



State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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NJ STATE WELL DRILLERS AND PUMP INSTALLERS
EXAMINING AND ADVISORY BOARD

New Jersey Department of Environmental Protection NJ State Well Drillers and Pump Installers Examining and Advisory Board Meeting Minutes for January 15, 2015

Approved by the Board on March 19, 2015

Board Members Present: Art Becker (Chairman), Gary Poppe (Vice-Chairman), Gordon Craig, Joe Pepe, Carol Graff, Steve Doughty, Richard Dalton, and Dr. Karl Muessig

Board Members Absent: Joe Yost

Board's Legal Representation: Jill Denyes, Deputy Attorney General (DAG), NJ Division of Law

NJDEP Bureau of Water Allocation & Well Permitting Staff Present: Terry Pilawski, Pat Bono, Steve Reya, Julia Altieri, Michael Schumacher, Monique Girona, Brian Buttari and Melia Stoop

Other NJ DEP Member Present: Bryan Barrett, Water Compliance and Enforcement-Central Region

1. Call to Order –

The meeting was called to order by Chairman A. Becker at 9:38am, with a quorum present.

2. Review and Certification of the Minutes for the November 20, 2014 Meeting-

A motion to approve the meeting minutes without change was made by K. Muessig, seconded G. Craig and approved by all members present, with the exception of G. Poppe, who abstained as he was not present at the November meeting.

3. Review and Certification of Exam Scores for the December 10, 2014 Journeyman, Journeyman B, Monitoring, Soil Borer and Pump Installers Exams –

Master – There were no applicants for the master exam.

Journeyman - A motion to approve all listed exam scores and approve passing candidates was made by G. Poppe, seconded by G. Craig and approved unanimously.

Journeyman B – A motion to approve all listed exam scores and approve passing candidates was made by J. Pepe, seconded by R. Dalton and approved unanimously.

Monitoring – A motion to approve all listed exam scores and approve passing candidates was made by G. Craig, seconded by C. Graff and approved unanimously.

Soil Borer – A motion to approve all listed exam scores and approve passing candidates was made by S. Doughty, seconded by K. Muessig and approved unanimously.

Pump Installer – A motion to approve all listed exam scores and approve passing candidates was made by G. Craig, seconded by G. Poppe and approved unanimously.

4. Discussion of Pump Installer Exam Scores and Exam Survey-

S. Reya pointed out that only one (1) of six (6) applicants passed the exam, however, only one (1) score on either of the two (2) sections of the exam was below 70 percent. Therefore, he felt that despite the low passing rate, the overall scores were respectable and may indicate that applicants are reviewing the appropriate study materials. He also noted that only one score on the regulatory portion was below a 75, which is only one question away from passing that section. The study guide materials are bundled with the exam application online for easy accessibility. For the past few years the guide has been provided to help applicants better prepare for this section of the exam, which has historically been problematic.

5. 2015 NJ State Well Driller & Pump Installers Examining and Advisory Board Meeting

Schedule-The 2015 Board meeting and well driller/pump installer exam schedules were provided to Board members. Board meetings are as follows:

Thursday, January 15, 2015

Thursday, March 19, 2015

Thursday, May 21, 2015

Thursday, July 23, 2015

Thursday, September 17, 2015

Tuesday, November 24, 2015

In addition, two conference calls will be held to certify the April and October exams scores.

These calls will be held at 10:00AM on Thursday, April 23rd and Thursday, October 29th

Exams will be administered on:

April, 2015

Application Deadline is March 1st

June 10, 2015

Application Deadline is May 15th

October 7, 2015

Application Deadline is September 1st

December 9, 2015

Application Deadline is November 15th

6. Discussion on Licensees Who Failed to Renew Licenses-

A list of licensees who failed to renew well driller/pump installer licenses by the end of the licensing cycle on June 30, 2014 deadline and the 6-month grace period on December 31st were provided to the

Board members. There were 126 licenses on the list. A \$50 late fee is imposed on licensees who renew between July and December. S. Reya reported that two license holders had sent a check to the Department of Treasury after the June 30th deadline for the full license fee but have failed to pay the late fee. A discussion ensued as to whether it was reasonable to allow these two individuals (one Master driller and one Pump Installer) a reasonable amount of time to remit the late fee in order to reinstate the license without re-testing, as stipulated in the well regulations.

G. Craig motioned to extend the late payment fee acceptance period to allow for payment to be made within thirty (30) days of a certified letter to be sent by the Department. The motion was seconded by G. Poppe and approved unanimously. S. Reya will draft the letter and send it to the two (2) referenced individuals. The licenses will be reinstated if payment of the late fee is submitted within the thirty (30) days.

7. Reminder to Continue Work on the Module for the Master Well Driller License-

Several Board member volunteers will be assisting P. Bono and S. Reya this afternoon as they finalize the Master Well Driller exam module. This module is intended to be provided to the National Ground Water Association (NGWA) for inclusion in their testing program when the Department's updated well regulation rules become effective. In addition to taking existing well drilling and pump installation technical modules currently utilized by NGWA, applicants seeking NJ Master Well Driller licenses would be required to take the NJ Master exam module through NGWA's testing vendor.

8. Discussion of Exam Application submitted to DEP Staff for April 1, 2015, Exam. –

Brian Buttari, an employee of the Bureau of Water Allocation & Well Permitting, submitted an application to take the Monitoring Well Driller Exam on January 6th. Review of his application raises several issues that must be addressed prior to making a determination of eligibility:

1) proximity and accessibility to the driller exam tests; 2) applicability of Well Permitting Program tasks towards the three-year experience requirement as set forth in the rules; 3) potential conflicts of interest stemming from allowing one licensed driller to take action against another licensed driller. Art Becker brought the meeting into an Executive Session to review the specifics of the application by the Board members with Steve Reya.

10:50am Executive (Closed) Session Meeting began

11:50am Executive session is ended and the Open Meeting is brought back to Order by Art Becker.

Once the meeting was re-opened, Steve Doughty made the following motion:

“I move to reflect that the Board, upon review of the information provided by Bureau of Well Permitting staff regarding the qualifications of Mr. Brian Buttari to sit for the upcoming Monitoring Well license exam, concurs that said applicant does not currently appear to possess the requisite well drilling experience (i.e. 3 years under the direction of a licensed well driller)(Note: 1500 hours has generally been accepted in such cases to represent one year of experience). Accordingly, Mr. Buttari should be given an opportunity to further justify the historic well drilling experience listed on his exam application, specifically to demonstrate/clarify the proportion of time during his college years and professional career at NJDEP dedicated to actual related work (i.e. performing qualified well drilling activities) under the direct supervision of a licensed driller.”

The motion was seconded by Gordon Craig. The vote was unanimous in the affirmative, except for Karl Muessig who abstained.

9. Complaint against D&L Well Drilling/ Pump Installer Ed Del Carlo-

Chairman Art Becker presented to the Board members a copy of his letter addressed to the attorney representing Mr. D. Pederson regarding a complaint filed against pump installer E. Del Carlo. This request was reviewed and discussed at the November 20th Board meeting. The letter, dated January 15th will be signed by Chairman A. Becker. A copy of the letter will also be sent to Mr. Del Carlo. The letter summarizes the findings of the Board. The Board concluded there was no violation of N.J.A.C. 7:9D and N.J.S.A. 58:4A-12, therefore the Board finds no basis for taking further action against Mr. Del Carlo's license based upon the information presented in Mr. Pedersen's complaint.

10. Update on Evaluation of GA XTRA Geothermal Grout mix by Geo Energy Alternatives (GEA)-

S. Reya said he is waiting for the time vs. permeability graph generated by the independent lab that conducted the permeability testing for this product. This information along with the data supporting the final permeability value provided in a cover letter by the independent lab is needed before a final decision can be made by the Board. He will reach out to the GEA representative regarding the outstanding documentation.

11. Enforcement and Field Work Activities Update (Julia Altieri)-

A) A hearing between the Department and licensed well driller, Glenn Slater, originally scheduled for December 15 has been adjourned and rescheduled for June 9 and 10, 2015. Mr. Slater is contesting two fines assessed against him. The Department alleges that he illegally modified a well without filing for a well permit application and failed to comply with a notification provision that was a stipulation of an approved decommissioning plan issued for an industrial well. Mr. Slater has requested to subpoena quite a few people to appear as witnesses and the Department's legal counselor for this case is questioning the basis for this need since some individuals have had no connection to this particular case. The Judge is allowing Mr. Slater additional time to make present his reasons. A conference call is scheduled for February 2, 2015 to resolve the issues of Subpoenas.

B) Two (2) new enforcement cases pertaining to improper well construction in the southern part of the state have recently been undertaken by the Department. Formal documents have been drafted and forwarded to the Southern Bureau of Water and Compliance Enforcement.

1) One case involves Smith Well Drilling Company. The Department recently received notification that an unpermitted domestic well drilled in 2009 in Middle Twp., was not identified in a routine well search conducted by Cape May County Health department staff when reviewing an application for a neighboring septic system. As a result, the approved septic system for a commercial building was installed closer than the minimum required setback distance. The Department issued a notice of noncompliance (NONC) in September, 2014 to the well driller. The driller has admitted he installed the well without a permit. The Department will continue to mandate that the unpermitted well be decommissioned and be

replaced with a permitted, conforming well. In addition, since the well construction is unknown, the required decommissioning will consist of over drilling the well casing and grouting the open borehole. As a condition of the decommissioning plan approval, the driller is required to notify the Department so that the activity can be witnessed by WP staff.

- 2) The second case involves a double cased domestic well drilled by Hoover Garrison Well Drilling in 2013 in Commercial Twp. Cumberland Co. that is believed to be improperly grouted with insufficient quantity of cement grout for sealing the outer casing within the borehole. The driller was sent a notice of non-compliance (NONC). The Department also insists that this well be decommissioned by over drilling the well casing and grouting the open borehole to correct the problem. Department staff will continue to work with Mr. Hoover Garrison to have the well decommissioned and replaced by a conforming well, with the intent of having WP staff witness this activity.
- C) Field work: Well Permitting Section staff members, Brian Buttari and Michael Schumacher assisted the New Jersey Geologic and Water Survey (NJGWS) with conducting borings in the location of a recently discovered several hundred year old shipwreck in Brick Township. NJGWS was tasked with delineating the location of the shipwreck, discovered during a sea wall construction project. K. Muessig noted that the work was being performed as part of a federally funded Superstorm Sandy shore recovery project.

12. Bureau Updates-

Staff Leaving- T. Pilawski announced that Letitia Jones will be leaving the Bureau of Water Allocation and Well Permitting shortly to pursue other opportunities and complete her geology degree. Bureau staff has been interviewing replacement candidates over the past few weeks.

Other Bureau Updates- P. Bono provided an update on continuing efforts to encourage submission of outstanding well records from delinquent contractors. The Bureau continues to focus efforts on the most egregious companies when it comes to submitting well records within the required timeframe. She also informed Board members that the Department's "Permit Extension Act" has again been signed into effect. This latest extension pushes permit expiration dates out one additional year for permits covered by the Act. She also stated that she will soon be working on a checklist to help the well drilling/pump installation community comply with the USEPA/NJDEP Safe Drinking Water Ground Water Rule. The checklist is designed to assist with developing a corrective action plan for public water systems where Fecal Coliform/E. coli are found.

Information Technology- M. Schumacher discussed website and electronic well permitting system (ePermitting) updates and provided information on some enhancements on which he is currently working. Most are geared towards making the permitting portal (RSP) more user friendly for the well drilling community.

12:30pm-Adjournment- A motion to adjourn was made by Gary Poppe, seconded by Gordon Craig and approved unanimously.