



STATE OF CONNECTICUT

Board of Examiners of Environmental Professionals

Board Members:
Kenneth M. Collette, Esq., Chair
John Adams, LEP
Michelle Gamache
Robert F. Good, Jr., LEP
Stephen Holtman PE, LEP
Jeffrey Loureiro, PE, LEP
Kelly Meloy, LEP
Elsie Patton
Alisa Phillips-Griggs
Carol Violette, PhD, CHMM

MINUTES

State Board of Examiners of Environmental Professionals

Regular Meeting – April 9, 2020

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, April 9, 2020 at 9:33 AM via a Zoom conference call, by Chair Kenneth Collette. Board members J. Adams, R. Good, S. Holtman, A. Phillips-Griggs, M. Gamache, K. Meloy, E. Patton and J. Loureiro were present via Zoom. Board Administrator K. Maiorano, Mike Cote and Nelson Walter representing EPOC and David Wrinn of the Attorney General’s Office were also present on the Zoom call for the meeting. This meeting is being held via Zoom due to the Covid-19 pandemic and the Governor’s Executive Orders prohibiting the physical gathering of persons.

B. Reading and Approval of the Minutes

The draft minutes of the Regular Board meeting of March 12, 2020 were read and approved with minor corrections; motion by S. Holtman, seconded by K. Meloy, passed unanimously, with E. Patton abstaining.

C. Public Participation

Nelson Walter from EPOC provided a summary of EPOC’s request associated with the LEP needs to obtain sufficient CECs by June 2021. The discussion regarding EPOC’s request is presented under new business.

D. Unfinished Business and General Orders

Update on complaint #17-102

Ms. Patton reported that she and J. Loureiro had come to agreement with the LEP and a consent order had been prepared. Problems with the Verification included:

- Verification without filing the ELUR necessary to support the Verification.
- The LEP had not properly investigated the site for sources of VOCs

The LEP had agreed to taking additional 12 hours of CECs, to have oversight for the next two Verifications, and to receive a letter of reprimand.

On a motion by J. Adams, seconded by M. Gamache the Board agreed to accept the recommendations of E. Patton and J. Loureiro for the sanctions and authorize the Commissioner to sign the final consent order, passed unanimously.

Update on complaints #18-102

R. Good indicated that a letter was sent to the LEP indicating that the matter was being referred to the Board for further action. The LEP had indicated they were accepting of this action and a consent order was being drafted for consideration by the LEP.

Update on complaint #18-103

J. Adams reported that a response from the LEP is under review.

Update on complaints #19-101, 19-102 and 19-103

Chair Collette reported that he had received a hard copy of a letter from the complainant indicating his displeasure with the process of investigating his complaint and expressed ideas as to how the process could better proceed. Unfortunately, the letter was on his desk and he was not permitted in the building during the Covid-19 lockdown to retrieve the letter.

S. Holtman and K. Meloy reported that two meetings were held with the Complainant. The first in the beginning of the investigation and one to inform him of the investigation results. He provided many details that allegedly the three LEPs were conspiring against him and by the end of the meeting he admitted that perhaps he had no hard facts to support his allegations. At the second meeting the complainant was very aggressive and was unwilling to accept the findings. At one point K. Meloy indicated she suggested the meeting be terminated if the manner in which the complainant was addressing the Board members continued. She reported that the complainant improved his manner and the meeting proceeded. The complainant had brought a former DEEP employee with him and that person indicated at the end of the meeting that he believed the manner in which the investigation was completed was rigorous and fair. The complainant suggested that he would continue to pursue the grievance through other channels. He had suggested possible legal action. Ms. Maiorano reported the complainant had suggested collusion between the LEP and his attorney to make the site an Establishment because the cost of remediation would be higher.

Chair Collette suggested that he draft a brief letter indicating that the Board had taken final action regarding this matter. K. Meloy indicated that the three LEPs and the complainant were due a final letter. D. Wrinn will work with the Board members and K. Maiorano to draft the final letter.

E. New Business

Course Approvals

Course approval request from LSPA for webinar previously approved course CTLEP-461 titled “**Remediation of Heavy Metals Using In-situ Approaches**” for 2 CECs. On a

motion by S. Holtman, seconded by K. Meloy, the course was approved for 2.0 credits, passed unanimously.

Course approval request from Midwest Geosciences for 3 part webinar titled “**Taking the Mystery Out of the Subsurface Webinar Series**” for 6 CECs. On a motion by J. Loureiro, seconded by E. Patton, the course was approved for 6.0 credits, passed unanimously.

EPOC Application to be a Sponsor

A discussion was held by the Board members regarding the application to be a sponsor from EPOC. Ms. Maiorano provided a summary of the regulatory requirements and the obligations of a sponsor. On a motion by J. Loureiro, seconded by E. Patton, EPOC was approved to be a sponsor in the LEP continuing education program.

Special Request from EPOC Regarding Distance Learning

EPOC had provided a letter requesting a distance learning credits be increased from 12 to 24 credits for the period from July 2019 to June 2021. The regulations include a provision that in cases of hardship to increase the number of distance learning credits an LEP may earn. It was agreed that the Covid-19 pandemic represented a hardship. On a motion by J. Adams, seconded by S. Holtman, the number of distance learning credits all LEPs may use to renew licenses in 2021 is increased to 24 credits, passed unanimously.

EPOC also requested that a live streaming class be treated as a live class. Nelson Walter indicated that the software being used permits the attendees to be pinged periodically to insure they are watching on line. EPOC also requested that no assessment of learning would be required at the end of a live streamed course presented in this matter. It would be very difficult to have an assessment at the end of a course where the attendee did not pass and then gets no credit. K. Meloy provided clarification from the definition that live streaming would qualify as an in person course. There was agreement that this arrangement would be acceptable as an in person course. When a live streaming courses are submitted to the Board for approval, the means of measuring attendance must also be included.

R. Good questioned whether we should consider a measure similar to NC Geologist where the requirement for credits required for this licensing period are being eliminated. There is a financial burden to LEPs that should be considered. The consensus of the Board was to have a discussion in the coming months regarding a reduction in credits required or extending the period to obtain credits.

Special Request from Rutgers Regarding Distance Learning

Rutgers had sent a letter requesting whether the Board would offer extensions to LEPs who were originally signed up for classes with CEC approval but have now been postponed due to the COVID-19 Emergency? Chair Collette responded as per previous discussions, it was too early in the pandemic to consider extensions. Rutgers also asked if they were to offer an online version of classes previously approved for CECs, again related to the COVID-19 Emergency, can our LEPs receive the same amount of approved

CECs for attending the online version? Chair Collette responded as per previous discussions it would be necessary to understand how the course was being given and the various mechanisms in place to insure attendance. He volunteered to draft a letter with assistance of Ms. Maiorano to send to Rutgers to address their questions.

LEP Examination

Scantron had provided a plan to give the exam on May 13th. A discussion ensued that the assembly of the number of applicants would not be permitted in accordance with the Governor's Executive Orders. Also other hardships that the applicants may have were considered. S. Holtman made a motion, seconded by A. Phillips-Griggs, to postpone the exam until October 2020 at a date to be determined by the exam provider and that the applicants would be notified of a date at least 60 days in advance of the exam date. J. Adams made a motion to amend S. Holtman's motion to roll over exam fees and admission ticket to a future exam date, choosing either the fall exam or the May 2021 exam, was seconded by E. Patton, passed unanimously. The S. Holtman motion passes unanimously as amended. Ms. Maiorano identified an issue that new licensees would have a shorter time period to obtain the required 12 CECs prior to license renewal. The Board consensus was to address this at a time in the future when we are sure the exam would take place.

LEP Renewals

Ms. Maiorano will be sending a letter to each LEP via email reminding them to renew their licenses by June 1, 2020. No paper copy will be mailed.

Next meeting is May 14, 2020 at 9:30AM.

F. Adjournment

On a motion by S. Holtman, seconded by A. Phillips-Griggs and passed unanimously, Chair Collette declared the meeting adjourned at 10:58AM.

Minutes were approved on May 13, 2020.

Respectfully submitted,



John E. Adams
Board Secretary