



State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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STATE WELL DRILLERS AND PUMP INSTALLERS
EXAMINING AND ADVISORY BOARD

State Well Drillers and Pump Installers Examining and Advisory Board Meeting Minutes for January 26, 2012

Board Members Present: Art Becker (Chairman), Gary Poppe (voted Vice-chair at this meeting), Richard Dalton, Joseph Pepe and Joe Yost

Board Members Absent: Carol Graff, Karl Muessig, Fred Sickels

Board Legal Advisor Present: Jill Denyes, DAG (attended the PM session)

NJDEP Bureau of Water Allocation & Well Permitting Staff Present: Terry Pilawski, Pat Bono, Steve Reya, Julia Altieri, and Melia Stoop

Other NJDEP staff present: Kristin Tedesco (Division of Water Supply, attended the PM session only) and Jeff Hoffman (Compliance & Enforcement, attended the AM session only)

Member(s) of the Public who attended the morning session: Robert Feuer, Eric Hoffman and Jeff Campbell

1. **Call to Order – Chairman** Art Becker called the meeting to order at 9:30 am with a quorum present.
2. **Review of Minutes from November 22, 2011 Meeting –**
A motion to approve the minutes without change was made by G. Poppe, seconded by A. Becker and approved unanimously.
3. **Testing & Licensing Issues-**

Review and Certification of Exam Applicants for the December 15, 2011 Master, Journeyman, Journeyman B, Monitoring, Soil Borer and Pump Installers Exams--

Master – A motion to approve the exam score for the sole applicant for the exam was made by J. Pepe, seconded by G. Poppe and approved unanimously.

Journeyman - A motion to certify the exam scores was made by G. Poppe, seconded by J. Yost, and approved unanimously.

Journeyman B – A motion to certify the exam scores was made by R. Dalton, seconded by A. Becker and approved unanimously.

Monitoring – A motion to certify the exam scores was made by R. Dalton, seconded by G. Poppe and approved unanimously.

Soil Borer – A motion to certify the exam scores was made by J. Yost, seconded by G. Poppe and approved unanimously.

Pump Installer – Board members noted that while most of the applicants had passed the technical section, none had passed the regulatory part of the exam. The hope is that future applicants will benefit from classes offered for the upcoming continuing education program. A motion was made to certify the exam scores by J. Yost, seconded by J. Pepe and approved unanimously.

4. **Licensing Topics**

Pump Installer Exam Challenge by John Thorson, AC Schultes Inc. Mr. Richard Gardner, who is the production manager for A.C. Schultes, Inc, had submitted a letter on behalf of Mr. Thorson expressing his opinion that the test answer as graded by the Department is not correct. The question pertains to performing a continuity test on a submersible well pump. A motion to discuss the question in executive session was made and approved unanimously at 10:15 am. The Board returned to open session at 10:25 am.

The Board determined that the question was worded properly and that the applicant's answer was incorrect. Mr. Thorson's score will remain unchanged.

Pump Installer Test Survey Update- Since none of the most recent set of test candidates passed the pump installer exam, the responses to the survey were carefully reviewed and discussed. A number of the candidates had passed the technical portion but failed the regulatory section. A. Becker noted that the responses indicated that people had studied the regulations an average of eight hours. This would appear to be sufficient provided the regulations were understood. The list of suggested study materials is short and members felt that test takers should be able to get through the material. Members expressed a desire to get the continuing education program up and running as soon as possible since training sessions would also help candidates prepare properly for exams. Board members also noted with concern that a number of the test takers are currently working without proper supervision which amounts to working without a license.

G. Poppe mentioned that NJGWA will be holding a training seminar on pump installation and offered to invite the recent test candidates to the event. Well permitting staff will supply a list of the recent test candidates to him.

5. **Board Business: Reappointment of Board Members, Status Update -**

Chairman Becker explained that he had been notified in writing that Anthony Tirro has not been reappointed to the Board. P. Bono reported that there has been no word yet on the reappointment of the other Board members. Although the appointments are made by the Commissioner, they are awaiting a review from the Governor's office. A Becker will draft a letter thanking Mr. Tirro for his many years of service to the Board. A. Becker noted that vacancies on the Board make it challenging for the required quorum to be present at a meeting. T. Pilawaski will provide a contact person in the Commissioner's office for A Becker to request to have all appointments filled and renewed. Mr. Tirro

had been serving as the Board's Vice-chair. The role of a vice-chair is essential to meetings when the chairman cannot be present. J. Yost made a motion to appoint G. Poppe as the Vice-Chair for the remaining portion of the year term (until May). The motion was seconded by J. Pepe and approved unanimously.

6. The meeting dates for the **2012 Board Meeting Schedule** have been publicly noticed and set as follows:

Thursday-January 26th

Thursday-July 19th

Thursday-March 15th

Thursday-September 13th

Thursday-May 24th

Thursday-November 29th

Two conference calls, which are to be held for solely for the approval of well driller and pump installer exam scores, were also published:

Thursday, May 3rd, 2012 and Wednesday, November 7th, 2012

7. **Board Business: Enforcement Activities**

J. Altieri gave a summary of the Enforcements Activities & fines issued during the past two years. There has been an increase in the level of activity over the past year. G. Poppe suggested making these activities more visible to the drilling community and the public would help to have a greater impact as a deterrent. Many states post violation and fine histories.

T. Pilawski mentioned that she is working to address the backlog of paper decommissioning reports waiting to be reviewed. Holly Papp will be returning to help provide more of a field presence. She also adds that she wants to quickly get the updated rules in place so that folks who do enforcement activities have the proper regulatory tools needed to address violations. She is planning to have staff out the field at least once per week.

J. Hoffman wants to have the needed regulatory support to check licenses and permits in the field as well as to be able to revoke or suspend licenses when warranted. There was a general discussion about the increased level of coordination between the well permitting program and enforcement as well as between the enforcement field offices and local health departments.

8. **Board Business: Licensing Activities**

S. Reya noted that copies of our current exams for soil boring and monitoring licenses have been provided to the National Ground Water Association (NGWA) for review. P. Bono mentioned that earlier the well permitting program had been advised that a dual track program using NGWA could be established prior to the adoption of rule amendments as long as the current testing process was kept in place.

9. Technical Topics

Robert Feuer of Smarter Energy Now came before the Board to recommend the acceptance of direct expansion (DX) geothermal systems in NJ. He has been working in to install DX geothermal systems in NY, NJ & Connecticut. He participated in the recommendations for writing Connecticut's criteria for installing these systems, including regular inspections of sacrificial cathodes and requirements for well driller licensing. In Connecticut, DX geothermal systems inspections are regulated as part of the HVAC requirements. His company uses a PVC stabilizer to help insure that the uncoated copper casing is centered in the borehole and does not use a water-based circulating fluid. Many of their borings are drilled on radial angles. Because of this, his company's system does not have any method for decommissioning geothermal wells when they begin to fail or are no longer needed. He estimates that these geothermal wells can be installed for about \$90.00 per borehole and typically measure about 100 feet deep. His company primarily installs residential systems.

Eric Hoffman of Shaw Environmental, Inc., made a second appearance before the Board to present an update on the bench test for an alternative decommissioning method for two types of electrodes installed at a remediation site in Maplewood, NJ. The Board had requested the bench test prior to approving his request for a deviation based on site-specific conditions. Mr. Shaw and his colleague Jeff Campbell brought samples from the bench test which illustrated that the grout injection technique thoroughly penetrated the full diameter of the simulated borehole.

Based on the bench test results, the Board recommended that the Department approve the deviation request for decommissioning all electrodes at the site. The motion was made by G. Poppe, seconded by J. Yost and approved unanimously.

Update on the Agreenability pilot geothermal project: S. Reya provided an update on the pilot demonstration for the installation of a closed loop geothermal system. It is anticipated that this will take place in February. G. Poppe expressed an interest in attending. A. Becker requested S. Reya to keep members of the Board updated as appropriate.

Update on the approval of three Baroid Geothermal grout mixes: Barotherm Gold 1.2. (pre-packed), Barotherm-400 lb sand mix and Barotherm max. R. Dalton raised the concern that one of the submitted samples exceeded the Department's maximum permeability standard. S. Reya pointed out that the "failed" sample was listed as being at the end of the batch and that a second, separate sample from the same mixture had met the permeability standard. S. Reya will request additional information on the full sample report to address these concerns.

10. Status and Development of Amendments to the Well Rules

T. Pilawski introduced Kristin Tedesco as the rule manager for the well rule amendments. She explained that K. Tedesco and Kati Wessling are working with the well permitting program to prepare the well rule. To date, staff members have worked to amend Subchapter 1 and 2 with some additional work on Subchapter 3. The proposal of amendments will also establish the Board's procedures for licensing, continuing education requirements and suspension and revocation of licenses. The rule launch

meeting was held last December and the presentation to the Commissioner is scheduled for February 6th. T. Pilawski mentioned that the main priorities of the Division Director, Fred Sickles, is to address those regulations that pertain to geothermal well systems, methods for approving new materials and technologies and to establish the continuing education program. A. Becker acknowledged that these are needed in the rules but also emphasized that the amendments need to address the requirements that govern the actual well construction, maintenance and decommissioning activities. Many of these are outdated and as a matter of practicality, encourage non-compliance or make it impossible to employ current techniques within the industry.

T. Pilawski and K. Tedesco provided a description of the next steps in the rule process and timing of the rule process and timeframes. K. Tedesco and P. Bono asked the Board members for a number of clarifications that are needed on a variety of smaller issues for the writing the rule provisions, including the definition of appurtenances. The topic of unlicensed people who routinely open wells to work on pumps came up. Also during the session a discussion of who should be qualified to disinfect public community supply wells concluded that master, journeyman, journeyman B and pump installer licensees should be allowed to do so.

G. Poppe and J. Pepe reiterated that a pump installer license or higher is needed to open a well in accordance with the Act as well as the regulations. An extensive discussion took place regarding the meaning of the journeyman vs. the master license. It was proposed that a Journeyman license holder be allowed to drill a Category 1 public community water supply well under the project management and oversight of a master well driller. This motion was made by J. Yost and seconded by R. Dalton and was approved unanimously by all present. One of the concerns raised by Board members regarding the construction of public community supply wells is that engineering firms design wells without consulting a licensed well driller for compliance with NJ state well construction regulations. Another point is that it is difficult for a journeyman to qualify to sit for the master license exam due to the few numbers of community wells installed annually. Master candidates are required to submit permits and records for five wells as experience and the construction of some wells may take months. This means that only experience obtained during the installation of a new well is currently accepted. The Board members suggested that work on the modification and decommissioning of public community supply wells should also count towards the experience requirement. After further discussion, a second motion was made by G. Poppe and seconded by J. Yost to require that a master driller apply for permits for public community water supply wells and shall act as a project manager responsible for all well drilling activity subject to Subchapters 1, 2 and 3 of the well regulations. All members present voted to approve this motion.

Board members voiced their support for the success of the rule amendments. The need to revise the construction and decommissioning subchapters for the sake of the drilling industry was again emphasized by the members. A. Becker offered to provide whatever assistance the DEP staff may need for drafting the rule provisions.

A motion to adjourn was made by G. Poppe and seconded by J. Yost at 3:50 PM.
3:50pm -Motion to Adjourn: Gary Poppe 1st, Joe Yost 2nd.