



INLAND PROFESSIONAL CORPORATION

Environmental, Construction & Business Management

October 15, 2019

Via Electronic

Commonwealth of Massachusetts
Senate and House of Representatives
Joint Committee On Financial Services
The Honorable Senator Anne M. Gobi, Chair
 Senator Walter F. Timilty, Vice Chair
 Representative Smitty Pignatelli, Chair
 Representative Daniel Cahill, Vice Chair

Senators:

Michael F. Rush
Edward J. Kennedy
James B. Eldridge
Ryan C. Fattman

Representatives:

Colleen M. Garry
James Arciero
Carmine Lawrence Gentile
Daniel R. Carey
Michelle L. Ciccolo
Richard M. Haggerty
David Allen Robertson
James M. Kelcourse
Norman J. Orrall

**RE: Testimony of Joseph V. Polsinello, MA DEP Licensed Site Professional (LPS)
Joint Senate and House Committee on Environment, Natural Resources
and Agriculture Monday October 15th 2019
House No. 3873 “An Act relative to the board of registration of hazardous
waste site cleanup professionals”**

Dear Honorable Senators and House of Representatives of the Joint Committee on Environment, Natural Resources and Agriculture:

Thank you for the opportunity to come before you to testify relevant to House Bill No. 3873, “An Act relative to the board of registration of hazardous waste site cleanup professionals”.

RE: Testimony of Joseph V. Polsinello, MA DEP Licensed Site Professional (LSP)
Joint Senate and House Committee on Environment, Natural Resources
and Agriculture Monday October 15th 2019
House No. 3873 "An Act relative to the board of registration of hazardous
waste site cleanup professionals"
Monday October 15, 2019
Page 2 of 2



My testimony today is consistent and applicable of my previous testimony before the Joint Senate and House Commission on Financial Services on Thursday September 26th, 2019.

Specific to my prior testimony, page 5 and 6 of 7, Item 5. **House Bill No 3873:** Provides an overview, reasoning and rationale to amend the membership of the Board of Registration of Hazardous Waste Site Cleanup Professionals, aka The LSP Board. Item 6. **Conflict of Interest:** provides and insight of the serious problems including a reference to Senator Mike Rush, Representative Ed Coppinger and Angelo Scaccia letter of June 23, 2014 to the LSP Board requesting an answer to questions of the opportunity for fraud and abuse (Appendix B).

On behalf of homeowners that have become victims of tank removal, consultants, and in my documented opinion, some LSP's, I believe I am one of the only individuals to come forward with documented complaints brought before the LSP Board. Those complaints (Appendix E, F. & G) were dismissed, devoid of disciplinary actions and failure to forward the complaint of unlicensed individuals and companies performing LSP of Record services; one company who had been previously convicted by the Attorney General's Office.

Thank you for you time and consideration. I look forward to continuing to be a resource to the Committee, Senators and Representatives.

Sincerely,

Joseph V. Polsinello,
President, Inland Professional Corporation
Licensed Site Professional (LSP) # 7450 Since 1993

CC: Representative David F. DeCoste



September 24, 2019 **Via Electronic & Hand Delivery**

Commonwealth of Massachusetts
Senate and House of Representatives
Joint Committee On Financial Services
The Honorable
Senator James T. Welch, Chair
Senator Michael O. Moore, Vice Chair
Representative James M. Murphy, Chair
Representative Christine P. Barber, Vice Chair
Senators:

Eric P. Lesser
Diane DiZoglio
Sonia Chang-Diaz
Viriato M. deMacedo

Representatives:

Bruce J. Ayers
Thomas M. Stanley
John C. Velis
Jose F. Tosado
Daniel Cahill
Michelle L. Ciccolo
Richard M. Haggerty
F. Jay Barrows
Shawn Dooley

**RE: Testimony of Joseph V. Polsinello, MA DEP Licensed Site Professional (LPS)
Joint Senate and House Committee on Financial Services, Thurs. Sept. 26th
Senate No. 594 "An act relative to the remediation of home heating releases"**

Dear Honorable Senators and House of Representatives of the Joint Committee On Financial Services:

Thank you for the opportunity to come before you to testify relevant to Senate Bill No. 594, "An Act relative to the remediation of home heating oil releases." I am confident my statements and documented testimony will enhance and provide a comprehensive understanding in the goal of the Honorable Senator Anne M. Gobi, Presenter and Petitioners; The Honorable Senators Jason M. Lewis, Barry R. Finegold, Bruce E. Tarr, Michael O. Moore, Adam G. Hinds, Brendan P. Crighton, and Ryan C. Fattman to address and provide an equitable, cost effective answer to a serious environmental and



costly loss; and to many, specifically the elderly, and most all homeowners, provide a relief to many of a life long devastating impact to them and their families.

Joseph V. Polsinello – Introduction, Experience and Qualifications

My name is Joseph V. Polsinello, a long time resident of the Town of Hanover, MA. I am a Licensed Site Professional (LSP) # 7450. I was active in the promulgation of regulations and establishment of the *New MCP* (Massachusetts Contingency Plan) program implemented in 1993. I am a member of the LSPA (Association), Builders and Remodelers Association of Boston (BRAGB) and Home Builders and Remodelers Association of Massachusetts (HBRAMA). I am a licensed construction supervisor. Previously I was a licensed tank tester, installer, removal, assessment and remediation, emergency spills response contractor, and Third Party Inspector for UST's / transportation and marine fuels. I served in the past on the MA DEP Rivers Protection Act. I Installed and Inspected Title V septic systems. My professional profile, references and related experience are referenced **Appendix H & I**.

Prior to that time I owned and operated an emergency oil and hazards materials spills and remediation company, Inland Pollution Control, Inc. (IPC), licensed by the DEQE / DEP 1979 – 1988, Based in Braintree, Massachusetts, until I sold the company to *Waste Management*. Prior to that period, I was one of the first emergency spills company based in Albany New York 1970-1978, Licensed by New York State Department of Environmental Conservation (DEC). **Reference Appendix H & I**. My business originated from petroleum home heating delivery and service company that included distribution systems, above and underground oil tanks, gasoline stations, and deep-water marine bulk terminal ship and barge operations. My clients included U.S. EPA, NY DEC, Polaroid, Boston Edison, Major Oil Companies, *Fortune 500*, aviation, transportation and utilities. I have testified as an expert witness in like cases at depositions and Massachusetts Trial Court. I am called upon to investigate and at times work under insurance claims.

Preface

My testimony is in no way, manner or intent to provide any adverse opinion of any individual, the Licensed Site Professional (LSP) Community; Licensed Site Professional (LSPA / Association) which I am also a long term member; The Board of Registration of Hazardous Waste Cleanup Professionals; the Massachusetts Department of Environmental Protection (MA DEP), Bureau of Waste Site Cleanup (BWSC) or any private person or organization.



LSP's provide an invaluable resource to the health, safety and protection of the environment, public safety and welfare which an LSP's priority as stated 309 CMR 4.02 Professional Competency / 4.03 Professional Responsibility (1) A licensed site professional shall hold paramount public health, safety, welfare, and the environmental in the performance of professional services. **Appendix C.** LSP's dedicate an enormous amount of time and effort to prepare, hold their license in good standing, obtain continuing education, possess the ability to operate and perform within complicated, comprehensive multi applicable professional acumen.

The MA DEP exceeds all expectations in the ability to focus and performance of a priority to protect the public, health, safety, welfare, and the environment. Each and every staff member in all MA DEP Regions provides personal, respectful and substantial energy and dedication in achieving those goals. The Citizens of the Commonwealth of Massachusetts are well served.

The Massachusetts Contingency Plan (MCP) 310 CMR 40.0000 MA DEP Lead, BWSC, Emergency Response, combined with the Licensed Site Professional (LSP) resource provides an exceptional program in the protection of public health, safety, welfare, the environmental, and resources of the Commonwealth of Massachusetts.

Basis of Testimony of Joseph V. Polsinello

My testimony which I prepared and submit provides an insight of the reasons for high cost and need for cost control to open up markets at reasonable costs in support of obtaining qualified insurance coverage / financial responsibility, and/or supplier / service provider in support of pro-active reduction / elimination of releases into the environment and response in the event of an unforeseen event.

For the past fifteen (15) years, and for the recent five (5) years, I have provided service to homeowners on a pro bona basis. A majority of times called in by the oil industry, Attorneys and Citizens at large, some of which were victimized by tank removal companies. In the least, at times the LSP application for those examples has been aggressive and costly. I have shared my documented experiences with the MA Attorney General Office, coordinated my pro bona service with MA DEP and insurance industry. I have assisted homeowners in filings complaints against unlicensed individuals, and LSP's; and in fact I personally have filed a complaint against an LSP with the Board of Registration of Hazardous Waste Cleanup Professionals. All the complaints dismissed the complaints without discipline. Tank removal company conducting LSP of Record service without an LSP license, the LSP providing very limited or never on the Site, utilizing the questioned assessment data and opinions of



the tank removal company. Negligent, Fraudulent and in my opinion, far greater serious actions had occurred. In other experiences, information provided to me indicated a homeowner lost their homes to an LSP who foreclosed and obtained ownership of the residence.

Statements For Consideration – Recommendations

1. **Cost:** Very rarely should the cost for an oil spill release exceed \$ 75,000.00 (seventy five thousand dollars), and never \$ 250,000.00 (two hundred fifty thousand dollars) with an exception of contamination of a private potable water supply or Zone II Public Water Supply if contamination by substantial volume impacting the aquifer. Utilizing house-moving companies, driving piles, jacking up the house, moving the house, associated construction requirements; I consider excessive, unnecessary considering the alternatives and cost to benefit. A review with John J. Fitzgerald, MA DEP NERO may provide an insight. **Referenced Appendix E, F & G.**
2. **MA DEP BWSC Notification Trigger:** Many instances a tank removal company, non-LSP determines and directs the owner, responsible party (RP) potentially responsible party (PRP) to notify, or proceeds to notify the MA DEP BWSC. That individual who most times is a non professional determines by field instrument PID (photo ionization detector) measuring volatiles of over 100ppm (parts per million) within ten feet of a tank has been exceeded triggering a 72 Hour Release Notification 40.0313 (2). That may or may not be the case with the opinion skewed in the least. Immediate Notification may be the best management practice to ensure a conservative approach, *at the time*, needing an independent LSP to confirm the notification. A Permit to Remove a UST requires an LSP or Certified Professional to be on site to conduct the assessment. There is / may be confusion with some Fire Departments as to that provision. Retraction by Regulation Requires Amendment by the same LSP, who must apply within 60 days, considered unlikely. An alternate qualified opinion is eliminated. MA DEP BWSC should be provided authority to retract a notification upon another LSP providing a preponderance of evidence; especially if a non-LSP makes the notification. **Referenced Appendix E, F & G.**
3. **Oil Delivery / Licensed Technicians:** The 1990 Homeowner Oil Heating System Upgrade and Insurance Law was never a mandate. **Reference Appendix A.** Very few insurance agents understand the program; homeowners check the box to decline coverage and save approximately \$ 75.00 per year. Coverage requires certification by a licensed technician and submittal to the insurance agent. Home Inspectors noting deficiency in tank, lines, fills, and burner unit have no authority. Recommendations to replace upgrade as human nature to spend \$ 500.00 is deferred or never considered until the spill. Law must include, without liability to the oil supplier, a mandate to upgrade prior to



new account delivery.

4. **MA DEP / BWSC / Emergency Response:** Amend DEP authority to implement cost control measures to include change in the regulations to allow MA DEP to override LSP responsibility, provide temporary / permanent solutions in order to relieve the LSP of concern of liability / impact, threat of discipline / loss of their license under 310 CMR 40.0000 MCP / 309 CMR 4.00 Rules of Professional Conduct. In reality that scenario occurs when the money runs out and the LSP of Record resigns with notification (or at times no notification of resignation) to MA DEP BWSC. Some instances cleanup activities may be reduced, limited and/or closed; versus when an LSP of Record is not allowed by their duty by the MCP and/or 309 CMR 4.00 Rules of Professional Conduct to do so. Review the DEP / DEP BWSC to refer complaints to the LSP Board. **Referenced Appendix E, F & G.**
5. **House Bill No. 3873:** Presented By Honorable Representative David F. DeCoste, Plymouth 5th District; Petition of the Honorable Senator Bruce E. Tarr; Representative Timothy R. Whelan; Representative Bud L. Williams; **Reference Appendix D.** Amends the 10 Position Board of Registration of Hazardous Waste Site Cleanup Professionals, aka The LSP Board. The current LSP Board is comprised of Seven (7) LSP's, Two (2) Consultants, and One (1) Cleanup Contractor All who realize revenue from releases of oil and/or Hazardous Materials (OHM). House No. 3873 provides opportunity, participation, expertise by the *Users* of the system and process; additionally would provide an invaluable resource to the MA DEP, House and Senate in addressing voids, compromise, enhance and provide cost effective problem solving solutions to Homeowners. By my experience since 1993 present the *Users* have been restricted, eliminated and kept in the Dark relative to the 21E application of the MCP, LSP and DEP process. Although MA DEP has aggressively communicated in various media venues, DEP has gone out of their way to accommodate homeowners; a *Homeowner* is only knowledgeable after the fact, subsequent to a tremendous, costly and family estate threatening experience. Attorneys, insurance agents, claims, underwriters; local Board of Health, Conservation, Building, Fire Prevention, citizens' at large, non profit environmental, bankers', housing construction remodeler, real estate professionals', oil delivery and service technicians have limited or no idea of the process. All the *Users* default and are dependent on a Licensed Site Professional (LSP) possessing the initial sole ability to render initial business, finance, legal and technical assistance decisions. House Bill No. 3873 provides for a full-time employee of the MA DEP BWSC (Bureau of Waste Site Cleanup) with experience investigating sites. BWSC, specifically the emergency response section possess an insight to readily evaluate and assess conditions, ability of the tank removal, spill contractor and relationship and personal application by an LSP assuming the LSP of Record



responsibility on behalf of the homeowner / RP (responsible party). Often the tank removal or spill contractor brings in their employed or selected LSP.

Reference Appendix D.

6. **Conflict of Interest:** The oil tank removal and service individual, and the LSP usually brought in after the fact is the decision makers to trigger or address already notification to MA DEP. My experience finds the LSP is not the individual personally on site making decisions, defaulting to a junior / level entry individuals. Many times the decision maker is the tank removal foreman or the emergency response cleanup foreman. Combined with decision-making based on PID Headspace field analysis over 100ppm, notification is made to MA DEP BWSC. (See Above item 2.) The Honorable Senator Mike Rush; Honorable Representatives Angelo Scaccia and Edward Coppinger raised the question of conflict of interest to the LSP Board in their June 23, 2014 letter; paragraph four, "Possession of a financial interest in both testing and transporting of material, however, presents an opportunity for fraud and abuse of the system." My experiences serving homeowners pro bona identified, in my opinion, serious conflicts of interests between tank removal / replacement and spill contractors, disposal, insurance adjuster, with assessment performed by an unlicensed entity / individual providing LSP of Record services without an LSP License. The LSP only on Site one (1) day, utilized the tank removal company fraudulent data as filed with the MA DEP BWSC. The MA AG previously prosecuted and convicted that entity. The homeowners' and my documented complaint were essentially dismissed by the LSP Board. **Referenced Appendix E, F & G.** The LSP Board stated they had no jurisdiction to address unlicensed individuals practicing as LSP's of Record.
7. **Resolution Conflict of Interests: The MA DEP 310 CMR 80.00 Underground Storage Tank (UST) Systems provides an excellent example of a very successful MA DEP regulatory process in providing consumer protection, accountability, and elimination of conflicts of interest.** Portions and the basis of the UST program specific for gasoline / diesel transportation fuel storage and distribution systems mandates under 310 CMR 80.49 Third-party Inspectors (TPI) highly skilled, possessing comprehensive knowledge and understanding of the systems. The same is readily available through oil dealers and technical service HVAC (Heating Ventilation / Air Conditioning) industry. 80.49 (6) **Prohibitions** provide a comprehensive description of the conflicts mandated to avoid. (6) (c) **"An employee of the UST facility he or she is inspecting or an individual who has performed work at the UST facility she/he is inspecting, under contract or otherwise, other than a contractor who is the third-party inspector;"(Prohibited)** **Explanation:** The TPI must be absolutely independent of the owner / operator **AND** most importantly, the inspector / assessment of the condition of the tank system is restricted from doing the repair



/ replacement work. An LSP needs to be independent from tank removal, remediation contractors, disposal firms, as LSP of Record must serve only the homeowner, RP (responsible party) or PRP (potentially responsible party). Currently, there is a disconnect of the authority and resource, use and application of oil delivery and technical service providers to reduce / eliminate spills and releases.

8. **Homeowners Releases:** NBC Boston 10 provided coverage on the devastating cost of heating oil spills. I would recommend contacting the homeowners I served pro bona to obtain an insight / alternative understanding of the issue. **James and Teresa Coston** (617 792 2592) 9 Stowe Road, Mattapan, MA; **Dominic Galluzzo**, (508 456 4392) Formerly 86 Candia Street, Weymouth, MA; **William Scafidi**, (339 793 0033) 16 Waldo Street, Randolph, MA **Referenced Appendix E, F & G.**

Summary and Conclusion

I would look forward to continuing to be a resource to the Joint Senate Committee on Finance to continue to work cooperatively with Senator Anne M. Gobi, Senators Jason M. Lewis, Barry R. Finegold, Bruce E. Tarr, Michael O. Moore, Adam G. Hinds, Brendan P. Crighton, and Ryan C. Fattman and other Senators, Representatives; the Department of Environmental Protection; State Fire Marshall; and my associate Licensed Site Professionals (LSP's) and Licensed Site Professional Association (LSPA), Builders and Remodelers Association of Boston (BRAGB) and Home Builders and Remodelers Association of Massachusetts (HBRAMA).

I thank the Committee for your gracious time and consideration affording me an opportunity to share my ideas and experience in the best interest in support of health, safety, environmental protection in a cost effective, affordable, equal and beneficial resulting solution.

Sincerely,

Joseph V. Polsinello
President, Inland Professional Corporation (IPC)
51 Mill Street, Unit 7, Hanover, MA 02339
Mobile Direct 518 463 7800
joe@inlandprofcorp.com

CC: Honorable Representative David F. DeCoste, 5th Plymouth District



Appendix A

January 1, 1990
Homeowner Heating
Oil System Upgrade
Insurance Law



The Official Website of the Executive Office of Energy and Environmental Affairs

Energy and Environmental Affairs

EEA Home > Agencies > MassDEP > Cleanup of Sites & Spills > Laws & Rules > Homeowner Oil Heating System Upgrade and Insurance Law

Homeowner Oil Heating System Upgrade and Insurance Law

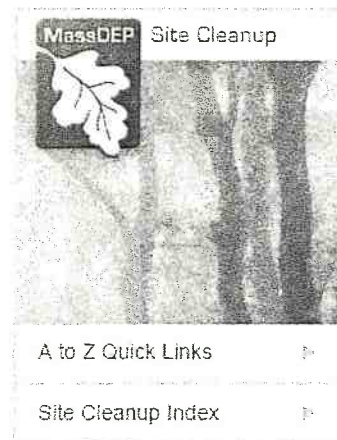
Introduction

This fact sheet contains important information for those who heat their homes with oil. By September 30, 2011, you must upgrade your home heating system equipment to prevent leaks from tanks and pipes that connect to your furnace. By making a relatively small expenditure now, you can prevent a much greater expense in the future.

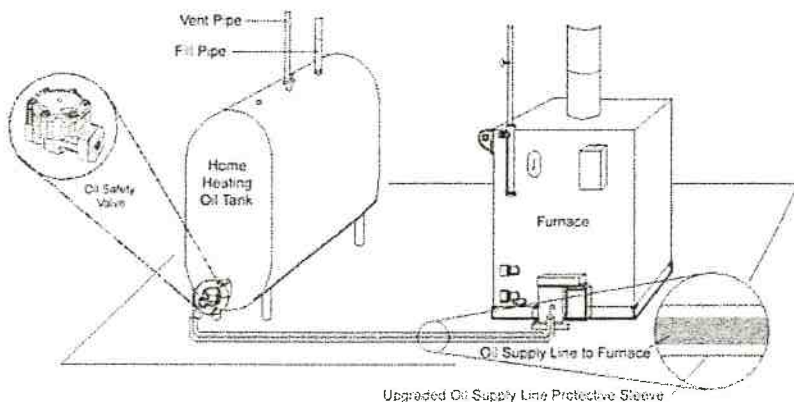
Massachusetts has a new law to address oil leaks from home heating systems (Chapter 453 of the Acts of 2008, as most recently amended in 2010). This law has two major provisions that require:

- the installation of either an oil safety valve or an oil supply line with protective sleeve on systems that do not currently have these devices; and
- insurance companies that write homeowner policies to offer coverage for leaks from heating systems that use oil.

Most homeowner policies do not currently include such coverage, leaving many to pay for costly cleanups out of their own pocket. Although it is mandatory that insurance companies make this coverage available by July 1, 2010 to homeowners whose systems are upgraded, the insurance is an optional purchase.



Above-Ground Home Heating Oil System Leak Prevention Upgrades



Who must take action?

Owners of 1- to 4-unit residences that are heated with oil must already have or install an oil safety valve or an oil supply line with a protective sleeve, as shown in the diagram above. Installation of these devices must be performed by a licensed oil burner technician. Technicians are employed by companies that deliver home heating oil or are self-employed. It is important to note that heating oil systems installed on or after January 1, 1990 most likely are already in compliance because state fire codes implemented these requirements on new installations at that time.

Who is exempt?

Homeowners are exempt from taking these leak prevention steps if:

- the oil burner is located above the oil storage tank and the entire oil supply line is connected to and above the top of the tank OR
- an oil safety valve or oil supply line with protective sleeve was installed on or after January 1, 1990, AND
- those changes are in compliance with the oil burning equipment regulations; a copy of the oil burner permit from the local fire department may be used to demonstrate compliance.

Why comply?



Appendix B

Senator Mike Rush Rep. Ed Coppinger
Rep. Angelo Scaccia
June 23, 2014 To LSP Board

Joseph Polsinello Response
To June 23, 2014 Letter

Homeowner Teresa Coston
9 Stow Road, Mattapan, MA
Failure of the System

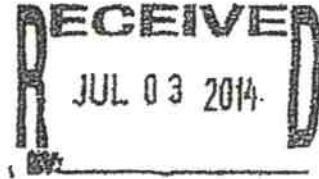


COMMONWEALTH OF MASSACHUSETTS
THE GENERAL COURT

STATE HOUSE, BOSTON 02133-1053



The Commonwealth of Massachusetts
MASSACHUSETTS SENATE
OFFICE OF SENATOR MIKE RUSH



JOHN T. REGAN
Chief of Staff

June 23, 2014

STATE HOUSE, ROOM 504
BOSTON, MA 02133
WWW.MASENATE.GOV

TEL: (617) 722-1348
FAX: (617) 722-1071
JOHN.REGAN@MASENATE.GOV

Board of Registration of Hazardous Waste Site Cleanup Professionals
Executive Office of Energy and Environmental Affairs
One Winter St., 3rd Floor
Boston, MA 02018

To Whom It May Concern:

We are writing in regards to the Board of Registration of Hazardous Waste Site Cleanup Professionals powers and duties set forth in M.G.L. c.21A §§ 19-19J and promulgated through regulations 309 CMR 1.00-9.00. More specifically, we would like to address the conflict of interest regulations promulgated through 309 CMR 4.04.

We respectfully request a full explanation of 309 CMR 4.04 relative to the testing and delivery of soil derived from construction sites. Our current understanding of the provision is that any Licensed Site Professional (LSP) shall not be affiliated with any company that transports tested soil to a different location for storage.

We recognize the need for land in the Commonwealth to accept soils covered under these regulations. Because of this demand, the transportation to and acceptance of construction soil at designated locations can be a lucrative endeavor for individuals involved in the business.

Possession of a financial interest in both the testing and transporting of material, however, presents an opportunity for fraud and abuse of the system. We are optimistic that the Board agrees with our position that there may be a conflict of interest when parties who derive a financial interest from the transportation or acceptance of construction soil are simultaneously responsible for assessing their own compliance with state regulation.

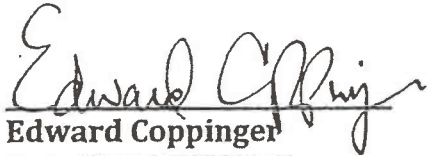
For the safety of our residents and for the protection of the environment, our hope is that the existing regulations do not permit this conflict to take place. If otherwise, we urge the Board to immediately amend 309 CMR 1.00-9.00 to reflect the potential for abuse in scenarios where the transporters of soils are also responsible for ensuring their own compliance with the law.

Thank you for your attention to this matter. We look forward to hearing from you.

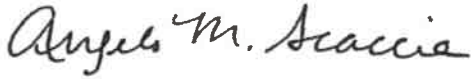
Very truly yours,



Mike Rush
State Senator
Norfolk & Suffolk District



Edward Coppinger
State Representative
10th Suffolk District



Angelo Scaccia
State Representative
14th Suffolk District



Matthew O'Malley
City Councilor
District 6, City of Boston

cc:/ David Cash, DEP Commissioner
Maeve Vallely Bartlett, Secretary, Exec. Office of Energy & Env't Affairs



INLAND PROFESSIONAL CORPORATION

Environmental, Construction & Business Management

Environmental Business
And Construction
Planning and Strategy

Real Estate Acquisition
Joint Venture Development
Marketing and Finance

Environmental Site
Assessments (21E)
Licensed Site Professional
(LSP) Services

CB Building Material,
Lead Paint / Asbestos
Assessment / Consulting
& Advisory Services

Expert Witness / Legal
Advisory & Support
Services to Law Firms &
Attorneys

Title V, Septic Inspection,
Percolation Tests
Design and Installation

Contaminated Property
Brownfield Acquisition
Marketing & Finance

Above and Underground
Storage Tank (AST/UST)
Inspection, Certification,
Removal, Replacement
& Management Services

Emergency and Site
Remediation, Treatment
& Decontamination

Construction & Project
Management/Plan and
Specification/Preparation
Estimating & Cost Control

Wetlands Delineation,
Application Filing &
Representation

Survey & Land Use
Planning & Permitting

Health & Safety,
Regulatory Compliance
Planning & Training

Principal:

Joseph V. Polsinello

Saturday October 18, 2014 Via Email To: John.Regan@MASenate.gov

John T. Regan
Chief of Staff
Office of Senator Mike Rush
Commonwealth of Massachusetts
State House, Room 504
Boston, MA 02133

Dear Chief of Staff Regan:

It was my distinct honor and privilege meeting you with my associate Sarah V. McKnight, at the recent MA DEP "Soil Management" meeting this past Friday October 17, 2014.

I was pleasantly surprised in meeting you. Since unexpectedly receiving the attached June 23, 2014 two (2) page letter signed by State Senator Mike Rush and signatory colleagues, obtained from a homeowner going before the Board of Registration of Hazardous Waste Site Cleanup Professionals; the basis of your letter has become a priority of mine.

In reference to my qualifications, experience with reference, I have been involved in the "environmental" business and industry since the late 1960's to include being a licensed Massachusetts hazardous waste transporter / emergency spills cleanup contractor 1979-1988 until Inland Pollution Control, Inc. sale to *Waste Management*. I was, and continue to be one of the first LSP's since the inception in 1993.

I live and am active in my Town of Hanover, MA over the past thirty five (35) years, having served on the DPW / Water Commission, North River Commission and the River's Protection Act.

My past participation included assisting the U.S. EPA Investigators, New York State Attorney General's Office, and Massachusetts Officials' relating to the illegal dumping of hazardous waste; State Auditors Office regarding the past state cleanup contracts, and MA State Inspector Generals Office in the interest of consumer protection, fraud and illegal filling of wetlands.

My primarily interest is the safety and protection of the environment followed by consumer protection. My businesses require a fair and level playing field and elimination of waste and unfair practices.

The reference of "*an opportunity for fraud and abuse of the system*", that concern is completely correct in my knowledgeable and experienced opinion. I am currently assisting homeowner's unfairly impacted by the system, surprisingly experiencing reactionary opposition from the very agencies charged with oversight. I had actively participated against a

Saturday October 18, 2014
John T. Regan, Chief of Staff
Office of Senator Mike Rush
Commonwealth of Massachusetts
Page 2 of 2



proposal in my Town of Hanover as presented by our Town Manager to "privatize the transfer station". I had successfully and painfully defended myself, having to become a plaintiff against arbitrary and capricious retaliatory actions a local conservation commission agent initiated against me. That fraud and abuse of the Agent for the Commission was compounded by the very members who were violating wetlands protection on their own properties; the "system" allowing that occurrence.

In all of the above examples, there was no element of safety & health, protection of the environment whatsoever, in fact precisely the opposite. That very Agent and Conservation Commission was allowing the illegal filling of wetlands and resource areas for favored applicants.

The cost to taxpayers, individuals and legitimate business at times, the basis of actions as assessed by the "experts" is grossly exaggerated, with the results exasperating, especially to unsuspecting and unprepared homeowners, many retired, severely decimated with their primary assets and lives destroyed, falling prey to the "system" expected to protect them.

For a number of years I have been observing, experiencing, and recently investigating a venue for fair and productive discussion and application to the basis of what I consider of mutual interests.

You have identified a serious issue that compromises the very goals and objectives of the programs, while considering a fair, cost effective regulatory compliance venues, protective of health, safety and the environment at beneficial and acceptable costs to consumers and citizens of Massachusetts.

As coordinated and defined by my business, legal associates and colleagues, I would look forward to a meeting with you and Senator Rush and signatory colleagues to the June 23, 2014 letter in the very near future.

Thank you for your time and opportunity to introduce myself.

Sincerely,

Joseph V. Polsinello
President / LSP

Dominic Galluzzo, Homeowner 86 Candia Street, Weymouth, MA
Sarah V. McKnight, Geologist / Project Management, IPC

January 20, 2015

Massachusetts State Senator Mike Rush, State House Boston
Norfolk & Suffolk District

Massachusetts State Representative Edward Coppinger, State House Boston
10th Suffolk District

Massachusetts State Representative Angelo Scaccia, State House Boston
14th Suffolk District

City of Boston, City Councilor Matthew O'Malley, District 6, City of Boston, MA

**RE: Licensed Site Professional (LSP) Services - Oil Tank Removal Concerns
Teresa & James Coston Residence 9 Stow Road, Mattapan, MA**

Dear Senator Rush, Representative Coppinger, Representative Scaccia and City Councilor O'Malley:

My name is Teresa Lawrence-Coston and my husband James and I closed on our new home on September 11, 2013. Before closing we were informed that there was an underground oil tank on the property and I guess by law you cannot have an unused oil tank on your property so the owner who sold to us through the mortgage company agreed to a hold back agreement to be responsible for the removal of the tank. This agreement stated that the owner who sold to us stated she would be responsible for the removal of the oil heating tank and any contamination found.

I'm bringing this your attention relative to your June 23, 2014 letter to the Board of Registration of Hazardous Waste Site Cleanup Professionals of your concern of an opportunity for fraud and abuse of the Licensed Site Professional (LSP) Process.

Fortunately Attorney William Rosa (508 823 4567) introduced Joseph Polsinello, (518 463 7800) an LSP and Owner of Inland Professional Corporation who is assisting me at no cost or obligation. Through Attorney Rosa and Joe Polsinello I was able to obtain the legal representation of Attorney Richard Chip Nylan (617 348 4500 ext. 3). I have also been made aware that there have been numerous instances of homeowners being taken advantage of by tank removal and LSP's as indicated in the Attorney General news letter circa 2009, the very same tank removal company that worked at our new home. Dominic Galluzzo, (781 337 8908) retired and with COPD also experienced an LSP and remediation firm identifying his home as extensively contaminated with estimates of \$ 100,00.00's of thousands of dollars in cost plus unknowns.

After the oil tank was removed by CommTank, they tested the soil and informed me that the soil was contaminated and way above the legal limit it should be, so with my permission they reported the results to DEP. CommTank conducted soil borings and testing and said I now needed an LSP. Please keep in mind this is my first house and all this is all new to me. Also the previous owner Rose Carty who sold me the house was responsible and hired CommTank in the first place.

January 20, 2015

RE: Licensed Site Professional (LSP) Services - Oil Tank Removal Concerns

Teresa & James Coston Residence 9 Stow Road, Mattapan, MA

Page 2 of 2

Once DEP got involved based on the CommTank notification they were telling me that I had all these dead-lines to meet or I would be fined and that I had to hire an LSP. The lead person at CommTank knew this LSP that worked for End Point and brought him to meet me at my house.

Considering Rose Carty was responsible, Richard J. Wozmak, the LSP and Principal of the End Point had me believing they were looking out for my best interest, but after further investigation and assistance from Joseph Polsinello of Inland Professional Corporation it appears the results that CommTank came out with were not accurate and End Point just used CommTank's information to further report to DEP.

Reportedly CommTank was paid \$ 10,000.00 from Rose Carty. Subsequently both CommTank and End Point have proposed additional tens of thousands of dollars in costs. My husband James was told excavation in and around and under our house might have to be performed.

Right now End Point is taking me to Small Claims Court February 2, 2015 9:00AM in Dorchester Court BMC 510 Washington Street for the non-payment of invoices in the amount of \$ 4,897.00 which I feel I should not be responsible for if they were submitting inaccurate information to DEP when in fact CommTank had done the work. I have also received a notice of non-compliance from the MA DEP with a demand payment of \$ 4,915.00.

My husband James and I thank you for your time and consideration.



Teresa Lawrence-Coston

9 Stow Road

Mattapan, MA 02121

617 792 2592 cell

617 696 0471 home

CC: MA DEP Commissioner Martin Suuberg, One Winter Street, Boston, MA 02108

MA DEP Assistant Commissioner BWSC Benjamin J. Ericson,

One Winter Street, Boston, MA 02108

Attorney Richard Chip Nylen

Attorney William Rosa

Joseph V. Polsinello, Inland Professional Corporation

Dominic Galluzzo, 86 Candia Street, Weymouth, MA



Appendix C

LSP Board
309 CMR 4.00
Rules of Professional Conduct
Professional Competency
Professional Responsibility
Conflict of Interest
Accepting Compensation

309 CMR 4.00: RULES OF PROFESSIONAL CONDUCT

Section

- 4.01: Preamble
- 4.02: Professional Competency
- 4.03: Professional Responsibility
- 4.04: Conflict of Interest
- 4.05: Accepting Compensation

4.01: Preamble

In order to safeguard the public health, safety, welfare and the environment and to establish and maintain a standard of professional integrity, the Board has established 309 CMR 4.00 (Rules of Professional Conduct). 309 CMR 4.00 shall be binding on every person licensed by the Board to render waste site cleanup activity opinions within the meaning of M.G.L. c. 21A, § 19.

Any person who may become aware of the failure of a licensed site professional to comply with an obligation or prohibition imposed by 309 CMR 4.00 may file a complaint with the Board pursuant to 309 CMR 7.00. However, the availability of this right is not intended to subject an LSP to any liability in addition to any actions that may be taken by the Board, nor is it intended that a violation of 309 CMR 4.00 shall by itself give rise to a private cause of action or create any presumption that a legal duty to a party other than the Board or the Department has been breached.

All LSPs are charged with having knowledge of 309 CMR 4.00 and shall be deemed to be familiar with the provisions and to understand them.

4.02: Professional Competency

(1) 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.

(2) An LSP shall not provide Professional Services outside his or her areas of professional competency, where this competency is based on his or her education, training, and/or experience, unless that LSP has relied upon the technical assistance of one or more professionals whom the LSP has reasonably determined are qualified in such area or areas by education, training and/or experience.

(3) In providing Professional Services, an LSP may rely in part upon the advice of one or more professionals whom the LSP reasonably determines are qualified by education, training and/or experience.

(4) A successor hazardous waste site cleanup professional may render a waste site cleanup activity opinion regarding response actions performed under a previous hazardous waste site cleanup professional, and that opinion may be relied upon as sufficient to protect public health, safety, welfare, or the environment, only when the successor hazardous waste site cleanup professional has:

- (a) reviewed all reasonably available documentation known to the successor hazardous

waste site cleanup professional that describes previous releases, site assessment activities and results, and work performed in connection with the assessment, containment or removal action that is the subject of the opinion;

(b) conducted a site visit to observe current conditions and to verify the completion of as much of the work as is reasonably observable; and

(c) concluded, in the exercise of his or her independent professional judgment, that he or she has sufficient information upon which to render the waste site cleanup activity opinion.

4.03: Professional Responsibility

(1) A licensed site professional shall hold paramount public health, safety, welfare, and the environment in the performance of professional services.

(2) A licensed site professional shall render a waste site cleanup activity opinion only when he or she has either:

(a) in the case of an opinion related to an assessment:

1. managed, supervised or actually performed such assessment, or
2. periodically reviewed and evaluated the performance by others of such assessment; or

(b) in the case of an opinion related to a containment or removal action:

1. managed, supervised, or actually performed such action, or
2. periodically observed the performance by others of such action.

(3) In providing professional services, a licensed site professional shall:

(a) exercise independent professional judgment;

(b) follow the requirements and procedures set forth in applicable provisions of M.G.L. c. 21E, and 310 CMR 40.0000;

(c) make a good faith and reasonable effort to identify and obtain the relevant and material facts, data, reports and other information evidencing conditions at a site that his or her client possesses or that is otherwise readily available, and identify and obtain such additional data and other information as he or she deems necessary to discharge his or her professional obligations under M.G.L. c. 21A, §§ 19 through 19J, and 309 CMR; and

(d) with regard to the rendering of waste site cleanup activity opinions, disclose and explain in the waste site cleanup activity opinion the material facts, data, other information, and qualifications and limitations known by him or her which may tend to support or lead to a waste site cleanup activity opinion contrary to, or significantly different from, the one expressed.

(4) If a licensed site professional identifies a release or threat of release that in the LSP's professional judgment poses or could pose an Imminent Hazard as described in 310 CMR 40.0321 at a particular site at which he or she is providing Professional Services, he or she shall:

(a) immediately advise his or her client of the need to notify the Department of the Imminent Hazard; and

(b) notify the Department of the imminent hazard no later than 24 hours after identifying such, unless the client has provided such notice.

(5) If, in the course of providing Professional Services, a licensed site professional obtains knowledge of a condition:

- (a) on a property, known by the LSP to be owned or operated by the client, that either
 - 1. contains all or a portion of the disposal site for which the LSP has been retained or
 - 2. is contiguous to a property, known by the LSP to be owned or operated by the client, that contains all or a portion of the disposal site for which the LSP has been retained, and
 - (b) that the LSP, in the exercise of his or her professional judgment, considers to require notification to the Department within either two or 72 hours,
- then the LSP shall promptly notify the client in writing of the existence of the condition.

(6) In the event a licensed site professional knows or has reason to know of an action taken or a decision made by his or her client with respect to a particular aspect of the licensed site professional's professional services that significantly deviates from any scope of work, plan, or report developed to meet the requirements of M.G.L. c. 21E, 310 CMR 40.0000, or an order of the Department, then the licensed site professional shall promptly notify his or her client in writing of such.

(7) An LSP shall not reveal facts, data or information obtained in his or her professional capacity without the prior consent of the client, except as authorized or required by law, if such facts, data, or information are claimed in writing to the licensed site professional to be confidential by the client and are not already in the public domain.

(8) If subsequent to the date a licensed site professional renders a waste site cleanup activity opinion he or she learns that material facts, data or other information existed at the time the waste site cleanup activity opinion was rendered which may tend to support or lead to a waste site cleanup activity opinion contrary to, or significantly different from, the one expressed, then the licensed site professional shall promptly notify his or her client in writing of such.

(9) If, subsequent to the date of his or her engagement, a successor licensed site professional learns of material facts, data or other information that existed at the date of a predecessor licensed site professional's waste site cleanup activity opinion and was not disclosed in that waste site cleanup activity opinion, then the successor licensed site professional shall promptly notify his or her client in writing of such.

(10) A licensed site professional shall not allow the use of his or her name by, or associate in a business venture with, any person or firm which he or she knows or should know is engaging in fraudulent or dishonest business or professional practices relating to the professional responsibilities of a licensed site professional.

(11) Applicants and licensed site professionals shall cooperate fully in the conduct of investigations by the Board by promptly furnishing, in response to formal requests, orders or subpoenas, such information as the Board, or persons duly authorized by the Board, deems necessary to perform its duties under M.G.L. c. 21A, §§ 19 through 19J. In connection with the investigation by the Board of applications or disciplinary complaints, an LSP shall not:

- (a) knowingly make a false statement of material fact;
- (b) fail to disclose a fact necessary to correct a material misunderstanding known by the LSP to have arisen in the matter;
- (c) knowingly and materially falsify, tamper with, alter, conceal, or destroy any document, data record, remedial system, or monitoring device that is relevant to the investigation, without obtaining the Board's permission; or

(d) knowingly allow or suffer any of his or her employees, agents, or contractors to do any of the foregoing.

(12) An LSP who is involved in a management or review capacity at a disposal site will be considered responsible, along with a second LSP, for the second LSP's violation of the Board's Rules of Professional Conduct set forth in 309 CMR 4.00 if he or she:

(a) orders, directs, or formally ratifies Professional Services or an Opinion being conducted or prepared by the second LSP;

(b) recognizes that the Professional Services and/or Opinion violate an obligation or prohibition contained in the Rules of Professional Conduct; and

(c) fails to take reasonable steps to attempt to avoid or mitigate this violation.

(13) An LSP shall comply with all conditions that are imposed on his or her license as a result of a disciplinary proceeding.

(14) In communicating with a client or prospective client, including but not limited to communications with respect to a proposed scope of services or proposed contract, it is the LSP's responsibility to inform his or her client or prospective client of the relevant and material assumptions, limitations, and/or qualifications that underlie the LSP's communication. Evidence that an LSP has provided his or her client or prospective client with timely written documentation of these assumptions, limitations, and/or qualifications shall be deemed by the Board to have satisfied the requirements of this section.

(15) In communicating with a client or prospective client, an LSP shall not state or imply, either as an inducement or a threat, an ability to improperly influence a government agency or official.

(16) In describing his or her qualifications, experience, or ability to provide Professional Services, an LSP shall not knowingly:

(a) make a material misrepresentation of fact or law;

(b) omit a fact necessary to make the description, when considered as a whole, not materially misleading; or

(c) make a statement that in the Board's opinion is likely to create an unjustified expectation about results the LSP can achieve, or state or imply that the LSP can achieve results by means that violate the Massachusetts Contingency Plan, the Rules of Professional Conduct contained in 309 CMR 4.00, or other law.

(17) A licensed site professional who becomes obligated to make any of the notifications required by 309 CMR 4.03 shall make the required notification even if he or she is discharged by the client before doing so.

4.04: Conflict of Interest

(1) A licensed site professional shall not accept compensation, financial or otherwise, for his or her professional services pertaining to a site from more than one person having significant conflicting or adverse interests unless the circumstances are fully disclosed to, and agreed to by, all clients engaging him or her with regard to that site.

(2) In the event a licensed site professional has, develops or acquires any business

association, direct or indirect financial interest, or other circumstance which is substantial enough to create an impression of influencing his or her judgment in connection with his or her performance of professional services pertaining to any site, the licensed site professional shall fully disclose in writing to his or her client the nature of the business association, financial interest or circumstance. For the purposes of 309 CMR 4.04(2) receipt of salary or employee benefits by an LSP employed by his or her client on a full time basis is deemed not to be substantial.

(a) If the client or employer objects to such business association, financial interest or circumstance, the licensed site professional shall offer to terminate, at his or her discretion, either the business association, financial interest or circumstance, or his or her engagement with regard to the site or sites.

(b) If a licensed site professional believes that his or her business association, financial interest or circumstance renders him or her incapable of discharging his or her professional obligations under 309 CMR 4.00 in connection with his or her performance of professional services pertaining to a site, the licensed site professional shall terminate his or her engagement with regard to that site.

(3) A licensed site professional shall not solicit or accept financial or other valuable consideration from material or equipment suppliers in return for specifying or endorsing their products.

4.05: Accepting Compensation

An LSP shall not let his or her ownership interest, compensation, or continued employment affect his or her Professional Services to the extent that said Professional Services do not meet the standards set forth in 309 CMR 4.00 and 310 CMR 40.0000.

REGULATORY AUTHORITY

309 CMR 4.00: M.G.L. c. 21A, §§ 16 and 19 through 19J.



Appendix D

House Bill No. 3873
Rep. David F. DeCoste
Senator Bruce E. Tarr
Rep. Timothy R. Whelan
Rep. Bud L. Williams
Amend the Membership
10 Position LSP Board

3 LSP's & 1 Alternate
Citizen Large Owns House With Oil
Non Profit Environmental
Construction Supervisor / Homebuilder
Banker Environmental Due Diligence
Real Estate Attorney
Fire Chief – Fire Prevention – UST
MA DEP Bureau Waste Site Cleanup

HOUSE No. 3873

The Commonwealth of Massachusetts

PRESENTED BY:

David F. DeCoste

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to the board of registration of hazardous waste site cleanup professionals.

PETITION OF:

| NAME: | DISTRICT/ADDRESS: |
|--------------------------|----------------------------------|
| <i>David F. DeCoste</i> | <i>5th Plymouth</i> |
| <i>Bruce E. Tarr</i> | <i>First Essex and Middlesex</i> |
| <i>Timothy R. Whelan</i> | <i>1st Barnstable</i> |
| <i>Bud L. Williams</i> | <i>11th Hampden</i> |



INLAND PROFESSIONAL CORPORATION
Environmental, Construction
& Business Management

Joseph V. Polsinello
Principal, Licensed Site Professional
BOSTON

Greater Boston Area
51 Mill Street, Unit 7
Hanover, MA 02339
Office: (781) 826-4520
New Cell: (518) 463-7800
Email: joe@inlandprofcorp.com
www.inlandprofcorp.com

Port of Albany
241 Riverside Ave.
Rensselaer, NY 12144
Office: (518) 465-3535

HOUSE No. 3873

By Mr. DeCoste of Norwell, a petition (accompanied by bill, House, No. 3873) of David F. DeCoste and others for legislation to establish the board of registration of hazardous waste site cleanup professionals. Environment, Natural Resources and Agriculture.

The Commonwealth of Massachusetts

In the One Hundred and Ninety-First General Court
(2019-2020)

An Act relative to the board of registration of hazardous waste site cleanup professionals.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 21A of the General Laws is hereby amended by striking out section
2 19A and inserting in place thereof the following section:-

3 Section 19A. There is hereby established within the executive office of environmental
4 affairs the board of registration of hazardous waste site cleanup professionals. The board shall
5 consist of 11 members.

6 One member, who shall be the chairman of the board, shall be the commissioner of the
7 department or a designee; provided, that said designee shall be a full-time **employee** of the
8 department at all times while he or she is so designated. The designee shall have legal
9 experience serving in an administrative judiciary role or with the environmental crimes strike
10 force within the office of the attorney general.

11 The governor shall appoint 10 members of the board:

12 Three of whom shall be hazardous waste site cleanup professionals licensed by the board
13 at all times while they are members of the board effective consistent with the **current** board
14 administration: 1 of whom shall be a hydrogeologist; 1 of whom shall be a professional civil
15 engineer licensed by and practicing in the commonwealth with experience as a hazardous waste
16 site cleanup professional; and 1 of whom shall be a hazardous waste site cleanup professional
17 with extensive experience in the petroleum underground storage tank and distribution industry,
18 including residential homes. The members appointed pursuant to this paragraph shall have
19 significant experience in the assessment or redemption of sites contaminated with petroleum and
20 hazardous materials;

21 One of whom shall be a citizen of the commonwealth who owns or has owned a single
22 family residence heated by petroleum;

23 One of whom shall be a representative of a non-profit public interest environmental
24 organization that promotes the protection of the environment;

25 One of whom shall be a licensed construction supervisor and a representative of the
26 homebuilding industry;

27 One of whom shall be a banking official active in providing mortgage loans to for
28 residential and commercial real estate in the commonwealth, including a full-time environmental
29 due diligence officer employed by a Massachusetts bank;

30 One of whom shall be an active member of the bar of this commonwealth with
31 experience in real estate or environmental compliance;

32 One of whom shall be an active member of a municipal fire department who serves as a
33 capacity of fire chief or in an office of fire prevention and has participated in the removal and
34 replacement of underground storage tanks at residential and commercial real estate properties;
35 and

36 One of whom shall be a full-time employee of the bureau of waste site cleanup in the
37 department of environmental protection with experience investigating sites.

38 The governor shall appoint an alternate hazardous waste site cleanup professional to
39 serve as an alternate in the case of the resignation of a hazardous waste site cleanup professional
40 member to ensure 3 active hazardous waste site cleanup professionals serve the board. The
41 alternate shall serve in the absence of a hazardous waste site cleanup professional member to
42 ensure 3 hazardous waste site cleanup professional members serve the board.

43 The members of the board and the alternate appointed by the governor shall serve without
44 compensation. No member of the board shall serve for more than 1 4-year term; provided,
45 however, that a member may also serve as an alternate or for 1 partial term. . After the
46 expiration of such term, the alternate shall be appointed to as 1 of the hazardous waste site
47 cleanup professional members. A member of the board appointed by the governor whose term
48 has expired shall continue to be a member of the board until his or her successor is appointed and
49 qualified, at which time the successor shall complete the unexpired portion of the term.

50 Subject to appropriation, the secretary of the executive office of environmental affairs
51 shall employ such staff and other persons as are required to assist the secretary or the board, or
52 both, in the performance of their functions or duties pursuant to sections 19J, including, without
53 limitation, administrative law judges who may conduct adjudicatory proceedings held pursuant

54 to sections 19 to 19J, inclusive; provided, that the board shall make all final decisions in such
55 adjudicatory proceedings.

56 SECTION 2. The governor shall remove all members of the board of registration of
57 hazardous waste site cleanup professionals, except 3 hazardous waste site cleanup professional
58 members, and appoint members with the qualifications described in section 1; provided,
59 however, that the current chair of the board shall remain in such position at the chair's discretion
60 for a period not to exceed 3 years; and provided, further that at the commissioner's discretion,
61 the commissioner may appoint a chair with the qualifications described in section 1 to serve as
62 co-chair with the chair holding such position on the effective date of this act.

63 SECTION 3. This act shall take effect 6 months after its passage.



Appendix E

Homeowner Dominic Galluzzo
508 456 – 4392
RTN: 4 – 24628
80 Candia St. Weymouth, MA

Alleged Oil Release – LSP Never On Site
Cleanup Contractor Foreman Assessment
Notification to DEP BWSC
Headspace 450 ppm Etc.

“Serious Release Requiring Pile Driving, Jack Up
House, Excavate Underneath
Demand of \$ 50,000.00 No Idea of Cost
1 St Party Release No Coverage, LSP Adjuster
Amended Notice 3 Party Release to Groundwater

IPC Polsinello Assessment – No Serious Release
No Impact to Groundwater – No Visible Oil
Polsinello Documents Serious Discrepancy to
Insurance Carrier – Claim Department No Action
Complaint to LSP Board – Dismissed



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Text document with multiple columns of text, possibly a report or regulatory document.

Text document with multiple columns of text, possibly a report or regulatory document.

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Text document with multiple columns of text, possibly a report or regulatory document.

Table with multiple columns and rows, possibly a data log or inventory list.

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Text document with multiple columns of text, possibly a report or regulatory document.



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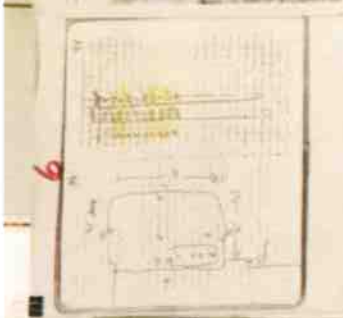
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Appendix F

Homeowner William Scafidi

339 793 – 0033

RTN: 4 – 26604

114 Sheridan Street, Brockton, MA

Above Ground Tank in garage dripping on a concrete floor and braided rug which absorbed most of the oil. Odor & Drip prompted placing pan under the dripping tank on monolithic poured concrete floor, BOH / Fire Department ordered Scafidi to hire a spill contractor. Foremen assessed as serious, release requiring concrete floor to be broken excavate 8 ton of sub soils. Contractor's LSP on site only 2 hour at the beginning. Foremen the decision maker. Contractor demanded and Scafidi paid \$ 20,000.00. Forman indicated continued excavation probably needed under the house build on slab no basement.

Polsinello and Peer LSP Brought in to close out Site. Opinion oil did not penetrate concrete, homeowner paid to remove clean soils and repair resulting unnecessary broken concrete floor. See Photos Polsinello Excavation area.

Complaint to LSP Board – Dismissed.

Appendix A – Photographic Information

9.) May 5, 2017. View of the excavation soils, no visual or olfactory indications of oil staining or odors. Note: Soils observed consisted of dense clay / glacial till material.



10.) May 5, 2017. View of the excavation soils, no visual or olfactory indications of oil staining or odors. Note: Soils observed consisted of dense clay / glacial till material. Joseph Polsinello / Principal IPC, inspecting Excavation.



IPC # 1720 PSNC
114 Sheridan Street,
Brockton, MA 02302

INLAND PROFESSIONAL CORPORATION
51 Mill St., Unit 7, Hanover, MA 02339
www.inlandprofcorp.com



Appendix A – Photographic Information

7.) May 5, 2017. Interior view of the southeastern side of the residential house, right of the excavation within the building. Note: No visual or olfactory indications of oil.



8.) May 5, 2017. Interior view of the southeastern side of the residential house, left of the excavation within the building. Note: No visual or olfactory indications of oil.





Appendix G

Homeowner Teresa & James Coston

RTN: 3 – 31809

617 792 - 2592

9 Stow Road, Mattapan, MA

Teresa & James Purchased the single family home. Needing to move in an agreement was made the Elderly woman selling would contract to remove a 1,000 galloon UST locate in the front yard at the Stow Road Frontage and set aside \$ 5,000.00 escrow.

Reference Photos and MA DEP Reports, the homes lower live in walk out rear basement with hard wood and carpet was the children's play room and bedrooms. No indication of moisture. Elevation from frontage at Stow Road and lower walk 12- 14 feet.

A tank removal contractor previously prosecuted by the MA AG for providing unlicensed professional services was contracted by Ms. Rose for \$ 10,000.00. The Contactor did not have an LSP at the time of removal and assessed the tank had seriously leaked oil and made notification to MA DEP. The contractor conducted LSP of Record type work, soil borings, installed and sampled and tested groundwater resulting in the contractor's additional notification to DEP. Thereafter an LSP was brought in for one day, met with Teresa Coston, explained the MA DEP mandates, Coston reluctantly hired the LSP with an assumption he's licensed by DEP must be ok.

Only on Site one day, the LSP filed duplicate reports based on the tank removal contractor's assessment data. IPC / Polsinello / Peer review LSP / P.E. with pro bona drilling working pro bona determined the data and information inconsistent with the facts. There was no serious release of oil. Polsinello brought in MA DEP FAST response, coordinated with MA AG, DEP. The homeowner and Polsinello filed complaints against the contractor and LSP.

The LSP Board Dismissed the Complaint with no discipline. Opinion "no jurisdiction over the unlicensed tank contractor". No referral to DEP / AG.



1,000 Gall USST Removed From Yard by Contractor Carried Oil Released - Installed Two (2) One (1) Non DEP Standard Wells 8-10 Feet Away From Former UST Area - With New Gas Service & Water Significant Change Elevation From Vs Lower Floor Yard

Elitery Senior Residence 5 years Abandoned 1,000 Gall USST Front Yard Sinker Contracted With Tank Removal Company Primarily Insected & Connected Oil Contamination Environmental Cleanup

EndPoint:

1,000 Gall USST Removed From Yard by Contractor Carried Oil Released - Installed Two (2) One (1) Non DEP Standard Wells 8-10 Feet Away From Former UST Area - With New Gas Service & Water Significant Change Elevation From Vs Lower Floor Yard

EndPoint:

Elitery Senior Residence 5 years Abandoned 1,000 Gall USST Front Yard Sinker Contracted With Tank Removal Company Primarily Insected & Connected Oil Contamination Environmental Cleanup

EndPoint:

Contractor Reports MA DEP - LSP Agrees GCN 9943 Triggers Residence Being A 10' DEP Labeled 'Star' Based On Results - New Pumps For 200 PPM

EndPoint:

Contractor Brought In LSP Nov-18, 2013 Only Day Service Business LSP of Released - Reports Gross Contamination Based On Contractor - No LSP Assessment Performed

EndPoint:

Lined MA DEP 'Star' Checks Economic Liability MA DEP Fees - LSP of Record Costs - Opinion Significant Oil Released Around / Under Foundation Excavation / Piercing / Treatment 100K - 200K +

EndPoint:

PC (Petroleum) Conducted Field MA DEP Memo P10 (Phase Violation, Deliberate) In Petriplate Screening - Historic Visualized # 2 Type Oil Spill Suspect Contractor With Report 30 Sept - Case # 104 Reported to MA DEP WQAC - GCN 9401 - Filed Report LSP of Record December 5, 2013



1,000 Gall USST Removed From Yard by Contractor Carried Oil Released - Installed Two (2) One (1) Non DEP Standard Wells 8-10 Feet Away From Former UST Area - With New Gas Service & Water Significant Change Elevation From Vs Lower Floor Yard

Contractor Concluded Did Not Have Certified Licensed Site Professional (LSP) On 9/2/2013 USST Removal P/L Assessment In One Degree

EndPoint:

PC (Petroleum) Initial Assessment Recognizes Gross Erosion Opinion Impossible Ground Water Elevation Reported 5 Feet Below Grade Front Yard With Walk Out Lot In Basement Dry Wood & Carpet Floors

EndPoint:

MA DEP Published Guidance to Homeowners Costs \$20K-\$50K BROW \$300,000 Dollars Notice of Responsibility - Top Stage from an LSP

EndPoint:

MA DEP Published Guidance to Homeowners Costs \$20K-\$50K BROW \$300,000 Dollars Notice of Responsibility - Top Stage from an LSP

EndPoint:

MA DEP Published Guidance to Homeowners Costs \$20K-\$50K BROW \$300,000 Dollars Notice of Responsibility - Top Stage from an LSP

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MA DEP Published Guidance to Homeowners Costs \$20K-\$50K BROW \$300,000 Dollars Notice of Responsibility - Top Stage from an LSP

EndPoint:

MA DEP Published Guidance to Homeowners Costs \$20K-\$50K BROW \$300,000 Dollars Notice of Responsibility - Top Stage from an LSP

EndPoint:

MA DEP Published Guidance to Homeowners Costs \$20K-\$50K BROW \$300,000 Dollars Notice of Responsibility - Top Stage from an LSP

EndPoint:

MA DEP Published Guidance to Homeowners Costs \$20K-\$50K BROW \$300,000 Dollars Notice of Responsibility - Top Stage from an LSP

EndPoint:

MA DEP Published Guidance to Homeowners Costs \$20K-\$50K BROW \$300,000 Dollars Notice of Responsibility - Top Stage from an LSP

EndPoint:

MA DEP Published Guidance to Homeowners Costs \$20K-\$50K BROW \$300,000 Dollars Notice of Responsibility - Top Stage from an LSP

EndPoint:

MA DEP Published Guidance to Homeowners Costs \$20K-\$50K BROW \$300,000 Dollars Notice of Responsibility - Top Stage from an LSP

MassDEP Field Assessment and Support Team (FAST)

BOSTON – MATTAPAN – 9 STOW ROAD RESIDENTIAL OIL SPILL

SEPTEMBER 4, 2015; REVISED OCTOBER 26, 2015

As a follow-up to assessment activities conducted by MassDEP staff in the spring of 2015, additional work has recently been conducted at the 9 Stow road property in Mattapan.

A sketch of key site features and monitoring well locations is provided in Figure 1.

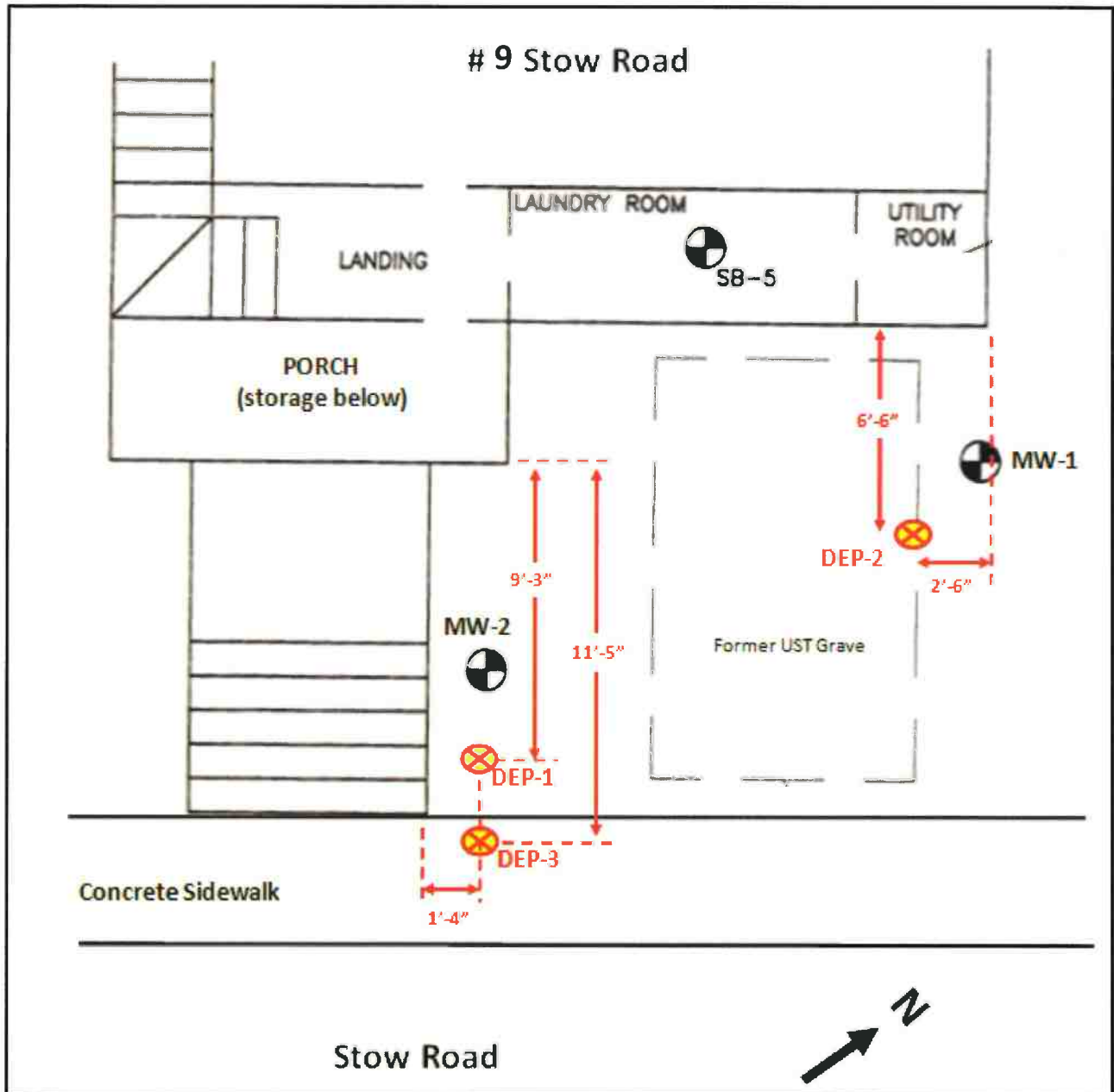


Figure 1 – Location of groundwater monitoring wells

NAPL measurements in on-site wells

In recent weeks, two well gauging events were conducted by Larry Immerman and/or John Fitzgerald. These data are provided below in Table 1:

| Table 1 – Gauging of monitoring wells | | | | |
|---------------------------------------|-------|--------------|-------------|---------------|
| Date | Well | Depth to Oil | Depth to GW | Inches of Oil |
| 8/25/15 | MW-1 | - | - | 1.7 |
| | MW-2 | - | - | 0.6 |
| 9/2/15 | MW-1 | 10.20 | 10.00 | 2.4 |
| | MW-2 | 7.57 | 7.50 | 0.8 |
| | DEP-1 | Dry` | Dry | |
| | DEP-2 | 9.65 | 9.28 | 4.4 |
| | DEP-3 | None | 6.60 | 0 |

Removal of Wells MW-1 and MW-2

On 9/3/15, the wells installed at the site in 2013 by the contractor, MW-1 and MW-2, were removed by Moran Environmental of Randolph, MA, a firm retained by MassDEP. This operation was witnessed by agency staff Larry Immerman and Time Dame.

Removal of each well was accomplished by use of a tripod (see photo in Appendix). Both wells were easily and quickly extracted from the ground without breakage or damage.

The length of the riser pipe and well screen was recorded for each well. This data, along with the lengths provided in the 12/5/13 report prepared by the contractor, are detailed in Table 2:

| Table 2 – Purported and Actual lengths of well risers and screens | | | |
|-------------------------------------------------------------------|------------|---------------|----------------|
| Well | Source | Feet of riser | Feet of screen |
| MW-1 | Contractor | 8 | 1 |
| | Actual | 7.7 | 10 |
| MW-2 | Contractor | 6 | 0.5 |
| | Actual | 7 | 5 |

The observations made on 9/3/15 confirm that the well construction details provided in the contractor report were incorrect. Rather than a 12 inch (1 foot) well screen, MW-1 had a 10 foot well screen, consisting of four 2.5 foot sections screwed together. The top of this 10 foot well screen was about 3 inches higher than the reported top of the 1 foot well screen.

Conversely, the top of the 5 foot well screen in MW-2 was about 6 inches lower than the reported top of the 6 inch well screen. Figure 2 super-imposes these findings over well construction, groundwater, and NAPL conditions previously reported for this site.

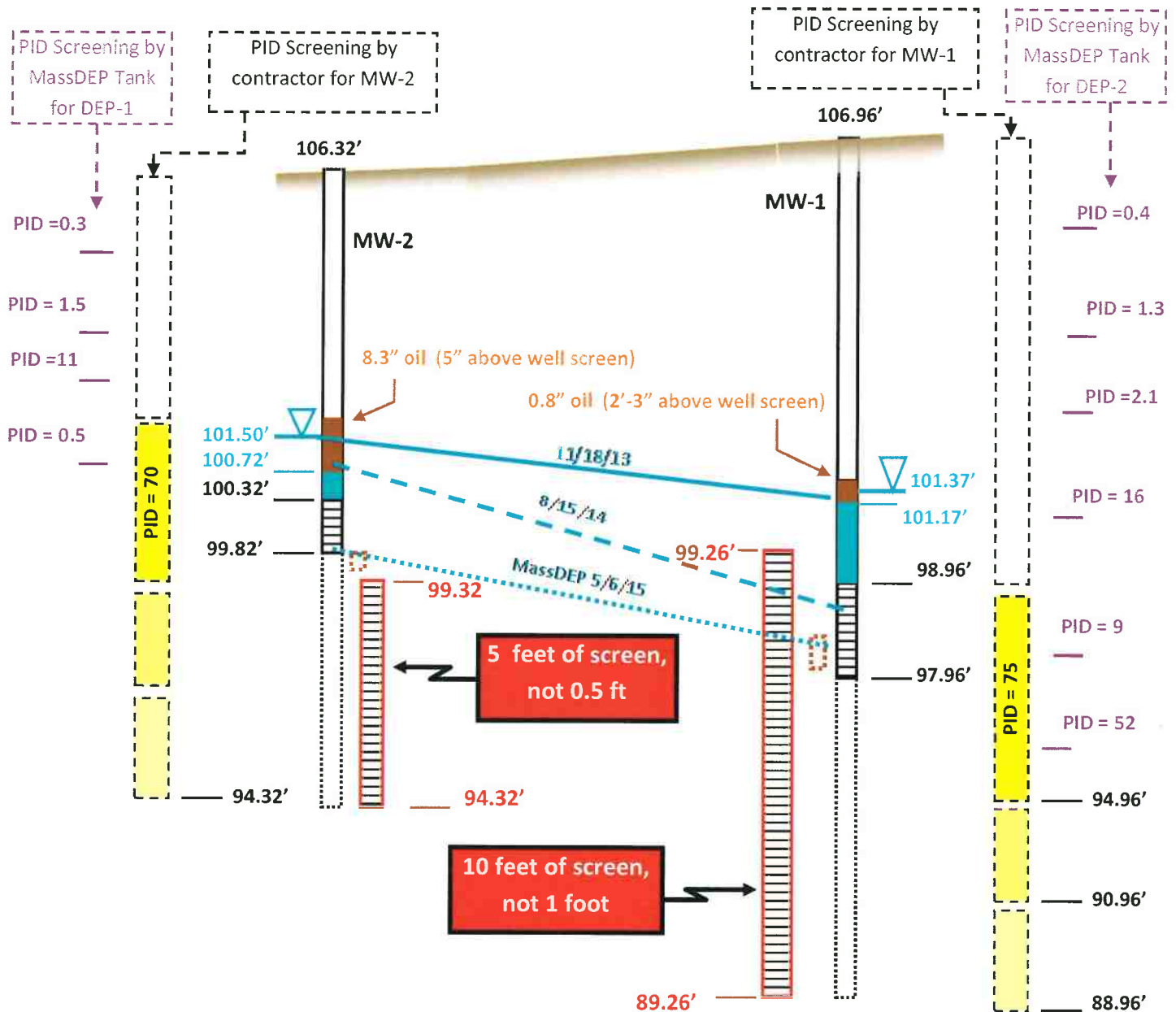


Figure 2 – Updated cross-sectional information on MW-1 and MW-2

LNAPL samples from 9/2/15

On the day before removal of the wells, LNAPL samples were obtained by MassDEP staff from MW-1 and MW-2. This was accomplished by use of a hand-pump lysimeter and tubing/jar apparatus illustrated in Figure 3.

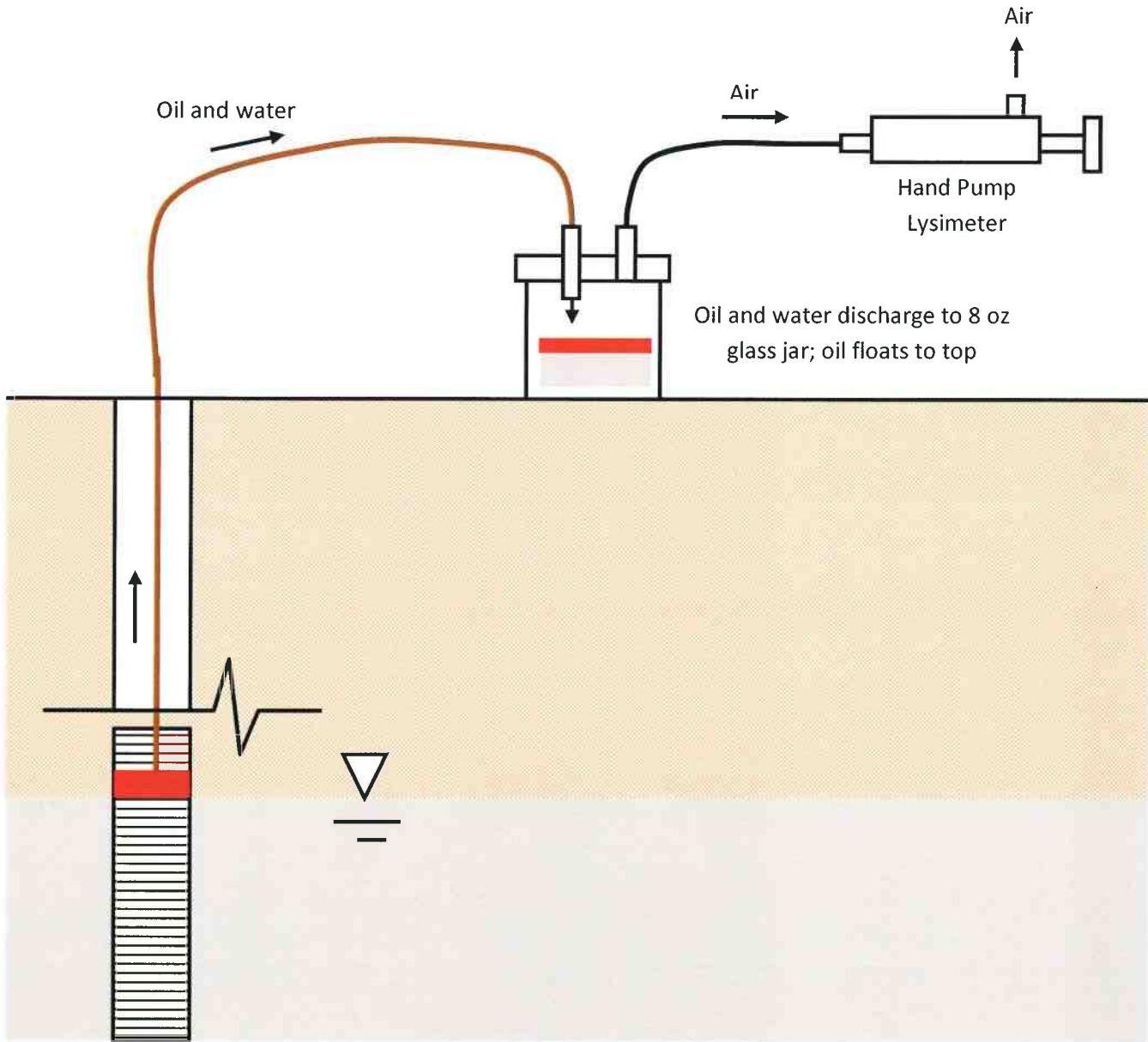


Figure 3 – LNAPL sampling process

As depicted in Figure 3, a small diameter HDPE tube was lowered into each well, to the oil/groundwater interface. This tube was connected to a fitting on a screw-cap tightly applied to an 8 oz glass jar. Another fitting in the cap was connected to a hand pump lysimeter. The lysimeter was then pumped by hand to create a vacuum in the 8 oz jar. This vacuum was transferred to the small diameter tubing, which “sucked up” the LNAPL

(along with some groundwater), transporting it into the 8 oz glass jar. In this manner, LNAPL/groundwater never entered the Lysimeter hand pump.

New tubing and glassware was used for each well, along with a new sheet of aluminum foil just under the screw cap for the 8 oz jar, to minimize the possibility of cross-contamination.

The samples obtained were mostly turbid water with some LNAPL floating on top (with more LNAPL in the sample for MW-1). The samples were transported back to the laboratory at MassDEP/NERO where they were allowed to sit overnight, to allow the oil and water to separate.

The next day (9/3/15), a plastic syringe was used to transfer oil to a 40 mL glass vial. A separate syringe and tubing was used for each sample. The 40 mL vials were allowed to sit for about an hour to promote further phase separation.

A 1 to 2 μ L sample of oil was then obtained from each jar for injection into an SRI Gas Chromatograph with a Flame Ionization Detector (GC/FID). The chromatograms obtained are presented in Figures 4 and 5.

Similar to samples obtained on 5/6/15, both of these chromatograms (“fingerprints”) are indicative of a weathered #2 home heating fuel. Also consistent is the relative agreement between both samples, though there are some differences in the C_{12} to C_{14} range.

Conclusions

While acknowledging the site conditions and anomalies that have not been completely explained, on the basis of the following findings, further investigation into this matter has been terminated:

- The presence of 12 inch and 6 inch screens at the bottom of MW-1 and MW-2, respectively, would have provided a very strong line of evidence that oil was spiked into these wells. However, this was not the case.
- While the chemistries of the oil in Wells MW-1 and MW-2 are somewhat consistent, there are in fact observable differences, more in this evaluation than the previous evaluation in May 2015.
- The detection of 4.4 inches of NAPL in well DEP-2 is calls into question whether the introduction of NAPL into the environment was solely due to spiking Well MW-1.

Photographs

Select photographs from the well sampling on 9/2/15 and well removal operation on 9/3/15 are provided in the Appendix.

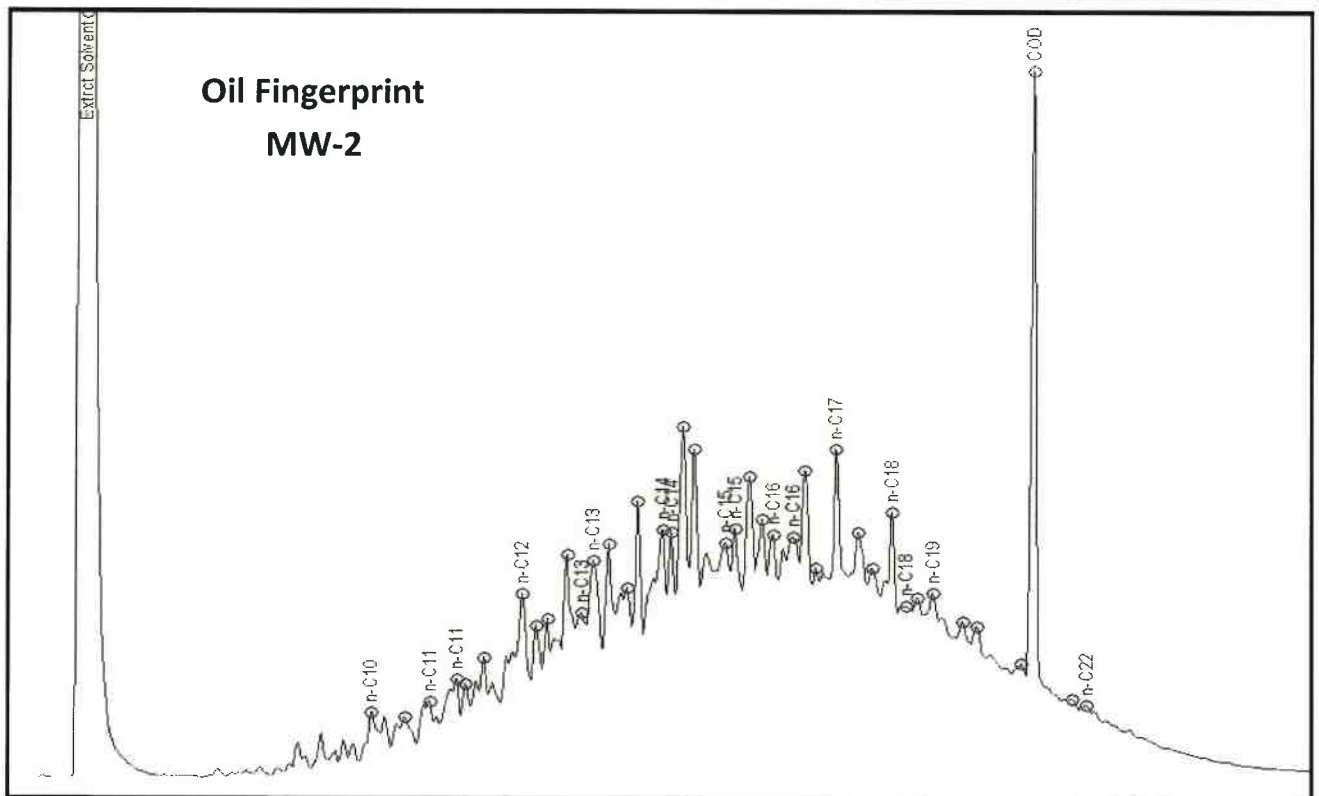
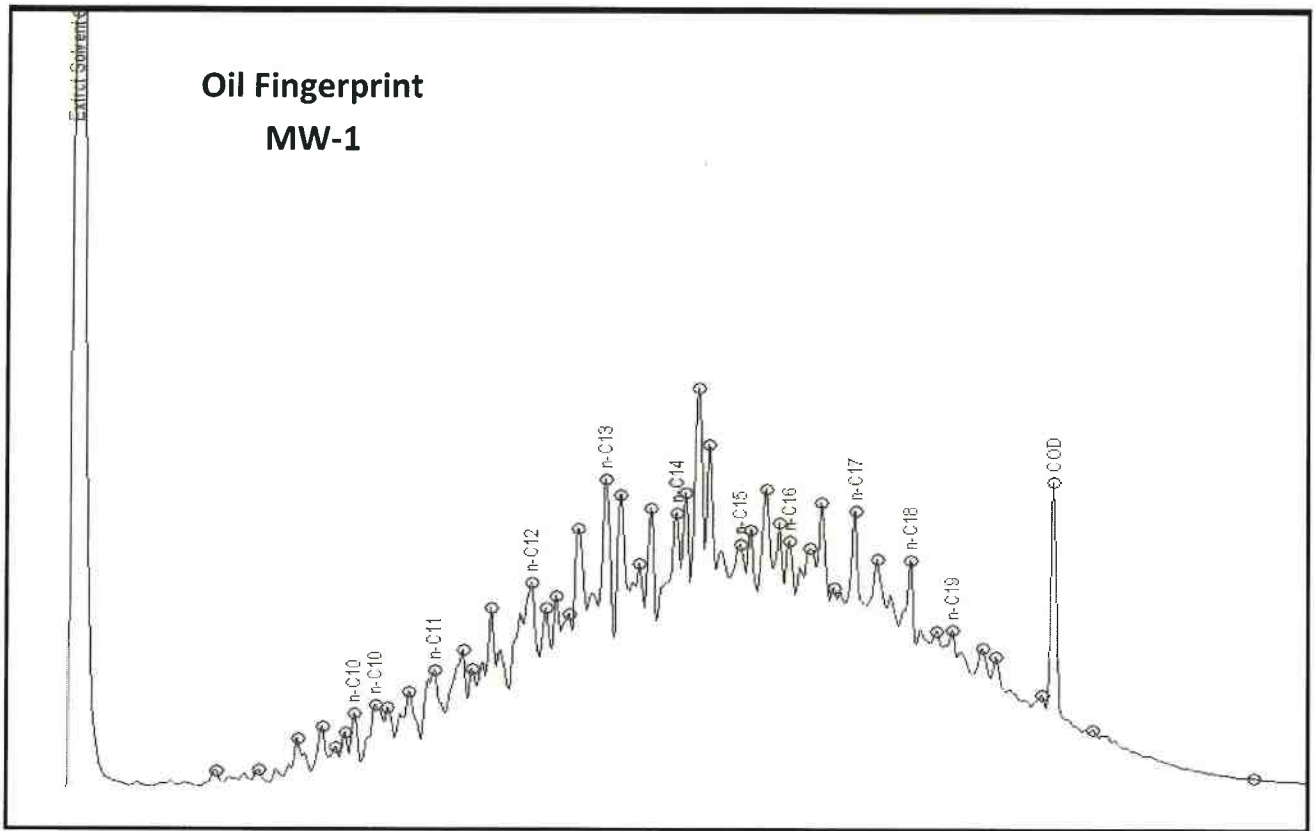


Figure 4 – GC/FID Chromatograms (“Fingerprints”) of oil from MW-1 and MW-2 (9/2/15)



Sampling from MW-1 on 9/2/15



Oil/water separating in NERO Lab overnight



Pulling MW-2 on 9/3/15



MW-1 after removal on 9/3/15

MassDEP Field Assessment and Support Team (FAST)

BOSTON – MATTAPAN – 9 STOW ROAD RESIDENTIAL OIL SPILL

MAY 12, 2015; REVISED OCTOBER 26, 2015

Executive Summary

Allegations have been made that a tank removal contractor exaggerated the nature and extent of contamination at the subject address where an underground fuel oil tank was removed in 2013. Such actions, including “spiking” a groundwater monitoring wells with oil, were allegedly undertaken to increase cleanup costs and corporate profits.

Attempts were made to investigate the veracity of such claims via a scientific evaluation of available information complemented by limited additional site investigative data. This evaluation was however significantly limited by the passage of time, the technical complexities and uncertainties intrinsic to the existence and movement of oil in the subsurface, and the deficiencies and mistakes in documentation provided for the site by the contractor.

On the basis of this evaluation, there do appear to be a series of conditions, contradictions and anomalies at this site, along a spectrum of highly unlikely to plausible. However, insufficient information was obtained to reasonably conclude that malicious actions occurred in this matter.

At this point, the only additional investigatory action that could be considered is excavation and/or removal of the monitoring wells installed at the site by the contractor. If the wells were screened at depth, a strong case could be made that they were “spiked” with oil. If the screens straddle the groundwater table (proper construction), this issue would remain ambiguous.

Background

The subject address is a single-family residential dwelling where a 1000 gallon underground oil storage tank was removed on October 9, 2013 by the contractor. During the closure assessment, contractor personnel purportedly screened a soil sample from the bottom of the tank grave excavation with a Photoionization Detector (PID) and recorded a reading of 628 ppmV, which triggered a reporting obligation under 40.0313(2) of the Massachusetts Contingency Plan (MCP). This condition was reported to MassDEP by the contractor on behalf of the homeowner on October 11, 2013.

On October 24, 2013, the contractor conducted drilling activities at the site to define the nature and extent of subsurface contamination. Four borings (SB-1 through SB-4) were reportedly advanced in the front yard of the property to depths of 12 to 18 feet below grade. An additional boring (SB-5) was installed through the concrete floor inside the residence in the laundry room to a depth of 6 feet. A soil sample was obtained from 3 of the borings for laboratory analysis, and each sample was found to contain oil contaminants, though only one (SB-4) at levels of health and regulatory concern. A soil sample from the bottom of the tank grave excavation was previously sampled on 10/9/13 for laboratory analysis, which reported high concentrations of petroleum hydrocarbons.

1-inch diameter PVC monitoring wells were installed in two of the soil borings in the front yard, near the former tank. On November 18, 2013, both wells were gauged by contractor personnel, who notated the presence of 0.8 inches of Nonaqueous Phase Liquid (“NAPL” – in this case fuel oil) in MW-1, and 8.3 inches of NAPL in MW-2. Also notated was the depth to groundwater in each well, which placed the groundwater table near the bottom elevation of the former underground tank – even though records from the contractor indicated that groundwater was not encountered during the tank removal 3 weeks earlier.

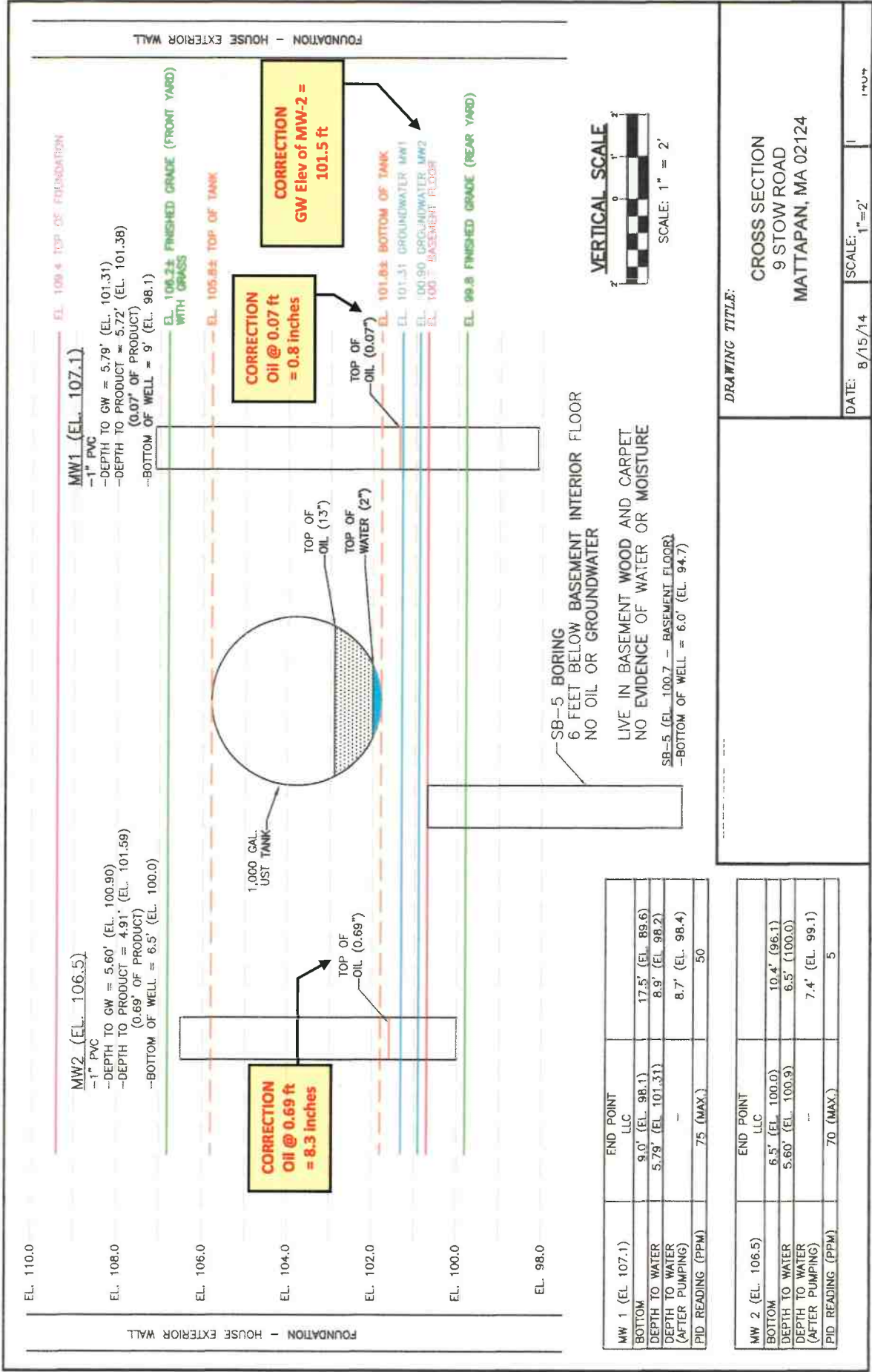


Figure 1 – Cross section plan provided to MassDEP (with corrections noted)

Conclusions

Anomalies exist at the site that are suggestive of either (i) unusual conditions; (ii) mistakes and poor quality work, and/or (iii) malicious activities. While suspicions of the latter are not unfounded, additional information would be required to obtain definitive answers in this regard.

Lines of evidence that do not appear to support claims of “spiking” oil at the site include the following:

1. Utility crews would not necessarily have encountered contamination at the site because of the year the work was done (1994 for the water service installation) and the depth of service installation (36 inches for gas service installation in 2014).
2. The PID reading of 628 ppmV, which initially brought the site into the MCP system, was almost certainly biased high. However, it is likely that a correct reading would still have been above the reporting threshold of 100 ppmV, given the levels of petroleum reported by Chemserve in the soil sample obtained from the bottom of the tank excavation.
3. The lack of significant on-site impacts, including oil vapors in the basement, is not strong evidence of a well spiking activity, as the presence of 8 inches of oil in a monitoring well is not unusual in even minor oil release situations.
4. The depth to groundwater reported by the contractor on 11/18/13 is probably incorrect, but has little bearing on the oil spiking allegations, as plausible scenarios could be created to explain why groundwater and oil were not encountered in the tank excavation, and why separate phase oil was encountered in the two monitoring wells.
5. There are scenarios that could explain why oil remained in the tank even with the presence of hole noted during the tank closure operation. However, the lack of documentation in available reports is disturbing, and symptomatic of a general lack of adequate procedures and documentation provided by the contractor in this matter.

Lines of evidence that cast suspicions in this matter include the following:

6. The chemistry of the oil contamination in the soil sample obtained from the bottom of the tank grave is suggestive of a relatively “fresh” fuel oil, and was possibly spilled from the tank when it was removed from the ground, though a “spiking” effort is also a possibility.
7. The construction of the contractor wells is a significant and problematic unknown in this matter. The presence of well screens at depth would be a strong line of evidence of an oil spiking activity.
8. Preliminary screening of the oil samples from the contractor wells suggests a similarity in chemistries that could be indicative of a spiking activity.
9. The concentration and chemistry of hydrocarbons in the soil sample obtained from MW-2 are not suggestive of the presence of mobile free-phase oil NAPL, yet 8.3 inches of NAPL was reported in that well less than 4 weeks later by contractor during the 11/18/13 well gauging event

Recommendations

If there is sufficient interest in better resolving this matter, three additional actions could be undertaken:

1. The tank removal records from the Boston Fire Department, including Form “FP 292A”, could be obtained, to see if there is any information on the dimensions of the tank and location of holes;
2. Oil samples could be obtained from MW-1 and MW-2 for analysis by a DEP contract laboratory by an advanced chemical fingerprinting technique.
3. MW-1 and MW-2 could be pulled from the ground, in order to discern where the well screens are located.



Appendix H

Joseph V. Polsinello

Rivers Protection Act / Builder
Professional Profile

References

LSP License # 7450

North River Advocacy

Builder/Architect

Greater Boston Edition

January 1997

Our
59th
Year



Legislative Committee

Joseph V. Polsinello, BAGB legislative chairman, was recently appointed by the Commonwealth of MA Executive Office of Environmental Affairs Commissioner, Dept. of Environmental Protection, to serve on the Rivers Advisory Committee as the real estate representative. Joe would like to invite anyone who may be affected by the Rivers Bill to contact him at his office, Inland Professional Corp., (617) 829-9501, so that he can offer his availability to obtain environmental comments, ideas and information that may assist him and the regulation drafting process.

Other committee appointees consist of four from environmental organizations, one from agriculture, aquaculture and development. At least two members shall own or have an interest in land located in a riverfront area.

The Rivers Protection Act, effective August 1, 1996, amends the Wetlands Protection Act, Chapter 131, section 40, creating a "riverfront" resource protection area of land situated 200 feet from a natural flowing body of water that empties to any ocean, lake or river which flows throughout the year.

Proposed expansion, building or development will require application to local conservation commissions that shows no significant adverse impact, demonstrated by performance standards, utilizing best management prac-

tices, alternatives analysis and/or mitigation measures.

Inland Professional Corp. (IPC) provides environmental, construction, business management, planning and engineering services. As a Licensed Site Professional (LSP), Joe provides assessment, planning and remediation of oil and hazardous materials contaminated properties relevant to Chapter 21E and the MA Contingency Plan (MCP).

Polsinello is also licensed to perform Title V inspection, installation of septic systems, construction supervision and building as consistent with the State Building Code.

As a member and past Board of Directors member of the North and South Rivers Watershed Association (NSRWA), the education, interest and concern of our environmental resources has prompted his increased awareness and involvement.



Joseph V. Polsinello



JOSEPH V. POLSINELLO
PROFESSIONAL PROFILE

Mr. Polsinello is president and principal owner of Inland Professional Corporation providing environmental, business and project management. Having over 45 years of combined experience in general contracting, emergency spill response, hazardous waste cleanup, real estate development, building and site construction, and the petroleum industry. As a Massachusetts Licensed Site Professional (LSP) Mr. Polsinello along with associates provides environmental site assessment, management, site ranking and LSP opinion consistent with the Massachusetts Contingency Plan. Specific responsibilities include health and safety, program development, education and training, specifications, contracts, estimating, planning, operations coordination, site supervision, project management and emergency response contingency.

PROFESSIONAL EXPERIENCE

Mr. Polsinello was president and principal owner of Inland Pollution Control, Inc., with facilities in New York and Massachusetts from 1971 through 1988. IPC was a full service management and contracting company performing emergency response and spill cleanup, environmental remediation, handling, transportation and disposal of petroleum and chemical hazardous materials and wastes. IPC performed work for the U.S. EPA, various state, commercial and industrial clients including many *Fortune 500* corporations relating to the petroleum, utility, real estate and financial institutions performing private environmental waste management and superfund related remediation cleanup. Specific projects addressed: toxic chemicals, PCB's, petroleum releases, groundwater contamination, bio-remediation, asphalt reclamation and recycling, solvent recovery, incineration, wastewater treatment, decontamination and disposal. IPC and Polsinello associated companies provide routine plant maintenance, above / underground storage tank removal, replacement, deep-water marine terminal operations and management.

Over the past 30 years, Mr. Polsinello has attended, completed and participated in numerous training courses, seminars, lectures and conferences. At IPC, he was responsible for preparing, reviewing, implementing, instructing and providing health, safety, operational and transportation training programs both in house and for clients.

As manager of operations for Polsinello Fuels, Inc., Rensselaer, NY, Mr. Polsinello was responsible for conducting operations, overseeing full service bulk, packaged, retail and wholesale petroleum products and related TBA items under independent and CITGO Petroleum Corporation brand, plumbing, electrical and air-conditioning.

Mr. Polsinello was president and principal owner of Polsinello Services, Inc., Rensselaer, NY since 1969, which operates full service management and operations bulk oil storage terminals, including tanker and barge marine transfer operations, tank truck loading and distribution.

Also, Mr. Polsinello was president and principal owner of Respond Air, Inc., a corporate aircraft operation and management company.



JOSEPH V. POLSINELLO PROFESSIONAL PROFILE

Page 2 of 2

Since 1972, Mr. Polsinello assisted in the operation of Chauffeur Training Schools, Inc., Rensselaer, NY, a family related business. He had provided instruction within training safety programs associated with the transportation, highway safety and trucking industry.

As the owner and developer of Pantooset Farms Inc. on the North River, a residential community, Mr. Polsinello is a licensed builder and construction supervisor.

Mr. Polsinello was also president and principal owner of Polsinello Terminals, Inc., Rensselaer, NY, which owns and operated a marine bulk oil storage terminal Port of Albany, Hudson River.

Since 1966, Mr. Polsinello has performed numerous phases of excavation, demolition, dismantling, salvage, restoration, rebuilding, real estate development, and total building construction.

PROFESSIONAL, COMMUNITY AND CIVIC

Massachusetts Licensed Title V Septic System Inspector

OSHA 29 CFR 1910.120 Certification / 1926.00

Massachusetts Construction Supervisors License

Massachusetts Licensed Building Contractor

Massachusetts Licensed Site Professional

First Aid and CPR Certification.

Certified Tank Tester and Installer.

Member of the Town of Hanover Open Space Planning Committee

Class I CDL Hazardous Material Tractor Trailer License / Past CDL Instructor

Multi - Engine Instrument Airplane Pilot

Former Board of Director of North and South Rivers Watershed Association

Member of the Town of Hanover Emergency Contingency Planning

Member and Former Board of Director-Builders Association of Greater Boston

Past President of the Tri Town Rotary Club / Member Braintree Rotary

Member of the Legislative Committee- Home Builders Association of Massachusetts

Appointed to Commonwealth of Massachusetts,

Department of Environmental Protection, Riverfront Advisory Committee

Town of Hanover, Department of Public Works / Water Commissioner

Former Alternate Town of Hanover, North River Commissioner

The Commonwealth of Massachusetts

**BOARD OF REGISTRATION OF
HAZARDOUS WASTE SITE CLEANUP PROFESSIONALS**

This is to Certify That

Joseph V. Polsinello

*has been duly registered by this Board as a qualified Licensed Site Professional,
as provided by the laws of the Commonwealth.*



Boston, Massachusetts January 19, 2017

Javier E. Inaud
Chairperson of the Board

7450 January 30, 2020
License Number *Expiration Date*

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Donor Profile: Joe Polsinello

"It is obvious to us that the Watershed Association is essential to the preservation and protection of our resources," says Hanover resident Joe Polsinello, who recently made a large donation to the NSRWA. "That's why we continuously try to support the Watershed's efforts."

"The main ingredients are public awareness, education and understanding," Polsinello continues. "Government regulations alone cannot protect our environment at all — non-profit and grassroots organizations are absolutely essential."

Joe and his wife Gayle, an artist specializing in nature-oriented themes, have lived on the North River for nine years. Although they've been residents of Hanover since 1980, they weren't always familiar with the river itself. "But Gayle found this place and said 'this is where I want to live,'" Joe explains. "Up till then, I didn't even know the North River existed."

In 1988, the Polsinellos moved to Pantooset Farms, the site of what was once a private dinner and country club. Their home sits right on the banks of the North River, a little ways upstream from the Washington Street Bridge.

Joe has been in the environmental business for years, supervising the clean-up of hazardous materials and hazardous waste, but when he first moved to his riverside home, he wasn't much of a nature enthusiast. "If you had said to me 10 years ago that I'd be waking up first thing in the morning, look-



NSRWA Supporter Joe Polsinello

ing at wildlife and going for my field guide, I would have laughed at you," Joe explains. But now that's just what he does.

Shortly after moving to the North River, Joe became involved with the NSRWA. He served on the Board of Directors for several years, and was immediately impressed with the Association's accomplishments.

"Back in the 70's, the NSRWA (in working to establish the Protective Order for the North River) had the initiative to do just what the Rivers Protection Act is trying to do in 1997," he says. "That's tremendous foresight."

One of the best things about living on the river, Joe says, is that it has allowed him to "thoroughly realize the reasons for our environmental regulations." In fact he understands them so well that he now serves on the state's Rivers Advisory Committee.

Joe is quick to acknowledge the impact his involvement with the NSRWA has made on his life. "It's been enormously beneficial. I have worked with great people and learned so much," he says.

"We live on the river and the Watershed Association protects our values."

Joe is proud to be able to support the NSRWA financially as well as ideologically. "We absolutely, positively get our value out of protecting the environment," he continues. "It's a good feeling to see the impact we've made."

When he's not working, Joe enjoys the pontoon boat that he keeps on the river, right in his own backyard. "It gives me the opportunity to relax and be in the environment," he says. "The North River Corridor really does have unique qualities," he continues. "Once you're here, you're hooked."

by Kezia Bacon





Appendix I

Joseph V. Polsinello
Inland Professional Corp
Inland Pollution Control

UST Issues -
UST Installation
MA Hazardous Waste Cleanup
Previous / Current Clients
Inland Pollution Control of MA
Polsinello Fuels – Family Petroleum



UST ISSUES

As a Consumer, Be Prepared

Underground Storage Tanks (USTs)



Underground storage tanks (USTs) have been a vital part of property management for decades, but installing and removing them may create environmental issues that can affect the value of your property, cost you financial

strain, and endanger the safety of your home. This issue of IPC's newsletter series gives you the facts you need to know so that you can have an educated approach to your UST issues.

ISSUE # 1

Consumer Awareness:



The Facts: When you need to remove or install an UST, know your rights regarding environmental regulations and standards.

2



Should I Use an UST? IPC takes a look at the benefits of USTs for different homeowner and other options that are available.

2

IPC News:



New MCP Amendments. IPC has studied the new amendments to the state environmental regulations and we have what you need to know!

3



Announcements: IPC is advertising a new position open for paralegal services and has also recently moved the main office to Hanover.

4

*"Personalized Environmental Consulting for your Home and **Business**."*

Inland Professional Corporation: Our Mission

IPC has a unique approach to our **clients'** environmental issues in that we take on our projects with a business-focused mindset. We consider your investment as seriously as if it was our own, so want to protect your **assets** the way we would protect our own. At the same time, as **environmental** supporters, we always **maintain** our integrity by **ensuring** that

our work applies to both federal and state regulations. As a whole, we give our clients honest and **reliable** services that will give them the comfort of knowing that they are both **meeting** environmental **concerns** and best **securing** the future of their **property**. From this article, you will see that **managing** and **maintaining** USTs is no exception!

UNDERGROUND STORAGE TANK REMOVAL/ REPLACEMENT





Associated Press

Tainted Soil Is Removed From Massachusetts Site

Pollution control workers, commissioned by Federal Environmental Protection Agency, preparing to remove 100 cubic yards of soil from 25-acre field in Norwood, Mass. Soil was found to be heavily contaminated

with polychlorinated biphenyls, or PCB's, hazardous chemicals once used for electrical conduits. An electrical supply manufacturer was nearby 40 years ago. The soil will be taken to a dump in Model City, N.Y.



INLAND PROFESSIONAL CORPORATION

Environmental, Construction & Business Management

INLAND COMPANIES - PREVIOUS & CURRENT CLIENT LIST

United States Environmental Protection Agency (USEPA)

New York State Environmental Conservation

Boston Edison Company

General Electric (GE)

International Business Machines (IBM)

Jay Cashman Inc.

Raytheon Corporation

General Dynamics

Westinghouse

Polaroid Corporation

Ford Motor Company

Digital Equipment

International Paper Company

Long Island Lighting

Exxon Corporation

Shell Oil Company

Citgo Petroleum

Mobil Oil Co

United Parcel Service (UPS)

Getty Oil Company

Gulf Oil Corporation

United States Coast Guard

United States Army Corps of Engineers

Hess Oil Company

Texaco Oil Company

Lehigh Valley Rail Road

Sunoco Oil Company

New York State Thruway Authority

Massachusetts Banks and Lending Institutions



"SERVING
THE
NORTHEAST"

"Protecting The Environment"



INLAND CAN PROVIDE THE CAPABILITIES TO ASSIST, MANAGE, HANDLE, TRANSPORT, AND RECYCLE OR DISPOSE OF PETROLEUM, CHEMICAL, AND OTHER HAZARDOUS SUBSTANCES, ALONG WITH A WIDE RANGE OF OTHER RELATED SERVICES.



INLAND POLLUTION CONTROL, INC.

— “SERVING THE NORTHEAST” —



GREATER BOSTON
AREA:

345 QUINCY AVENUE
BRAINTREE, MA 02184

(617) 843-7110
(617) 843-7111

PORT OF ALBANY:

41 RIVERSIDE AVENUE
RENSSELAER, N.Y. 12144

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(518) 436-1187

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41 Riverside Avenue, Rensselaer, NY 12144



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24 HOUR EMERGENCY: (518)463-0084 or (518)465-3535
TOLL FREE 1-800-334-LUBE**



ON THIS 26th DAY OF AUGUST, 2014, THE

MASSACHUSETTS GAMING COMMISSION

PURSUANT TO THE POWER AND AUTHORITY GRANTED TO IT BY
CHAPTER 23K OF THE GENERAL LAWS,
HEREBY AWARDS A NON-GAMING VENDOR REGISTRATION TO

★★★ INLAND PROFESSIONAL CORPORATION ★★★

51 Mill Street, Unit 7
Hanover, MA 02339

TO OFFER GOODS OR SERVICES NOT DIRECTLY RELATED TO CASINO OR GAMING ACTIVITY TO A CASINO
LICENSEE OR A CASINO APPLICANT AND THEIR EMPLOYEES OR AGENTS, HAVING ESTABLISHED THE
QUALIFICATIONS SET FORTH IN THE M.G.L. C23K, § 2 AND 205 CMR 134.00.

NON-GAMING VENDOR I.D. NO. NGV000024
THIS LICENSE EXPIRES ON AUGUST 31, 2019

David A. Coakley
Director, Division of Licensing



★★★



January 29, 2015

Mr. Joseph Polsinello
Inland Professional Corporation
51 Mill Street, Unit 7
Hanover, MA 02339

Dear Joseph Polsinello,

Pursuant to the authority delegated to the Director of Licensing by the Massachusetts Gaming Commission (Commission) and in accordance to 205 CRM 134.09 (1)(d), the Commission is pleased to notify you that a Non-Gaming Vendor Registration NGV000024 has been issued to Inland Professional Corporation (Inland). Please note the term of this registration is August 26, 2014, through August 31, 2019.

This registration entitles Inland to offer to a gaming establishment or gaming licensee goods or services which are not directly related to gaming. Please be advised that should Inland regularly conduct business and meet the monetary threshold pursuant to 205 CMR 134.04(2) the Commission's Division of Licensing shall forward notice of your obligation to submit an application for licensure as a gaming vendor-secondary which is subject to a more comprehensive investigation by the IEB. Prior to the submission of the application Inland shall submit to the Division of Licensing (Licensing) a complete copy of Inland's Table of Organization, a list of all directors, officers, owners and persons who have responsibilities for Inland's business in Massachusetts and a brief description of their job responsibilities. Subsequent to the receipt of these documents, Licensing will schedule a scope of licensing meeting (either via phone or in person) to discuss who needs to submit an application and what type of application is required. Licensing will confirm its determinations in a "Scope of Licensing" letter to you.

Within 45 days of notice, Inland shall submit an application for licensure or discontinue providing goods or services to a gaming establishment or gaming licensee. Please further note that you shall have the continuing duty to report certain types of changes that occur with respect to the information that was submitted in your application.

Should you have any questions concerning this registration, please contact William Curtis, Licensing Supervisor, at (617)-979-8431.

Sincerely,

David Acosta
Director of Licensing

cc: File NGV000024
Karen Wells, Director of IEB



Massachusetts Gaming Commission