

NEW JERSEY SITE REMEDIATION PROFESSIONAL LICENSING BOARD

FINAL

February 4, 2013 Meeting Minutes

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

Board Members:

Present: Jorge Berkowitz, Phil Brilliant, Richard Dewling, Lawra Dodge, Joann Held, Christopher Motta, Karl Muessig, Dave Sweeney, Constantine Tsentas, Ira Whitman

Absent: Mike Pisauro

Others Present: Board Secretary Karen Hershey, DAG Kimberly Hahn, Executive Assistant David Haymes

Proceedings:

- Meeting called to Order at 4:04 by Chairman Sweeney.
- Statement by Chairman Sweeney that adequate notice of the meeting was provided pursuant to the Open Public Meetings Act.
- Approval of the January 7, 2013 minutes.
 - Motion by Joann Held to approve January 7, 2013 minutes, seconded by Richard Dewling; approved unanimously except for Ira Whitman who abstained due to absence at the January 7, 2013 meeting.
- Chairman's Report
 - The Chairman reported that the academic LSRP Board nominee Robert Mutch was re-nominated by the Governor's office, and that recovery and clean-up efforts relating to Super Storm Sandy continue to be a top priority for the DEP.
- Committee Reports
 - Audit: A report was given by Committee Chair Phil Brilliant on behalf of the Audit Committee.
 - Phil Brilliant announced that the following audits have been deemed complete:

509046 Peter Smith, Selected July 9, 2012, Completed February 4, 2013

510506 John Johnnidis, Selected May 14, 2012, Completed February 4, 2013
561832 Gary Landis, Selected August 6, 2012, Completed February 4, 2013.

- Phil Brilliant also reported that he met with the members of his Committee and two changes are recommended regarding the audit process. Phil Brilliant reported that the Committee is recommending adding a third outcome to the audit, *Complete with Comments*, and that audit recipients be required to review the DEP's comprehensive report for their sites on Data Miner and compare the report against their own records. They would then be required to resolve any discrepancies in their audit response.
 - Phil Brilliant then made a motion to amend the audit process to include both of the modifications described above. The motion was later amended to include only changing the questionnaire to require the recipient to review DEP's Data Miner report and address any discrepancies in their audit response. The *Complete with Comments* recommendation was tabled for further review and evaluation by the Committee.
 - Motion seconded by Ira Whitman; motion adopted after debate (10Y, 1 absent, no abstentions).
 - Roll call vote as follows:
 - Berkowitz- Y
 - Brilliant- Y
 - Dewling-Y
 - Dodge- Y
 - Held-Y
 - Motta- Y
 - Muessig-Y
 - Pisauro-Absent
 - Tsentas- Y
 - Whitman-Y
 - Sweeney-Y

 - Phil Brilliant also reported that five audit questionnaire recipients were selected for February and their questionnaire would reflect the Board approved change noted above.
- Continuing Education: A report was given by Committee Chair Lawra Dodge on behalf of the Continuing Education Committee.
 - Lawra Dodge reported on the progress of the Continuing Education Committee.
 - Lawra Dodge then made a motion to approve the following four courses for continuing education credits:

- Fundamentals of Analytical Chemistry and Data Usability Review, 4 Technical CECs, offered by Alpha Analytical/Data Management Solutions,
 - Horizontal Wells for Improved Site Cleanup, 7 Technical CECs, offered by Directional Technologies,
 - Integrating Molecular Biological Tools into Site Management, 4 Technical CECs, offered by Microbial Insights, Inc., and
 - “New” Vapor Intrusion Screening Levels and Revised VIT Guidance, 2 Regulatory CECs, offered by NJDEP.
 - Motion Seconded by Karl Muessig; motion adopted after debate. All present voted Yes.
 - Karl Muessig then made a motion to approve one additional course, Indoor Air Quality and Industrial Hygiene Sampling for 4 Technical CECs, offered by EMSL Inc.
 - Motion Seconded by Joann Held, motion adopted after debate (8 Y, 2N, 1 absent, no abstentions).
 - Roll call vote as follows:
 - Berkowitz- N
 - Brilliant- Y
 - Dewling-N
 - Dodge- Y
 - Held-Y
 - Motta- Y
 - Muessig-Y
 - Pisauro-Absent
 - Tsentas- Y
 - Whitman-Y
 - Sweeney-Y
- Licensure: A report was given by Committee Chair Ira Whitman on behalf of the Licensure Committee.
- Ira Whitman gave an update on the outcome of the January 17, 2013 exam and other items related to the exam contractor, and the DEP’s contract with Caviart.
 - Ira Whitman also discussed various approaches for scheduling and budgeting future exams.
 - He further informed the Board that Caviart’s Buck Chaffee will be making a presentation to the Board at the next meeting on February 19, 2013.
 - Finally, Ira Whitman made a motion to accept the results of the four candidates who showed up on the day of the January exam but did not properly register for the exam prior to the registration deadline. Three of the candidates failed the exam. One passed.

- Seconded by Jorge Berkowitz; motion adopted after debate (9Y, 1N, 1 Absent, no abstentions).
 - Roll call vote as follows:
 - Berkowitz- Y
 - Brilliant- Y
 - Dewling-Y
 - Dodge- Y
 - Held-Y
 - Motta- Y
 - Muessig-Y
 - Pisauro-Absent
 - Tsentas- Y
 - Whitman-Y
 - Sweeney-N

- Finance: A report was given by Committee Chair Richard Dewling on behalf of the Finance Committee.
 - Richard Dewling circulated a draft budget and discussed the details with the Board. Board members were instructed by the Chairman to provide feedback.
 - Richard Dewling reported that he would propose a final budget for Board approval at the next meeting on February 19, 2013.

- Website/Outreach: A report was given by Outreach Committee Chair Chris Motta on behalf of the Outreach Committee.
 - Chris Motta reported that the Board is in compliance with legislation requiring certain information be posted on Board and Commission web sites. The law became effective February 1, 2013. He indicated that a statement was added to the Board's web site to indicate that the exam contractor was paid in excess of \$17,500 for exam development services. This posting is required under the new law.
 - Chris Motta also reported that he is still working on getting access so that he can review the proposed new Board web site.

- Professional Conduct: A report was given by Committee Chair Jorge Berkowitz on behalf of the Professional Conduct Committee.
 - Jorge Berkowitz updated the Board on pending LSRP complaints.

- Rulemaking: A report was given by Joann Held on behalf of the Rulemaking Committee.
 - Joann Held updated the Board on various issues related to the continuing education subchapter and the fee subchapter of the draft rules. She also indicated that the LSRPA is exploring the issue of record retention and will report back to the Board on their findings.
- Confidentiality and Release of Public Information (Ad Hoc): Committee Chair Mike Pisauro was absent and therefore, no report was given.
- Ongoing Business
 - None
- New Business
 - None
- Second Monthly Meeting: February 19, 2013.
 - Chairman Sweeney recommended that the February 19 meeting take place as scheduled because the Board will want to vote to make permanent those who passed the January exam and also, the exam contractor is scheduled to come to the meeting and make a presentation. The Board agreed.
- Public Comment
 - Ken Goldstein, LSRPA
 - Inquired about legislative revisions to SRRA.
 - John Oberer, LSRPA
 - Asked for clarification about a May exam; Board clarified that there would not be an exam in May.
 - Ted Toskos, LSRP
 - Suggested that in the future, the Board may want to ask LSRP candidates for feedback about the exam.

- The meeting adjourned at 5:03 p.m.