

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)
)
)
_____)

Docket No.: _____
Complaint No. 05C-07

ORDER TO SHOW CAUSE

TO: JAMES J. DECOULOS
LSP License No. 9360

You are hereby ordered to show cause, in the manner described below, why the Massachusetts Board of Registration of Hazardous Waste Site Cleanup Professionals (Board) should not find that sufficient grounds exist to take disciplinary action against your license to practice as a Hazardous Waste Site Cleanup Professional (a/k/a Licensed Site Professional) in the Commonwealth of Massachusetts (License No. 4725) based on the findings of fact and rulings of law set forth in the attached Proposed Order Finding Sufficient Grounds For Discipline ("Proposed Order").

This Proposed Order will take effect as a final order unless you exercise your right to contest it in an adjudicatory proceeding in the following manner.

If you wish to contest one or more of the findings in this Proposed Order, you must, ***within twenty-one (21) days*** of the date you receive this Order To Show Cause, file an Answer to the Proposed Order. Your failure to respond within 21 days will constitute a waiver of your right to a hearing on the findings of fact and law stated therein and will result in the issuance of the Proposed Order as a Final Order Finding Sufficient Grounds For Discipline.

If you elect to file an Answer, it must conform to the requirements set forth in Section 1.01(6)(d) of 801 CMR, the Standard Rules of Adjudicatory Practice and Procedure. The Answer should be filed at:

Anne Hartley, Case Administrator
Office of Appeals & Dispute Resolution
Massachusetts Department of Environmental Protection
One Winter Street
Boston, MA 02108

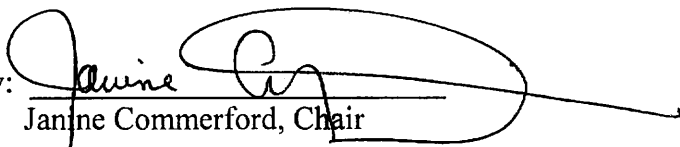
A copy of the Answer, as well as copies of all future pleadings related to this matter, shall be filed with the Prosecuting Attorney for this matter: Lynn Peterson Read, Board of Registration of Hazardous Waste Site Cleanup Professionals, One Winter Street, Boston, MA 02108.

If you file an Answer, you will receive an adjudicatory hearing conducted in accordance with the State Administrative Procedure Act (G.L. c. 30A, §§ 10 and 11), the Standard Adjudicatory Rules of Practice and Procedure (801 CMR 1.01 and 1.03), and the Board's regulations at 309 CMR 7.08 and 7.10. These laws and regulations grant you certain rights including, but not limited to, the rights: to a hearing, to secure legal counsel or another representative to represent your interests, to present witnesses and to cross-examine witnesses who testify against you, to present testimony on your own behalf, to introduce evidence, and to make arguments in support of your position.

The hearing will be conducted before an independent administrative law judge who, at the conclusion of the proceeding, will make a recommended decision and submit it to the Board. It is not the role of the administrative law judge to recommend the form of discipline or other disposition to be taken by the Board. Acting pursuant to 309 CMR 7.10, the Board may accept, reject, or modify the administrative law judge's recommended decision in whole or in part.

If the Board's final findings of fact and rulings of law conclude with a finding that sufficient grounds exist to discipline you, or if you do not file a timely Answer to this Order To Show Cause, the Board shall move to the disciplinary phase of its decision-making process, as described in 309 CMR 7.10(3). During that phase of the process, you have a right to submit your arguments and views regarding what form of discipline, if any, the Board should impose.

BOARD OF REGISTRATION OF
HAZARDOUS WASTE SITE CLEANUP PROFESSIONALS

By: 
Janine Commerford, Chair

January 8, 2010
Date