

## Suspending Disbelief

### The Creation of Massachusetts' Privatized Hazardous Waste Site Cleanup Program and the Licensed Site Professional (LSP)

**In 1991, a study committee** of stakeholders including civic and environmental activists, the business community, the financial sector, environmental professionals, regulators and public officials hammered out a groundbreaking piece of legislation that, when enacted, would change how the Commonwealth of Massachusetts dealt with hazardous waste sites and brownfields.

Under the substantially amended version of MGL c.21E passed in 1992, and the new version of the Massachusetts Contingency Plan (MCP) which went into effect in October 1993, the public sector would no longer have the sole responsibility for assessing contaminated properties and overseeing the cleanup efforts. Engineers and scientists working directly for property owners and related parties, but subject to regulatory audit and bound by acceptable cleanup levels and standards, would be charged with that task.

The LSP Association (LSPA) was formed in early 1993, prior to the licensing of the first LSPs later that year. Its mission was to advance the professionalism of, and advocate for, its membership in their work protecting the health and safety of residents of the Commonwealth.

This year, both the "new" MCP and the LSPA celebrate twenty years of success. The following pages present, in the words of those who were involved from the outset, an overview of the story of the Massachusetts privatized program and the creation of the LSP.

## A Need

“In the late 1980s, there were lots and lots of pieces of property all over the Commonwealth – 7,000 at the time – that couldn’t be developed because they needed signoffs by MassDEP staff and there was not enough staff to do so. Everybody was united by the fact that the existing program wasn’t working for them.”

**Dan Greenbaum**  
**Former Commissioner,**  
**MassDEP**

“With the regulations as they were in 1988, MassDEP had to approve every phase of a site’s progress through the system. And they were not equipped to do so. It was gridlock, and consultants and their clients were extremely frustrated. It was clear that something different needed to be done.”

**Larry Feldman, GZA**  
**GeoEnvironmental, and**  
**Deborah Gevalt,**  
**Haley & Aldrich; LSPs,**  
**and Past Members**  
**of the LSP Board**

“People became very concerned about what was happening with these sites. So we went to DEP who we expected would be able to address these issues. But, we learned very quickly that DEP didn’t have the resources: the staff, the expertise, the equipment, and most of all, they didn’t have the funding to do anything about it.”

**Gretchen Latowsky**  
**Former Executive Director,**  
**For a Cleaner Environment (FACE);**  
**Past Member of the LSP Board**

What environmental agency wants to say, ‘We are preventing hazardous waste sites from being cleaned up because of our rules and regulations and lack of staff’? We had to admit that to ourselves. The Department realized we had a real problem here and we had to get on top of this before someone else did.”

**Jim Colman**  
**Former Assistant Commissioner,**  
**MassDEP Bureau of Waste Site Cleanup**