



**Notes from LSRPA Board of Trustees Conference Call
September 1, 2011, 8:30 – 10:30 am**

ROLL CALL: R. Katz, J. Davies, K. Goldstein, N. DeRose, M. Fisher, M. van der Heijden, R. Ferguson, W. Call, L. Watson, S. Boyle, D. Toder

PRESIDENT'S REMARKS

- Licensing Board audit questionnaire and narrative. Question - has the NJDEP ever requested that you or your client correct any technical deficiencies in the remediation of a contaminated site for which you are the LSRP? (N.J.S.A. 58:10C-16e & 16g).

Discussion of perceived unilateral action of Licensing Board (LB) without regard to stakeholder comments. Concerned with apparent emphasis of LB on technical submittals rather than professional conduct, thereby stepping over the line into NJDEP area of responsibility. Put emphasis at Audit Committee forum (September 6) on the earlier comments made by LSRPA that have not been addressed by the committee. Seeking support from industry representatives to bring audit process under control.

R. Ferguson will circulate document that includes comments and a decision will be made on what comments the LSRPA should be put forward to the LB.

OLD BUSINESS

- Contact D. Bonas regarding participating as nonvoting member on Ad Hoc Committee for Executive Director Issue – K. Goldstein

D. Bonas is updating job description for Executive Director and will make presentation at the Steering Committee meeting on September 22. Possibility of vote on concept of hiring an Executive Director in a 25% position. K. Goldstein is drafting a Resolution to hire an Executive Director for review and vote.

- Comments on whether retiring President can participate on Board of Trustees as non-voting member – K. Goldstein

Bylaws are silent on this matter. There is no bar to the concept and the BOT has the authority to invite individuals as they choose. It was decided this is not a Bylaws issue. Unanimous agreement by Board for outgoing President to participate as a nonvoting member.

BOT members reminded to file their interest in continuing as a BOT member with B.V. Rao, Chair of Nominating Committee.

- Request from attorney to post Law Journal article on web site – K. Goldstein

Tepid response from BOT on issue. This particular article deals with LB audits. Generally considered premature and hints at a marketing ploy. There's also nothing sufficiently unique to set it apart from the myriad of other LSRP/SRRA articles. This might be an incentive to develop a policy regarding posting of external documents. Agreed that all such requests be directed to the LSRPA LinkedIn page.

NEW BUSINESS

- ARRCs/TRSR/UST/ISRA proposal public hearing scheduled for September 13, 2011.

N. DeRose working on comments to be delivered and interested in others planning to provide verbal comments. K. Goldstein has team of about a dozen people reviewing proposal to develop areas warranting comment. He will assign specific chapters for review in late September. A. Robins noted that there are 100 pages of penalties; some are directed at LSRPs, making the concept too complex. J. Davies focusing on RI/RA timeframes.

N. DeRose may present testimony on ARRCs in K. Goldstein's absence and will contact S. Senior.

Requirements for delineation to corresponding standards should be in regulations, but process is needed to recognize that delineation to standard is not always needed.

SECRETARY'S REPORT

- Approval of August BOT minutes.
- Minutes were approved for posting.

TREASURER'S REPORT

- G. Martin not on call. No input.

COMMITTEE REPORTS

Legal and Legislative Committee

- Response from Assistant Commissioner Sweeney and George Schlosser regarding Safe Harbor.
- Status of DEP issuing position paper or guidance on discharge issue
- Status of pending issues

Committee chairs not able to reach their offices post-Irene. No input.

Regulatory Outreach Committee

- Issue-tracking document discussion with J. Oberer and B. Call – J. Davies

In progress.

- Compilation of comments on draft guidance documents – S. Posten
- Posted.



- Comments on Attainment/Compliance
Stakeholder group anticipating draft document in October.
- Subcommittee to review PCB regulation – M. van der Heijden
Meeting next week. Meeting will be scheduled with DEP to clarify issues.
- Tech Requirements / ISRA / UST Rule Proposal - Review and Comment Coordination on– M. Fisher

Large group working on individual specifics. Seeking “big picture” matters for verbal presentation at public hearing. J. Davies suggested use of spreadsheet similar to that used by DEP for comments on guidance documents in submitting LSRPA comments. Suggested that Steering Committee meeting on September 22 be extended with a secondary meeting on this subject. Recommended that Steering Committee meeting be held from 9-11 am and discussion of proposals from 11 am -1 pm.

The Committee is developing comments and will not be ready by the Steering Committee meeting. Final comments need review by BOT.

Risk Management/Loss Prevention Committee

- Risk Management outreach effort - J. Oberer to contact M. Fisher to begin process
No input

- Identifying portion of Steering Committee meeting for discussion of professional conduct issues
To be added to agenda for 9/22 Steering Committee agenda.

- Final review of disciplinary process document
No input

- Posting status of organization chart, mission statement and flowchart
Posted.

- Final review of “things to be considered” by LSRPs document
Under review by Legal & Legislative Committee.

○ Licensing Board Liaison Subcommittee

--Summary of August 8 meeting – important highlights are: (1) audit procedures likely to be adopted at Sept. 6 meeting; (2) open forum on August 22 to discuss licensure issues and continuing education requirements. Strongly urge attendance at the September 6 LB meeting since audit procedures will be discussed.

Another issue under review by the Board is confidentiality of individuals who make complaints. If a person is going to make a complaint, they need to identify themselves. Continue to track emails received on the issue.





Continuing Education Committee

- August 10th the LSRP Hands on Practical Applications Class conducted jointly by LSRPA and DEP at Rutgers.

Successful session and another session scheduled for November 30. The November 10 date has been dropped.

- IEC training will be held on September 8 at DEP and possibly on September 14 at Montclair State University. Time will be 9-12.

Limited signups for Montclair; therefore, session may be cancelled.

- DEP spreadsheet on training sessions from July 2011 through April 2012.

To be distributed by D. Toder.

- The next DEP technical session - Historic Fill
Scheduled for October 17 at DEP at 8:30 a.m.

- LB Continuing Education Committee Open Forum

Short meeting and light attendance with only D. Toder speaking. LB will require specific approval of every course and will not likely have much available at the time of permanent license issuance. LB will make providers aware that approval is needed for their courses. Recommendation made to remove discretionary courses. Big issue over requirement for ethics course to be taken during first year of licensure period, raising question on renewal if this deadline is missed. Could be approached as having the attendance as a recommendation, rather than a requirement. General concern that LB is not learning from experience in Massachusetts and failing to keep it simple.

- Status of Committee meeting to discuss revenue enhancement through training programs

Working on establishing the meeting. Practical applications course involved input from approximately nine DEP personnel. Requires a LOT of work. S. Boyle suggested that the first presentation is a huge amount of work, but repeats are easier. S. Toder to schedule meeting and advise BOT should members choose to attend.

- I. Whitman suggestion that LSRPA develop course for private sector.

E-mail distributed by S. Boyle for comment by BOT.

- Does the LSRPA want to develop its own ethics course?

Also part of S. Boyle e-mail. Next case study may be scheduled in approximately one year and could focus on VI.

Discussed issue of topics for Continuing Education Committee to evaluate. Forum would be beneficial. Information should be routed to D. Toder for Committee to deliberate.



Communications Committee

- Monthly email summaries to membership – S. Boyle

Suggested that email blast include notice of newly posted documents with link to website.

Membership Committee

Closed for 2011. Anyone joining during the remainder of this year will be listed for 2011-2012 period. Official total is 380 members, which is a slight drop from 402 members last year.

Bylaws Committee

- Ex-officio President concept

Discussed previously. Resolution made by R. Katz to make immediate past president a non-voting member of the BOT, position to continue until the next person leaves the presidency. Seconded by K. Goldstein, pass unanimously.

Nominating Committee

Request for nominations sent out by BV Rao. Responses requested by September 8, 2011. Responses sent by J. Davies, K. Goldstein and R. Katz. K. Goldstein to remind G. Martin.

