



April 4, 2014

Benjamin Ericson, Chair
Beverly Coles-Roby, Executive Director
Board of Registration of Hazardous Waste Site Cleanup Professionals
One Winter Street, 3rd Floor
Boston, MA 02108

Subject: LSPA Request for a LSP Licensing Exam in May or June 2014

Dear Mr. Ericson and Ms. Coles-Roby:

We are writing on behalf of the LSP Association (LSPA) to express our concern about the Board of Registration of Hazardous Waste Site Cleanup Professionals' (Board's) announcement to delay the next offering of the LSP exam until late 2014. The LSPA urges the Licensing Board to offer the exam in May or June 2014. Several LSPA members, and likely other candidates as well, feel that it will be a hardship for them to wait for seven to eight months before the next exam is offered, resulting in up to a year's loss of pay increases and promotions, which they might otherwise receive upon successfully passing the exam and being granted their LSP license.

Furthermore, several LSPA members, and possibly other candidates as well, are nearing the end of their two-year "window" between being accepted to take the LSP exam and passing the exam. While some of them have received oral assurances from Board staff that this period of eligibility will be extended, there is no clear regulatory mechanism to do so, and there is no guarantee that the Board will do so.

As we write, the newly approved MCP has not yet been published. MassDEP stated publicly at their Waste Site Cleanup Advisory Committee meeting on March 27, 2014 that the earliest publication date would be April 11, 2014, and that publication is expected not later than April 25, 2014. Furthermore, MassDEP also stated that it had not yet selected an effective date for the MCP revisions to take full

effect and indicated that it was considering effective dates at least six to eight weeks after publication, but possibly longer.

Thus, it appears unlikely that the date on which the new MCP regulations will take effect will be before June 1, 2014. The ensuing time between now and, June 1, 2014 provides enough time for the LSP Board to offer the LSP exam, based on the current (February 14, 2008) MCP.

While we understand that the LSP Board is only required by its regulations [309 CMR 3.04 (1)] to hold the exam “at least once per year”, the LSPA feels that waiting until the end of 2014 will cause unnecessary hardship for those whose applications have been approved. For example, Lauren Konetzny has told us that this situation could delay her promotion and accompanying salary increase, affecting her career potential in 2014. Mark Yiatras understands that the available two-year “window” for him to take the exam will have passed by October 2014, at least a month before the Board has suggested the next exam might be offered. This delay could likewise affect his salary and timing of his promotion. Lisa Irwin took the exam for the first time in November 2013 and was counting on taking it again this spring; the delay could have financial implications for her. Dan Gorman faces similar potential losses. These prospective LSPs have told us about the lost opportunities and hardship they will face because of a significant delay in taking the LSP exam.

Moreover, the LSPA is concerned that a longer period could pass, if for some reason the rollout of the new exam is delayed. Offering the exam this May or June would help the LSP Board meet its regulatory requirement to offer the exam annually and provide insurance against the possibility of unforeseen delays.

The LSPA does not see any disadvantage to offering the exam in spring 2014. Those LSPs who have been practicing for 20 years as well as those newly licensed will all have to familiarize themselves with the new regulations. It is difficult to see that a dozen more professionals in that situation will negatively impact the profession.

We appreciate that the LSP Board’s Exam Committee has been making a concerted effort to develop a new exam as soon as possible. And, of course we support that necessary initiative. But we also feel strongly that the needs of all the environmental professionals eagerly waiting for their chance to take the exam and, hopefully, become LSPs, should not have to wait seven or more months to take a new exam when there is an existing exam available now.

We respectfully request that this letter be shared with the LSP Board along with materials for the April 17, 2014 meeting.

Thank you,

LSP Association, Inc.

Handwritten signature of Matthew E. Hackman in black ink.

Matthew E. Hackman, LSP
President

Handwritten signature of Wendy L. Rundle in black ink.

Wendy L. Rundle
Executive Director

Cc:

Lauren Konetzny, CHA Consulting, Inc.
Mark Yiatis, ECS, Inc.
Lisa Irwin, Clean Harbors Environmental Services, Inc.
Dan Gorman, Golder Associates Inc.