

LSRPA STEERING COMMITTEE MEETING MINUTES  
Held at the Fairfield Inn and Suites by Marriott, Somerset, NJ - September 16, 2010

Attendees

Board of Trustees (BOT) Members

Nick DeRose – Langan  
Ken Goldstein – Ransom Environmental  
Julian Davies - Sovereign  
Richard Katz – PEC, Inc.  
Steve Posten – AMEC  
Michael van der Heijden – Woodard and Curran  
John Oberer – GZA  
Mark Fisher – ELM  
Tracy Straka – Creamer Environmental

Steering Committee Members

Lisa Voyce – HDR, Inc.  
Jorge Berkowitz – Langan  
Ben Alter – GZA  
Philip Brilliant – Brilliant Environmental Services  
Dan Toder – Hatch Mott MacDonald  
Joe Hochreiter – Senior Environmental  
Steve Senior – Rker Danzig (by phone)  
Kathi Stetser, Roux Associates (by phone)  
Carrie McGowan (by phone)

Association Members

Devang Patel – Conestoga-Rovers  
Matthew Maug – Excel Environmental  
David Backman – BSG  
B. V. Rao – EG&R  
Heidi Minuskin – Coughlin Duffy, LLP  
Duff Collins – Woodard Clyde  
Rodger Ferguson – Sadat Associates

President's Remarks

The meeting was called to order by N. DeRose, President. He reported that the level of activity will continue to be demanding well into Spring 2011. Rule proposals are anticipated during this time. Attendees were advised to look for continued uncertainty with the ARRCs proposals. October 4, 2010 starts the 60-day comment period with promulgation expected in May 2011, along with the Tech Regs proposal.

N. DeRose reminded the Committee that this is still the first year of a five-year transition. Also, outreach to LSRPA members must continue to be a priority. He also advised that actions of the Board of Trustees will require LSRPA interaction.

Secretary's Report

Minutes from the October Board of Trustees Conference Call were approved.

Discussion followed on whether the Committee Priorities should be posted on the website. L. Voyce commented that the priorities are already outdated with D. Collins commenting that since this is a management tool, it should be updated periodically as work progresses. N. DeRose instructed that the priorities be posted with the date on the website with a current version available at the annual meeting. He will prepare the blurb for the posting.

D. Collins reported that several outstanding LSRPA issues remain before IPSC to complete the program build out. The process is owned by K. Hershey, with the exam being only one element of the process. He estimated that the timeframe for the rules to be drafted and adopted could be at least one year from the time the Licensing Board is seated. The DEP is also adamant about a wall between LSRPs and the test. J. Berkowitz commented on the lack of certainty without the Licensing Board in place. N. DeRose commented that the DEP may be underestimating the level of effort needed to get the program fully operational. The loss of Senate momentum is a great concern. There were several proposals on how to address concerns; however, N. DeRose recommended a separate LSRPA Board of Trustees call to determine an appropriate path forward to address these concerns. The primary point of the discussion was that the DEP appeared to be too focused on minutiae (the exam) instead of prioritizing the need for getting the Board in place and operating.

### **Treasurer's Report**

Although G. Martin was absent, it is assumed that the account balance is status quo.

## **OLD BUSINESS/COMMITTEE REPORTS**

### **Legal and Legislative Committee**

Discussion centered on pending Senate hearing testimony. It was discussed that LSRPA should participate in the hearing to ensure its voice and issues are heard directly by the Legislature. Discussion of the need for LSRPA ground rules on contacts with DEP, legislature, etc. to clarify outreach, education and other actions.

Subsurface Evaluator Licensing Criteria – S. Senior commented that the “one bite” at passing the exam has an element of unfairness. T. Straka commented that the LSRPA should support members and potential members, with B. Alter commenting that LSRPA owes service to LSRP members, not competing licensees. N. DeRose commented that the LSP Consultant Coalition took no position at the 11<sup>th</sup> hour with this addition to the SRRA. J. Hochreiter and T. Straka to review the issue with S. Senior, with K. Stetser calling K. Kloo for more information.

The following items were discussed for the IPSC meeting:

Measure of Success Volunteer Team – Janine MacGregor will be giving a presentation on this issue on October 1 at an ad hoc meeting of the Interested Party Steering Committee.

In response to I. Whitman's request for LSRPA involvement, J. Oberer assured him that the LSRPA will support his efforts. This initiative is basically complete and needs J. MacGregor to meet with team leaders. J. Davies will reach out to I. Whitman on LSRP “lens” list of MOS.

## **Continuing Education Committee**

Status of topics for future continuing education seminars:

Rutgers/DEP – October 5 and October 26

DEP Hot Topics – October 7 and October 28

Insurance/liability seminar – to discuss with M. van der Heijden

J. Berkowitz suggested a discussion with DEP on preparing for the test. J. Davies suggested that this is not for Continuing Education to address, but to be handled through IPSC and suggested a manual be prepared by the vendor providing the test. This suggestion will be discussed at upcoming BOT call on overall strategy regarding Senate hearings.

Tech Regs course for potential LSRPs since none are scheduled until February 2011,

The LSRPA versions of DEP administrative flow charts prepared by Bill Call are now posted on the LSRPA website.

## **Risk Management Committee**

The case study final documents were received in August. The Case Study Review Team is committed to an October 15 delivery date. L. Romino and T. Russo are leading subgroup at IPSC to address comingled plumes.

## **Regulatory Outreach Committee**

Revised ROC organizational chart will be included in Newsletter. Striving for quarterly subcommittee meetings and monthly report to BOT. Next subcommittee meeting is scheduled for late October.

ROC subcommittees are now aligned with the corresponding DEP working stakeholder teams.

Regarding monitored natural attenuation (MNA) and historic fill, S. Posten noted that a groundwater RAP will not be required if only historic fill related constituents exceed GWQS. Additionally, a “groundwater media additive” fee will not be required as part of the Annual Remediation Fee if the impacts are associated only with historic fill related constituents.

The Regulatory Outreach Committee is aligned with corresponding DEP working groups and is pending for posting on the website.

Receptor Evaluation for all sites is due on November 26. An extension request must be submitted by October 26. However, DEP is only requiring information that is available at the time of submission (does not need to be complete). Additionally, it is expected that DEP will be pushing back the Receptor Evaluation deadline by three months in a “Compliance Advisory” projected for issuance on October 4, 2010.

### **Communications Committee**

Website development – coding of design should be completed by week's end.

B. Smith is receiving training from vendor on linking, etc. Moving website content onto new website should begin next week. E-mail is moving to Google. LSRPA e-mails will be redirected to work e-mails.

Newsletter – initial issue is on website with final draft following shortly. E-mail blast to members and stakeholders as recruiting tool.

The newsletter will include a blurb on the recruitment for an Executive Director of the Massachusetts LSPA. A blurb is needed with explicit instructions for posting.

### **Membership Committee**

Stakeholder Outreach Committee – the plan is to have deliverables ready by the end of September. Lack of printable newsletter requires further review. An LSRPA introductory fact sheet is needed and H. Minus kin commented that a fact sheet is critical for outreach purposes. T. Straka will get the LSPA fact sheet from D. Collins.

LSRPA Membership –Include as agenda item – guidelines on communicating with DEP and LSRPA becoming associate member of other organizations. Motion approved to avoid cross membership.