

NEW JERSEY SITE REMEDIATION PROFESSIONAL LICENSING BOARD

FINAL

**May 6, 2019 Meeting Minutes**

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

**Board Members:**

***Present***

Jorge Berkowitz  
Phil Brilliant  
Lawra Dodge  
Joann Held  
Jeffrey Hoffman (arrived at 4:17 PM)  
Mark Pedersen  
Peter Strom  
Ira Whitman

***Absent***

Christopher Motta  
Kathi Stetser

***Others Present***

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

***Proceedings***

- Meeting called to Order at 4:15 PM by Chairperson Mark Pedersen
- Mark 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
  - Joann Held - present
  - Jeffrey Hoffman - absent (arrived at 4:17 PM)

Christopher Motta - absent  
Mark Pedersen - present  
Kathi Stetser - absent  
Peter Strom - present  
Ira Whitman - present

A quorum of the Board was in attendance.

- **Chairperson's Report**

No report.

- **Executive Director's Report**

Janine MacGregor reported that to commemorate the ten year mark of the Site Remediation Reform Act, the Board is posting on the Board Website a one-page summary of Board accomplishments. It will also go out as a listserv.

Janine MacGregor requested that all Board Members review the information posted on the Board website under Board Members Resumes and provide updates to her.

- **Approval of the Board Meeting Minutes**

Motion by Joann Held to approve the minutes of the January 7, 2019 Board Meeting.  
Motion seconded by Phil Brilliant.

Roll Call Vote:

Jorge Berkowitz - Yes  
Phil Brilliant - Yes  
Lawra Dodge - Yes  
Joann Held - Yes  
Jeffrey Hoffman - Yes  
Christopher Motta - absent  
Kathi Stetser - absent  
Peter Strom - Yes  
Ira Whitman - Yes  
Mark Pedersen - abstain

The motion was carried.

Motion by Mark Pedersen to approve the minutes of the April 1, 2019 Board Meeting.  
Motion seconded by Phil Brilliant.

Roll Call Vote:

Jorge Berkowitz - abstain  
Phil Brilliant - Yes  
Lawra Dodge - Yes  
Joann Held - Yes  
Jeffrey Hoffman - Yes  
Christopher Motta - absent  
Kathi Stetser - absent  
Peter Strom - Yes  
Ira Whitman - Yes  
Mark Pedersen - Yes

The motion was carried.

Motion by Mark Pedersen to approve the minutes of the April 1, 2019 Board Meeting - closed session. Motion seconded by Phil Brilliant.

Roll Call Vote:

Jorge Berkowitz - abstain  
Phil Brilliant - Yes  
Lawra Dodge - Yes  
Joann Held - Yes  
Jeffrey Hoffman - Yes  
Christopher Motta - absent  
Kathi Stetser - absent  
Peter Strom - Yes  
Ira Whitman - Yes  
Mark Pedersen - Yes

The motion was carried.

### ***Committee Reports***

- **Continuing Education Committee – Lawra Dodge**

Lawra Dodge reported that the Board presented its continuing education program “Ethics and the Standards of Professional Conduct for LSRPs” on April 17, 2019 and received many positive comments from LSRPs who attended.

Ira Whitman commented that the Members of the Board involved had a commitment to the subject, and if this course is given again he would hope that the Board Members involved have a similar level of commitment.

Motion by Lawra Dodge to approve the following 11 applications for approval of continuing education credits:

	TITLE	PROVIDER	DATE	CECs	PROPOSED COURSE #
1	LSRPA Regulatory Roundtable – April 2019	LSRPA	April 16, 2019	2 Regulatory	2019-037
2	MGP 2019	Florida State University and INSTEP	June 2-4, 2019	Up to 12.5 Technical based on individual attendance	2019-038
3	NYCBP Regulatory Roundtables – March, April, June, August, December 2019	New York City Brownfield Partnership	March 7, April 23, June 18, August 6, December 3, 2019	.5 Regulatory and .5 Technical for each	2019-039
4	Phytotechnologies (RV 10472 AW)	Red Vector	Anytime Online	3 Technical	2019-040
5	Hazardous Waste Treatment (RV 10857)	Red Vector	Anytime Online	1 Technical	2019-041
6	High Performance Landscapes (RV 10958)	Red Vector	Anytime Online	1 Technical	2019-042
7	LSRP Update for Contaminants of Emerging Concern – PFAS	SGS North America, Inc.	April 9, 2019	2 Regulatory and 2 Technical	2019-043
8	The Use of Unmanned Aerial Vehicles in Environmental Site Characterization	NE-AIPG	September 16, 2019	4 Technical	2019-044
9	The Do’s and Don’ts of PFAS Sampling	SGS North America, Inc.	April 22, 23, and 25, 2019	1 Technical	2019-045
10	In Situ Remediation Using Activated Carbon Based Injectates	AST Environmental, Inc.	Spring 2019 – TBD	1.5 Technical	2019-046
11	Case Study from the Hartford Basin, CT	AEG	March 14, 2019	1 Technical	2019-047

Motion seconded by Mark Pedersen.

Roll Call Vote:

Jorge Berkowitz - Yes to all  
 Phil Brilliant - Yes to all  
 Lawra Dodge - Yes to all  
 Joann Held - Yes to all  
 Jeffrey Hoffman - Yes to all  
 Christopher Motta - absent

Kathi Stetser - absent  
Peter Strom - Yes to all  
Ira Whitman - Yes to all  
Mark Pedersen - Yes to all

The motion was carried with respect to all applications.

Motion by Lawra Dodge to deny the following 3 applications for approval of continuing education credit:

1. Land Treatment Systems (RV 10192) provided by Red Vector
2. Aquifer Remediation (RV 11285) provided by Red Vector
3. Soils and Foundations (RV 11296) provided by Red Vector

Motion seconded by Mark Pedersen.

Roll Call Vote:

Jorge Berkowitz - Yes to deny all  
Phil Brilliant - Yes to deny all  
Lawra Dodge - Yes to deny all  
Joann Held - Yes to deny all  
Jeffrey Hoffman - Yes to deny all  
Christopher Motta - absent  
Kathi Stetser - absent  
Peter Strom - Yes to deny all  
Ira Whitman - Yes to deny all  
Mark Pedersen - Yes to deny all

The motion was carried with respect to all applications.

Motion by Lawra Dodge to approve the application of an individual LSRP for 6 Technical Continuing Education Credits for attending “Technical Excellence in Remediation” provided by Arcadis on April 11, 2019.

Motion seconded by Joann Held.

Roll Call Vote:

Jorge Berkowitz - Yes  
Phil Brilliant - Yes  
Lawra Dodge - Yes  
Joann Held - Yes  
Jeffrey Hoffman - Yes  
Christopher Motta - absent  
Kathi Stetser - absent

Peter Strom - Yes  
Ira Whitman - Yes  
Mark Pedersen - Yes

The motion was carried.

• **Professional Conduct Committee – Phil Brilliant**

Motion by Phil Brilliant to approve a resolution to enter closed session to discuss Complaints 004-2015 and 007-2017.

Motion seconded by Joann Held.

All present voted yes.

The motion was carried.

Phil Brilliant is recused with respect to Complaint 004-2015 so will depart the closed session during the discussion of this complaint.

Open session resumed at 5:17 PM.

Motion by Phil Brilliant, in the matter of Complaint 007-2017, to find the subject of the complaint in violation of N.J.S.A. 58:10C-14.c. and assess a penalty of \$500, to authorize transmission of an offer of settlement under the signature of the Board Chairperson, and if no settlement is reached, to proceed with formal disciplinary action.

Motion seconded by Jorge Berkowitz.

Roll Call Vote:

Jorge Berkowitz - Yes  
Phil Brilliant - Yes  
Lawra Dodge - Yes  
Joann Held - Yes  
Jeffrey Hoffman - Yes  
Christopher Motta - absent  
Kathi Stetser - absent  
Peter Strom - Yes  
Ira Whitman - No  
Mark Pedersen: - Yes

The motion was carried.

The subject of Complaint 007-2017 is William Dougherty, LSRP 573981.

Motion by Joann Held to amend the previously approved settlement terms for Complaint 004-2015 to \$4,900.00 for violations of N.J.S.A. 58:10C-16.b. and N.J.A.C. 7:26I-6.3(d) and to authorize transmission of an offer of settlement under the signature of the Board Chairperson.

Motion seconded by Jeff Hoffman.

Joann Held amended the motion as follows: To amend the previously approved settlement terms for Complaint 004-2015 to \$4,900.00 for violations of N.J.S.A. 58:10C-16.b. and N.J.A.C. 7:26I-6.3(d) and to authorize transmission of an offer of settlement under the signature of the Board Chairperson, and if no settlement is reached, to proceed with formal disciplinary action.

Amended motion seconded by Jeff Hoffman.

Roll Call Vote:

Jorge Berkowitz - Yes  
Phil Brilliant - abstained due to recusal  
Lawra Dodge - Yes  
Joann Held - Yes  
Jeffrey Hoffman - Yes  
Christopher Motta - absent  
Kathi Stetser - absent  
Peter Strom - Yes  
Ira Whitman - Yes  
Mark Pedersen: - Yes

The motion was carried.

The subject of Complaint 004-2015 is Ronald Dooney, LSRP 577384.

• **Audit Committee – Jorge Berkowitz**

Jorge Berkowitz reported that the Audit Committee selected 6 LSRPs for audit for May 2019.

Audit Review Teams have reported the following audits as complete.

LSRP NAME	LSRP LICENSE	Date of Audit Selection
Jonathon Lisko	575491	July 9, 2018
W.J. Llewellyn	575611	August 9, 2018
William DeStefano	573744	August 9, 2018

- **Finance Committee – Christopher Motta**

No Report.

- **Licensure – Kathi Stetser**

No Report.

- **Outreach Committee – Peter Strom**

No Report.

- **Rules Committee – Joann Held**

No Report, but the Rules Committee will most likely reconvene over the summer.

- **Next Board Meeting**

Motion by Phil Brilliant to cancel the Board Meeting previously scheduled for May 20, 2019.

Motion seconded by Jeff Hoffman.

All present voted yes.

The motion was carried.

The next Board Meeting is June 3, 2019

- **New Business**

None.

- **Public Comments**

None

Motion by Phil Brilliant to adjourn the meeting.

Motion seconded by Jorge Berkowitz.

All present voted yes.

The motion was carried.

Meeting adjourned at 5:46 PM.