

NEW JERSEY SITE REMEDIATION PROFESSIONAL LICENSING BOARD

FINAL

SEPTEMBER 9, 2024 Meeting Minutes

4:00 PM

The open public meetings of the Board are held via Microsoft Teams.

Connect via the link on the Board Website www.nj.gov/lsrcpboard or

Participate by phone, using the following:

Toll free number: 1-(856) 338-7074 and Conference ID: 906475949

Board Members:

Present

Phil Brilliant
Michele Christina
Lawra Dodge
Steven Domber
Joann Held
Michael Renzulli
Charles Stebbins
Paul Stofa
Peter Strom

Absent

Kathi Stetser
Ira Whitman

Others Present

Executive Director Dana Haymes
Program Specialist Victoria Glean
Regulatory Officer Meredith Marcus
DAG Buffy Wilson

Members of the Public that were present:

Marlene Lindhardt, Kathleen Whooley, Richard Katz, Tina Layre, Nick Huszar, Jim Lunski, David Haymes, Rebecca Hollender, Frank DeFeo, Sonya Ward, Candace Baker, Carlton Dudley, Caryn Barnes, Janice Brogle, Randy Shuler

Proceedings

- Meeting called to Order at 4:02 PM by Chairperson Paul Stofa.
- On behalf of Paul Stofa, Dana Haymes read the Statement of Adequate Public Notice of the meeting required by the Open Public Meetings Act.

- Roll Call:

Phil Brilliant	- Present
Michele Christina	- Present
Lawra Dodge	- Present
Steven Domber	- Present
Joann Held	- Present
Michael Renzulli	- Present
Charles Stebbins	- Present
Kathi Stetser	- Absent
Paul Stofa	- Present
Peter Strom	- Present
Ira Whitman	- Absent

A quorum of the Board was in attendance.

- **Approval of the Board Meeting Minutes**

- Motion by Joann Held to approve the June 3, 2024 Board Meeting Minutes.

Motion seconded by Paul Stofa.

Roll Call Vote:

Phil Brilliant	- Yes
Michele Christina	- Yes
Lawra Dodge	- Yes
Steven Domber	- Abstain
Joann Held	- Yes
Michael Renzulli	- Yes
Charles Stebbins	- Yes
Kathi Stetser	- Absent
Peter Strom	- Yes
Ira Whitman	- Absent

Paul Stofa - Yes

The motion was approved.

- Motion by Phil Brilliant to approve the June 3, 2024 Board Meeting Minutes of the closed session.

Motion seconded by Joann Held.

Roll Call Vote:

Phil Brilliant	- Yes
Michele Christina	- Yes
Lawra Dodge	- Yes
Steven Domber	- Abstain
Joann Held	- Yes
Michael Renzulli	- Yes
Charles Stebbins	- Yes
Kathi Stetser	- Absent
Peter Strom	- Yes
Ira Whitman	- Absent
Paul Stofa	- Yes

The motion was approved.

- Motion by Paul Stofa to approve the July 8, 2024 Board Meeting Minutes.

Motion seconded by Charles Stebbins

Roll Call Vote:

Phil Brilliant	- Abstain
Michele Christina	- Yes
Lawra Dodge	- Yes
Steven Domber	- Yes
Joann Held	- Abstain
Michael Renzulli	- Abstain
Charles Stebbins	- Yes
Kathi Stetser	- Absent
Peter Strom	- Yes
Ira Whitman	- Absent
Paul Stofa	- Yes

Due to the lack of a majority (7 votes) of the full Board statutory membership (13 Board Members) the motion is not approved. The motion will be brought again at the next SRPL Board Meeting.

- Motion by Michael Renzulli to approve the August 5, 2024 Board Meeting Minutes.

Motion seconded by Charles Stebbins.

Roll Call Vote:

Phil Brilliant	- Yes
Michele Christina	- Yes
Lawra Dodge	- Abstain
Steven Domber	- Yes
Joann Held	- Abstain
Michael Renzulli	- Yes
Charles Stebbins	- Yes
Kathi Stetser	- Absent
Peter Strom	- Abstain
Ira Whitman	- Absent
Paul Stofa	- Yes

Due to the lack of a majority (7 votes) of the full Board statutory membership (13 Board Members) the motion is not approved. The motion will be brought again at the next SRPL Board Meeting.

- **Chairperson's Report**

Paul Stofa requested that Steven Domber, New Jersey State Geologist, provide the report.

Steven Domber reported that the staff of the Well Permitting Program is concerned about a seeming lack of adherence to the spirit of the lost and destroyed wells protocol. There has been an increase in LSRPs declaring that wells are lost, rather than going through the process of locating and sealing monitoring wells. He would like LSRPs to be aware of this concern and be sure to make a concerted effort to find and seal monitoring wells to prevent contamination of the water supply. He will discuss with Charles Stebbins the possibility of addressing this issue in an article in the SRPL Board quarterly newsletter.

Paul Stofa added that the Department of Environmental Protection is currently addressing concerns about PFAS, and there will be more news about that in the months to come.

- **Executive Director's Report**

Dana Haymes welcomed Meredith Marcus, who started her position as Regulatory Officer of the Board as of today. Meredith is an attorney with an extensive legal background and

experience as a Board Member of the Morristown Zoning Board. She will be working with Dana and Victoria Glean in all aspects of the work of the SRPL Board.

Committee Reports

- **Ad Hoc Committee on Board Membership – Michele Christina**

Michele Christina reported that she has received no updates on the progress of the applications of the three prospective Board Members beyond previous reports.

- **Ad Hoc Committee on Independent Professional Judgment and Remedial Process Improvement Initiative – Phil Brilliant**

No Report.

- **Licensure Committee – Kathi Stetser**

On behalf of Kathi Stetser, Dana Haymes reported that the next licensing exam will be held on April 9, 2025, and the application period will be January 6-31, 2025. Anyone who intends to apply for the license should enroll in Case Study Training (2019-098) which will be held January 14-15, 2025.

All application forms for the license, and license renewal, have been posted on the Board website. Anyone interested in applying for a license can begin to complete the forms now.

- **Audit Committee – Ira Whitman**

On behalf of Ira Whitman, Dana Haymes reported that the following audits were completed:

James Mack – 576435 – September 2022
Robert Lemanowicz – 783605 – June
Christopher Grassi – 668770 – July
Lauren Schoenemann – 668236 – July
Michael Poland – 574148 – July
Thomas Geiger – 575437 – July
John Robinson – 748586 – July

The Audit Committee has selected an additional 6 LSRPs for audit for the month of September 2024.

- **Continuing Education – Lawra Dodge**

Lawra Dodge reported that the following continuing education programs were approved for continuing education credit.

TITLE	PROVIDER	DATE	CECs	COURSE NUMBER
CIANJ Environmental Business Council Meeting – September 2024	CIANJ Environmental Business Council	September 25, 2024	0.5 Regulatory and 0.5 Technical	2024-053
Deep Dive in ARRCs	CPES	August 20, 2024	3 Regulatory	2024-054
Microbial Insights and Regenesi Workshop	Microbial Insights, Inc.	September 2024	3 Technical	2024-055
Focused Remediation Seminars – Fall 2024	Focused Remediation	September 5, November 7, December 12, 2024	2.5 Technical	2024-056
Introduction to NJ REAL	LSRPA	September 18, 2024	1.5 Regulatory	2024-057
Sub Slab Depressurization: Advanced Techniques and Case Studies Training	Rutgers NJAES – OCPE	September 24, 2024	4 Technical	2024-058
Advanced Bioremediation and Dissolved Oxygen Groundwater Recirculation Systems	LSRPA	TBD	1.5 Technical	2024-059
MGP Conference 2024	Rutgers NJAES – OCPE and GEI Consultants	October 17-18, 2024	11.5 Technical	2024-060

- **Finance Committee – Michael Renzulli**

Michael Renzulli reported on the proposed budget for Fiscal Year 2025. It is estimated at approximately \$785,000. He explained that in August 2024 he had reported the FY 2025 budget to be \$774,300, but it increased due to the addition of new personnel increasing total salaries to \$637,000, which is substantially higher than the actual incurred cost of \$426,000 in FY 2024. The increase from salaries was mostly offset by the reduced projected spending on testing services, going from \$125,000 previously reported to \$20,000. Michael noted that the reduction in testing services is a result of the structure of the contract with Caviart and it is expected that annual testing fees will be in excess of \$100,000 for FY 2026 under the new testing contract which is expected to begin on January 1, 2026.

The FY 2025 budget was evaluated using existing fees and newly calculated fees based on actual costs. The FY 2025 budget calculated using the existing fees resulted in a deficit of approximately \$88,400. This budget would reduce the carryover funds from \$410,000 to \$321,000.

The FY 2025 budget calculated using the existing fees for both the application and renewal fees, but increasing the annual license fee from \$900 to \$990, resulted in a deficit of just \$14,000.00. This budget would reduce the carryover funds from \$410,000 to \$396,000.

The proposed 10% increase in the annual license fee is the first increase in that fee in at least the last five years. While the carryover funds could absorb a “no increase” proposal, the carryover funds are on a steady decline. It is important that a reserve be maintained and available for unexpected costs, such as legal fees. Additionally, the testing fees will be increasing next year and may require a more substantial increase in the annual license fee.

It should be noted that the Finance Committee has resolved to maintain the application fee as low as possible to not form a barrier to new prospective LSRPs.

Therefore, it is the recommendation of the Finance Committee to approve the proposed FY 2025 budget with the proposed increase of the annual license fee from \$900 to \$990. The application and renewal fees will remain at current levels. That concludes the report on the proposed FY 2025 budget and associated fees for CY 2025.

Frank DeFeo confirmed that he agrees with the report as presented by Michael Renzulli and the need to increase the annual license fee to \$990 in order to preserve the carryover.

o Motion by Michael Renzulli to approve the Calendar Year 2025 Annual Fee Report setting fees as follows: Application Fee \$366.00, License Renewal Fee \$150.00, and Annual License Fee \$990.00.

Motion seconded by Peter Strom.

Lawra Dodge questioned whether the Board has done everything possible to keep costs low so as not to increase the annual license fee, as the fee is already a burden on some LSRPs. Michael Renzulli replied that it is important for the Board to keep enough in the carryover for potential legal fees that could always happen. He also noted that the annual license fee was recommended to be increased in 2022 and 2023, but that was not done. So, it is better to increase the fee by 10% now, than to have a more substantial increase in the future.

Phil Brilliant commented that the budget seems to include too much for the DAG fees, as they have never been as high as projected in the budget, although it is always possible that there could be a need to pay high DAG fees if a lawsuit were to occur. The problem is that LSRPs are carrying the burden of the projected DAG costs, along with the high cost of administering the exam to a relatively small number of prospective LSRPs, and the cost of investigating complaints against a few LSRPs. It seems there should be more consideration given to LSRPs, particularly as the number of LSRPs seems to be decreasing. The Board can't continue to

increase fees for LSRPs, and should request that the legislature allocate funding to support the Board or that fines paid by LSRPs be allocated to the Board. Although fees have not been increased in the past, raising the annual license fee this year could be the start of a trend.

Peter Strom commented that the DAG fees that are not paid become part of the carryover, so not needing to pay the fees is one of the reasons that the carryover has been maintained.

Roll Call Vote:

Phil Brilliant -	No
Michele Christina -	Yes
Lawra Dodge -	Yes
Steven Domber -	Yes
Joann Held -	Yes
Michael Renzulli -	Yes
Charles Stebbins -	Yes
Kathi Stetser -	Absent
Peter Strom -	Yes
Ira Whitman -	Absent
Paul Stofa -	Yes

The Motion was approved.

○ Motion by Michael Renzulli to approve the Fiscal Year 2025 Board Budget that anticipates fee revenue of \$771,000.00, expenses of \$785,000.00, with a net loss of \$14,000.00, resulting in a decrease in the carry forward to \$396,000.00

Motion seconded by Michele Christina.

Peter Strom commented that one way to increase revenue would be to increase the number of LSRPs. The Board could publicize the benefits of licensure to students who might be interested in entering the field of site remediation and in that way increase the pool of persons who would pursue the LSRP license.

Roll Call Vote:

Phil Brilliant -	Yes
Michele Christina -	Yes
Lawra Dodge -	Yes
Steven Domber -	Yes
Joann Held -	Yes
Michael Renzulli -	Yes
Charles Stebbins -	Yes
Kathi Stetser -	Absent
Peter Strom -	Yes

Ira Whitman -	Absent
Paul Stofa -	Yes

The Motion was approved.

- **Outreach Committee – Charles Stebbins**

Charles Stebbins reported that the Committee is preparing the fourth quarterly newsletter for circulation in October. All newsletters are available on the Board website.

Charles Stebbins also agreed that the Board should make an effort to recruit new LSRPs, and the Outreach Committee can discuss a plan for that.

- **Professional Conduct Committee – Phil Brilliant**

- Motion by Phil Brilliant to enter closed session to discuss Complaint 001-2024.

Motion seconded by Lawra Dodge.

All present voted yes.

The motion was approved.

Open session resumed at 5:20.

- Motion by Phil Brilliant, in the matter of Complaint 001-2024, to find the subject in violation of N.J.A.C. 7:26I-6.8 (c) in ten instances and to find the subject in violation of N.J.A.C. 7:26I-6.3(d) in one instance, and to notify the subject through correspondence under signature of the Board chairperson of the Board's intent to assess a penalty of \$4,000.00 through formal disciplinary action unless settlement is reached, and to authorize the Professional Conduct Committee settlement review team to negotiate a settlement within the parameters discussed in closed session, and if no settlement is reached, to proceed with formal disciplinary action.

Motion seconded by Michele Christina.

Roll Call Vote:

Phil Brilliant -	Yes
Michele Christina -	Yes
Lawra Dodge -	Yes
Steven Domber -	Yes
Joann Held -	Yes
Michael Renzulli -	Yes
Charles Stebbins -	Yes

Kathi Stetser -	Absent
Peter Strom -	Yes
Ira Whitman -	Absent
Paul Stofa -	Yes

The Motion was approved.

The subject of the complaint is Jessica Degraff, LSRP 629018.

- **Ongoing Business**

Lawra Dodge reported that she is still compiling information on artificial intelligence to report back to the Board.

- **New Business**

Dana Haymes presented the tentative 2025 Board Meeting schedule.

Tentative Board Meeting Schedule for 2025:

January 6 and 21
February 3 and 18
March 3 and 17 (or at LSRPA meeting 3/26 or 3/27/25)
April 7 and 21
May 5 and 19
June 2 and 16
July 14
August 4
September 8
October 6 and 20
November 3 and 17
December 1 and 15

- Motion by Joann Held to approve the 2025 Board Meeting Schedule.

Motion seconded by Lawra Dodge.

All present voted yes.

The motion was approved.

The next Board Meeting will be October 7, 2024.

- **Public Comments**

Kathleen Whooley asked if the agenda for this meeting would be posted. Dana Haymes replied that it has been posted on the Board website.

Candace Baker offered an invitation to the Board to hold a meeting on March 26, 2024 at the LSRPA meeting in New Brunswick, NJ. She also commented that she appreciates the comments of Lawra Dodge and Phil Brilliant with respect to the strain that the annual license fee places on LSRPs. This license fee is very high compared to other license fees in the state, and she would like to see it lowered in the future.

Marlene Lindhardt seconded Candace Baker's comments, and commented that other states fund their licensing boards, unlike New Jersey. She also commented that the LSRPA would like to work with the NJDEP to move forward with PFAS issues.

Sonya Ward asked Steven Domber what the timeframe is for receiving a response for closing wells. Steven Domber advised that she reach out to the NJDEP.

Richard Katz asked why the Board is looking into the issue of artificial intelligence, since the Board does not regulate business or industry. Lawra Dodge responded that its an exploratory discussion because it is a new topic.

The Meeting adjourned at 5:41 PM.