



# STATE OF CONNECTICUT

## Board of Examiners of Environmental Professionals

Board Members:  
Denise Ruzicka, PE, Chairman  
John Adams, LEP  
Christopher Buchholz  
Robert F. Good, Jr., LEP  
Stephen Holtman PE, LEP  
Jeffrey Loureiro, PE, LEP  
Kelly Meloy, LEP  
Elsie Patton  
Alisa Phillips-Griggs  
Robert S. Potterton, Jr., LEP  
Carol Violette, PhD, CHMM

### MINUTES

#### State Board of Examiners of Environmental Professionals

#### Regular Meeting – August 14, 2014

##### **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, August 14, 2014 at 9:05 am in the Russell Hearing Room, 3rd Floor, 79 Elm Street, Hartford, by Chair D. Ruzicka. Board members A. Phillips-Griggs, R. Potterton, and J. Loureiro were present in person. S. Holtman arrived at 9:33 am. Present via phone were Board Members C. Violette and R. Good, Nelson Walter representing EPOC was also on the conference call. Others present in person were Board Administrator K. Maiorano and Jacques Gilbert of DEEP.

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

The draft minutes of the Regular Board meeting of June 12, 2014 were read and approved as written; motion by J. Loureiro second A. Phillips-Griggs; passed unanimously.

##### **C. Public Participation**

N. Walter informed the Board of EPOC’s annual dinner meeting on Thursday, September 18, 2014 at 5:30 pm. Keynote speaker is Dan Fagan the author of Tom’s River. The meeting will be held at Wesleyan University, Middletown, CT - Beckham Hall.

Jacques Gilbert was introduced as K. Maiorano’s new supervisor and offered assistance if needed.

##### **D. Unfinished Business and General Orders**

###### **Distance learning – status of chgs to regs**

Chair Ruzicka reported that the public hearing for the proposed LEP regulation changes was held on July 23, 2014. There were no speakers. Two comments were received, one from Ram’s Horn Environmental, LLC and one from EPOC. Both were in support of the changes, with EPOC making one suggestion to allow for a Sponsor to request course approval. It is believed that the proposed changes allow for that, but the Board agrees and confirmation will ensure it does.

### **Update on complaints 11-102 & 11-103**

R. Potterton reported that the compliance meeting was held with both LEPs and he and J. Loureiro will be meeting with the A.A.G. David Wrinn to discuss the matter following the Board meeting. They should have a recommendation for the Board at the September meeting.

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

R. Good reported that a compliance meeting was held with the LEP on June 27, 2014. He and K. Meloy had a phone meeting with the complainant on December 12, 2013 to get additional information regarding the allegations in the complaint. The complaint was that the LEP had spiked samples in the course of conducting an investigation of a piece of property for a client so that the LEP could perform extensive unnecessary remediation. At the compliance meeting, the LEP presented an overall picture of the historic usage of the property. Subsequent to the meeting, he presented environmental reports, photos and an affidavit from the property owners who was present at the time of the excavation. Several USTs had been removed and widespread pollution was documented at the property.

R. Good and K. Meloy had reviewed documents attesting to the historical use and condition of the property and based upon all the data available to them they decided there was no merit to the complaint and proposed drafting a response to the LEP and to the complainant to sum up their findings. This will be accompanied by a detailed memo summarizing the facts.

Motion by J. Loureiro, second A. Phillips-Griggs, to accept the recommendation to dismiss the complaint was passed unanimously.

### **Regulation Revisions – Degree/Experience**

The discussion concerning this matter will be postponed until a full complement of Board Members can be present.

### **Review of Application – Subcommittee - Responsible Charge Demonstration**

Subcommittee consisting of J. Loureiro, K. Meloy and C. Violette will meet to review and discuss the application to see if it can be modified to more clearly demonstrate responsible charge experience.

### **Update on renewals/new LEPs**

K. Maiorano copied the Board on a memo that went to the commissioner regarding the stats. Of the potential 361 renewals, 351 submitted applications to renew their licenses, 10 did not. For the examination, there were 28 applications to take the 2014 test, 19 were approved, 9 were denied, most for responsible charge experience. 19 applicants approved to take the exam, 8 passed, 10 failed 1 did not show. There are now 359 LEPs.

### **Update on workshops**

Maiorano stated that the Item Development workshop was held on May 21<sup>st</sup>. Participants included Michael Cote, Evan Glass, Elsie Patton, Adam Henry, John Zbell and Kim Maiorano.

The Test Assembly Workshop was held on June 25<sup>th</sup>, participants included John Adams, Kelly Meloy, Stephen Holtman, William Flick, Jeffrey Loureiro, Peter Hill and Kim Maiorano.

Thank you letters will go out to all the technical advisors in the workshops.

There are currently over 804 questions in our item bank. J. Henderson of CASTLE Worldwide had stated that the item bank was in very good shape, but had also recommended that the Board consider a review of the Job Analysis Study and the domains used to develop the examination questions. K. Maiorano will send the Job Analysis Study to the Board for their review and consideration.

## **E. New Business**

### **Course Approval Requests**

- Course approval request from NEWMOA for course titled **“DNAPL Investigation & Remediation: The Evolving State of Practice”** for 5.0 CECs. Motion to approve for 5.5 CECs by J. Loureiro, seconded by R. Potterton; passed unanimously.
- Course approval request from AEHS for conference titled **“30<sup>th</sup> International Conference on Soils, Sediment, Water & Energy”** for CECs. Motion to approve - With the exception of the Monday night Hazardous Materials Workshop, which receives no credit, workshops get a 1 to 1 credit per hour; presentations are 50% credit per contact hour by R. Potterton, seconded by S. Holtman; passed unanimously.

### **New Form – 2 Requests for a New License**

K. Maiorano developed a new form to be used for individuals whose license expires and who wish to request a new one. Two LEPs did not submit their application to renew before the July 1<sup>st</sup> expiration of their license. John Bogdanski and Steven Harrington completed the Application for a New License Form, paid the \$1,062.50 fee payment and requested issuance of a new license. Motion S. Holtman to authorize the Commissioner to issue a new license to J. Bogdanski and S. Harrington second, A. Phillips-Griggs. J. Loureiro abstained, otherwise unanimous.

### **One Request for a Waiver of the Deadline**

All individuals who did not submit their application to renew their license were sent an e-mail reminder with detailed instructions on how to proceed. On June 23<sup>rd</sup> John Rendall was reminded that he needed to submit his application to renew, pay the extra 10% late fee payment and request a waiver of the deadline. The LEP completed the form, paid the fee but did not request a waiver. Maiorano reminded him again on July 2<sup>nd</sup> that he needed to request a waiver of the deadline. The third time she inquired as to whether the LEP sent in the waiver was on July 30<sup>th</sup>. When the LEP inquired as to why he hadn't received the renewal card on July 31<sup>st</sup>, Maiorano informed J. Rendall his license was not renewed until such time as the Board acted on a request for a waiver of the deadline. He mailed a request for a waiver of the deadline on August 7<sup>th</sup>.

Motion by R. Potterton, seconded by S. Holtman to grant a waiver and authorize the Commissioner to issue a license to the individual. B. Potterton suggested a strongly worded

letter advising the LEP that he needs to adhere to the requirements set forth in the LEP regulations that govern the use of his license, passed unanimously.

### **Regional meeting of LEP Program Directors, MA, CT, NJ**

Chair Ruzicka and K. Maiorano met with Karen Hershey, NJ DEP and Beverly Roby, MA DEP on August 12<sup>th</sup> via conference call. Chair Ruzicka said that it was interesting to note that the 3 states were similar in how the various Boards conduct their business. Some of the topics discussed were the Board compensation and appointment process, scheduling and conducts of meetings, continuing education, website design, fees, regulatory amendments, exam revision, internet courses, on-lines services (applications, fees renewals, etc) disciplinary process, case management and press releases. There was a lot of interest in continuing the discussions in the future on a regular basis.

**Motion C. Violette, second R. Potterton to add 13 Courses from Rutgers University to the agenda by 2/3 vote; passed unanimously.**

**Upon a review of the following 7 courses, the Board determined they were not approvable under the LEP Regulations. Motion to disapprove the following 7 courses, A. Phillips-Griggs, second R. Potterton, passed unanimously.**

1. Course approval request from RUTGERS for course titled **“OSHA 8 Hour Hazwoper Refresher”** for CECs..
2. Course approval request from RUTGERS for course titled **“OSHA 24 Hour Hazwoper Refresher”** for CECs.
3. Course approval request from RUTGERS for course titled **“OSHA 40 Hour Hazwoper Refresher”** for CECs.
4. Course approval request from RUTGERS for course titled **“Regulatory Training in Underground Storage Tanks”** for CECs.
5. Course approval request from RUTGERS for course titled **“The Role of the Environmental Consultant in Litigation”** for CECs.
6. Course approval request from RUTGERS for course titled **“Environmental Funding”** for CECs.
7. Course approval request from RUTGERS for course titled **“Environmental Audits and Site Assessments”** for CECs.

Course approval request from RUTGERS for course titled **“NJDEP Case Study Training Program for LSRPs”** for 7.0 CECs. Motion to disapprove by S. Holtman, seconded by J. Loureiro; passed unanimously.

Course approval request from RUTGERS for course titled **“Geology, Hydrogeology & Chemistry”** for 6.0 CECs. Motion to disapprove A.Phillips-Griggs, seconded by J. Lourerio; passed unanimously.

Course approval request from RUTGERS for course titled “**Environmental Forensics**” for 6.0 CECs. Motion to approve for 6.75 CECs S. Holtman, seconded by A. Phillips-Griggs; passed unanimously.

Course approval request from RUTGERS for course titled “**Combining Engineered Contaminant Source Area Treatment Technologies and Monitored Natural Attenuation for Site Cleanup Under the LSRP Program**” for 6.5 CECs per day or a total of 19.5 CECs for the full 3 days CECs. Motion to disapprove by J. Loureiro, seconded by R. Potterton; passed unanimously.

Course approval request from RUTGERS for course titled “**Innovative Technologies for Site Remediation**” for 6.0 CECs. Tabled until more information is obtained. Need the bios of the instructors and the instructional materials.

Course approval request from RUTGERS for course titled “**Advanced Petroleum Forensics**” for 7.0 CECs. Motion to approve for 7.5 CECs with a request for the bio of the instructor and more detailed course summary for the file by C. Violette, seconded by S. Holtman; passed unanimously.

Next regular meeting is *September 18<sup>th</sup> 2014*.

#### **F. Adjournment**

Upon a motion by C. Violette, seconded by S. Holtman, Chair Ruzicka declared the meeting adjourned at 10:24 am.

Minutes approved September 18, 2014.

Respectfully submitted,



Kim Maiorano  
Board Administrator