

Dennis R. MacCaskie
339 Fish Rock Road
Southbury, CT 06488

RE: *Letter of Reprimand – License No. 403, Complaint No.10-101*

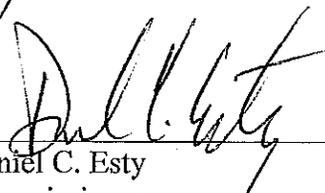
Dear Mr. MacCaskie:

The above-referenced complaint was referred to the State Board of Examiners of Environmental Professionals (“the Board”) by the Emergency Response and Spill Prevention Division of the Department of Energy and Environmental Protection’s (“DEEP”) Bureau of Materials Management and Compliance Assistance. The Complaint, issued by DEEP after an employee of DEEP reported that as the LEP directing the operator of a vehicle, trailer or other machine which by accident, negligence or otherwise caused the discharge, spillage, uncontrolled loss, seepage or filtration of oil or petroleum, you did not immediately report a discharge, spillage, uncontrolled loss, seepage or filtration of approximately 200 gallons of a petroleum product at 47-49 South Main Street, Newtown, CT and you failed to properly characterize the waste prior to disposal.

In accordance with the terms of the Consent Order for Complaint No. 10-101, authorized by the Board and issued by the Commissioner of Environmental Protection, you are hereby reprimanded for the failure to immediately report a spill on the Property and failing to properly characterize waste prior to disposal.

It is with our sincerest hope that the additional eight (8) Continuing Education Credits required by the Consent Order along with the two year peer review will enhance your abilities and ensure that the services you render in the future will be to the highest professional standards of this profession.

Dated this 19th day of January, 2012

By: 
Daniel C. Esty
Commissioner

Copy to file

COMPLAINT NO. 10-101	:	STATE OF CONNECTICUT
	:	
STATE BOARD OF EXAMINERS	:	DEPARTMENT OF ENERGY
OF ENVIRONMENTAL PROFESSIONALS	:	AND ENVIRONMENTAL
	:	PROTECTION
	:	
v.	:	
	:	
DENNIS MACCASKIE	:	

CONSENT ORDER

With the agreement of Dennis MacCaskie (“Respondent”), the State Board of Examiners of Environmental Professionals (“LEP Board”) finds that:

- A.
1. The Respondent is the holder of Environmental Professional License #403.
 2. The LEP Board received a complaint dated October 12, 2010, from an employee of the Emergency Response and Spill Prevention Division of the Connecticut Department of Energy and Environmental Protection (DEEP) concerning Respondent’s failure to immediately report a discharge, spillage, uncontrolled loss, seepage or filtration of approximately 200 gallons of a petroleum product at 47-49 South Main Street, Newtown, CT.
 3. By letter dated October 19, 2010, the LEP Board Coordinator gave notice to the Respondent that in accordance with Conn. Gen. Stat. §4-182(c), he would be provided with an opportunity to show that he was in compliance with all statutes and regulations concerning his LEP license.
 4. On November 10, 2010, an informal Compliance Meeting was conducted. Present at the meeting were the Respondent, Attorney William Spencer, Respondent’s counsel, Jeffrey

Loureiro and Robert Potterton, members of the LEP Board who were designated by the LEP Board to investigate the complaint, John Looney, Assistant Attorney General, and Kim Maiorano, LEP Board Coordinator.

5. By letter dated February 24, 2011, the LEP Board Coordinator informed the Respondent that he failed to show compliance with certain regulatory requirements associated with his LEP license.

6. Respondent, as an LEP directing the operator of a vehicle, trailer or other machine which by accident, negligence or otherwise caused the discharge, spillage, uncontrolled loss, seepage or filtration of oil or petroleum, failed to immediately report said spill to the Commissioner of DEEP (“Commissioner”) in violation of Conn. Gen. Stat. §22a-450 and RCSA §22a-133v – 6 (d)(2)(C).

7. Respondent in rendering professional services failed to properly characterize waste prior to disposal in violation of RCSA §22a-133v – 6(d)(2)(B).

8. Respondent denies the allegations contained in paragraphs 6 and 7.

B. Therefore, in accordance with Conn. Gen. Stat. §22a-133v(g), the LEP Board shall authorize the Commissioner to:

1. Issue a letter of reprimand to the Respondent concerning his failure to comply with the above-noted regulatory and statutory provisions. A copy of said letter of reprimand shall be placed in Respondent’s file maintained by the LEP Board.

2. Order the Respondent to take eight (8) Continuing Education Credits (CECs) in approved course/s devoted to the subject of RCRA waste management within one (1) year of the

entry of this Consent Order. Respondent shall file with the LEP Board Coordinator information describing the content of the course/s taken and proof of attendance at such course/s. Such course/s and credits shall be in addition to and shall not be counted toward compliance with the twenty four (24) CECs required during this biennial period or any future biennial period.

3. Order that for two (2) years from the entry of this Consent Order and for each parcel at which the Respondent provides professional services pertaining to verifications issued by Respondent during that period, Respondent shall have his work peer reviewed by another LEP prior to the issuance of a verification. The Respondent shall notify the LEP Board Coordinator in writing the location of each parcel at which his professional services pertaining to a verification are provided and the name and license number of each LEP who performs the peer review for each such parcel during this time period.



DENNIS MACCASKIE
RESPONDENT

THE STATE BOARD OF EXAMINERS
OF ENVIRONMENTAL PROFESSIONALS

BY: 

DENISE RUZICKA
It's Chairperson

Dated this 12 day of January, 2012

ENTERED AS AN ORDER OF THE COMMISSIONER

Dated this 18 day of January, 2012



for DANIEL C. ESTY, COMMISSIONER