

SRPL BOARD COMPLAINT NO. 005-2015

DISPOSITION OF THE COMPLAINT

On December 15, 2016, the Site Remediation Professional Licensing Board (“Board”) issued to LSRP David Carlson a Notice of Civil Administrative Penalty Assessment in the amount of \$700.00 for violation of N.J.S.A. 58:10C-16.d. Mr. Carlson and the Board negotiated a settlement and agreed to resolve the matter if Mr. Carlson paid a penalty in the amount of \$500.00. Mr. Carlson paid the penalty on December 29, 2017. The Board considers this matter resolved, and Mr. Carlson may continue to practice as an LSRP without any restrictions on his license.

COMPLAINT

On April 21, 2015, the responsible party brought this complaint against LSRP David Carlson (License 581780) because Mr. Carlson failed to communicate to the responsible party that he terminated his retention as the LSRP for the site, and failed to notify the Department.

FINDINGS OF THE BOARD

The Board investigated the complaint and found the following violations of the Site Remediation Reform Act:

N.J.S.A. 58:10C-16.d.

“A licensed site remediation professional retained by a person responsible for conducting the remediation shall notify the department within 15 calendar days after being retained. In addition, a licensed site remediation professional shall notify the department within 15 calendar days after being released from responsibility for a remediation if the release occurs prior to issuance of the response action outcome for the site by the licensed site remediation professional.”

The Board found that on March 15, 2015 Mr. Carlson sent an email to the complainant stating that he was transferring employment to another environmental consulting firm. However, he did not dismiss himself as LSRP for the complainant’s site until August 3, 2015, after he learned about the complaint. Since he essentially terminated his retention as LSRP on March 15, 2015 without notifying the responsible party or the Department, the Board found a violation of N.J.S.A. 58:10C-16.d.

NOTICE OF CIVIL ADMINISTRATIVE PENALTY ASSESSMENT AND SETTLEMENT

On December 15, 2016 the Board issued a Notice of Civil Administrative Penalty Assessment in the amount of \$700.00.

Mr. Carlson exercised his right to request an administrative hearing, and agreed to negotiate settlement with the Board. Mr. Carlson and the Board agreed to settle the matter for \$500.00.

On December 29, 2017, Mr. Carlson remitted to the Board a check in the amount of \$500.00.