

NEW JERSEY SITE REMEDIATION PROFESSIONAL LICENSING BOARD

FINAL

**April 1, 2019 Meeting Minutes**

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

**Board Members:**

***Present***

Phil Brilliant

Lawra Dodge (departed at 5:18 PM)

Joann Held

Jeffrey Hoffman (arrived at 4:25 PM)

Christopher Motta

Mark Pedersen

Kathi Stetser (via Teleconference due to travel) (departed at 4:40 PM)

Peter Strom

Ira Whitman

***Absent***

Jorge Berkowitz

***Others Present:***

Board Executive Director Janine MacGregor

Board Staff Dana Haymes

DAG Nielsen Lewis

***Proceedings:***

- Meeting called to Order at 4:06 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 - absent
  - Phil Brilliant - present
  - Lawra Dodge - present
  - Joann Held - present
  - Jeffrey Hoffman - absent (arrived at 4:25 PM)

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

A quorum of the Board was in attendance.

- **Approval of the Board Meeting Minutes**

Motion by Mark Pedersen to approve the minutes of the March 4, 2019 Board Meeting.  
 Motion seconded by Joann Held.

Roll Call Vote:

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

The motion was carried.

- **Chairperson’s Report**

Mark Pedersen reported that SRRA 2.0 was proposed for introduction on March 25, 2019. It was not given a first reading, so revisions can still potentially be made.

The MCLs have been proposed for PFOA and PFOS as part of a rule proposal of amendments to the Ground Water Quality Standards. The rule proposal is open for public comment at this time, and a public meeting is scheduled for May 15, 2019.

On March 27, 2019, the Attorney General and Department of Environmental Protection filed four new environmental lawsuits seeking natural resource damages.

- **Executive Director’s Report**

Janine MacGregor reported that there has been no word on appointments to the Board.

**Committee Reports:**

- **Continuing Education Committee – Lawra Dodge**

Motion by Lawra Dodge to approve the following 25 applications for approval of continuing education credits:

	TITLE	PROVIDER	DATE	CECs	PROPOSED COURSE #
1	Debate on Conceptual Site Models based on Newark Basin Studies	AEG – New York/Philadelphia Chapter	January 17, 2019	1 Technical	2019-012
2	Fractured Bedrock, EPH Remediation and Use of MBTs	LSRPA	January 30, 2019	0.5 Technical	2019-013
3	GIS for LSRPs	CPES	May 22, 2019	4 Technical	2019-014
4	Green Stormwater Management for Landscape Architects	Rutgers NJAES – OCPE	June 18, 2019	3 Technical	2019-015
5	Hands on Sesoil and AT123D Training	ESCI, LLC	TBD	7.5 Technical	2019-016
6	World’s First Regenerable Resin System for PFAS Removal	LSRPA	January 30, 2019	0.5 Technical	2019-017
7	Remedy Selection: Planning for Success and Lessons Learned	NEWMOA	May 7, 2019 and May 8, 2019	6.5 Technical	2019-018
8	Environmental Land Use Law	CPES	June 5, 2019	3 Regulatory	2019-019
9	BCONE Northeast Sustainable Communities Workshop 2019	BCONE	June 4, 2019	Varies based on attendance – up to 2.5 Technical or 2 Technical and .5 Regulatory	2019-020
10	BCONE Regulatory Roundtable – August 2019	BCONE	August 21, 2019	1 Regulatory and 1 Technical	2019-021
11	BCONE Regulatory Roundtable – February 2019	BCONE	February 22, 2019	1 Regulatory and 1 Technical	2019-022

12	BCONE Regulatory Roundtable – May 2019	BCONE	May 22, 2019	1 Regulatory and 1 Technical	2019-023
13	BCONE Regulatory Roundtable – November 2019	BCONE	November 20, 2019	1 Regulatory and 1 Technical	2019-024
14	2018 Langan Environmental Workshop	Langan	November 17, 2018	3 Technical	2019-025
15	PFAS Challenges for LSRPs	AEG – NY and Philadelphia	December 12, 2018	1 Technical	2019-026
16	Applied Ground Water Modeling with Visual Modflow Flex	Waterloo Hydrogeologic	April 9-11, 2019	21 Technical	2019-027
17	Clean Vapor / Vapor Dynamics – 2 Hours	JessCo	TBD	2 Technical	2019-028
18	Environmental Workshops	Remediation Workshops	February 2019	4 Technical	2019-029
19	Focused Remediation Seminar	Focused Remediation Seminars.com	May 2, 2019	5 Technical	2019-030
20	PFAS by American Ground Water Trust	American Ground Water Trust	March 6, 2019	5 Technical	2019-031
21	LSRPA Regulatory Roundtable – February 2019	LSRPA	February 19, 2019	1 Regulatory and 1 Technical	2019-032
22	LSRPA Regulatory Roundtable – March 2019	LSRPA	March 19, 2019	1 Regulatory and 1 Technical	2019-033
23	Land Use Regulations Applicable to Site Remediation Activities	LSRPA	January 30, 2019	0.5 Regulatory	2019-034
24	Site Specific Fuel Oil Mobility in Soils and EPH Mobility Criteria	LSRPA	January 30, 2019	0.5 Technical	2019-035
25	Langan LSRP Summit VII	Langan	December 6, 2018	3 Regulatory	2019-036

Motion seconded by Joann Held.

Jeffrey Hoffman arrived at 4:25 PM

Roll Call Vote:

- Jorge Berkowitz - absent
- Phil Brilliant - Yes to all, except recused with respect to application numbers 3 and 8
- Lawra Dodge - Yes to all
- Joann Held - Yes to all
- Jeffrey Hoffman - Yes to all
- Christopher Motta - Yes to all
- Kathi Stetser - Yes to all, except recused with respect to application number 22
- Peter Strom - Yes to all, except recused with respect to application number 4
- Ira Whitman - Yes to all
- Mark Pedersen: - Yes to all

The motion was carried.

Motion by Lawra Dodge to approve the application of an individual LSRP for 0.5 regulatory CECs for a presentation entitled “New Jersey Underground Storage Tank Rules and LSRP Program Hot Topics” on March 5, 2019.

Motion seconded by Jeff Hoffman.

Roll Call Vote:

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

The motion was carried.

- **Audit Committee – Jorge Berkowitz**

Janine MacGregor reported on behalf of Jorge Berkowitz that six auditees were selected for audit this month and the LSRPs and Audit Review Teams will be notified.

Audit Review Teams have reported the following audits as complete.

LSRP NAME	LSRP LICENSE	Date of Audit Selection
Ed Sullivan	573514	June 2018
Jeffrey Fehr	576000	August 2018
Jeffrey Hosterman	574859	August 2018
Michael Renzulli	584467	August 2018

- **Finance Committee – Christopher Motta**

Christopher Motta has requested feedback from the Site Remediation fiscal group on the finance committee’s analysis of possible ways to reduce Board operating costs.

- **Licensure – Kathi Stetser**

Kathi Stetser reported that on behalf of the licensure committee, she met with Janine MacGregor and Christopher Motta to discuss possible ways to reduce Board operating costs and is working diligently to determine if the Board can reduce the licensure fees.

Motion by Christopher Motta to hold the next LSRP Examination in April 2020, and to authorize the Executive Director to engage the contractor to develop and administer the exam, and pick an acceptable date in April 2020.

Motion seconded by Mark Pedersen.

Roll Call Vote:

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

The motion was carried.

- **Approval of the Board Meeting Minutes – Closed Session**

Motion by Joann Held to approve the minutes of the March 4, 2019 Closed Session of the Board Meeting.

Motion seconded by Phil Brilliant.

## Roll Call Vote:

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

The motion was carried.

- **Outreach Committee – Peter Strom**

No Report.

- **Rules Committee – Joann Held**

No report.

- **Next Board Meeting**

Motion by Mark Pedersen to cancel the Board Meeting previously scheduled for April 15, 2019.

Motion seconded by Ira Whitman.

All present voted yes.

The motion was carried.

The next Board Meeting is May 6, 2019

- **Professional Conduct Committee – Phil Brilliant**

Motion by Phil Brilliant to adopt a resolution to enter closed session to discuss Complaints 008-2014, 010-2015 and 006-2017.

Motion seconded by Lawra Dodge.

All present voted yes.

The motion was carried.

Kathi Stetser departed the meeting prior to the beginning of the closed session, and Lawra Dodge departed the meeting at the conclusion of the closed session.

Open session resumed at 6:02 PM.

Motion by Phil Brilliant to accept the settlement terms for Complaint 008-2014 of \$2,500.00 for violations of N.J.S.A. 58:10C-16.a., N.J.S.A. 58:10C-16.b. and N.J.S.A. 58:10C-16.i. and to authorize transmission of this offer via settlement agreement under the Board Chairperson’s signature.

Motion seconded by Joann Held.

Roll Call Vote:

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

The motion was carried.

For the record, the subject of Complaint 008-2014 is Paul McGaha, LSRP #586577.

Later in the meeting this motion was amended:

Motion by Phil Brilliant to correct previous motion, to accept the settlement terms for Complaint 008-2014 of \$2,500.00 for violations of N.J.S.A. 58:10C-16.a., N.J.S.A. 58:10C-16.b. and N.J.S.A. 58:10C-16.i., including amendment of the Board’s prior findings of violations regarding N.J.S.A. 58:10C-16.a. and 16.b., and to authorize transmission of this offer via settlement agreement under the Board Chairperson’s signature.

Motion seconded by Jeffrey Hoffman.

All present voted yes.

The motion was carried.



Motion by Phil Brilliant to accept the settlement terms for Complaint 010-2015 of \$2,000.00 for violations of N.J.S.A. 58:10C-16.i., and N.J.S.A. 58:10C-16.b., including withdrawal of the Board's prior findings of violation of N.J.S.A. 58:10C-16.a. and to authorize transmission of this offer via settlement agreement under the Board Chairperson's signature.

DAG Nielsen Lewis offered amendment to the language.

Joann Held seconded the motion as amended.

Roll Call Vote:

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

The motion was carried.

For the record the subject of Complaint 010-2015 is James Mack, LSRP #576435.

Motion by Phil Brilliant, in the matter of Complaint 006-2017, to find a violation of N.J.S.A. 58:10C-16.b. and N.J.A.C. 7:26I-6.3(d) for a penalty of \$1,250.00, and N.J.S.A. 58:10C-16.i. and N.J.A.C. 7:26I-6.8(a) and (d) for a penalty of \$1,250.00, and to authorize transmission of an offer of settlement for \$2,000.00 under signature of the Board Chairperson.

Joann Held seconded the motion

Roll Call Vote:

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

Ira Whitman - Yes  
Mark Pedersen: - Yes

The motion was carried.

For the record, the subject of Complaint 006-2017 is Rohan Tadas, LSRP #575486.

- **New Business:**

None.

- **Public Comments:**

None

Motion by Ira Whitman to adjourn the meeting.

Motion seconded by Chris Motta.

All present voted yes.

The motion was carried.

Meeting adjourned at 6:13 PM.