



**LSRPA Steering Committee  
Meeting Minutes, September 24, 2009  
Location: Riker Danzig's Morristown office**

**Action Taken**

Meeting minutes from September 3, 2009 approved.

**Action Items**

1. Discuss and resolve the issues surrounding attendance at programs and other events. More specifically, need to clearly define and differentiate between:
  - a. LSRPA sponsored event;
  - b. event sponsored by others where LSRPA participates/presents,
  - c. events sponsored by others where LSRPA member participates/presents, but not as an LSRPA representative; and
  - d. other scenarios.

Need to resolve issues such as use of LSRPA name or logo, vetting of materials, etc. Sue, Nick and Ken G. to discuss.

2. Draft letter to NJDEP re LSRPA's concern that current procedures do not, in our opinion, satisfy the statutory requirement for stakeholder involvement in the development of guidance documents. Nick to prepare draft after NJDEP/Stakeholder meeting on October 7th.
3. Resolve "Guiding Principles" matter. Need to decide what, if anything, will be produced in writing. Also need to define what we mean by "guiding principles." Based on discussion, there appeared to be three different concepts being co-mingled:
  - a. a written code of conduct for LSRPA members;
  - b. an expanded description of the LSRPA Mission Statement; and
  - c. procedural issues for defining actions as a representative of LSRPA vs actions as an individual (similar to Item 1, above).

Lisa to present rough outline for consideration.

4. Additional action items/issues discussed are included in section below.

### **Additional Issues/Actions Discussed**

1. September 14 draft Interim Board conference call minutes to be circulated by Sue B.
2. Annual Membership Meeting planned for 1<sup>st</sup> week of December (post meeting e-mail from Ken G identified 12/1/09 6pm to 9pm – still subject to final confirmation). Agreed to seek sponsors to offset costs of meeting. Ken G. to distribute list of previous sponsors. Steering Committee members to identify others interested in sponsoring event at levels from \$200 - \$500 and provide names to Ken G. Goal to limit number of sponsors to 7 – 10.
3. Nominating committee for LSRPA Board – report of committee conference call (Ben A.)
  - a. Discussed by-laws provisions including :
    - 1) 11 total Board members, including 5 officers,
    - 2) staggered terms 1, 2 and 3 years to promote both continuity and diversity, and
    - 3) only 2 Board members may be “non-LSRPs.”
  - b. As there are currently no LSRPs and NJDEP’s schedule for approval is outside our control, committee recommends that the 9 LSRP Board positions may be filled by individuals who have submitted their temporary LSRP application to NJDEP. This provision would not apply to future elections. Steering Committee agreed with this recommendation.
  - c. Beyond “allowing” 2 non-LSRP Board members, the committee recommends that we encourage non-LSRPs for these 2 positions to promote diversity.
  - d. Committee plan is to recommend a slate of candidates (currently have 15 names for the 11 positions).
  - e. Committee plans to send out an additional memorandum to identify other interested parties.
  - f. Full list of potential candidates to be prepared after 11/3
  - g. Board to be elected during December Annual Membership Meeting; goal is to have final Board in place by January 2010.
  - h. Committee to request information on candidates. Currently thinking of requesting sanitized LSRP application for LSRPs and current CV for non-LSRPs.
  - i. Once 11-member Board is elected, then those 11 will elect officers.
4. Continuing Education (Joe H.)

- a. Committee kick off meeting held about a week ago (15+ on committee). Co-chairs elected – Dan Toder and Joe Fallon (to be confirmed).
  - b. Outlined programming, courses, events, and certification issues.
  - c. Three training events scheduled for Nov 9 , 24 and Dec 8 with DEP and Rutgers/Cook; LSRPA to present for 1 hour (need to prepare an agenda)
  - d. Committee looking for list of LSRPA joint events. Information on any known or planned events to be provided to Sue B. per her prior e-mail request. Sue will compile list and pass it on to Dan Toder.
  - e. Dan T. will provide a calendar of events to Kathi S. to post on website
  - f. October 21 and Nov 2 (NJDEP mandatory training)
    - 1) Julian to see if we will have a role and see if we can get a copy of NJDEP’s agenda
    - 2) Nick to ask NJDEP to issue formal notice of the 2 dates on NJDEP website
  - g. Discussion re: future role of continuing education committee. Currently it is handling a dual role of both “programs” and “continuing education.” Plan for the future is for this committee to focus on traditional technical education.
  - h. Discussion re: need for and preparation of standard set of slides for presenting LSRPA message.
5. Regulatory Outreach Committee (Julian D./Nick D.)
- a. PowerPoint materials from September 1 ROC meeting were posted. Nick D. circulated notes via prior e-mail with subcommittee members identified and a request to identify additional members. Please review list and send names of additional volunteers directly to Nick D.
  - b. October 1, 2009 LSRPA working meeting scheduled with NJDEP with primary focus on RAPS (with RAO discussion too). Planned attendees are Steve S./Duff/Nick D./Ken G./John O.
    - 1) Primary issue on placing RAPS into NJDEP Interim Rules;
    - 2) Second key issue is to ensure RAO language does not imply an express warranty (to satisfy insurance limitations)
  - c. October 7, 2009 NJDEP Stakeholder Group Meeting
    - 1) Meeting to satisfy in part “involving Stakeholders in development of guidance”
    - 2) LSRPA attendees: John O./Nick D./Mark F./Lisa V./Kathi S./Dick K./Ben A./Michael V.

- 3) If this meeting morphs into a monthly meeting, then rotating attendance is planned so that other LSRPA members may participate.
  - d. Stephen U. now LNAPL Guidance Committee Chair. Meeting scheduled with NJDEP on Sept 28 (had previously received a working copy of NJDEP document on this subject). Julian D. will distribute the NJDEP draft working document.
  - e. Need to provide a letter to NJDEP that its current process for soliciting input regarding guidance documents does not satisfy 14c “stakeholder involvement.” Also, plan to mention this issue at meeting on October 7<sup>th</sup> prior to submission of letter from LSRPA. Hopefully other stakeholders will also express their concerns regarding this issue.
6. Risk Management Committee (Michael V.)
- a. Proposes to conduct a breakfast training meeting for LSRPA members with MA LSPA representatives (subjects to include insurance, RAO, errors and omissions)
  - b. Michael V. discussed three areas currently working on:
    - 1) Mission statement (for the RMC committee’s role/functions/goals)
    - 2) Insurance discussion (outline subject matter to present at proposed breakfast meeting discussed above)
    - 3) Preparing a FAQ section for the website
  - c. Biweekly calls to begin
7. Finance (Drew Bonas)
- a. Developing budget – Goal to have draft budget in place by Oct 15
  - b. Primary goal is to identify major third party expenses - accounting, webmaster, insurance to cover Board members & third party)
  - c. MA LSPA apparently also carries E & O insurance (need to consider)
8. Mission Statement (Lisa Voyce)
- a. Circulated outline of types of “guiding principles” (as related to code of conduct)
  - b. Discussion re: definition of, scope and need for “guiding principles.” Based on conversation, further discussion of this matter will be necessary.
  - c. Lisa to conduct additional research; further definition of the scope of this task will follow based on the results of the research.
  - d. Lisa’s e-mail has changed. Please reach her at [gigiv@optonline.net](mailto:gigiv@optonline.net)

9. Communication/Newsletter/Website (Tom F./Lisa V./Kathi S.)

- a. Tom to post guidance from NJDEP concerning the exclusion of experience performing Preliminary Assessments on the Temporary LSRP Application.
- b. Kathi S. requested more NJDEP meeting minutes to be finalized and forwarded to her for posting on the website.
- c. Modifications/upgrades to website ongoing
- d. Electronic newsletter being prepared (Lisa to distribute a “mock-up”)
- e. Objective for newsletter is simple headlines or “hooks” with link to LSRPA website where content will reside.

10. Licensing Board

- a. Tracy/Nick following up with NJDEP.
- b. Nick discussed process for LSRP Board membership.

11. Stakeholder Outreach

- a. Ken S. looking for comments on several letters on stakeholder outreach (see e-mail of 9/23). Plan is to discuss these letters on next iBOD call.
- b. NJWEA/CCNJ presentations – some discussion on LSRPA representation for these programs
- c. CCNJ/Clean Earth seminar – LSRPA not directly involved
- d. LSRPA received approval for table on Nov 17<sup>th</sup> at League of Municipalities (Sue B. looking for volunteers to tend to table).

12. Agenda Item 4. NJDEP Mandatory Training (discussed above)

13. Agenda Item 5. NJDEP Lender Letter

- a. Distributed, reportedly by NJDEP, through NJ Banker’s Association newsletter
- b. Provide legal/technical comments on content of letter to Nick D.
- c. Nick D. to confirm NJDEP produced this document and that it can be posted on LSRPA website (later confirmed to have been originated by Irene Kropp but then modified by others without Irene’s final review).
- d. If posted, we may need to footnote it with some points of clarification based on outcome of technical/legal review.

14. Agenda Item 6. Stakeholder Meeting – 10/7/09 (see above)

15. Agenda Item 7. Old Business

- a. File naming protocol discussion by Dick K.
- b. Kathi S. to circulate numbering protocols being used for website document tracking

16. Agenda Item 8. New Business

- a. Drafting language on RAPS (Steve S. is preparing this language); will be presented to NJDEP on October 1.
- b. Steve P. to draft Compliance Averaging white paper (he is looking for additional technical support). Please provide names of possible volunteers to him directly.

17. Agenda Item 9. Next Meetings

- a. October 5, 2009 - Interim BOD conference call
- b. October 15, 2009 – Steering Committee Meeting at Sovereign in Burlington
- c. October 26, 2009 - Interim BOD conference call
- d. November 5, 2009 – Steering Committee Meeting at Environ in Princeton