

MINUTES

State Board of Examiners of Environmental Professionals

Regular Meeting – December 8, 2011

Call to Order and Sign-In

A regular meeting of the State Board of Examiners of Environmental Professionals (“the Board”) was called to order on Thursday, December 8, 2011, at 9:05 a.m. in the Russell Room, 3rd Floor, 79 Elm Street, Hartford, by Chair D. Ruzicka. Board Members J. Adams, R. Potterton, K. Meloy, A. Phillips-Griggs and S. Holtman, were present. Also present were DEP staff member K. Maiorano; and Nelson Walter and Seth Molofsky of EPOC and Dr. Gary Robins of University of Connecticut.

Reading and Approval of the Minutes

The draft minutes of the Board meetings of September 8, 2011 were read and approved as written; motion: Holtman; second: Phillips-Griggs; passed unanimously.

The draft minutes of the Board meetings of November 9, 2011 were read and approved as written; motion: Phillips-Griggs; second: Adams; passed unanimously.

Public Participation

N. Walter of EPOC stated that he had nothing to report on that would not be in the discussion during the distance learning agenda item.

Unfinished Business and General Orders

Update on complaint 10-101

Ruzicka reported that the DEEP was waiting for a final signed Consent Order from the LEP containing the revisions from our previous meeting. .

Update on affirmative action complaint

Ruzicka reported that the board was found not to have engaged in discriminatory action. The report did recommend that the board consolidate its opinion(s) regarding “responsible charge” to insure consistency in the review of future applications. The January agenda will include an item to this effect.

Proposed LEP Regulation Revisions

Ruzicka reported that the hearing officer's report had been drafted and was reviewed internally, the final hearing officer's report is due to be issued soon and the regulations may be expected to be promulgated as early as the 1st quarter 2012.

New Business

Distance learning summary from the EPOC subcommittee

The Board received a report prepared by EPOC entitled *Distance Learning Summary and Recommendations*, prepared by the EPOC Distance Learning Subcommittee, dated September 13, 2011. Nelson Walter and Seth Molofsky of EPOC and Gary Robbins of the University of Connecticut provided a summary of the report and their experiences concerning distance learning.

EPOC reviewed 23 other licensing agencies including professional engineers, geologists, and medical professionals. Most agencies put the responsibility on the individual for submitting continuing education credits during the reregistration process. Ruzicka asked if the LEP program might be different because LEP's are acting in place of the government. Nelson responded that PEs designed bridges and the effects of the poor decision might have a greater impact than that of an LEP. Ruzicka commented that the PEs work, have many reviews built into the process to minimize the potential for catastrophic failures.

Robbins indicated that the approval of courses is due in part to how the boards evolved over time and not necessarily the specific work that the professionals are performing.

Meloy asked if some LEP's have trouble getting credit. Mariano responded that this only appears to be a problem when the LEP waits till the last minute or they have been assigned out of the country for some period of time.

Walters indicated that the research showed that some agencies approved sponsors and that those sponsors ultimately approved trainers and courses. A sponsor would assign the correct number of continuing education hours and approved a course. Robbins indicated that an example of this model would be if EPOC was approved as a sponsor, they would approve and assign hours for individual courses. New York PEs uses this model. Phillips-Griggs asked if the approval of the sponsor was a one-time event. Walters replied that he believed that this was the process in New York. Robbins indicated that in New York all courses must go through a sponsor for course approval. All sponsors must provide a monthly update to the licensing board regarding courses that have been provided and who took the courses.

There are two primary types of distance learning courses. One involves interaction with an instructor who is teaching the course remotely and may be connected

through videoconference or conference call to the participants. In the other model there is no interaction with the instructor but that there may be periodic exams or an exam at the end of the course where the knowledge gained is tested.

Discussion followed concerning the New York sponsorship model versus course approval by the licensing board. Ruzicka indicated there are two components to this discussion. First, would be the approval of e-courses and second would be the approval of the sponsors or sponsorship program. It seems that the second would require a regulation change in order to facilitate sponsorship. Ruzicka propose that we look at the report completed by EPOC and be prepared to define specific requirements for the approval of e-courses at our next meeting.

Molofsky acknowledged other members of the distance-learning committee including Gary Gigliotti, Gail Batchelter, John Carroll, Nelson Walter, and Gary Robins.

Nelson agreed to look further into the New York model and be prepared to discuss it during our next meeting.

Course Approval Requests

Course approval request from LEP for course titled “**Risk Based Corrective Action**” for 8.0 CECs. Motion to approve for 8.0 CECs by Meloy, seconded by Phillips–Griggs, passed unanimously.

Course approval request from LEP for course titled “**Reading the Post Glacial Landscape**” for 4.0 CECs. Motion to approve for 4.0 CECs by Meloy seconded by Potterton, approved unanimously.

Course approval request from LEP for course titled “**A Field Course on the Pioneer Valley’s Post Glacial Landscape**” for 8.0 CECs. Motion to approve by Phillips–Griggs for 8.0 CECs, seconded by Meloy, approved unanimously

Course approval request from LSPA for course titled “**Surfactant Enhanced Fluid Recovery**” for 4.0 CECs. Motion to approve for 4.0 CECs by Meloy seconded by Holtman, approved unanimously.

Course approval request from LSPA for course titled “**In-situ Chemical Oxidation**” for 4.0 CECs. Motion to approve by Meloy for 4.0 CEC's, seconded by Potterton, approved unanimously.

Additional Agenda Items

Holtman made a motion to add an agenda item concerning credits for those who volunteer for regulatory workgroups, seconded by Adams, passed unanimously.

Holtman summarized the item by indicating that a number of LEP's had approached him to ask the board whether they would consider granting continuing education credits for participation in recent workgroups with the DEEP. Ruzicka asked whether workgroups that put forth ideas that go nowhere should be given the same credit as those individuals that worked on ideas that ultimately become promulgated in regulation and when should credits be granted. Meloy questioned whether working on guidance and courses for DEP may be a more appropriate source of credits. Meloy indicated that there would be a number of hurdles that would need to be defined in order to consider granting CEC's for participation in work groups and committees sponsored by DEEP. No action was taken on this item.

Other Business

Maiorano reminded the Board of the date change for the February Meeting to Thursday, February 16th to facilitate the review of LEP Exam Applications.

Adjournment

Upon a motion by Holtman; second: Potterton; approved unanimously; Chair Ruzicka declared the meeting adjourned at 10:40 AM.

Minutes approved on January 12, 2012.

Respectfully submitted,



John E. Adams
Board Co-Secretary