

# MINUTES

## State Board of Examiners of Environmental Professionals

### Regular Meeting – September 12, 2013

#### A. 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, September 12, 2013 at 9:10 AM in the Russell Room, 3<sup>rd</sup> Floor, 79 Elm Street, Hartford, by Chair D. Ruzicka. Board Members Kelly Meloy, Jeffrey Loureiro, John Adams, Elsie Patton, Alisa Phillips-Griggs, Robert Good were present. Also present was DEEP staff member K. Maiorano and Jack Looney representing the Attorneys General Office.

Chair Ruzicka welcomed Ms. Patton as a new Board member and reported that we now have a full complement of members.

#### B. Reading and Approval of the Minutes

The draft minutes of the Board meeting of August 15, 2013 were read and approved with a change to the month of approval to September; motion by R. Good, second: K. Meloy passed unanimously, with abstentions by J. Adams and E. Patton.

#### C. Public Participation

Nelson Walter was not present but provided a written question concerning the passing score for distance learning. He suggested either 70% or 75%. After discussion the board consensus was to have the passing score established at 70% to be generally consistent with the LEP Exam passing score.

#### D. Unfinished Business and General Orders

##### **Distance Learning**

The following change was suggested by D. Ruzicka and approved by concensus of the Board.

*22a-133v-2.(e)(2)(B) If a licensee is unable to obtain the required number of continuing education credits in a biennial period in a classroom setting, the licensee may apply to the Board to allow additional credits to be obtained through distance learning beyond the 12 credits normally allowed. The Board ~~will~~shall only allow additional distance learning credits in hardship cases where the licensee is unable to obtain classroom credits due to military service, severe illness, or other significant circumstances. The licensee ~~must~~shall apply to the Board no later than 30 days prior to the expiration of the current license to request a waiver to allow additional distance learning credits be approved beyond the 12 credit maximum.*

Next step for the regulations will be for the draft regulations to be submitted to the Governor's office and Office of Policy and Management for review.

### **Complaints and Investigations flow chart**

J. Adams questioned whether past practice have included a formal vote on moving a complaint forward or dismissing the complaint. K. Maiorano reported that in January 2013 Board meeting, the Board took a formal vote to authorize her to sign a letter to the LEP dismissing complaint 12-101.

The consensus of the Board was to revise the flow chart so that the third yellow diamond box read "Is further investigation warranted?" and the adjacent green box is changed to, "Board dismisses complaint". The second blue box below that yellow diamond reading "Do Investigators conclude that disciplinary action should be taken?" be changed to a yellow diamond. The adjacent green box should be changed to "Board dismisses complaint". These revisions will be forwarded to R. Potterton to be incorporated into the next revision.

A. Phillips-Griggs questioned whether language should be added to indicate these are not Regulations and should only be used as guidance. Jack Looney confirmed that the chart is guidance and not Regulation. When completed the chart may be placed on the website and would include the standard disclaimer.

### **Update on complaint 11-102 and 11-103**

A compliance meeting has been rescheduled to October 23, 2013 with the complainants.

### **Update on complaint 13-101**

K. Meloy and Rob Good are collecting information and will report back next meeting.

## **E. New Business**

### **Course Approval Requests**

Course approval request for course for course entitled "**Bay State Groundwater Forum (#5083)**" for 6.75 CECs. Motion to deny by K. Meloy seconded by E. Patton passed unanimously. Reason given is that only 2:20 total hours were deemed applicable and the applicable sections are not contiguous. .

Next Meeting is October 10, 2013 at 9:00 AM.

**F. Adjournment**

Upon a motion by Alisa Phillips-Griggs; second by Jeffrey Loureiro; approved unanimously; Chair Ruzicka declared the meeting adjourned at 9:58 AM.

Minutes approved on October 10, 2013.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "John E. Adams", written in a cursive style.

John E. Adams  
Board Co-Secretary