



## State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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### New Jersey Department of Environmental Protection State Well Drillers and Pump Installers Examining and Advisory Board Meeting Minutes for November 16, 2023

*Approved by the Board on December 21, 2023*

**Board Members Participating Via Telephone/Microsoft Teams:** Art Becker (Chairman), Gary Poppe (Vice-Chairman), Joe Yost, Gordon Craig, Dave Lyman, Eric Hoffmann, Jeff Hoffman and Steve Domber

**Board Members Absent:** Richard Dalton

**Board Legal Representative Present:** Deputy Attorney General (DAG) Jill Denyes, NJ Division of Law

**NJDEP Water Supply (Bureau of Water Allocation and Well Permitting) Staff Present:** Steve Reya, Mark Ortega, and Steve Vargo

**Other NJDEP Staff Present:** Don Hirsch, Northern Water Compliance and Enforcement; Stephen Myers, Anthony Bevacqua, and Ryan Gergely, Climate Change, Clean Energy, & Sustainability

**Members of the Public:** Brian McGuire, MB Drilling; Dermot Dillon

#### 1. Call to Order and Introductions-

The meeting was called to order at 9:32 am with a quorum present via Microsoft Teams and telephone. Notice of the meeting and instructions on how to participate by video or phone were listed on the Board's website.

A. Becker congratulated J. Hoffman on his upcoming retirement. He added that this would be J. Hoffman's last meeting before he retires at the end of the month. A. Becker and the rest of the Board wished him a happy and healthy retirement. A. Becker then read a letter he prepared for J. Hoffman to the Board, which thanked him for his exemplary service to the Board and the State of New Jersey. J. Hoffman thanked the Board for the kind words and the work that they do for New Jersey.

**2. Review and Certification of the October 19, 2023, Meeting Minutes-**

A. Becker asked if anyone had any comments on the draft meeting minutes from October 19, 2023. No one had any comments.

**A motion to approve the draft minutes from October 19, 2023, as written, was made by G. Poppe, seconded by J. Hoffman, and approved by all except for D. Lyman and S. Domber, who abstained.**

**3. Set 2024 Board Meeting Dates-**

A. Becker read the list of proposed 2024 meeting dates to the Board:

Thursday, January 18, 2024	Thursday, July 18, 2024
Thursday, February 15, 2024	Thursday, August 15, 2024
Thursday, March 21, 2024	Thursday, September 19, 2024
Thursday, April 18, 2024	Thursday, October 17, 2024
Thursday, May 16, 2024	Thursday, November 21, 2024
Thursday, June 20, 2024	Thursday, December 19, 2024

The meetings are scheduled for the third Thursday of every month and will begin at 9:30 am. The January, March, May, July, September, and November meetings will contain full agendas. The February, April, June, August, October, and December meetings will contain shorter agendas for the Board to review license applications and continuing education course applications.

A. Becker opened the topic up for discussion. He added that he might be unavailable for the February and September meetings. G. Craig added that he might also be unavailable for the September meeting. None of the other Board members reported any conflicts.

The Board members agreed with the Department’s proposed 2024 meeting dates. S. Domber asked S. Reya to set up calendar appointments as soon as he can.

**4. Review and Certification of Well Driller and Pump Installer License Applications-**

A. Becker said that there are four license applications for review: one Pump Installer, two Environmental Resource and Geotechnical (ERG) Well Drillers, and one Vertical Closed Loop Geothermal (VCLG) Well Driller. It was noted that all applications for licensure were found to be administratively complete by the Department. A Becker asked if anyone had any comments on the license applicants. No discussion was needed.

**A motion to approve the four license applicants for licensure was made by J. Yost. This motion was seconded by S. Domber and approved unanimously.**

License Type	Applicant Name	Employer
ERG	Nicholas S. Parisano	SANO Drilling Inc.
Pump Installer	James A. Chattin	Municipal Maintenance Company
ERG	Greivin F. LaPorta	Hawk Drilling, Inc.
VCLG	Nick Phelps	Midwest Geothermal

M. Ortega asked to briefly discuss continuing education before moving on to the next agenda item. He informed the Board that he received an update from the National Ground Water Association

(NGWA) regarding Groundwater Week, which the Board had reviewed during the October meeting. He explained that there were four courses which the Board approved for one technical continuing education point (CEP) each, which were erroneously reported by NGWA. NGWA clarified that these four courses are 30 minutes each and will be combined to form two 2-hour courses. M. Ortega noted the following changes:

- Select the Right Submersible Motor to Power Your Pumping System: How Different Designs Impact Operations AND Unleashing Efficiency: Exploring the Potential of Permanent Magnet Motors in the Water Well Industry will be combined to form Motor Symposium Part 1, which will be one hour in duration.
- Motors-Understanding How and Why they Fail, Testing, and Solutions AND Motor Protection will be combined to form Motor Symposium Part 2, which will be one hour in duration.

M. Ortega also reported that the name of the course, Ever Changing and Essential Saga of Well Development in the Field will be changed to Evolution of Well Development in the Field: The Ever Changing Saga. He added that the course content, duration, and instructor will remain the same for this course.

**A motion to accept the changes reported by NGWA for Groundwater Week 2023 was made by J. Yost, seconded by S. Domber, and approved unanimously.**

#### **5. Ground Source Heat Pump (GSHP) Baseline Report Presentation-**

S. Reya introduced Stephen Myers, Anthony Bevacqua, and Ryan Gergely from the Department's Bureau of Climate Change, Clean Energy, and Sustainability. S. Reya explained that they were going to present information on the New Jersey Ground Source Heat Pump (GSHP) Baseline Report. S. Myers provided the Board with some background on the Bureau of Climate Change, Clean Energy, and Sustainability, which was established in 2010. Their Bureau does a lot of work with the Board of Public Utilities and other programs within the Department.

R. Gergely proceeded to give the presentation on the New Jersey GSHP Baseline Report. To summarize, their presentation covered the following topics: the current inventory of geothermal well systems in New Jersey, the history of geothermal well systems in New Jersey, current incentives for installing geothermal well systems, and recommendations to increase usage of geothermal well systems. A. Bevacqua discussed the tasks which have been assigned to the Bureau of Climate Change, Clean Energy, and Sustainability. At the conclusion of the presentation, R. Gergely thanked the staff from the Bureau of Water Allocation and Well Permitting and the Board for their time. Staff from the Bureau of Climate Change, Clean Energy, and Sustainability asked the Board if they had any questions on the presentation.

G. Craig expressed concern that their report stated that there are more open loop geothermal systems than closed loop geothermal systems in New Jersey. He added that open loop systems are less reliable than closed loop systems and often have problems associated with the long-term operation and maintenance. He felt that the report could potentially steer potential ground source heat pump customers to open loop systems based on them believing it is more popular in the state, which could have unintended adverse impacts. R. Gergely explained that the report was summarized at the property level and not the total number of wells. R. Gergely said that they would look at the report to ensure that it did not prioritize one system over another.

S. Domber inquired if they have conducted any studies regarding lot sizes and geothermal systems. A. Bevacqua said that they are working on that currently. G. Craig noted that lot size should not be a huge constraint as geothermal wells can be drilled on very small lots with limited rig access.

A. Becker expressed concern about the drilling industry's ability to meet the expectations set forth in the Energy Master Plan. S. Myers explained that the Energy Master Plan discusses the electrification of the entire energy grid, which includes options other than geothermal well systems.

J. Yost asked if there have been any reports of groundwater quality issues in areas around geothermal well systems. J. Hoffman explained that there have been national studies on this topic and no change in groundwater quality was discovered. S. Reya and J. Hoffman discussed the monitoring wells which were constructed at Princeton University to monitor water temperature changes for their geothermal well system.

A. Becker thanked A. Bevacqua, S. Myers, and R. Gergely for their time and said that the Board will be around to offer help if needed.

## **6. Bureau Field Work and Enforcement Update/Discussion of Notice of Non-Compliance (NONC) Time Requirement-**

### *Field Work and Enforcement Update*

S. Vargo discussed field work conducted by the Well Permitting Section since the last enforcement update. He added that Well Permitting is continuing to put conditions to witness the construction of wells. Well Permitting witnessed two wells be constructed over the course of three days. Both wells were in response to conditions placed on permits to notify the Department prior to drilling. Both instances resulted in properly constructed wells. One of the two wells was double cased and installed across the road from a site with known groundwater contamination.

S. Vargo said that Well Permitting sent out five NONCs for perceived violations. He also followed up on the 13 NONCs which were sent out in August. Of the 13 that were sent out, the Department received 10 responses. All 10 responses resulted in the NONCs being rescinded.

### *Discussion of NONC Time Requirement*

S. Reya asked for the opinion of the Board and D. Hirsch regarding Well Permitting's NONC process. He explained the current process and the purpose of NONCs, for those who were unfamiliar with the process. S. Reya explained that the cover letter that is attached to the NONC currently gives the person and the company 45 days to respond in writing to the Department. S. Reya noted that the 45-day period is not currently linked to any rules or laws. He asked D. Hirsch and the Board if they believed it was reasonable to reduce the required response time from 45 days to 30 days. E. Hoffmann added that Licensed Site Remediation Professionals usually get seven days to respond to a violation. D. Hirsch added that the time can be reduced even further than 30 days in more serious situations, but ultimately it is up to the program. The Board agreed that 30 days is more than reasonable.

A. Becker asked what happens to individuals who do not respond to NONCs for long periods of time. D. Hirsch explained the additional penalties that can be imposed based on Subchapter 4 of the Well Construction and Maintenance; Sealing of Abandoned Wells rule, N.J.A.C. 7:9D.

A. Becker asked for a follow-up on the older violations that the Department had reported on a few months ago. S. Reya said that there is no current update and that Bureau staff members have not forgotten about the topic.

### *Other Topics*

J. Hoffman talked briefly about the various wind farm projects throughout New Jersey and how certain projects might involve horizontal directional drilling (HDD). He added that one was already installed on Long Beach Island and another in Island Beach State Park, but these were sealed, without the Department's knowledge, after one of the wind farm projects was abruptly cancelled. J. Hoffman expressed concerns about these HDD wells not being appropriately grouted but explained that a mitigating factor might be the shallow depth at which these HDD wells were installed. Due to the shallow depth, it is not expected to affect groundwater quality.

S. Reya talked about the Department's desire to regulate HDD in New Jersey and discussed the Science Advisory Board report. J. Hoffman said that the Department will soon start to work on a guidance document for HDD.

A. Becker asked about the wick drain project, which was discussed during the October meeting. S. Reya said that he had heard back from the consultant shortly after the October meeting, in response to the Department's letter noting that the Board evaluated the issue and reiterated that the contractor must comply with the statute and rule requiring that one licensed driller is onsite for each rig. He did note, however, that the cancellation of some offshore wind projects may impact site activities at this site and that at this time it is not clear how much of the proposed work will continue.

### **7. Program Updates-**

S. Reya informed the Board that a new Environmental Services Trainee would soon be starting in the Technical Assistance and Licensing Unit. This person will be filling the entry-level backfill left by J. Mattle.

S. Reya discussed the Well Permitting Section's involvement with the League of Municipalities conference in Atlantic City. S. Reya and M. Schumacher attended the conference on separate days and manned the Water Supply and Geoscience table with staff from the Bureau of Safe Drinking Water and the Bureau of Water Systems Engineering. S. Reya said that Well Permitting's goal was to bring greater awareness to homeowners and local/county officials in lake communities. Wells drilled in these areas often do not meet current construction standards and do not meet current setback distances and casing requirements.

### **8. New Business-**

A. Becker reminded the Board that their terms expire in February. He asked the Board members to convey to S. Reya whether they wished to serve another term as soon as possible. A. Becker asked S. Reya about ethics training for the Board. S. Reya said that there were a few stragglers from the summer who had not yet completed their required ethics training and that he would contact them separately.

### **9. Adjournment-**

A. Becker thanked everyone for attending the meeting. The next meeting will be held on Thursday, December 21. A. Becker thanked J. Hoffman and wished him a happy and healthy retirement.

**A motion to adjourn the meeting at 10:58 am was made by J. Yost. This motion was seconded by G. Poppe and approved unanimously.**