

LSP Association Peer Review Program Guidelines

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I. Statement of Purpose

The LSP Association offers a Peer Review Program to its LSP members to provide them with an opportunity to have the content and presentation of certain MCP Reports and Opinions reviewed by another LSP prior to filing with MassDEP. The Reports and Opinions included in this program are Permanent or Temporary Solutions filings, Phase Reports, Periodic Reviews of Temporary Solutions, Immediate Response Action and Release Abatement Measure Completion Statements, and Downgradient Property Status submittals.

The peer review is intended to have the same level of detail as a MassDEP Level 1 audit conducted using MassDEP's screening form. The reviewing LSP (Reviewer) will review the document and the tables, figures and supporting data provided, and will complete the appropriate MassDEP BWSC Technical Screening Audit Form. The Reviewer will also provide the LSP submitting the document (Applicant or Reviewee) with comments about the presentation of the information, indicating areas of the document that might benefit from more discussion, or additional clarifying information.

The Reviewee will have the substantial benefit afforded by having another set of eyes review the work presentation prior to its submission to MassDEP. However, consistent with the Technical Screening Audit, the Reviewer will not be completing any assessment of the sufficiency of the data obtained, an independent evaluation of the data, or a review of the specific conclusions reached by the LSP based on the data. Likewise, the Reviewer will not be making any judgments about the adequacy of the investigations or any evaluations completed to address the requirements of the MCP. Except to the extent they are specifically addressed in the screening form, the following report items will not be reviewed or commented upon: the amount and locations of data collected; the appropriateness of the groundwater and soil classification used; the risk characterization approach; the calculation of exposure point concentrations as they relate to the LSP's conclusions; compliance with MCP regulatory deadlines; data quality, usability and representativeness; and compliance with MassDEP policies. While a submittal being reviewed may include a Notice of Activity and Use Limitation (AUL), the peer review does not include review of the AUL. The Applicant should consider obtaining a legal evaluation of the AUL from an attorney.

II. Deliverables/Expectations

As part of the peer review technical screening audit program, an Applicant will receive the following:

- A list of LSPA-designated Reviewers from which the Applicant can choose one to conduct the review, based on general qualifications;
- Completed Report/Submittal Technical Screening Audit Form;
- Written comments from Reviewer, typically in the form of marginal annotations on the submitted Report or Opinion text;
- Return of provided work product within two weeks; and
- Opportunity to discuss findings with Reviewer.

III. Reviewer Information/Requirements

The following information/commitments shall be provided about the LSPs participating as Reviewers under this program:

- Number of years of practice as an LSP;
- Area(s) of expertise (list no more than 3);
- Specialty practice area(s) (Brownfields, MGPs, DNAPLs, etc.);
- Total number of Permanent Solutions, Temporary Solutions and DPSs filed;
- Number of Permanent Solutions, Temporary Solutions, and DPSs filed/managed in past three years;
- Statement that the LSP has no current actions before the LSP Board or prior actions before the LSP Board that resulted in discipline;
- Statement that the LSP is in good standing, with a valid license;
- Commitment to undertake the review and deliver the review products in a maximum two-week period; and
- Commitment to have a follow-up conversation with Applicant

IV. Review Process Procedure

The following outlines the process under which the Peer Review will be scheduled and undertaken:

- Applicant desiring a review contacts the LSPA's designated program manager. Currently, this is the LSPA Executive Director, Wendy Rundle, 617-484-4027, wenrun@gmail.com.
- Applicant provides information on the location of the site, name of client/PRP, nature of the site and contaminants, site setting, the size and complexity of the submittal, turn-around time required, and special reviewer qualifications desired.
- The LSPA program manager brokers the request between the Applicant and an LSP chosen by the Applicant from the list of LSPA-designated Reviewers, ensuring that the parties are amenable to working together. The LSPA program manager connects the Applicant to the Reviewer. The LSPA also provides the Applicant with a copy of the LSPA Peer Review Program Agreement.
- The Reviewer reads and signs the LSPA Peer Review Program Agreement and initiates the review process by contacting the Applicant. The Reviewer obtains a signed LSPA Peer Review Program Agreement from the Applicant and furnishes it to the LSPA concurrently with or prior to the transfer of documents.
- The Applicant works with the Reviewer to arrange for submittal of the following materials directly to the Reviewer:
 1. Draft Report/Submittal in electronic and/or hard copy with the following:
 - Draft BWSC Transmittal Form

- Document Text
 - Figures
 - Tables
 - Exploration Logs
 - Analytical Data
 - AUL, if used
 - Notification Letters
 - Other Appendices
 - Other BWSC Forms, as appropriate
2. Completed Report/Submittal Technical Screening Audit Form with the Applicant name indicated on the form as the person completing the form. Forms are available in the attachment to this document and at <http://www.mass.gov/eea/agencies/massdep/cleanup/sites/technical-screening-audit-forms-checklists.html>.
 3. Exchange of contact information between Applicant and Reviewer
 - Prior to, or concurrently with, interactions with the Reviewer, the Applicant provides to the LSPA a donation of \$200 in support of the LSPA Scholarship Fund. The check should be made out to the LSP Association Scholarship Fund.
 - The LSPA provides confirmation to the Reviewer of the receipt of the donation and completed LSPA Peer Review Agreement from the Applicant. When the Reviewer receives the Applicant's materials, the Applicant will receive confirmation from the Reviewer of the start date that designates the review period.
 - The Applicant is requested to refrain from contacting the Reviewer during the review period.
 - Within the standard contractual agreed-upon period, the Applicant will receive from the Reviewer:
 1. Completed Report/Submittal Technical Screening Audit Form
 2. Annotations on the Report/Submittal text that was submitted to the Reviewer
 3. Contact information for the Reviewer

In addition, the Applicant will receive a telephone or email contact from the Reviewer within three days of the Reviewer's submittal of the review product to the Applicant, to discuss any question the Applicant may have on the materials received.

V. Instructions to Reviewers

The following are the instructions to be followed by the Reviewer:

- Contact Applicant by email or telephone and inform him/her that you will be undertaking the review. If the Applicant has any concerns about your role, direct

him/her to the designated program manager.

- The Reviewer reads and signs the LSPA Peer Review Agreement and initiates the review process by contacting the Applicant. The Reviewer obtains a signed LSPA Peer Review Agreement from the Applicant and furnishes it to the LSPA concurrently with or prior to the transfer of documents
- Contact LSPA and confirm receipt of executed LSPA Peer Review Agreement and suggested donation to LSPA prior to beginning the review. The latest date of receipt of these two items or the review materials will determine the start date for the maximum two-week review period.
- Contact the Applicant and inform him/her of the peer review start date. Notify the designated program manager of the start date.
- Review the content and information requirements to complete the Report or Opinion and related technical screening audit forms found attached to this document or at <http://www.mass.gov/eea/agencies/massdep/cleanup/sites/technical-screening-audit-forms-checklists.html>.
- Review the Report/Submittal as received and complete appropriate technical screening audit form. **Do not review the results of the Applicant's submitted technical screening audit form prior to your review.**
- Mark in margin or add electronic comments on Report/Submittal text if appropriate to identify points that need clarification, are not readily apparent or appear to be missing or not in compliance with Screening Form. **DO NOT** edit text, make corrections of fact, correct grammar, reorganize report or provide a detailed technical review or the like for the Applicant.
- Compare your completed technical screening audit form to the Applicant's. Note any discrepancies and determine if revisions are required in your review products. Make any revisions or note the need for clarifications on either of the two deliverables.
- Provide your completed technical screening audit form and annotated Report/Submittal to Applicant by overnight delivery, if hard copy, or electronically. Make and retain a copy of the materials, if necessary, for future discussion with the Applicant. Include information (telephone numbers or email address) as to how the Applicant can best reach you to discuss the review.
- Reach out to the Applicant within three (3) days of providing your review products to discuss the review.
- After you have reviewed your comments with the Applicant, or after a one-week period passes without successfully contacting the Applicant, destroy all records

of information received for your review and the review products you provided.

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