

Minutes
LSRPA Board of Trustees Conference Call
September 18, 2014
8:30 – 10 am

ROLL CALL

S. Posten, S. Boyle, D. Toder, M. Fisher, J. Oberer, L. Voyce, C. Barnes, S. Drew, K. Stetser

PRESIDENT'S REPORT

- Tri-state LSRP meeting

S Posten briefed the BOT on the background of the issue. S. Boyle will work on scheduling a meeting in Hartford CT at the end of October with MA, CT and NJ LSRPs. D. Toder will accompany S. Posten and S. Boyle to the meeting. J. Oberer is also interested, and will get support from his firm's Northern region office as well as K. Stetser. S. Boyle will collaborate with the other two organizations on an agenda. K. Hershey of the NJ SRPLB is connecting with her counterpart at the MA and CT organizations.

- SRAG Meeting Overview

- M. Pederson stated that the DEP does not regulate quarry material and a safe harbor statement is not needed. G. Nichols gave the following overview of guidance documents:
- Offsite contamination document recently was released for stakeholder review. S. Posten will be point of contact for comments. Comment deadline is the third week of October. Document needs distribution to Steering Committee. S. Boyle will email blast to Membership.
- Comingled plumes is approximately 75 percent complete and should be released by year's end. Internal work on policy issues of comingled plumes being carried out by L. Voyce.
- Performance monitoring is approximately 50 percent complete with a Feb. 2015 release date
- Groundwater to solid waste discharge 90% complete with an October release date
- Child care is 90% complete with an October release planned. New Committee chair.
- Catastrophic response – within internal DEP committee. L. Voyce assisted and will follow up with M. Fisher.
- Remediation standards –Committee meeting recently held. Four out of the five groups provided comments. Discussed review consistency and prioritized comments from LSRPA, Chemistry Council, NJ Builders Association and Fuel Merchants. This will be subject of October meeting.
- No timeframe for new guidance topics, but IGW will reconvene to discuss capping for VOCs. EPH is another possible topic.
- Although LSRPs receive information through SRRA Listserve and SRAG website, an eblast with link to documents was suggested.
- M. Fisher will distribute to BOT and Steering Committee; S. Danyew can release to membership via Members Only section of the website. M. Fisher will contact S. Boyle regarding developing a message for website. M. Fisher will be contact person for comments.
- K. Hershey reminded Committee of recent Listserve regarding the ability to get retroactive papers and presentations by LSRPs over the past two years. The 90-day expiration period for this ends mid-December.

- Presenting the monthly LSRP report, D. Haymes reported that 3000 LSRP cases closed through the end of August. There were 2844 RAOs. Process time has gone up. Significant issues will be brought to LSRP attention, especially related to receptors.
- Rule proposal allowing the use of alternative fill in flood hazard areas is pending.
- Ken Kloo discussed the Clean Fill meeting held with the Commissioner.
- S. Posten reported that D. Haymes updated SRAG on administrative issues. Updates included a RAP permit form no longer needs signature by the property owner, only that the owner needs notification. Suzanne Dietrick is the contact person for Land Use Permits. This information should be broadcast to our membership. An overview of the Office of Permit Coordination was given during the meeting.
- Reporting on Third Party Access Issue (LSRP RP filing against residential/commercial property owner to gain access to property), DEP has updated letter templates for VI and potable water. A letter on official DEP letterhead would be optimal, but M. Pederson indicated that only a FAQ might be forthcoming. Therefore, the issue remains unresolved.
- S. Posten also advised that misinformation on the NJEMS is being corrected and Karen Kloo is the public's contact person. Eblast to Membership is needed.
- S. Posten reminded BOT that abstracts for the Battelle Conference are due the end of September. He provided conference information to K. Hershey for distribution to those at DEP interested in presenting a paper.

EXECUTIVE DIRECTOR'S REPORT

- Licensing Board Report
 - J. Oberer reported that the final draft rule is close to publication. He also reported on unprofessional conduct during the comment period of a recent Licensing Board meeting. The individual was very upset claiming the unprofessionalism of LSRPs and the program. He is going to file complaints against seven LSRPs, citing they take advantage of people who don't understand program by overcharging for their services. S. Boyle stated that the individual criticized the exam prep course and had set of slides from the course.
- Continuing Education Issues
 - D. Toder reported that the Licensing Board is taking too long approving applications, indicating that an individual waited ten months for approval. He advised that an Exam Prep course is scheduled for February 24, 2015, an Ethics course on March 10, 2015 along with the Annual Meeting on January 15th with registration now open for all these events. Consideration should be given to 2015 continuing education courses. Also, the Exam Prep and Ethics course may need revamping.
 - J. Oberer volunteered to work with D. Toder on the Continuing Education Committee and someone is needed to assist J. Oberer with his financial work since his responsibilities will increase.
 - Upcoming Continuing Education Courses: S. Boyle informed the Committee on the upcoming October 9 and 10 course titled "Management and Remediation of Contaminated Sediments.
 - Planning for 2015 Continuing Ed Courses: Suggestion made to possibly offer a civil liabilities class next year. Let S. Boyle and D. Toder know of any suggested courses.

SECRETARY'S REPORT

- Approval of outstanding meeting minutes.

Committee voted to approve the outstanding minutes from May 15, 2014, June 19, 2014 and July 17, 2014 minutes. Motion made and vote taken to approve minutes. All in favor with the abstention by K. Stetser. R. Ferguson will work with S. Danyew to get these minutes posted on website.

TREASURER'S REPORT

Nothing to report financially. Tried contacting accountant to discuss setting up scholarship fund. Will discuss with B. Alter afterwards.

HOT TOPICS

- Reauthorization of Standards Rule – S. Drew

S. Drew previously circulated notes from recent meeting and spoke with Steve Chronowski. Oct meeting will be initial technical discussion. DEP's not agreeing to final statement, therefore, it is our responsibility to coordinate with other groups. Coordination has begun with the Chemistry Council and our presentations will be circulated to the Soil Standards Committee. Deadline is Oct. 1 to return comments. During the meeting B. Frasco identified arsenic as an issue not within the Committee's scope and needs to be elevated as well as the quarry issue. These need resolution before soil standards are adopted.

NEW BUSINESS

- Open forum on LSRPA website

K. Goldstein spent time reviewing the Members Only area of the website. Discussed the logistics with Steve Danyew. The current software allows this and may cost \$1000 to upgrade. Suggested posting approximately six topics on the bulletin board and identifying one person as monitor for each topic. Value could be useful without impacting one person's time since the work will be spread out. Concluded that potential liability for a message board should not prevent its use, but caution with disclaimers are important. S. Posten suggested starting the board with one topic, possibly topics for annual meeting.

Motion made to spend \$1000 to members only website on Message Board. Motion moved, made and approved. Suggestion by K. Stetser that users provide their real name and we have tight guidelines. Since members have website IDs, R. Ferguson suggested their use. Discussing contents on message board, it should be realized that members may want feedback or free consulting on their projects. This will be discussed during guidelines meeting. Another suggested benefit of message board is it would open some Board of Trustees and Steering Committee discussions to a broader audience. The necessity of a message board will be included on the Annual Meeting agenda.

- Need for SRRA 2.0 Subcommittee

The number of current committees is being pared down, although a SRRA 2.0 subcommittee is needed to keep people engaged in the process. Members with interest in this issue should contact S. Boyle or S. Posten. We need to move forward with identify a Committee Chair, Co-chair and identify issues.

- Expansion of information obtained during Inspection and Review Meetings

B. Call previously distributed minutes from last two meetings. DEP agenda becomes shorter with each meeting and there fewer problems with our submittals due to lack of manpower. RAO or receptor issues go to the top. The backlog currently exceeds 3000 cases and DEP is working on reducing it further. RAO issue – people are not putting in specificity. K. Stetser will work with M. Fisher and B. Call

on a format to send to Membership and will be posted on Risk Management area of the Membership area of the website.

Suggestion made to reactive communications committee. S. Boyle requests a volunteer to help with ebcasts. We need to get the younger members involved in this process. L. Voyce will coordinate with B. Call on assignments. Co-chairs will be placed on upcoming Steering Committee agenda.

Motion made to dismiss at 10:10