

NEW JERSEY SITE REMEDIATION PROFESSIONAL LICENSING BOARD

FINAL

June 1, 2023 Meeting Minutes

4:00 PM

Meeting held at the LSRPA Conference in the Hyatt Regency, 2 Albany Street, New Brunswick, NJ

Board Members:

Present

Phil Brilliant
Lawra Dodge
Joann Held
Jeffrey Hoffman
Charles Stebbins
Kathi Stetser
Paul Stofa
Peter Strom

Absent

Michele Christina
Michael Renzulli
Ira Whitman

Others Present

Board Staff Dana Haymes
DAG Buffy Wilson

Members of the Public that were present:

Kathleen Whooley, David Morris, Frank Preve, Adam Loewenthal, Janice Brogle, Lynne Mitchell, Andrew Robins, David Haymes, David Sweeney, Tina Layre, MaryKay Morelli, Mindy Sayres, Bill Matulewicz, Candace Baker, Brandi Gray, Steven Ueland, Julia Ryan, Beverly Entin, Marlene Lindhardt, Mark Fisher, Michael Poland, Dhanashree Vaidya, Melanie Powers

Proceedings

- Meeting called to Order at 4:03 PM by Chairperson Paul Stofa.

- Chairperson Stofa read the Statement of Adequate Public Notice of the meeting required by the Open Public Meetings Act.

- Roll Call:

Phil Brilliant - Present
Michele Christina - Absent
Lawra Dodge - Present
Joann Held - Present
Jeffrey Hoffman - Present
Michael Renzulli - Absent
Charles Stebbins - Present
Kathi Stetser - Present
Paul Stofa - Present
Peter Strom - Present
Ira Whitman - Absent

A quorum of the Board was in attendance.

- **Approval of the Board Meeting Minutes**

- Motion by Paul Stofa to approve the May 15, 2023 Board Meeting Minutes.

Motion seconded by Joann Held.

Roll Call Vote:

Phil Brilliant - Yes
Michelle Christina - Absent
Lawra Dodge - Yes
Joann Held - Yes
Jeffrey Hoffman - Yes
Michael Renzulli - Absent
Charles Stebbins - Yes
Kathi Stetser - Yes
Peter Strom - Yes
Ira Whitman - Absent
Paul Stofa - Yes

The Motion to approve the minutes was carried.

- Motion by Paul Stofa to approve the May 15, 2023 Board Meeting Minutes of the Closed Session.

Motion seconded by Phil Brilliant.

Roll Call Vote:

Phil Brilliant	- Yes
Michelle Christina	- Absent
Lawra Dodge	- Yes
Joann Held	- Yes
Jeffrey Hoffman	- Yes
Michael Renzulli	- Absent
Charles Stebbins	- Yes
Kathi Stetser	- Yes
Peter Strom	- Yes
Ira Whitman	- Absent
Paul Stofa	- Yes

The Motion to approve the minutes of the closed session was carried.

- **Chairperson's Report**

Paul Stofa thanked the LSRPA for the opportunity to hold the Board Meeting at the LSRPA Conference taking place today. He noted that the Natural Resource Damages Administrative Order was issued in March 2023 and policy development is underway. Commissioner Shawn LaTourette will speak at public sessions to develop a natural resources restoration policy. The Department is encouraging a volunteer settlement process. While there is no formal requirement of LSRPs, he encourages persons responsible for conducting remediation, LSRPs and consultants to approach the Office of Natural Resource Damages to discuss settlement. Regarding the Remediation Process Improvement Initiative, there is a session scheduled for June 8. Phil Brilliant will attend on behalf of the Board.

- **Executive Director's Report**

Dana Haymes requested that all members of the public sign in.

Committee Reports

- **Ad Hoc Committee on Board Membership – Michele Christina**

In the absence of Michele Christina, Paul Stofa noted that the Committee recommended three candidates for Board membership to the Commissioner's Office, which will refer them to the Governor's Office for appointment with the advice and consent of the Senate. This will be a

long process. If any members of the public would like to serve as a Board Members, or know someone who would, please refer to the Board website for further information.

- **Licensure Committee – Kathi Stetser**

Kathi Stetser noted that the licensure exam will be held on October 17, 2023, and the application period will be May 29, 2023 through July 17, 2023. Anyone who has not done so should register for the prerequisite Case Study Training Class (2019-098). The LSRPA will be holding an exam preparation course in September.

- **Professional Conduct Committee – Phil Brilliant**

Phil Brilliant noted that from the first complaint in 2011 to today, there have been a total of 109 complaints. The outcomes are that 24 were dismissed, 22 resulted in no violations, and 60 resulted in violations. Penalties for violations have included fines, letters of admonition, 2 suspensions and one restraining order to prohibit a person from representing himself as an LSRP. There are currently 3 pending complaints. The outcomes of all complaints are posted on the Board website.

- **Audit Committee – Ira Whitman**

In the absence of Ira Whitman, Dana Haymes reported that the following audits are complete:

Audits completed:
Michael Fontana – 573729 – January 2022

- **Continuing Education – Lawra Dodge**

Lawra Dodge reported that the following Continuing Education Programs have been approved by the Continuing Education Committee:

TITLE	PROVIDER	DATE	CECs	PROPOSED COURSE NUMBER
Design and Construction Issues at Hazardous Waste Sites East Symposium	DCHWS	March 30 and 31, 2023	Up to 6 Technical on Day 1 and Up to 3 Technical on Day 2 depending on attendance	2023-030

Navigating NJ Site Remediation Direct Oversight	LSRPA	TBD	3 Regulatory	2023-031
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- **Finance Committee – Michael Renzulli**

In the absence of Michael Renzulli, Dana Haymes reported that she is working with Department staff to develop the Fiscal Year 2024 Budget and Fee Calculation Report, which should be available in draft form soon.

- **Outreach Committee – Charles Stebbins**

Charles Stebbins reported that the Board will be producing a newsletter that will come out soon.

- **Rules Committee – Joann Held**

Joann Held reported that the adoption document has been presented to the Governor’s Office for informal review and the Board is still waiting for any questions or comments from the Governor’s Office before bringing the adoption document to the Board for a vote to approve it.

- **Ongoing Business**

Joann Held noted that the SRRA 2.0 stakeholder process continues at the Department and she and Phil Brilliant have been approved to take part in that process on behalf of the Board.

- **New Business**

Phil Brilliant noted that at several recent Board meetings, members of the public have inquired during the public comment period whether the Board will take a position or action regarding the ongoing discussions between the public and the Department on Independent Professional Judgment and the Remediation Process Improvement Initiative. Phil attended the initial meeting, along with Chairperson Stofa, and plans to attend the June 8 meeting. He has asked Chairperson Stofa if he can pose the question to the Board and gauge interest in an Ad Hoc Committee that would take part in the CSRR Program Remediation Process Improvement Initiative and the concerns raised regarding LSRPs’ Independent Professional Judgment. The Ad Hoc Committee would continue to monitor the meetings and discussions between all parties and would determine the impact on the conduct and submissions of LSRPs and evaluate any actions that the Board could take.

Lawra Dodge agreed with the formation of an Ad Hoc Committee and volunteered to serve.

Kathi Stetser and Joann Held also agreed and also volunteered to serve.

Chairperson Stofa questioned the scope of the committee, and what Phil thought that the committee should do. Phil replied that the committee would observe the CSRR Program Remediation Process Improvement Initiative meetings and report back to the Board. Since the Board audits LSRPs and reviews complaints regarding their conduct, the committee could have conversations regarding how LSRPs should be addressing issues, and could potentially create letters of interpretation to guide LSRPs.

- Motion by Phil Brilliant to establish an Ad Hoc Committee to address Independent Professional Judgment and the Remediation Process Improvement Initiative.

Motion seconded by Lawra Dodge.

Chairperson Stofa noted that he has concerns about the appropriateness of the Board's involvement in this matter.

Roll Call Vote:

Phil Brilliant	- Yes
Michelle Christina	- Absent
Lawra Dodge	- Yes
Joann Held	- Yes
Jeffrey Hoffman	- Yes
Michael Renzulli	- Absent
Charles Stebbins	- Yes
Kathi Stetser	- Yes
Peter Strom	- Yes
Ira Whitman	- Absent
Paul Stofa	- No

The Motion was carried.

Chairperson Stofa will appoint members of the Ad Hoc Committee.

- **Next Board Meeting**

Motion by Paul Stofa to cancel the June 20, 2023 meeting of the Board.

Motion seconded by Jeff Hoffman.

All present voted yes.

The motion was carried.

The next Board meeting will be July 10, 2023.

- **Public Comments**

David Morris, Rockaway, NJ. David Morris thanked the Board for the complaint metrics, and requested similar metrics on audits. He asked whether the newsletter would provide guidance? He noted that he supports the newly formed Ad Hoc Committee.

Marlene Lindhardt, Manalapan, NJ. Marlene Lindhardt thanked the Board for holding this meeting at the LSRPA conference. She requested the statistics on the number of people taking the exam that pass. Kathi Stetser noted that Caviart provides statistics, which are available in the minutes of the meetings at which these statistics are presented.

The Meeting adjourned at 4:43 PM.