

LSRPA Board of Trustees Conference Call Minutes

May 15, 2014

8:30 – 10 am

ROLL CALL

S. Posten, S. Boyle, C. Barnes, L. Voyce, D. Toder, B. Call, J. Davies, R. Ferguson, D. Scott, S. Senior

PRESIDENT'S REPORT

SRPLB Rules

- Comments on the discharge reporting issue as well as the public communication issue (6:19 (b)(3))
- The deadline to submit comments on Board Rules is COB June 9th. Comments should be sent to R. Ferguson no later than May 23rd and he will compile and submit. → RAF Send follow-up

S. Posten reminded everyone that contents for the upcoming SRAG meeting content needs to be submitted to the Chemistry Council today, in time to meet D. Haymes' deadline.

Discussed the Stakeholder's Standard Reorganization Committee now being open to more detailed discussions.

The Board will not publish names of LSRPs when there is a case dismissal.

EXECUTIVE DIRECTOR'S REPORT

- Request for LSRPA to sponsor at the 2014 SWEP Gala

This is the first request to sponsor an organization's event; therefore a policy is not in place. Since a relationship with SWEP already exists, sponsoring the Gala could expand our relationship. A sponsorship between \$100 - \$250 was agreed upon. S. Boyle will advise S. Posten on the benefits of the various levels of sponsorship.

- Agenda items for June 19th retreat

D. Sweeney, Irene Kropp and Duff Collins are attending. Fifteen Board members and approximately 25 Association members have registered for the social.

- List of Attorney Members for Legal and Legislative Comm.

S. Boyle will send the list of Attorney Members to S. Senior and A. Robins

- 2014 Resolutions

K. Goldstein did not officially pass the resolutions from the 2014 Annual Meeting. S. Boyle will draft and authorize at next Board or Steering Committee meeting.

- Commerce Magazine

The current issue of *Commerce Magazine* includes an article on the LSRP Year Two as well as a picture of L. Voyce and a quote from S. Boyle and B. Alter. S. Boyle will email article.

- Scholarship to Mercer Special Services School.

A pizza party was held last year for the students who worked on our projects as well as awarding \$2000 for scholarships. S. Boyle will contact B. Alter regarding the Scholarship Committee's recommendation on a pizza party and/or scholarship and find out who wants to attend. It was recommended that both a pizza party and scholarship be provided.

- Membership

Approximately 100 members have not renewed after several reminders and are now in inactive status. Twenty-two out of the 67 individuals who passed the LSRP exam are LSRPA Members or Associate Members and 85 percent of the individuals took an Exam Prep Course.

SECRETARY'S REPORT

No report.

TREASURER'S REPORT

Treasurer did not participate in call.

HOT TOPICS

- Should there be a special group/organization to handle mediation/arbitration between disputing LSRPs? Is there a role for LSRPA in facilitating dispute resolution? (J Oberer)

Decision has not been made although acknowledged. Discuss issue with J. Oberer. Discussed RELIC, a nationwide process used by large petroleum firms, mostly with comingled plume cases, which Shell is a member. RELIC as an arbitration model would be useable but needs SRLB and NJDEP concurrence. S. Senior commented that possibly the Board could do voluntarily, but unsure about its authority. It is not a good idea for Board or DEP to run a dispute resolution for LSRPs. Problem has not reached a level to have an immediate solution. Who would enforce the arbitration issue if not DEP or the Licensing Board? If comingled plumes are driving this issue, then more information is needed on how to address comingled plumes. L. Voyce commented that the Comingled Plumes Committee has not addressed the use of RELIC or Mediation. Possibly an issue to recommend to the IPSC.

- May 28th RM&LP Business Practices Seminar

B. Call reported that presentations and bios are done and await final attendance numbers on May 14th to decide whether this seminar will be worthwhile to host.

S. Boyle advised that enrollment is only 16, but the May 7th deadline may have impacted registration. B. Call commented that 25-30 registrations at a minimum are needed to move forward with this course. The lack of continuing education credit is also detrimental. An e-blast will be done next Tuesday and a decision made on either Wednesday or Thursday whether to hold. S. Boyle

advised that there is a strong interest in holding a civil liability seminar and will work with A. Robins, J. Scagnelli and S. Posten on planning. Possibly combine the topics for civil liability. S. Senior suggested combining topics into a seminar with Risk Management suggested as an important topic for LSRPs in doing their job.

S. Boyle mentioned that the Professional Judgment Course that Jorge Berkowitz got approved for credit has been rescheduled to June 6th in Montclair. S. Posten suggested to possibly submit the agenda for the Exam Prep course to the Licensing Board for credit consideration under discretionary.

- Alternate Association-wide insurance coverage option being reviewed by RM&LP. Patrick Riley, Vice President, Bartlett and Company, came to RM&LP April 16th meeting.

B. Call reported that Falcigno's interest in providing an insurance product has waned since carriers are losing interest. Pat Riley from Barlett and Company attended the April 16th Risk Management meeting. Bartlett has good ideas and a list of questions that will be forwarded to S. Posten and S. Boyle for review.

- Licensing Board Updates – R. Ferguson

R. Ferguson reported that three cases were dismissed, but Board has not published case summaries, which was a Board priority.

Discussion begun on the next exam contract. Caviart was extended another year. Timing of application process needs to be reconsidered by DEP. A very large number of applications were submitted close to deadline.

The Licensing Board is short two members with other members wanting to step down. A quorum is needed and that is a concern.

- Next NJ DEP-LSRPA inspectors/reviewers meeting

The next meeting is scheduled for June 11th from 1-3 pm. March meeting minutes were posted. Discussion of unfounded rumor of LSRPs sued on basis they made determinations of "offsite" source parties were responsible for contamination. Put on agenda for upcoming meeting with M. Pedersen.

- Commenting on the Licensing Board Rules (J. Oberer)

S. Boyle will send e-blast to Steering Committee requesting topics that we need to respond by June 9th to Board's draft rules.

- Soil Remediation Standards

Current formal presentations not working. LSRPA will propose 2-3 topics to be addressed.
If they don't allow presentations then white papers
Policy Discuss about PAHs policy

- Miscellaneous

S. Posten commented that annual remediation fees based on AOCs will increase by 25% after July 1.

D. Scott reported on the Soil Remediation Committee progress. Talking to Barry Frasco about opportunity to build in presentations from members to get an organized discussion of issues. Presentation followed by panel are not good. Proposed two or three discussion topics. DEP asked that we give them a chance to get through first series of presentations before embarking on these discussions. It is important to get our information into record. If presentations are not allowed, suggest developing into "white papers".

R. Ferguson suggested higher level policy discussion needed on implementing PAH standards. He spoke to Steve Chranowski of the Chemical Council of NJ regarding concerns that DEP is not overstepping bounds in what regulation allows them.

SRAG mtg topics – Pinelands coordination. Submit topics for May 22nd meeting with M. Pederson to S. Boyle. S. Senior, A. Robins, R. Ferguson, S. Posten and S. Boyle will meet to plan retreat.

Meeting end at 10 am.