

NEW JERSEY SITE REMEDIATION PROFESSIONAL LICENSING BOARD

FINAL

June 17, 2019 Meeting Minutes

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

Board Members:

Present

Jorge Berkowitz
Phil Brilliant
Lawra Dodge (via teleconference due to medical issue)
Joann Held
Jeffrey Hoffman
Christopher Motta
Mark Pedersen
Kathi Stetser

Absent

Peter Strom
Ira Whitman

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
- 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 (via teleconference)
 - Joann Held - present
 - Jeffrey Hoffman - present

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

A quorum of the Board was in attendance.

- **Chairperson’s Report**

Senator Smith released SRRA 2.0 from the Senate Committee today. It should go for Senate floor vote on June 21, 2019.

- **Executive Director’s Report**

Janine MacGregor reported that due to timing issues, Chairperson Pedersen testified on behalf of the Board at the Senate and Assembly hearings. Board representative Phil Brilliant was present at the Senate hearing, and Joann Held was at the Assembly hearing, and both representatives had attended several of the prior stakeholder meetings. Janine will forward to Board Members a copy of the pending bill.

- **Approval of the Board Meeting Minutes**

There is not a sufficient number of Board Members that were present at any of the meetings with draft minutes to constitute a quorum to vote on approval and finalization of the minutes, so they will be held for a future meeting.

Committee Reports

- **Continuing Education Committee – Lawra Dodge**

- Motion by Lawra Dodge to approve the following 10 CEC applications:

	TITLE	PROVIDER	DATE	CECs	PROPOSED COURSE #
1	Case Study – Culpepper Basin	AEG	February 7, 2019	1 Technical	2019-052
2	LSRPA Regulatory Roundtable – September 2019	LSRPA	September 17, 2019	2 Regulatory	2019-053
3	Building Out Vapor Intrusion – Design Techniques for New Construction	Obar Systems, Inc.	TBD	2 Technical	2019-054

4	Undercurrents in SR	CPES, LLC	TBD	6.5 Technical	2019-055
5	Successful Interaction with NJDEP	LSRPA	TBD	.5 Regulatory	2019-056
6	Risk Communication in Emerging Contaminants	LSRPA	TBD	.5 Regulatory	2019-057
7	Design and Construction Issues at Hazardous Waste Sites	O'Brien and Gere	April 9 and 10, 2019	9 Technical	2019-058
8	Technical Writing for Site Remediation	LSRPA	June 11, 2019	2 Regulatory	2019-059
9	LSRPA Regulatory Roundtable – December 2019	LSRPA	December 17, 2019	2 Regulatory	2019-060
10	Wetlands Management for LSRPs	AST Environmental, Inc.	Spring 2019 – TBD	1.5 Technical	2019-061

Joann Held seconded the motion.

Jorge Berkowitz and Phil Brilliant noted that they are recused with respect to the 4th application, “Undercurrents in SR.”

Lawra Dodge amended the motion to exclude the 4th application, “Undercurrents in SR.”

Joann Held seconded the amended motion.

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

The motion was carried with respect to all 9 applications.

- Motion by Lawra Dodge to amend the motion passed on April 1, 2019 to approve 2.5 Technical, or 2 Technical and .5 Regulatory, CECs for BCONE Northeast Sustainable Communities Workshop 2019 (Course 2019-020) as follows:

Motion to approve 2.5 Technical and 1 Regulatory, or 2 Technical and 1.5 Regulatory, CECs for BCONE Northeast Sustainable Communities Workshop 2019 (Course 2019-020).

Joann Held seconded the motion.

Note, the application for approval of continuing education credit for this program that was approved on April 1, 2019 granted 2.5 Technical, or 2 Technical and .5 Regulatory, CECs. The provider requested approval of a plenary session in addition to the sessions approved on April 1, 2019, so this amended motion adds an additional 1 Regulatory CEC to the CECs previously approved, thus giving continuing education credit for the plenary session.

Roll Call Vote:

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

The motion was carried.

- Motion by Lawra Dodge to approve the application of an LSRP for personal credit of 10.5 Technical CECs for attending 5th International Symposium on Bioremediation and Sustainable Environmental Technologies on April 16-18, 2019.

Phil Brilliant seconded the motion.

Roll Call Vote:

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

Mark Pedersen - Yes

The motion was carried.

- **Audit Committee – Jorge Berkowitz**

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

Mark Pedersen suggested that the Audit Committee might review the pending audits as a committee, rather than delegating to Audit Review Teams. The current review process may be putting too much burden on individual members of the Board.

Jorge Berkowitz responded that the Audit Committee will discuss this at the Committee meeting this week.

- **Finance Committee – Christopher Motta**

No Report.

- **Licensure – Kathi Stetser**

No Report.

- **Outreach Committee – Peter Strom**

No Report.

- **Rules Committee – Joann Held**

Rules Committee has a meeting scheduled for June 19, 2019 to discuss revision of the Board Rules.

- **Professional Conduct Committee – Phil Brilliant**

Motion by Phil Brilliant to approve a resolution to enter closed session to discuss Complaints 008-2017, 003-2018, 003-2019, 004-2019, 005-2019, and 006-2019.

Motion seconded by Mark Pedersen.

All present voted yes.

The motion was carried.

Open session resumed at 6:08 PM.

Motion by Phil Brilliant, in the matter of Complaint 003-2018, to find the subject of the complaint in violation of N.J.S.A. 58:10C-16.i. and N.J.A.C. 7:26I-6.3(a) for multiple administrative deficiencies and to assess a penalty of \$9,000.00 and to find the subject of the complaint in violation of N.J.S.A. 58:10C-16.i. and N.J.A.C. 7:26I-6.3(a) for one technical deficiency and to assess a penalty of \$4,000.00, the overall penalty to equal \$13,000 total, 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.

Motion seconded by Mark Pedersen

Roll Call Vote:

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

The motion was carried.

The subject of Complaint 003-2018 is Thomas Brady, LSRP 573653.

- **Next Board Meeting**

The next Board Meeting is July 1, 2019.

- **New Business**

None.

- **Public Comments**

Mark Pietrucha, LSRPA.

Mr. Pietrucha commented on Complaint 003-2018 and asked why there was a distinction made between administrative deficiencies and technical deficiencies. Phil Brilliant explained that in this case the Board differentiated between administrative deficiencies and technical deficiencies based on the facts, but both formed the basis for violation of N.J.S.A. 58:10C-16.i. The posted document will provide more details.

Motion by Phil Brilliant to adjourn the meeting.

Motion seconded by Jeff Hoffman.

All present voted yes.

The motion was carried.

Meeting adjourned at 6:23 PM.