

NEW JERSEY SITE REMEDIATION PROFESSIONAL LICENSING BOARD

FINAL

JUNE 6, 2022 Meeting Minutes

4:00 PM

Meeting held via Microsoft Teams

Until further notice, the open public meetings of the Board will be held via Microsoft Teams.

To participate by phone, use the following:

Toll free number: 1-(856) 338-7074 and Conference ID: 906475949

Or connect via the link on the Board Website www.nj.gov/l srpboard

Board Members:

Present

Phil Brilliant
Michele Christina
Lawra Dodge
Joann Held
Jeffrey Hoffman
Mark Pedersen
Michael Renzulli
Kathi Stetser
Peter Strom
Ira Whitman

Absent

Others Present

Board Staff Dana Haymes
Board Staff Victoria Glean
DAG Nielsen Lewis
Buck Chaffee, The Caviart Group

Members of the Public that were present:

Kevin Soldo, Candace Baker, Jerry Caprario, Charles Stebbins, Timothy Mangold, William Call, Rebecca Hollender, Jay Tracy, Marlene Lindhardt, Michael Pague, Sonya Ward, Jorge Berkowitz, Randy Shuler

Proceedings

- Meeting called to Order at 4:02 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:

Phil Brilliant - Present
Michele Christina - Present
Lawra Dodge - Present
Joann Held - Present
Jeffrey Hoffman - Present
Mark Pedersen - Present
Michael Renzulli - 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 May 2, 2022 Board Meeting Minutes.

Motion seconded by Ira Whitman.

Roll Call Vote:

Phil Brilliant - Yes
Michelle Christina - Yes
Lawra Dodge - Yes
Joann Held - Yes
Jeffrey Hoffman - Yes
Michael Renzulli - Yes
Kathi Stetser - Yes
Peter Strom - Yes
Ira Whitman - Yes
Mark Pedersen - Yes

The Motion to approve the minutes was carried.

- Motion by Mark Pedersen to approve the May 2, 2022 Board Meeting Minutes of the Closed Session.

Motion seconded by Ira Whitman.

Roll Call Vote:

Phil Brilliant	- Yes
Michelle Christina	- Yes
Lawra Dodge	- Yes
Joann Held	- Yes
Jeffrey Hoffman	- Yes
Michael Renzulli	- Yes
Kathi Stetser	- Yes
Peter Strom	- Yes
Ira Whitman	- Yes
Mark Pedersen	- Yes

The Motion to approve the minutes was carried.

- **Chairperson's Report**

No Report.

- **Executive Director's Report**

No Report.

Committee Reports

- **Licensure Committee – Kathi Stetser**

Kathi Stetser reported that the LSRP Exam was held as scheduled. The total number of candidates that registered for the exam was 54, and all 54 took the exam. A total of 39 passed. The Board will send an email to the candidates instructing them how to check the results in their portal. Candidates passing the exam may pay their annual license fee, and then may begin practicing as an LSRP.

Buck Chaffee, President of the Caviart Group, the testing and licensing consultant for the Board, presented the statistics regarding the exam. Buck Chaffee reported that the exam was uneventful in terms of process and procedure. There were 54 candidates that were registered and all took the exam. These candidates performed very highly compared to the candidates

over the last several years. The number of correct answers was up. This examination was slightly easier than previous administrations, therefore an adjustment was made so that the number of questions that needed to be correct to pass went up slightly. This adjustment is made so that the candidates' level of knowledge and skill is the same for the passing candidate population across all exams. The total passing rate was 72%. The passing rate for those taking the exam for the first time was 81%. The highest passing rate for first time test takers before this administration was 77%.

Caviart measures internal consistency to determine how well the test performed. The internal consistency was found to be slightly less good than last year, but still in the very good range. A few questions were questioned by candidates. Subject matter experts reviewed these questions and decided that some should not be scored. For those questions, all candidates were considered to have given the correct response for exam scoring purposes. Caviart found no evidence that there had been disclosure of exam questions prior to the exam.

Ira Whitman asked for an explanation as to how the exam is constructed and scored for the benefit of the new Board Members, which Buck provided.

Michael Renzulli asked why the test is somewhat shorter than the test he took. Buck Chaffee explained that although the exam length may vary somewhat, exams are constructed to be comparable.

Phil Brilliant asked if the number of candidates is going down in other types of licenses, and whether there is a number below which the exam performance is hard to assess. Buck Chaffee answered that there has been a reduction in the number of candidates for other licenses as well, but not in all. He also responded that when there is a small population of test takers, below 50, it can be more difficult to assess the exam.

- Motion by Kathi Stetser to accept the results of the exam as presented by Buck Chaffee.

Motion seconded by Jeff Hoffman.

Roll Call Vote:

Phil Brilliant	- Yes
Michelle Christina	- Yes
Lawra Dodge	- Yes
Joann Held	- Yes
Jeffrey Hoffman	- Yes
Michael Renzulli	- Yes
Kathi Stetser	- Yes
Peter Strom	- Yes
Ira Whitman	- Yes
Mark Pedersen	- Yes

The Motion was carried.

Kathi Stetser thanked Buck Chaffee for his work.

Buck stated that the final spreadsheet with the list of candidates passing and failing the exam will be sent to the Board to send the emails notifying the candidates of their results. Later this evening or early tomorrow the scores will be live.

Dana Haymes noted that she and Victoria Glean will send the emails to candidates and they can check their scores after that. If there are any issues contact Dana or Victoria.

Kathi Stetser noted that the next exam is tentatively scheduled for October 2023.

- **Professional Conduct Committee – Phil Brilliant**

- Motion by Phil Brilliant to enter closed session to discuss Complaint 008-2021.

Motion seconded by Mark Pedersen.

All present voted yes.

The Motion was carried.

Open session resumed at 5:00 PM.

Motion by Phil Brilliant, in the matter of Complaint 008-2021, to find the subject in violation of N.J.A.C. 7:26I-6.8(e) and to notify the subject through correspondence under signature of the Board chairperson of the Board’s intent to assess a penalty of \$750.00 through formal disciplinary action unless settlement is reached, and to authorize the Professional Conduct Committee settlement review team to negotiate a settlement within the parameters discuss in closed session, and if no settlement is reached, to proceed with formal disciplinary action.

Motion seconded by Mark Pedersen.

Roll Call Vote:

Phil Brilliant	- Yes
Michelle Christina	- Yes
Lawra Dodge	- Yes
Joann Held	- Yes
Jeffrey Hoffman	- Yes
Michael Renzulli	- Yes
Kathi Stetser	- Yes
Peter Strom	- Yes
Ira Whitman	- Yes
Mark Pedersen	- Yes

The motion is carried.

The Subject of Complaint 008-2021 is Robert Lippencott, License #587674.

- Audit Committee – Ira Whitman**

Ira Whitman reported that the Board has selected 6 LSRPs for audit for the month of June 2022.

The following audits are reported as complete and concluded:

Auditees Selected April 2022:

- Natalie Chupa – 783208
- Adam Flaxman – 783620
- Theodore Sobieski - 586400

- Continuing Education – Lawra Dodge**

Lawra Dodge reported that the following Continuing Education Program has been approved by the Continuing Education Committee to be offered both in-person and via AVLf:

TITLE	PROVIDER	DATE	CECs	PROPOSED COURSE NUMBER
Air Force DoD Response to PFAS Releases Seminar	NJ Chapter of Society of Military Engineers	May 26, 2022	3 Technical	2022-015
Complying with the NJ Pollution Prevention Act	Rutgers NJAES - OCPE	May 4, 2022	2 Regulatory and 2 Technical	2022-016
Environmental Litigation – What You Need to Know	Chemistry Council of New Jersey	May 2, 2022	1 Regulatory	2022-017
How to Make the Most of Your SRP Timeframe Extension	GEI Consultants	May 2, 2022	0.5 Regulatory and 0.5 Technical	2022-018

Innovative Methods to Characterize and Remediate Fractured Bedrock	LSRPA	TBD	2 Technical	2022-019
LSRPA Regulatory Roundtable – NJDEP Compliance Topics	LSRPA	November 15, 2022	1.5 Regulatory	2022-020
Sustainable and Resilient Remediation Using Advanced Molecular Diagnostics for Robust Conceptual Site Models	LSRPA	October 18, 2022	0.5 Regulatory and 1 Technical	2022-021
Managing ISRA During Expedited Site Redevelopment	Chemistry Council of New Jersey	May 3, 2022	0.5 Regulatory and 0.5 Technical	2022-022
Principles of Vapor Intrusion for Regulators	Rutgers NJAES – OCPE	July 19, 2022	4 Technical	2022-023
Sanctity of LSRP Professional Judgment	CPES, LLC	June 2, 2022	1 Regulatory	2022-024
Soil Rap Guidance Document Training	LSRPA	June 7, 2022	2 Regulatory and 0.5 Technical	2022-025

The Continuing Education Committee does not approve “Sesoil and AT123D Transport and Fate Models” submitted by ESCI, LLC because it is provided online but there is no method to verify attendance.

- **Finance Committee – Michael Renzulli**

Michael Renzulli reported that he received the Quarter 3 budget data today.

The original FY 2022 Budget projected a total of approximately \$812,000.00, which would have resulted in a projected \$129,000.00 shortfall. The actual budget, which is complete through FY 2022 Quarter 3, now projects the budget at \$676,000.00 resulting in an actual projected shortfall of \$42,000.00. Reasons for the lower spending are that total salaries are projected to be \$27,000.00 lower than budgeted, hourly blanket is projected to be \$19,000.00 lower than budgeted, software is projected to be \$30,000.00 lower than budgeted, testing contractor is projected to be \$10,000.00 lower than budgeted, DAG services is projected to be \$45,000.00 lower than budgeted, for a total spend projected to be \$136,000.00 lower than budgeted.

Revenue is also projected to be \$49,000 lower than budgeted, due to reduction in application fees which are \$6,000.00 lower than projected, annual license fees which are \$18,000.00 lower than projected, license renewal fees which are \$5,500.00 lower than projected, and a \$20,000.00 treasury difference.

The projected shortfall of \$42,000.00 is approximately 10% of the remaining carry-forward. New money from new LSRPs could lower the deficit, if paid by June 30.

- **Outreach Committee – Peter Strom**

No Report.

- **Rules Committee – Joann Held**

Joann Held reported that the rule package is still under review by the Governor’s Office, and a response is hoped for within 2-3 weeks.

Joann Held suggested that the waiver allowing LSRPs to complete CECs online be extended to LSRPs with applications for license renewals due December 31, 2023, from the current date of December 31, 2022. The Board can take this up next month.

- **Ongoing Business**

None.

- **New Business**

None.

Motion by Mark Pedersen to cancel the June 21, 2022 Board Meeting.

Motion seconded by Phil Brilliant.

All present voted yes.

The motion was carried.

The next Board meeting is July 11, 2022 at 4:00.

- **Public Comments**

Marlene Lindhardt asked if the list of the candidates passing the exam can be provided. After candidates are notified, the list will be posted on the Board website.

Candace Baker noted that it is difficult to get in person continuing education courses. If the Board is changing the rules anyway, LSRPs with applications for license renewals due in early 2023 should not be caught in the gap. They need to know what types of CECs are acceptable now, as this is the time they need to complete their continuing education requirements.

Jorge Berkowitz noted that he held a continuing education program regarding the sanctity of LSRP professional judgment. They took a poll and found that there is unanimous feeling that the Board’s statement regarding Independent Professional Judgment dated May 1, 2017 is

not being followed by the DEP. There should be a stakeholder meeting to discuss this issue including representatives of the Board, the DEP and LSRPs.

The Meeting adjourned at 5:30 PM.