an LSRP instructing a course may have to be revised depending on the decision of the Board.

Roll Call Vote:

Jorge Berkowitz - yes  
Phil Brilliant - yes  
Lawra Dodge - yes  
Joann Held - yes  
Jeff Hoffman - absent  
Christopher Motta - absent  
Mark Pedersen - yes  
Kathi Stetser - yes  
Peter Strom - yes  
Connie Tsentas - yes  
Ira Whitman - yes

The motion was carried.

- **Chairperson's Report**

Chairperson Pedersen reported that his daughter is engaged!

- **Executive Director's Report**

Janine MacGregor reported that the SRRA 2.0 letter has been sent to Senator Smith.

***Committee Reports:***

- **Continuing Education – Lawra Dodge**

Motion by Lawra Dodge to approve all 10 applications for approval of continuing education credits as set forth on the table below.

Motion seconded by Kathi Stetser.

|   | TITLE   | PROVIDER                                   | DATE  | CECs  | PROPOSED COURSE # |
|---|---|--|---|---|-------------------|
| 1 | Clean Vapor/Vapor Dynamics  | JessCo                                     | TBD   | 1 Technical   | 2018-034          |
| 2 | DEP Electronic Submission Requirements  | NJDEP                                      | March 20, 2018  | 1.5 Regulatory (in person and via webinar)                              | 2018-035          |
| 3 | 11 <sup>th</sup> Symposium on Design and Construction Issues at Hazardous Waste Sites | O'Brien and Gere                           | April 19, 2018  | Up to 9 Technical CECs based on attendance                              | 2018-036          |
| 4 | Ensuring Environmental Data Quality   | Environmental Standards, Inc.              | TBD   | 1 Technical   | 2018-037          |
| 5 | Essentials of Hazardous Materials Management  | Continuing Professional Education Services | June 2018   | Day Three – 3.5 Technical and 3 Regulatory<br>Day Four – 1.5 Regulatory | 2018-038          |
| 6 | Forensic Geochemical Age Dating and Environmental Litigation                          | Rutgers NJAES - OCPE                       | July 26, 2018   | 6 Technical   | 2018-039          |
| 7 | Horizontal Remediation Wells  | Directional Technologies, Inc.             | Four 2018 Dates: April 24, April 26, September 25, September 27 | 7.5 Technical   | 2018-040          |
| 8 | LSRPA Regulatory Roundtable – June 2018 – Linear Construction                         | LSRPA                                      | June 19, 2018   | 1 Regulatory and 1 Technical  | 2018-041          |
| 9 | Statistical Forensic Geochemical Age Dating   | Rutgers NJAES – OCPE                       | July 27, 2018   | 6 Technical   | 2018-042          |

|    |   |                   |                |              |          |
|----|---|-------------------|----------------|--------------|----------|
| 10 | Visual Sample Plan Online Training Course | VSP Training, LLC | Anytime Online | 18 Technical | 2018-043 |
|----|---|-------------------|----------------|--------------|----------|

Motion by Jorge Berkowitz to table Application for approval of CECs for “Visual Sample Plan Online Training Course” until there is a determination as to whether it merits 18 Technical CECs.

No one seconded the motion. The Board did not vote on the motion.

Roll Call Vote with respect to Lawra Dodge’s motion which was seconded by Kathi Stetser:

- Jorge Berkowitz - yes to all, except recused with respect to number 5 and abstain with respect to number 10
- Phil Brilliant - yes to all, except recused with respect to number 5 and abstain with respect to number 10
- Lawra Dodge - yes to all
- Joann Held - yes to all
- Mark Pedersen - yes to all
- Kathi Stetser - yes to all
- Peter Strom - yes to all, except recused with respect to number 6 and number 9
- Connie Tsentas - yes to all
- Ira Whitman - yes to all

The motion was carried with respect to all applications.

Motion by Lawra Dodge to disapprove application from LSRP for attending online course provided by ITRC “Characterization and Remediation of Fractured Rock.”

Motion seconded by Ira Whitman.

- Jorge Berkowitz - yes
- Phil Brilliant - yes
- Lawra Dodge - yes
- Joann Held - yes
- Mark Pedersen - yes
- Kathi Stetser - yes
- Peter Strom - yes
- Connie Tsentas - no
- Ira Whitman - yes

The motion was carried.

The motion to disapprove the applications for Continuing Education Credit from an

LSRP instructor delivering a course on In Situ Chemical Oxidation was tabled until after the Continuing Education Committee had a chance to discuss it.

The Board requested that DAG Nielsen Lewis comment on whether the application from an LSRP for approval of a continuing education program that he or she attended should include that LSRP's name so that Board Members have the opportunity to recuse themselves from the vote.

- **Audit Committee – Jorge Berkowitz**

Jorge Berkowitz reported that 5 LSRPs were selected for audit today and the Audit Review Teams have reported 6 audits as complete:

| LSRP Name             | LSRP License | Date of Selection for Audit |
|-----------------------|--------------|-----------------------------|
| Jaime L. Wuelfing     | 581029       | July 31, 2017               |
| Arthur Lee Fankhauser | 591423       | November 6, 2017            |
| Jason Elliott         | 628979       | November 6, 2017            |
| Jeffrey R. Valvik     | 574425       | November 6, 2017            |
| Mark C. Annis         | 668727       | November 6, 2017            |
| Stephen Shukaitis     | 573780       | November 6, 2017            |

- **Report of the Finance Committee – Christopher Motta**

No report.

- **Licensure Committee – Kathi Stetser**

Kathi Stetser reported that the Board denied an application from an LSRP for license renewal due to failure to complete the required number of CECs.

The Board is now requiring applications for license renewal to be submitted in PDF format via email.

The application for the licensure exam is open May 15 – July 15, 2018.

- **Report of the Outreach Committee – Peter Strom**

Peter Strom requested that the letter to Senator Smith regarding SRRA 2.0 recommendations be posted on the SRPL Board website.

- **Report of the Professional Conduct Committee – Phil Brilliant**

Phil Brilliant reported that the Board has received two complaints in 2018 so far. There are currently nine complaints undergoing investigation. There are currently five disciplinary documents undergoing review in the Division of Law. There are currently two settlement discussions ongoing.

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

Joann Held reported that during SRRA 2.0 discussions, the Division of Law (DOL) reviewed LSRP certifications currently used by the Department, and DOL provided to the Board suggested revisions for consistency with the language in SRRA and the Board Rules to be forwarded to the Department. She would like the Board to discuss this matter at the next Board Meeting under “new business.”

- **Ongoing Business:**

None

- **New Business:**

Dana Haymes requested that all Board Members consult the table of training and ethics requirements she provided them, complete any outstanding requirements and present the required receipts to her by the next Board Meeting.

- **Next Board Meeting is scheduled for June 18, 2018.**

Motion by Connie Tsentas to cancel the June 18, 2018 Board meeting.

Motion seconded by Peter Strom.

Kathi Stetser, Joann Held and Lawra Dodge noted that they will not be available for the July 9, 2018 meeting.

Mark Pedersen noted that a second Board Meeting could be scheduled in July if the July 9 meeting can't be held due to lack of a quorum, since it is unknown whether Christopher Motta and Jeffrey Hoffman can attend the July 9 meeting.

All present voted yes.

The motion was carried.

- **Next Board Meeting will be July 9, 2018.**

- **Public Comments:**

None

The meeting adjourned at 5:24 PM.