



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 January 21, 2021

Approved by the Board on February 12, 2021

Board Members Present at NJDEP Headquarters Building: N/A

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

Board Members Absent: Joe Yost and Jeff Hoffman

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: Eric Hoffmann, Peak Environmental

1. Call to Order-

The meeting was called to order at 9:32 am with a quorum present via telephone. S. Reya explained to the Board that an error was made during the December 17, 2020 meeting and that there were not enough licensed Board members present for a quorum. It was noted that the Board would have to re-certify the motions for the November 19, 2020 minutes and the December license applicants.

2. Review and Certification of the November 19, 2020 Conference Call Minutes-

A motion to approve the draft minutes as prepared was made by G. Poppe, seconded by R. Dalton, and approved unanimously.

3. Review and Certification of the December 17, 2020 Conference Call Minutes-

A motion to approve the draft minutes as prepared was made by R. Dalton, seconded by G. Craig, and approved by all except for G. Poppe who abstained.

4. Licensing-

A list of four new Vertical Closed Loop Geothermal (VCLG) license applicants was provided to Board members prior to the meeting. These applications were marked as administratively incomplete for the December meeting and the individuals were not presented to the Board for licensure at that time, however, the deficiencies have since been addressed. It was noted that Allied Well Drilling (Allied) originally submitted five VCLG applications, but only resubmitted four. Allied representatives have indicated that they will submit the fifth application at a later date. S. Reya reminded the Board that they also need to recertify the one Environmental Resource and Geotechnical (ERG) license applicant and one Pump Installer license applicant from the December 2020 meeting.

A. Becker asked if there was any further discussion for the six license candidates. No further discussion was needed.

A motion to approve one ERG well driller, four VCLG well drillers, and one Pump Installer licenses was made by G. Poppe, seconded by C. Graff, and approved unanimously. The following individuals were approved for licensure:

License Type	Applicant Name	Employer
December 2020 License Applicants		
ERG	Matthew Daniel	Boring Brothers Inc.
Pump Installer	Edward W. Del Carlo Jr.	D&L Pump Company
January 2021 License Applicants		
VCLG	Chris Hiser	Allied Well Drilling
VCLG	Kyle Sweeney	Allied Well Drilling
VCLG	Tim Shupe	Allied Well Drilling
VCLG	Brett Sweeney	Allied Well Drilling

5. Continuing Education-

International School of Well Drilling (ISWD)

A. Becker introduced the new ISWD course, Introduction to Pumps. He noted that ISWD had requested one technical credit for their one-hour course and that the Department had determined that it was administratively complete. He asked the Board if there was any further discussion after review of the course. No further discussion was needed.

A motion to accept the ISWD Introduction to Pumps course for one technical continuing education point (CEP) was made by G. Poppe, seconded by C. Graff, and approved unanimously.

Evaluation of All Star Training Course

S. Reya began the discussion by stating that J. Pepe had contacted him about a potential issue with the All Star Training New Jersey 7 Hour Water Well course (Water Well course), which is currently approved by the Board for seven technical CEPs. He asked J. Pepe to discuss the issue in detail with the Board members. J. Pepe indicated that the Water Well course does not take seven hours for a licensee to complete, citing complaints that he received from numerous pump installers. He also said from what he has been told the students of this class are able to proceed at their own pace in which they are presented with pages of reading material, which they can then browse through or skip and then answer a few questions to proceed to the next module. There is no minimum amount of time that must elapse so students can complete a receive a certificate for a seven-hour course when they may have only spent a fraction of that time actively engaged with the course content. A. Becker

discussed his knowledge of online OSHA HAZWOPER courses and how they are very strict with making sure the user does not step away from their computer.

S. Reya said that he had went back through All Star Training's original application and pointed out that they have a timer that can be used for the course. The application stated that the timer can be activated if requested by the Board. S. Domber asked about actions that the Board can take for these situations. S. Reya said that he had went through the well rule and the Subsurface and Percolating Water Act and could not find any language about rescinding or modifying an approval after it has been granted to a course provider. A. Becker said that he believes that the Board should not be bound by a prior decision to recommend course approval if it is later determined that the course does not actually take the duration of time the provider stated it would on the application..

G. Craig suggested that the Department reach out to All Star Training to turn on the timer that they referenced in their application. He noted that this is the most straightforward option since they have already made the timer implementation available upon request. J. Pepe suggested having a sample of the course be granted to the Department.

G. Craig made a motion to have the Department reach out to All Star Training and request that their course timer be turned on for future use. This motion was seconded by S. Domber and approved unanimously.

S. Domber recommended that the Board pay closer attention to online courses that are submitted for review. A. Becker asked the Department to consider modifying the course provider application to get applicants to submit more detailed information about their methods of tracking a user's time in their online course. S. Reya asked J. Denyes if the Department could add additional language to the course provider application since the language used was taken directly from the well rule. J. Denyes said that it is within the Department's discretion and should be acceptable to ask a provider to detail the measures that would be put in place to ensure that the credit hours they are requesting are consistent with the actual training hours that would be provided..

G. Poppe made a motion for the Department to craft language about course provider's time tracking capabilities and add it to the course provider application. This motion was seconded by G. Craig and approved unanimously.

License Expiration Discussion

S. Domber asked for S. Reya to provide an update on the individuals who applied to the Board for continuing education deadline extensions for reinstatement of lapsed licenses over the past few months. S. Reya reminded the Board that they had recently chose to not make allowances for three former licensees who failed to meet the CEP deadline in 2020: Mr. Dennis Gaughan, Mr. Leonard Stone, and Mr. Michael Davidson. S. Reya noted that Mr. Gaughan never provided follow up information that was requested by the Board and that he had contacted the other two former licensees about the Board's decision.

S. Reya informed the Board that licensees who did not renew by December 31, 2020 are now expired and cannot renew their licenses as of January 1, 2021 as they are beyond six months of license expiration in which the rule allows a license to be reinstated provided other criteria is met. C. Graff asked if the Department knew about how many licensees did not renew. S. Reya said that there was about a 20 percent decrease in licensees who renewed. M. Ortega noted that there were approximately 1,045 licensees prior to the deadline and approximately 800 renewed their licenses for the 2020-2023 licensing cycle. G. Craig said the majority of former licensees who did not renew their licenses were probably retired and chose not to meet the CEP requirement. A. Becker said that he was pleased with

the limited number of requests for deadline extensions that the Board received considering the circumstances with the pandemic.

6. Enforcement Action Update-

J. Altieri provided the Board with an enforcement update as summarized below:

Well Permitting Enforcement Activities– 11/19/2020-1/21/2021

New Investigation: Alleged improper well construction – Berlin, Camden County

Issue: The Bureau received notification of several irrigation wells that were being constructed below grade without approved construction deviations or exceptions to the 12” above grade requirements for Category 2 well casings.

Enforcement Action: The Bureau contacted the well driller involved to investigate. The well driller claims that the Homeowner’s Association (HOA) of this development requires new irrigation wells to be constructed below grade in plastic valve boxes. Wells also must be located one to two feet near existing driveways since the building lots are very small. The well driller will send additional information of HOA requirements for our review. Department to follow up.

New Investigation: Possible unlicensed well pump installation – Toms River, Ocean County

Issue: The Bureau received notification from a Master well driller regarding several unlicensed individuals he suspects were working on a well pump without on-site supervision of a licensed person. The driller submitted photos of the company truck at the site and claims he did not see the company’s only well-known licensed well driller present. Copies of online posts discussing the job between the homeowner and the drilling company were also submitted as evidence.

Enforcement Action: Further investigation needed - Notice of non-compliance may be issued if warranted.

Resolved: Four unpermitted monitoring wells constructed by an unlicensed well driller – Freehold Boro, Monmouth Co.

Issue: Four unpermitted monitoring wells were successfully drilled out by a licensed well driller under the onsite supervision of DEP staff. Three of the four wells had new, permitted, wells installed in the same boreholes after being drilled out. This resolved an outstanding order to decommission letter issued by the Bureau for four monitoring wells that were constructed by an unlicensed driller without valid permits. No further action needed.

Ongoing Investigations: Improper well construction – Gloucester County

Issue: One instance of improper well construction of a domestic replacement well allegedly constructed with an insufficient length of grouted casing to case off a potential source of contamination. The driller claims there was an error in the septic components/distances to the new well on the approved permit.

Update: Driller has been asked to submit additional documentation to verify error before issue of Non-compliance can be resolved. Still pending driller response.

7. Horizontal Direction Drilling (HDD)

R. Dalton said that he and S. Reya met again with the Science Advisory Board (SAB) recently. He said the SAB continues to evaluate the Division’s request that they research HDDs and provide scientific analysis and guidance on potential risks posed by HDDs as well as methods that could be utilized to minimize environmental impacts. S. Reya noted that the only comments received for the proposed amendments to the well rule (N.J.A.C. 7:9D) were that HDD projects be regulated under the rule. These comments were submitted jointly by the Sierra Club and Pinelands Preservation Alliance. Concerns raised by the Board over the past several years about inadvertent returns, lack of grouting and improper decommissioning of failed bores appear to be consistent with that of other interested parties.

During the December Board meeting A. Becker and G. Craig volunteered to speak with SAB members to provide their input and expertise on drilling, grouting, well construction, ground water protection strategies and concerns related to HDDs. Their names and contact information were provided to the Department’s SAB representative for this project though A. Becker and G. Craig said they had not yet been contacted. T. Pilawski asked S. Reya to ensure that the Board’s opinion is heard on this topic before the SAB concludes their evaluation and submits the report.

8. Program Updates-

Well Rule

The well rule was readopted on January 19, 2021 to push out the expiration date. The re-adoption notice, which was provided to Board members, indicates that the well rule is proposed changes but the existing rule was set to expire before the changes could take effect. S. Domber asked for the updated expiration date of the well rule. J. Mattle said that the rule now expires in 2027.

Board Appointments

S. Reya said the documents for new appointments and reappointments of Board members has been submitted to the Commissioner’s Office, but that Commissioner McCabe retired on January 15, 2021. The Bureau is working with Acting Commissioner Shawn LaTourette and his staff to get the appointments finalized.

9. Geothermal Projects Update-

Princeton University

G. Craig provided an updated progress report for the construction of the Princeton University geothermal well field. He said that Midwest Geothermal (Midwest) currently has four rigs operating at a time and Allied has three rigs operating at a time. He noted that Midwest is still having issues with breaking their drilling rods. Midwest is completing two and a half wells per week per rig; Allied is completing two and a third wells per week per rig. G. Craig praised the efforts of both companies grouting their wells.

T. Pilawski left the call at 10:27. J. Yost joined the call moments prior to the meeting adjournment and apologized for missing the discussion.

10. Adjournment-

At 10:29 am, a motion to adjourn the meeting was made by G. Poppe, seconded by J. Pepe, and approved unanimously.