



State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION

CHRIS CHRISTIE
Governor

BOB MARTIN
Commissioner

KIM GUADAGNO
Lt. Governor

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New Jersey Department of Environmental Protection NJ State Well Drillers and Pump Installers Examining and Advisory Board Meeting Minutes for March 16, 2017

Approved by the Board on July 20, 2017

Board Member Attendance:

Present

Art Becker (Chairman)
Gary Poppe (Vice-Chairman)
Joe Yost
Richard Dalton
Carol Graff
Steve Domber
Jeff Hoffman

Absent

Gordon Craig
Joe Pepe

Board Legal Representative: Robert Guzek, Deputy Attorney General (DAG) & DAG Jill Denyes (DAG), both with the NJ Division of Law

NJDEP Bureau of Water Allocation & Well Permitting Staff Present: Terry Pilawski, Pat Bono, Julia Altieri, Steve Reya, Michael Schumacher, Akinsana Ode, Brandon Carreno and Melia Stoop

NJDEP, Water Compliance & Enforcement: Bryan Barrett

Call to Order-

The meeting was called to order by Chairman Art Becker at 9:50 am with a quorum present.

Introductions-

Jill Denyes, DAG, announced that she will no longer be able to serve as the Board’s legal counsel due to scheduling conflicts with another state Board assignment. She introduced Robert Guzek, DAG, who will now serve as Board’s legal advisor. On behalf of all the Board members, Chairman Art Becker presented with J. Denyes with a letter commending her dedication to the Well Driller and Pump Installer Advisory Board over the last seven years and good wishes in her future endeavors.

It was further noted that R. Dalton recently celebrated his 50-year anniversary as a state employee. He was presented with a letter, signed by Chairman Art Becker on behalf of the Board members, commending his dedication and service to NJ residents over the past 50 years.

- 1. **Administrative Order No. #2017-02**, which appointed the individuals listed below to serve as members of the State Well Drillers and Pump Installers Examining and Advisory Board. Effective March 9, 2017, each member is appointed for a term of three years.

MEMBERS

Art Becker
F. Gordon Craig
Richard Dalton
Steven Domber
Carol Graff
Jeffrey Hoffman
Joseph Pepe
Gary Poppe
Joseph Yost

CAPACITY

Master Well Driller
Licensed Well Driller – any class
NJDEP Representative
NJDEP Representative
Public Member
NJDEP Representative
Licensed Pump Installer
Master Well Driller
Master Well Driller

- 2. **Review and Certification of the Minutes for the January 26, 2017 Meeting –**
One suggested revision was noted under item 10 of the January 26, 2017 draft meeting minutes. A statement, which mentioned when DAG Denyes left the meeting, was included twice. It was noted that this reference should be deleted from item #10 and left in #11.
A motion to approve the minutes, with the one change noted above, was made by G. Poppe, seconded by C. Graff and approved unanimously

- 3. **Review and Certification of Well Driller and Exam Applicants for the April 6, 2017 Master, Journeyman, Journeyman B, Monitoring Well Driller, Soil Borer and Pump Installer License Categories –**

Master– A motion to approve one (1) listed license exam applicant was made by G. Poppe, seconded by Joe Yost and approved unanimously.

Journeyman- A motion to approve two (2) listed license exam applicants was made by Joe Yost, seconded by Carol Graff and approved unanimously.

Journeyman B- A motion to approve three (3) listed license exam applicants was made by Gary Poppe, seconded by Richard Dalton and approved unanimously.

Monitoring- A motion to approve thirteen (13) listed license exam applicants was made by Jeff Hoffman, seconded by Joe Yost and approved unanimously.

Soil Borer- A motion to approve five (5) listed license exam applicants was made by Carol Graff, seconded by Gary Poppe and approved unanimously.

Pump Installer – A motion to approve five (5) of the listed license exam applicants was made by R. Dalton, seconded by Carol Graff, and approved unanimously.

4. 2017 Board Meetings and Conference Call Dates-

Board members were reminded that 2017 meetings are scheduled for the following dates:

- May 25, July 20, September 21 and November 21
- Two (2) conference calls will be held to review/approve the April and October Exam scores. The conference calls will take place on April 27, 2017 and October 26, 2017.

5. Senate Bill #2891- Proposal requiring Attorney General supervision of occupational and professional licensing boards-

There is a proposed bill which would require State Attorney General Supervision of occupational and professional licensing Boards. Clarification was requested as to whether any language in the proposal would impact the Board. J. Denyes explained the origin of this bill proposal and concluded that it is unlikely that anything in the proposal would have any adverse or significant impact on the current operation of the Board.

6. Update on the Board Request to witness field pilot demonstration for remediation of unpermitted geothermal wells-

As part of a continued discussion from the last meeting, Department staff had pursued the feasibility of accommodating the Board's request to have some members present to observe the effectiveness of a proposal to recondition an illegally installed closed loop geothermal system numbering several dozen wells. This request had been raised by the T. Pilawski to management and she explained that there were a number of concerns associated with this request including liabilities associated with access, safety and the intended role for the participating Board members. Several details could not be discussed openly as this is an ongoing enforcement case and the Department does not share certain information until a public document or action is taken. Before getting into specific questions and concerns regarding these liabilities, J. Denyes suggested that a closed session to freely discuss these would be appropriate. A motion was made by G. Poppe,

seconded by J. Yost and approved unanimously to go into a closed session at 10:33am to discuss issues related to potential litigation in which the Board may become a party or to which the Board members may be called as witnesses. The closed session ended at 11:15am and a brief break was called to allow others to reenter the room.

Following return to open session at 11:30 am the following motion was made by J. Yost:

Based on the concerns of the Board members regarding the difficulty of the proposed activity, the Board strongly recommends that the Department hire an independent NJ licensed driller of the proper class with expertise in the drilling and installation of closed loop geothermal wells to be present on site for the pilot demonstration. If the Department is not able to hire such an expert as described, the Board recommended that one licensed Board member with experience in geothermal drilling be present on site for the pilot demonstration to assist the Department with interpreting and evaluating the effectiveness of the rehabilitation and re-installation of the wells.

Further, the Board recommended that the Department require that only an experienced NJ licensed driller of the proper class operate the drill rig during the pilot demonstration; specifically excluding an unlicensed person to work under the supervision of a NJ licensed driller.

The motion was made by J. Yost seconded by G. Graff and approved unanimously.

7. Drought Update by Steve Domber-

S. Domber provided an update on hydrologic conditions across the state and provided colored graphs to visualize several trends between January 2015 and March, 2017. He noted that over the last year average temperatures have been warmer; while total precipitation has been lower than average. He discussed how the ground water levels vary by county and reservoir levels are also tracked. Some reservoirs have recovered they are still below normal on average and additional spring precipitation will be necessary to restore desired levels to cope with summer demand.

8. Horizontal Directional Drilling (HDD) by Richard Dalton-

At the November and January meetings, the subject of developing guidance to address the need for proper decommissioning of abandoned horizontal directional drilling (HDD) projects in which the installation of the utility line/piping has failed. Currently, these open boreholes, many of which are large diameter or lengthy, will transgress across different water bearing zones or serve as direct conduits for surface to groundwater contamination. In response, R. Dalton, M. Schumacher and Akin Ode, who works in the Water Allocation Section, recently met to begin drafting a guidance document, which will be provided to the Department's Office of Permit Coordination to give information to other

programs for implementing contingency plans that require grouting of these large diameter boreholes that have the potential to adversely impact the State's ground water resources.

- 9. Update on Well Rules:** T. Pilawski noted that the draft revisions to the well rules, N.J.A.C. 7:9D are currently under review in the Governor's office. A. Becker said that he was going to a meeting with Denis Crayon and John Robbins, who will all be representing the New Jersey Ground Water Association (NJGWA) at the Governor's Office on Wednesday, March 22, 2017. They will be inquiring as to the status of the rule proposal review.

10. Summary of Enforcement & Field Activities -Julia Altieri -

A summary of Well Permitting Program's enforcement and field activities over the past seven (7) weeks was presented by Julia Altieri.

A) Field work-

Well Permitting Section staff performed six (6) field inspections during the past seven (7) weeks. Well permitting staff witnessed two (2) well decommissioning that were a result of wells drilled before a driller had obtained a permit, one domestic and one monitor well. In both cases, the wells were ordered sealed by the Department. Staff also witnessed one (1) new test well (intended for future public supply) construction (at Stillwater) and conducted two (2) days of follow up field work concerning several ongoing investigations of illegally constructed wells. A Phase 2 assessment investigation was also performed.

B) Pending settlement of well drilling violations-

The Bureau is working with the Central, Northern and Southern enforcement regions towards settlement of confirmed well construction violations involving several different well drilling companies. Bureau staff will be onsite to witness the decommissioning of these wells over the coming weeks. Further enforcement action is anticipated as it becomes necessary to document and resolve all outstanding issues.

Meeting Adjournment

A motion to adjourn was made by G. Poppe at 12:11 pm, seconded by J. Yost and approved unanimously.