



State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION

PHILIP D. MURPHY
Governor

CATHERINE R. McCABE
Commissioner

SHEILA Y. OLIVER
Lt. Governor

DIVISION OF WATER SUPPLY AND GEOSCIENCE
NEW JERSEY GEOLOGICAL AND WATER SURVEY ELEMENT
BUREAU OF WATER ALLOCATION AND WELL PERMITTING
401 E. STATE STREET – P.O. BOX 420
MAIL CODE 401-0Q
TRENTON, NEW JERSEY 08625-0420
TELEPHONE: (609) 984-6831
FAX: (609) 633-1231
www.nj.gov/dep/watersupply

New Jersey Department of Environmental Protection State Well Drillers and Pump Installers Examining and Advisory Board Conference Call Minutes for May 21, 2020

Approved by the Board on June 18, 2020 and revised on August 13, 2020

Board Members Present at NJDEP Headquarters Building: N/A

Board Members Participating Via Telephone: Art Becker (Chairman), Gary Poppe (Vice-Chairman), Gordon Craig, Joe Yost, Joe Pepe, Carol Graff, Jeff Hoffman, Richard Dalton, and Steve Domber

Board Members Absent: none

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: Terry Pilawski, Joe Mattle, Julia Altieri, Steve Reya and Mark Ortega

Members of the Public: none

1. Call to Order-

The meeting was called to order at 10:04 am with a quorum present via telephone.

2. Review and Certification of the April 16, 2020 Conference Call Minutes-

A motion to approve the draft minutes as prepared, was made by G. Poppe. The motion was seconded by J. Pepe and approved by all members except J. Yost who abstained because he did not participate in the call.

3. Review and Certification of New License Applicants: Five (5) Total-

Qualification for one (1) Journeyman Class B, two (2) Environmental Resource and Geotechnical (ERG) Drillers, two (2) Vertical Closed Loop Geothermal (VCLG) driller license applicants were forwarded to Board members for review prior to the call, stated A Becker. The status of the Journeyman Class B license applicant, Naftali Feldman, was listed

on the summary table provided as “Pending Board Review” by the Bureau. He is a licensed driller in NY and is the owner of his drilling company. At the time of the drilling of two (2) of the wells listed as drilling experience, however, he was not licensed to drill wells and employed a licensed driller. According to the letter provided by Mr. Feldman this individual was unable to sign his reference questionnaire due to medical issues.

Following review of Mr. Feldman’s application and supporting information, a motion to approve him for a Journeyman Class B license was made by R. Dalton, seconded by C. Graff and passed unanimously.

The remaining four (4) listed applicants were found to meet the experience requirements prescribed in the rule (N.J.A.C. 7:9D) and the applications were deemed administratively complete by Bureau of Water Allocation and Well Permitting Staff.

A motion to approve two (2) ERG license applicants and two (2) VCLG licenses was made by G. Poppe, seconded by J. Yost and passed unanimously. Those approved for licensure are as follows:

License Type	Applicant Name	Employer
Environmental Resource & Geotechnical	Albert L. Root IV	Von Nieda Environmental
Environmental Resource & Geotechnical	Joshua Miller	Arcadis
Vertical Closed Loop Geothermal	Jay Corron	Chesapeake Geosystems Inc.
Vertical Closed Loop Geothermal	Edward Gross	Chesapeake Geosystems Inc.

4. New Continuing Education Course Provider Applications - National Ground Water Association (NGWA)-

A. Becker noted that documentation for two (2) sets of webinars that NGWA has been/will be offering throughout May was submitted for Board consideration of continuing education points (CEPs) for NJ license holders. The application packets comprise seven (7) webinars in one and six (6) in the other (13 total) since the registration format for each group of webinars is different. The applications for all listed courses were found to be administratively complete following the Bureau's review.

Board members agreed that the vast majority of NGWA webinars were clearly related to the drilling and pump industry of New Jersey and should be approved. S. Domber noted that he reviewed the course content for the Conjunctive Water Management in Oregon, which is contained in the May 2020 Groundwater Webinar Package proposed for a total of seven (7) CEPs. He stated that both the regulatory and geologic conditions concerning water management in Oregon, while potentially interesting, are not equivalent to those in NJ so the topic is not relevant to drillers and pump installers operating in NJ. He indicated that it would set a bad precedent if the Board were to approve courses not relevant to NJ license holders. J. Hoffman and C. Graff agreed with his comments.

After additional discussion, J. Yost motioned that the listed NGWA courses, except for the Conjunctive Water Management in Oregon webinar, be approved for CEP credit.

The motion was seconded by G. Poppe and passed unanimously. The thirteen (13) approved courses and the classification of points awarded are as follows:¹

Course Name	Presented By	Technical Points
Hydrogeology and Aquifers Webinar	NGWA	1
Operational Stages of a Well	NGWA	1
Well Design Basics	NGWA	1
Water Well Video Logging	NGWA	1
Well Disinfection	NGWA	1
Borehole Logging	NGWA	1
Chemicals and Techniques Used for Well Development	NGWA	1
May 2020 Groundwater Webinar Package	NGWA	Up to 6

5. Follow-up Review of CEPs Submitted by License Holders-

Glenn Endreson- Board members were reminded that during the April conference call meeting, a letter submitted by Mr. Endreson and documentation of a 2018 Florida Ground Water Association Annual Convention and Trade-show he attended was reviewed by the Board for consideration of CEPs to be awarded towards his Master license for renewal. At that time, he was unable to provide an agenda or a detailed description of the course content. The Board, therefore, tabled evaluating his request for CEPs until such time as he provides these items. His original letter and certificate along with the previously omitted items that have since been provided to the Bureau were forwarded to the Board prior to today’s call.

G. Craig made a motion that based on the additional course description information he supplied; he be approved for the requested CEPs because the content is related to drilling/pump installation. The motion was seconded by R. Dalton and passed unanimously.

The Bureau will contact Mr. Endreson and reactivate his renewal bill as he is now eligible for renewal.

Glen Carleton- S. Reya gave a brief update on a licensee whose CEPs were also pending further review. During the Board’s review of his courses in April it was not clear whether Mr. Carleton, who is a USGS employee, took courses that were equivalent to previously approved OSHA HAZWOPER 8-hour refresher course so the Board tabled further evaluation until the Bureau could obtain further information. Mr. Carleton has since submitted

¹ This motion was revised on August 13, 2020 when the Department discovered that the incorrect amount of points were awarded to NGWA for the May 2020 Groundwater Webinar package.

documentation to the Bureau that indicates that the USGS online training modules for which he provided verification of completion are consistent with and equivalent to the OSHA HAZWOPER refresher course and was taken pursuant to CFR 1919.120. Points have since been credited towards his license and the renewal bill information has been forwarded to him to allow for online submittal of his renewal payment. No action was needed from the Board on this matter.

6. Continuing Education Waiver Requests-

Two individuals who failed to obtain the seven (7) required CEPs by March 31, 2020 have submitted letters to the Board for consideration of CEPs obtained after the deadline. These licensees were notified via letter from the Bureau that they were ineligible to renew and would not be receiving renewal invoices. Both individuals, Paul Williams and David Nelson, have since obtained enough CEPs and have submitted requests for the Board's consideration of accepting the CEPs that were obtained after the deadline prescribed by N.J.A.C. 7:9D-1.9(f).

Board members and DAG, Jill Denyes, discussed the requirements specified in the rule and role of the Board to evaluate such requests and potentially accept credits obtained after the deadline. Additionally, A. Becker asked for clarification from DAG Denyes regarding potentially setting a precedent for others coming forward to renew their licenses when they may have knowingly and willfully failed to meet the regulatory deadline. She noted that any decision by the Board to accept credits based on the documentation submitted for review could be viewed that way so the Board will have to evaluate each request on a case by case basis and be consistent when evaluating if the requests are justified and licensees are deemed eligible for renewal. DAG Denyes further noted that the only options in the current rule for those who missed the deadline are to re-test and pass all exams required for licensure or to file a waiver request for consideration by the Board. Following this discussion the Board evaluated two (2) requests filed by license holders that late CEPs be accepted.

Paul Williams- S. Reya explained that Mr. Williams, a Journeyman driller, obtained four (4) CEPs prior to the deadline, however, the remaining credits were obtained online after the deadline. Mr. Williams provided a letter to the Board explaining the reasons he did not obtain all of the required CEPs in time and requested that the Board accept his “late” credits and allow him to renew his license.

In consideration of the extenuating circumstances detailed in Mr. Williams’ letter, G. Poppe motioned that the three (3) points obtained after the deadline prescribed in N.J.A.C. 7:9D be accepted. Further, the motion stipulated it is recommended that Department include language in follow up correspondence with Mr. Williams that his credits are being accepted during this first CEP cycle due to the reasons detailed in his letter, however, the Board does not wish to see him fail to meet the CEP requirement at the end of the 2023 cycle or any subsequent cycles. The motion was seconded G. Craig and passed unanimously.

David Nelson- Mr. Nelson also submitted a letter to the Board in which he requested that the Board accept his credits that were obtained after the March 31st CEP deadline and allow him to renew his Pump Installers license. Mr. Nelson noted that after he received a letter from the Bureau stating that he was ineligible for license renewal due to the failure to obtain the required seven (7) CEPs, he immediately signed up and took online courses to obtain all outstanding CEPs. Board members discussed Mr. Nelson's letter and R. Dalton noted that in addition to what is noted in the letter there is a worldwide health pandemic that is adversely affecting everyone in various ways and suggested that since Mr. Nelson went out and rectified his late credits upon receipt of the letter from the Department the Board should accept his credits and allow him to renew his Pump Installers license.

G. Craig made a motion to accept David Nelson's CEP points for eligibility of license renewal and that the Department allow him to renew his license while including similar language to the motion just passed for Mr. Williams, as the Board does not wish to see this become a repeat occurrence with Mr. Nelson. The motion was seconded by J. Yost and passed unanimously.

7. Licensees Who Failed to Obtain CEPs and Intend to Retest to Maintain Licensure-

M. Ortega and S. Reya explained that some individuals who received letters of non-renewal eligibility called and indicated that they would re-take the exams necessary for licensure. Unfortunately, however, due to COVID-19, PSI test centers remain closed. Bureau staff has been in contact with NGWA staff and routinely checks PSI's website for updates on anticipated reopening dates. Staff noted that these delays may impact licensees and there could be potential waiver requests filed pursuant to N.J.A.C. 7:9D-1.9(f)4 because if test centers remain closed there will be a delay in when those who plan to retest are able to do so. If they cannot pass the required exams and submit their applications to the Bureau and Board for review it will result in loss of license on July 1, 2020. Board members and DAG Denyes discussed the rules and stated that any requests will be evaluated upon submittal to the Board. M. Ortega and S. Reya confirmed they have not received any further information or requests for consideration by the Board at this time.

8. CEP Completion Percentage Status and Driller/Pump Installer Renewal Processing Update (M. Ortega/S. Reya)-

M. Ortega noted that some additional continuing education point completion records have continued to be submitted for points obtained prior to the deadline. Bills for these individuals, which were closed due them being eligible for renewal are being reopened upon verification of successful course completion. Approximately 73% of all licensees are eligible for renewal due to either satisfying the CEP requirements of being newly licensed and exempt from the requirement at this renewal cycle.

9. Geothermal Wellfield Projects: Woodbury recommissioning and Princeton University Wellfield Progress (S. Reya)-

S. Reya provided a brief update on two (2) large geothermal projects currently under way, both of which have been discussed in detail at prior meetings. He indicated that the recommissioning of improperly constructed closed loop geothermal wells in Woodbury by overdrilling the wells with a sonic rig was progressing well. Progress thus far has been slowed by significant site excavation needs and some downtime due to a drill rig repair though he mentioned the project was approximately 25% complete at this point. He also indicated Department staff is pleased with the work because, the driller has been successful in following the approved compliance plan to overdrill the wells to the total original depth and remove the geothermal loops for all wells.

With regard to the Princeton University geothermal project, he noted that the Bureau has continued to receive weekly updates from the International Ground Source Heat Pump Association (IGSHPA) certified third party inspector and that he also recently inspected the drilling operations. Currently two (2) drilling contractors are onsite drilling 850 ft. deep closed loop wells. One driller is drilling with mud rotary and polycrystalline diamond compact (PDC) bits and the other is utilizing the air rotary/down hole hammer drilling method. There have been some problems involving geothermal loop damage of a well due to interconnection of adjacent wells downhole and difficulties with installation of the tremie pipe and loop to total depth on some bores. The Bureau continues to monitor the drilling activities and is routinely in contact with the drilling contractors, the University, the certified inspector and the construction management contractor to ensure regulatory compliance.

10. Revisions to N.J.A.C. 7:9D (T. Pilawski)-

T. Pilawski said staff from the Office of Legal affairs completed their review of the document and the it must now be approved by the Water Resources Assistant Commissioner's Office as well as the DEP Commissioner's office before the rule proposal may be published in the NJ register. She also noted that once published, the public comment period may extend longer than usual due to COVID-19, which has been the case with rule proposals put out during the pandemic. This would extend the time before the rule would become operative.

11. Board Member Vacancy Posting and Re-appointments-

As has been noted at previous meetings, C Graff has indicated that she wishes to continue on the Board until the next three-year appointment is made for her position at which point, she does not want to be reappointed for another term. The anticipated vacancy was posted on the Division's website to solicit resumes and letters of interest from qualified individuals. S. Reya noted that the closing date was May 15th so the Bureau will be working on reappointments shortly. He asked that any Board members who did not provide him with an updated resume last summer do so now. He will again email the most recent resume on file to those members and asked that they send him an updated version as soon as possible.

12. Chair/Vice Chair Elections-

Chairman A. Becker reminded members that Board Chair and Vice Chair elections are to be conducted at the May meeting each year. He said he enjoys his role as Board Chairman and is

fully willing to continue in that capacity if requested but asked if any other Board members wished to serve as Chair and have an election. All members unanimously supported A. Becker remaining as Chair.

G. Poppe motioned to nominate Art Becker to continue as Board Chairman. The motion was seconded by G. Craig and passed unanimously. G. Craig then motioned to nominate Gary Poppe to continue as Vice-Chairman, the motion was seconded by J. Yost and passed unanimously.

13. Grout Demo-

Board member volunteers were requested for an upcoming geothermal grout demonstration for a CETCO geothermal grout for which the manufacturer is seeking NJ approval and has already supplied acceptable lab permeability data. R. Dalton, A. Becker and G. Craig all volunteered to attend provided the date and location works with their schedules. S. Reya will reach out to them once a time and place has been selected. He also noted social distancing and PPE protocols would have to be observed, however, it is an outdoor event presumably with sufficient space to do so.

14. Adjournment-

Having no further business to discuss, the call was adjourned at 12:01 pm.