

COMMONWEALTH OF MASSACHUSETTS  
EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS  
BOARD OF REGISTRATION OF  
HAZARDOUS WASTE SITE CLEANUP PROFESSIONALS

In the Matter of: \_\_\_\_\_ )

James J. Decoulos )

Respondent )

LSP Board Complaint No. 05C-07

OADR Docket No. 10AP-01

**FINAL ORDER**

**INTRODUCTION**

1. This Final Order concerns the Board of Registration of Hazardous Waste Site Cleanup Professionals' ("the Board") regulations in a delicate area: determining the appropriate discipline for the respondent, James J. Decoulos, ("the respondent"), a Licensed Site Professional ("LSP"), License Number 9360.
2. The disciplinary action is the result of an investigation and determination by the Board that the respondent violated the following Rules of Professional Conduct while providing Professional Services as a LSP:

309 CMR 4.02(1) which requires a LSP to act with reasonable care and dilligence, and to apply the knowledge and skill ordinarily exercised by LSPs in good standing, practicing in the Commonwealth, when performing hazardous waste site cleanup activities.

309 CMR 4.03(3)(b) which requires a LSP to follow the requirements and procedures set forth in the applicable provisions of G.L. c. 21E and 310 CMR 40.0000 *et seq.*;

3. In the underlying proceeding, Presiding Officer Timothy Jones, ("the hearing officer") of the Office of Appeals and Dispute Resolution ("OADR"), conducted an administrative hearing. On September 7, 2012, the hearing officer issued a Recommended Final Decision ("RFD"), ruling that there was "persuasive evidence that the Board proved all of the violations by an overwhelming preponderance of the evidence." RFD at p. 43; *Craven v. State Ethics Comm'n*, 390 Mass 191, 196 (1983).
4. For the reasons that follow, the Board has the primary authority to impose discipline on its licensees consistent with its statutory responsibilities to administer a comprehensive hazardous waste site cleanup program.

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### JURISDICTION

5. The Board is authorized to issue this Final Order pursuant to the provisions of G.L. c. 21A, §§ 19A, 19C, and 19F. This means that the Board's clear objective here is protecting the public and promoting deterrence. Indeed, "the [B]oard is mandated to police the [waste site cleanup profession], and to take disciplinary action against those members of the profession 'who do not live up to the solemn nature of their public trust'." *Compare Levy v. Bd. of Registration & Discipline in Med.*, 378 Mass. 519, 528 (1979). Moreover, "the fact that [the proposed] discipline is painful does not alter the [B]oard's responsibility to consider a [LSP's] qualification to practice . . ." *Arthurs v. Bd. of Registration in Med.*, 383 Mass. 299, 317 (1981).
6. Above and beyond deterring misconduct or malfeasance by this respondent, prosecution of this matter serves a remedial purpose. It constitutes an attempt to remove from licensure an individual who has demonstrated an inability to comply with the Board's regulations, and hence may not be trusted to protect the public. Indeed, in the context of professional licensure, the Massachusetts Supreme Judicial Court has specified that "the fact that a licensee of the Commonwealth . . . had knowingly failed to comply with the tax laws of the Commonwealth could be treated rationally as an anti-social act demonstrating unfitness to carry on a responsible profession in which adherence to other laws is required." *Walden v. Bd. of Registration in Nursing*, 395 Mass 263, 272 (1985)(emphasis supplied).

### PARTIES

7. The Board is a duly authorized administrative agency of the Commonwealth of Massachusetts acting pursuant to the provisions of G.L. c. 21A, §§19-19J. The respondent, James J. Decoulos is an individual licensed by the Board as a LSP.

### REQUIREMENTS OF LAW

8. In providing Professional Services, a licensed site professional shall act with reasonable care and diligence, and apply the knowledge and skill ordinarily exercised by licensed site professionals in good standing practicing in the Commonwealth at the time the services are performed 309 CMR 4.02(1). Additionally, a licensed site professional must follow the requirements and procedures set forth in applicable provisions of G.L. c. 21E, and 310 CMR 40.0000. *See* 309 CMR 4.03(3)(b).

### PROCEDURAL HISTORY

9. On December 15, 2005, the Board received a complaint from Najib Badaoui regarding 131 Main Street, Carver, Massachusetts ("Site A"). On January 20, 2006; August 31, 2007 and January 30, 2008, the respondent filed responses to the complaint. A Complaint Review Team ("CRT") was formed to investigate the matter. As part of its investigation, the CRT retested the audit history of the respondent which revealed potential violations with 633 North Main Street, Randolph, Massachusetts ("Site B"). *See* CRT Report, July 15, 1999 at p. 2. The CRT held informal conferences with the

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respondent on December 12, 2007 and May 12, 2008. CRT Report, July 15, 1999 at p. 2; *see also* 309 CMR 7.05. Two members of the CRT visited the Carver site on June 26, 2008. *See* Luhrs Pre-filed Testimony ("PFT") at pp. 3-4. The CRT concluded that sufficient facts existed to warrant discipline against the respondent. *See* CRT Report at p. 41. Finding that aggravating circumstances justified the penalty, the CRT recommended that the respondent's license be suspended for one year on July 21, 2009. *See* CRT Recommendation of Discipline at pp. 1-4.

10. On January 8, 2010, the Board issued an Order to Show Cause and Proposed Order Finding Sufficient Grounds for Discipline and Notice of Noncompliance ("Order") to the respondent, which outlined two specific findings of noncompliance. *See* Order at p. 14. As an initial matter, the Order alleged that the respondent violated 309 CMR 4.02(1), failing to act with reasonable care and diligence. *Id.* Next, the Order indicated that he failed to meet the requirements of 310 CMR 40.000, in violation of 309 CMR 4.03(3)(b). *Id.*
11. The Board contended that the respondent failed to both perform adequate assessments, and collect sufficient data to support his opinions. *Id.*; Luhrs Rebuttal Pre-filed Testimony ("PFT") at pp. 7-8; RFD at p. 11. The Order likewise outlined the facts on which it relied for its decision that his work at two hazardous waste disposal sites violated the Board's regulations, all pursuant to 309 CMR 7.07. *See* Order at p. 14. On February 2, 2010, the respondent filed Objections and Answer to Order to Show Cause, appealing the Order. He requested an adjudicatory hearing on the findings that he violated the Rules of Professional Conduct. *See generally*, Respondent's Objections and Answer to Order to Show Cause. Pursuant to 309 CMR 7.07 and adjudicatory hearing rules 309 CMR 7.07, the hearing officer scheduled the matter for a Pre-Hearing Conference on April 13, 2010. *See* Scheduling Order, March 25, 2010 at p. 1.
12. On or about October 27, 2010 the hearing officer conducted an adjudicatory hearing. Cynthia Baran ("Baran"); Robert Luhrs ("Luhrs"); Ian Phillips ("Phillips"); and John Fitzgerald ("Fitzgerald") testified on behalf of the Board. The respondent testified and offered testimony from Theodore Bosen ("Bosen"); Paul Wright ("Wright"); and Richard Doherty ("Doherty"). The witnesses offered by the prosecuting attorney were present at the hearing to authenticate their pre-filed direct testimony and for cross-examination by the respondent's counsel. The respondent as well as his witnesses were similarly present at the hearing to authenticate their pre-filed direct testimony and to be cross-examined by the Board's prosecuting attorney.
13. On April 1, 2011 and April 29, 2011 respectively, the prosecuting attorney and the respondent filed post-hearing briefs, and on May 13, 2011, the prosecuting attorney filed a brief in rebuttal to the post-hearing brief of the respondent. On September 7, 2012, the hearing officer issued a Recommended Final Decision ("RFD"). Jones found "persuasive

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evidence that the Board proved all of the violations by an overwhelming preponderance of the evidence.” RFD at p. 43; *Craven v. State Ethics Comm’n*, 390 Mass 191, 196 (1983).

14. The substantial and uncontroverted testimony at trial demonstrated that the respondent violated both the Board’s Rules of Professional Conduct 309 CMR 4.00 *et seq.*, as well as the Massachusetts Contingency Plan by a preponderance of the evidence. *See generally*, Recommended Final Decision (“RFD”); Prosecuting Attorney’s Memorandum Recommending A Dicipinary Sanction; Prosecuting Attorney’s Reply to Respondent’s Oppositions to the Board’s Final Findings of Fact and Rulings of Law and Recommendation for Dicipinary Sanctions; *Sch. Comm. of Brookline v. Bureau of Special Educ. Appeals et al.*, 389 Mass. 705, 716 (1983)(Massachusetts standard is more probably true than not).
15. The non-recused Board members voted to wholly affirm and adopt the RFD pursuant to 801 CMR 1.01(11)(b)-(d) on March 20, 2014. The respondent timely objected to the RFD, and moved to enlarge time to file objections/responses on November 2, 2012. That motion was allowed in a quasi-judicial session on November 16, 2012. Another extension was requested on December 4, 2012, which the Board granted in a December 6, 2012 quasi-judicial session. Subsequently, the Board convened Quasi-Judicial Sessions on June 20, 2013, August 20, August 29, 2013, September 18, 2013, October 7, 2013, October 21, 2013, November 12, 2013, November 21, 2013, and March 20, 2014 to rule on post-hearing motions.
16. In accordance with 801 CMR 1.01(11)(c) the Board decided as follows: The Respondent’s Objections to the Decision were denied; the Prosecuting Counsel’s Response to the Respondent’s Objections to the Decision was rendered moot; the Respondent’s Request for Oral Argument on his objection to the RFD was denied; the Prosecuting Counsel’s Opposition to his Request for Oral Argument and Motion to Strike Late-Filed Exhibits moot. The Respondent’s Motion to Allow Additional Exhibits to the Record was likewise denied. The Respondent’s Opposition to Board’s Motion to Strike Late-Filed Exhibits was also moot as was the Prosecuting Counsel’s Opposition to Motion to Allow Additional Exhibits to the Record and Reply to Opposition to Motion to Strike.
17. On or about October 10, 2014, the respondent’s attorney initiated settlement discussions. He indicated that the respondent might accept a limited suspension and payment of fine, or a fine and additional Continuing Education requirements. However, if asked to surrender his license for any substantial period of time, he would appeal the matter to the Massachusetts Superior Court Department pursuant to G.L. c. 30A.
18. On October 22, 2014, the prosecuting attorney informed the respondent’s legal counsel that she would recommend that the Board enter into an agreement for a suspension of 15 months plus 32 additional continuing education credits to settle both complaints against

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the respondent.<sup>1</sup> On October 29, 2014, the respondent through his legal counsel responded to the offer asserting that the comparable cases cited by the Board's prosecuting attorney were dissimilar to the present case; they were more egregious. Specifically, *In the Matter of Jaffe* 06C-08, the LSP failed to conduct an Imminent Hazard Evaluation, thereby creating a risk that people would inhale contaminant vapors. Conversely, the respondent here did not put anyone in imminent peril. A 15-month suspension is not appropriate, but the respondent would accept a fine of \$5,000, 40 hours of additional Continuing Education credits, and a Private Censure, which he would have accepted before the hearing.

19. Again, in early 2015, the Board decided to attempt to resolve the matter through settlement. Based on disciplinary precedent, the Board offered the respondent a fifteen month suspension of his license to practice and an additional thirty-two hours of continuing education.<sup>2</sup> The respondent made a counter offer of forty-five additional continuing education credits and payment of a monetary penalty in the amount of \$7,500 on January 14, 2015 which the Board rejected at its January 15, 2015 meeting. The offer was made a second time on January 22, 2015. On May 19, 2015, the respondent again rejected the offer.
20. In June 2016, the Board issued its Final Findings of Fact and Rulings of Law. On July 6, 2016, the Prosecuting Attorney filed A Memorandum Recommending a Disciplinary Sanction, which was served on the respondent's attorney.
21. The respondent's attorney requested an extension of time to file a response until "August 15, 2016 or later," which was granted. The respondent's attorney served a Notice of Withdrawal of Appearance on August 19, 2016. The non-recused Board members granted the respondent a one-time extension until October 21, 2016 to file his opposition memoranda.
22. The respondent, pro se, filed his Opposition to the Board's Final Findings, and Opposition to Recommendation for Disciplinary Sanctions on October 21, 2016.
23. The respondent was notified on November 14, 2016, that the non-recused members of the Board voted to permit him to argue the Prosecuting Attorney's disciplinary recommendation orally pursuant to 309 CMR 7.10(3). Additionally, the Board voted to limit oral argument to the issue of the imposition of disciplinary sanctions.

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<sup>1</sup> There is another matter pending against the respondent. In lieu of prosecution, the offer included settlement of both the instant case as well as the second proceeding.

<sup>2</sup> Pursuant to the Board's regulations, LSPs are required to earn forty-eight hours of continuing education credits every three years. See 309 CMR 309(3).

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24. The Prosecuting Attorney filed a reply to the respondent's Opposition to the Board's Final Findings, and Opposition to Recommendation for Disciplinary Sanctions oppositions on March 15, 2018.
25. Pursuant to 309 CMR 7.10(3), the Board issued an Order on May 7, 2018 that scheduled oral argument before its Professional Conduct Committee meeting on May 16, 2018. The order set out rules that governed the procedure in oral arguments: The Co-chairperson of the Professional Conduct Committee will conduct the proceedings; the proceedings would be audio-recorded<sup>3</sup>; oral arguments were limited to twenty minutes on each side; the party that requested oral argument argued first; oral arguments were not permitted to go beyond the scope of the recommended disciplinary sanctions; physical exhibits or documents to be used at the oral argument had to be placed in the LSP Board meeting room before the meeting began on the date of the argument; no party was permitted to adduce testimony or call witnesses to take part in the oral argument; the Board did not entertain questions from the parties. The order also indicated that if in the progress of oral argument it becomes necessary that a pleading be filed or other step be taken so that the case may proceed, and the issue is not covered by any provision of statute, regulation, or rule, the Board could make any appropriate order.
26. At oral argument, the respondent requested and was granted an additional two minutes for rebuttal. He also offered six exhibits into the record. *See Professional Conduct Committee Hearing Transcript* at p. 3. Legal counsel for the Board waived oral argument and rested on the papers filed with the Board. *See Professional Conduct Committee Hearing Transcript* at p. 32.
27. On June 19, 2018, the respondent filed a Motion to Supplement Oral Argument.<sup>4</sup>
28. The non-recused members of the Board deliberated in Quasi-Judicial session on May 16, 2018, and June 20, 2018.
29. On June 20, 2018, the non-recused members of the Board confirmed the vote taken on April 26, 2018 to impose discipline as originally set and approved which was a one (1) year suspension and completion of thirty-two hours of continuing education credit in the areas of hydrogeology, conceptual site modeling, remediation of non-aqueous phase liquid, and risk characterization, in addition to what is required to renew his license pursuant to 309 CMR 3.09.

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<sup>3</sup> The respondent engaged a stenographer to transcribe the proceedings.

<sup>4</sup> "Ordinarily, litigation is considered moot when the party who claimed to be aggrieved ceases to have a personal stake in its outcome." *Commonwealth v. Puleio*, 433 Mass. 39, 40 (2000) (quoting *Blake v. Massachusetts Parole Bd.*, 369, Mass. 701, 703 (1976)). The mootness doctrine applies with force here where this matter has been fully litigated. As pertains to discipline, the Board found that the respondent violated the Rules of Professional Conduct. Further, the nonrecused members voted to impose discipline. Therefore, there is no live case or controversy before it. *Acting Supt. Of Bournemouth Hosp. v. Baker*, 431 Mass. 101, 103 (2000)(quoting *Attorney Gen. v. Comm'r of Ins.*, 403 Mass. 370, 380 (1988)). On that basis, it found that the respondent's Motion to Supplement Oral Argument was moot.

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### **FINDINGS OF FACT**

30. The Board issued Final Findings of Fact and Rulings of Law on June 16, 2016, that are attached to this Final Order. The Findings of Fact and Rulings of Law are incorporated herein by reference.

### **FINDINGS OF NONCOMPLIANCE**

31. The Board has determined that the respondent failed to comply with the Rules of Professional Conduct 309 CMR 4.02(1) and 4.03(3)(b), by failing to act with reasonable care and diligence or apply the knowledge and skill ordinarily exercised by licensed site professionals at the time the services were performed, and failing to follow the requirements and procedures set forth in applicable provisions of G.L. c. 21E and 310 CMR 40.0000.

### **DICIPLINARY SANCTIONS**

32. For the reasons stated in the Final Findings of Fact and Rulings of Law incorporated into this Final Order by reference, the Board concludes that the record of the adjudicatory hearing established that the respondent violated the Board's Rules of Professional Conduct and that discipline is warranted. The Board **ORDERS** that the respondent's license to practice as a Hazardous Waste Site Cleanup Professional, License No. 9360, be suspended for one (1) year and that he complete thirty-two hours of continuing education credit in the areas of hydrogeology, conceptual site modeling, remediation of non-aqueous phase liquid, and risk characterization, in addition to what is required to renew his license, beginning thirty (30) days from the date that this Final Order is issued.

### **DICIPLINARY CONSIDERATIONS**

33. The Board considers the following factors most relevant to its determination that the appropriate discipline in this matter is a one (1) year suspension in conjunction with additional Continuing Education course work above and beyond the regulatory requirements of 309 CMR 3.09.
34. The respondent's violations of the MCP and the Board's Rules of Professional Conduct were comparable to past cases where the Board imposed discipline. The deficiencies of the respondent's work are discussed in the Final Findings of Fact and Rulings of Law at pp. 14-31 and include:
35. The Board concluded that the respondent failed to act with reasonable care and diligence in assessing the site at 131 Main Street in Carver Massachusetts, (Site A) in violation of 309 CMR 4.02(1), because he did not perform sufficient assessment activities to rule out a connection between the diesel release and the contamination at the outfall or to support his assertions that surface runoff, and not the diesel release, caused the contamination at the outfall.

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36. The Board found that the respondent failed to implement MassDEP's repeated Immediate Response Action ("IRA") requirements to delineate the extent of the LNAPL release, mitigate the condition of Substantial Release Migration, conduct an Imminent Hazard Evaluation, and conduct active Light Non-Aqueous Phase Liquid ("LNAPL") recovery and a video survey of the storm drain system to address the condition of Substantial Release Migration.
37. The Board determined that the respondent placed passive skimmers in monitoring wells without MassDEP's approval. The Board concluded that by not meeting the requirements for an IRA, the respondent failed to follow the requirements and procedures set forth in applicable provisions of G.L. c. 21E and 310 CMR 40.0000, in violation of 309 CMR 4.03(3)(b).
38. The Board determined that the respondent did not meet the standard of care because he did not demonstrate that a level of No Significant Risk existed or had been achieved, because the data showed increasing concentrations of petroleum contaminants on the site and in some cases was widely divergent, in violation of 309 CMR 4.02(1). The Board also ruled that the respondent used incorrect calculations and failed to follow available guidance published by MassDEP. On that basis, the respondent did not perform the Method 2 Risk Characterization for 633 North Main Street, Randolph, Massachusetts in a manner consistent with scientifically acceptable risk assessment practices in violation of 310 CMR 40.0901(4).
39. The Board concluded that that the respondent did not adequately define the horizontal and vertical extent of contamination at 633 North Main Street, Randolph, Massachusetts in violation of 310 CMR 40.0904(2). By averaging widely divergent analytical results, the Board decided that the respondent did not identify a conservative estimate of contaminant concentrations to which receptors may be exposed, in violation of 310 CMR 40.0926(3)(b)(1).
40. The Board determined that the respondent filed the RAO without achieving a condition of No Significant Risk of harm to health, public welfare or the environment, in violation of 310 CMR 40.0973(7) and 310 CMR 40.1003(1). The Board noted that by submitting the RAO when data showed increasing concentrations of petroleum contaminants in groundwater, the respondent did not meet the general provisions of Response Action Outcomes by not showing that the source of contamination was eliminated or controlled, in violation of 310 CMR 40.1003(5). Finally, the Board concluded that by not meeting the MCP requirements for a Response Action Outcome and Risk Characterization, the respondent did not follow the requirements and procedures set forth in applicable provisions of G.L. c. 21E and 310 CMR 40.0000, in violation of 309 CMR 4.03(3)(b).
41. Throughout these proceedings, the respondent has maintained that his actions did not violate the Board's Rules of Professional Conduct.<sup>5</sup> See RFD at pp. 11-32. In stark

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<sup>5</sup> To elaborate, the hearing officer relied on the evidence before him which lead him to conclude, "I find the vast majority of [the respondent's] evidence to be unpersuasive and nonresponsive to the above overwhelming evidence against him; much of the testimony is based upon conclusory and conjectural statements, unsupported by sufficient

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contrast however, the hearing officer found that the Board's allegations against the respondent were proven "by an overwhelming preponderance of the evidence." See RFD at p. 32.

42. The respondent also argued that the previous suspensions cases are not comparable precedent for his case. *See generally*, Respondent's Opposition to the Petitioner's Final Findings of Fact and Rulings of Law; Respondent's Opposition to the Prosecuting Attorney's Memorandum Recommending a Disciplinary Sanction. His opinions however, are not competent sources from which to determine the level of discipline that should be imposed.
43. The Board rejects any suggestion that its decision on discipline is inconsistent with its prior decisions. Each of those earlier cases dealt with fact patterns that resembled the scenarios that were alleged here. Moreover, in determining the level of discipline that the Board should impose after a finding of violations of its Rules of Professional Conduct, it is wholly appropriate for the Board to consider the failure of the respondent to acknowledge responsibility for his conduct. *Palmer v. Bd. of Registration in Med.*, 415 Mass. 121, 124-25 (1993).
44. The respondent's refusal to accept personal professional responsibility is an aggravating factor that warrants the suspension of his license and the additional Continuing Education credits.
45. The Board is persuaded that the respondent was not in compliance with the statutes and regulations applicable to hazardous waste cleanup professionals, as required G.L. c.21A, § 19C.

### ORDERED

Upon consideration of the Final Findings of Fact and Rulings of Law incorporated into this Order, it is **ORDERED** and **ADJUDGED** that:

- I. The respondent's license to practice as a Hazardous Waste Site Cleanup Professional, License No. 9360 shall be suspended for a period of one (1) year, beginning 30 days from the date this Final Order is issued, and that he complete thirty-two hours of continuing education credit in the areas of hydrogeology, conceptual site modeling, remediation of non-aqueous phase liquid, and risk characterization, in addition to what is required to renew his license pursuant to 309 CMR 3.09. So long as this suspension is in effect, the respondent shall not act as, advertise as, hold himself out to be, or represent himself to be a Hazardous Waste Site Cleanup Professional or "Licensed Site Professional" or "LSP".

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facts or scientific evidence. . . . Further the Board's testimony in rebuttal exposes numerous inconsistencies and statements that are unsupported by evidence in the record; it *easily* undermines [the respondent's] testimony and that of his witnesses, revealing fatal flaws with [the respondent's] approach at the site and undermining the credibility of [the respondent's] testimony. Much of [the respondent's] evidence ignores the well established facts, attempting to create a scenario that is not supported by sufficient factual evidence." See RFD at p. 32 (emphasis supplied).

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- II. The Board will notify MassDEP of the beginning date of the suspension covered by this Order, within seven (7) days of that date, pursuant to G.L. c. 21A, §19C.
- III. If, thirty (30) days from the date this Final Order is issued (the "Effective Date"), the respondent is engaged to provide any LSP Professional Services, as defined in 309 CMR 2.02, to clients, the respondent shall immediately cease providing any further LSP Professional Services, and within fourteen ("14") days shall notify each of these clients in writing, by certified mail return receipt requested, that the respondent's LSP license has been suspended by the Board and that respondent cannot continue to act as LSP-of-Record for the client's site. Within 21 days after the Effective Date, the respondent shall submit a signed affidavit to the Board attesting that such clients have been notified as described in this paragraph. The respondent shall attach to the affidavit a copy of each notification sent to the respondent's remaining clients and all return receipts or returned mail received up to the date of the affidavit. The respondent shall file supplemental affidavits covering subsequently received return receipts and returned mail. If, as of the Effective Date, respondent has no clients for whom he is performing LSP Professional Services, as defined in 309 CMR 2.02, then Respondent shall submit a letter to that effect to the Board.

Failure to comply with this Order may subject the respondent to further action, including, but not limited to, further disciplinary action by the Board, the issuance of a civil administrative penalty, or referral to the Massachusetts Attorney General's Office for additional civil action and or criminal prosecution.

### **RIGHT TO APPEAL**

Any person aggrieved by a final decision of the Board in an adjudicatory proceeding may obtain judicial review by filing a complaint with the appropriate court in accordance with General Laws chapter 30A.

### **EFFECTIVE DATES AND PARTIES BOUND**

This Order remains effective unless modified by the Board. Issuance of this Order shall not preclude, and shall not be deemed an election to forego, any action to recover damages to interests of the Commonwealth or for civil or criminal fines or penalties.

**Issued this 8<sup>th</sup> day of February 2019**

**The Board of Registration of Hazardous Waste Site Cleanup Professionals**

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By:

James N. Smith 1/19/19  
Date

James N. Smith,

Date

Co-Chairperson Professional Conduct Committee

David Austin 1/16/19  
Date

David Austin

Date

Kathleen Campbell 1/16/19  
Date

Kathleen Campbell

Date

Marc J. Richards 1/16/2019  
Date

Marc J. Richards

Date

Farooq Siddique 1/29/2019  
Date

Farooq Siddique

Date

Dr. Gail L. Batchelder 1/16/2019  
Date

Dr. Gail L. Batchelder

Date

Gregg McBride 1/16/19  
Date

Gregg McBride

Date