



## 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 Conference Call Minutes for December 20, 2018

*Approved by the Board on January 17, 2019*

**Board Members Present at NJDEP Headquarters Building:** Steve Domber

**Board Members Participating Via Telephone:** Art Becker (Chairman), Gary Poppe (Vice Chairman), Joe Yost, Gordon Craig, Joe Pepe, and Richard Dalton

**Board Members Absent:** Jeff Hoffman, Carol Graff

**Board Legal Representative Participating Via Telephone:** Deputy Attorney General (DAG) Robert Guzek, NJ Division of Law

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

**1. Call to Order-**

The meeting was called to order at 10:05 am with a quorum present via telephone.

**2. License Application Review-**

**Environmental Resource & Geotechnical (ERG) License** – A motion to approve one (1) license applicant, Veerabhadra Rao Bhagavathula, was made by G. Poppe, seconded by J. Yost and approved unanimously.

**3. Department Charges Against an Improperly Licensed Individual for Determination of Holding a Board Hearing for Potential License Sanctions-**

Bureau staff advised the Board that the presentation of charges against a licensed Pump Installer for the determination of whether the Board chooses to conduct a hearing for potential license sanctions will not occur at the January 17, 2019 meeting as initially planned. After review of the Department's memo, which was sent to the Board on December 19, 2018 (a minimum of 30 days prior to the hearing of the charges as required by N.J.A.C. 7:9D) some language changes were

suggested. Therefore, once revised by the Department, the document will have to be sent to the Board a minimum of 30 days prior to presentation of the charges, which is now anticipated to occur at the March 2019 meeting. Board members were told to contact R. Guzek directly prior to the meeting with any legal questions related this matter.

**4. Continuing Education Program Development-**

S. Reya provided an overview of the envisioned process for the approval and subsequent tracking of continuing education points (CEPs) that will satisfy the regulatory requirements for renewal of driller and pump installer licenses. Because the one-year continuing education cycle for 2020 renewal begins in April 2020, the Department does not anticipate being able to enter into a contract with a third party to track, manage and report CEP completion for each license holder. Therefore, the Department will track credits for the first renewal cycle, but in a format that can be handed over with a smooth transition to an outside vendor. Prior to the conference call members were sent a tracking form that illustrated how a course approval number would be assigned to a course upon approval by the Board and Department. The number would serve to categorize the number of credits for which a course had been approved, ensure that duplicate courses are not taken during the same license cycle and identify the category (safety or technical/industry). The number could also be used to track whether a course was offered in person or online to make sure license holders do not exceed the maximum allowable number of credits which may be obtained online. Board members were also notified that the Department has developed a draft attendance sheet to standardize the reporting of attendees to approved courses along with a draft letter to be utilized for course approval that will be provided at the Board's January meeting. The attendance sheet would be sent to the course provider along with instructions describing where the form must be sent upon completion. With these items in place and the posting of the course approval application form to the Division website, which is anticipated in the coming weeks, course providers and/or licensees seeking course approval may begin submitting applications for review by the Board at upcoming meetings.

**A motion to approve the course tracking sheet as presented was made by J. Yost, seconded by G. Craig and approved unanimously.**

**5. Attendance of Meetings and Seminars for Continuing Education Credit-**

Board members were asked to give some thought to whether attending a trade meeting or seminar for events, such as those held by the New Jersey Ground Water Association (NJGWA) and National Ground Water Association (NGWA). The Bureau anticipates having an application for review by the Board at the January meeting and it is envisioned that such applications may request that attendees receive credit for attendance of the meeting itself in addition to any credit awarded for presentations made at the meeting/seminar. Board members had a thoughtful discussion regarding the value of such attendance as related to the work done by the license holder and if this warranted credit being obtained. Essentially, it was determined that further information would be required from the event host(s) in order for the Board to assess the merit of the meetings. DAG, R. Guzek suggested that in advance of the January meeting, members review the rule language (at N.J.A.C. 7:9D- 1.9(g) and 1.10(j)) as their review and recommendation for the approval of any CEP credit will have to be in accordance with the allowable criteria prescribed in the rule.

G. Poppe and J. Yost left the call at 10:43 am.

**6. Geothermal Site-**

T. Pilawski noted that the Department's legal staff is heading to court today and is seeking a ruling on the Order to Show Cause to enforce the May 19, 2017 Administrative Consent Order (ACO) that requires decommissioning or recommissioning of 80 closed loop geothermal wells that were constructed improperly at a site in Gloucester County. She noted that the Bureau anticipates being able to approve a pilot plan to determine whether the geothermal wells can be recommissioned in accordance with the well rule, as the most recent of the plan contains only minor edits that need to be made. Upon approval of a pilot plan that is acceptable to the Department, well modification permit application would have to be submitted by a licensed well driller of the proper class within the timeframe prescribed in the ACO.

**7. Adjournment-**

At 10:52 am a motion to adjourn the meeting was made by J. Yost seconded by C. Graff and approved unanimously by all remaining Board members (G. Craig left the call prior to this motion).