



## 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 Meeting Minutes for April 21, 2022**

*Approved by the Board on May 19, 2022*

**Board Members Present at NJDEP Headquarters Building:** N/A

**Board Members Present:** Art Becker (Chairman), Joe Yost, Dave Lyman, Gordon Craig, Richard Dalton, and Eric Hoffmann

**Board Members Absent:** Gary Poppe, Jeff Hoffman, and Steve Domber

**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, Steve Reya, Mark Ortega, and Steve Vargo

**Members of the Public:** Dermot Dillon; Summit Drilling/New Jersey Ground Water Association (NJGWA), Denis Crayon; Summit Drilling, Brian McGuire; SGS North America Inc. (SGS)/NJGWA, Wesley Eichfeld; SGS

#### **1. Call to Order-**

The meeting was called to order at 9:33 am with a quorum present. This in-person meeting was held via conference call and Microsoft Teams. Notice of the meeting and instructions on how to participate by phone or video were listed on the Department's website.

A. Becker welcomed the members of the public to the call.

#### **2. Review and Certification of the March 17, 2022 Conference Call Minutes-**

S. Reya informed the Board that R. Dalton had reached out to the Department to change "Conference Call Minutes" to "Meeting Minutes" in the header of the document. The Board members agreed with this change.

**A motion to approve the draft minutes from March 17, 2022 with the correction to the header was made by G. Craig, seconded by D. Lyman, and approved unanimously.**

**3. Licensing-**

*Review of License Applicants*

A. Becker went over the list of license applicants, which the Department provided to the Board in advance of the meeting. He stated that there were six applicants: two Pump Installers, two Environmental Resource & Geotechnical (ERG) Well Drillers, one Journeyman (Class B) Well Driller, and one Journeyman Well Driller. No further discussion was needed for this topic.

License Type	Applicant Name	Employer
Pump Installer	Michael T. Bowers	Abrams Water Service, LLC
Pump Installer	Adam Urbanowicz	A&C Sprinkler LLC
ERG	Ian H. Connor	Innovative Environmental Technologies Inc.
ERG	Daniel Petley	SGS
Journeyman (Class B)	Joseph A. Barth	Stovers Wells & Pumps
Journeyman	Michael Shepherd	Uni-Tech Drilling Co., Inc.

**A motion to approve the six applicants for licensure was made by D. Lyman. This motion was seconded by J. Yost and approved unanimously.**

**4. Continuing Education-**

*Maryland Delaware Water Well Association (MDWWA) Follow Up*

S. Reya reminded the Board that during the March meeting, they made a motion which requested that the Department ask MDWWA for additional information regarding Mr. Brock Yordy’s course, Applying Tribal Knowledge to Engineered Expectations. MDWWA had provided the requested follow-up information shortly after the March meeting and the information was provided to the Board for review. A. Becker said that he has attended a few of Mr. Yordy’s courses in the past and said that he is a very good speaker.

**A motion to approve Applying Tribal Knowledge to Engineered Expectations for one technical continuing education point (CEP) was made by D. Lyman. This motion was seconded by G. Craig and approved unanimously.**

*International School of Well Drilling (ISWD)*

S. Reya introduced ISWD’s course, Injection Wells, to the Board. He stated that the format of this course is the same as all of the other approved courses by ISWD. No further discussion was needed.

**A motion to approve Injection Wells for one technical CEP was made by G. Craig, seconded by R. Dalton, and approved unanimously.**

*In-Person Courses*

S. Reya said that the next four courses up for review have already been approved by the Board in the past, but in a slightly different format. He added that these four courses were administered during different NJGWA meetings, but since they are being offered as standalone courses, separate approval numbers are needed.

A. Becker suggested voting as a block for these four courses. He asked if any discussion was needed for any of these courses. R. Dalton said that the Troubleshooting with Meters course did not have enough information for him to properly review. D. Lyman and A. Becker said that Mr. Hartmann’s courses are excellent. E. Hoffmann asked if there was a precedent in place regarding automatic

approval of previously approved courses, but there was not one in place to anyone's knowledge. R. Dalton and E. Hoffmann asked for a detailed agenda.

**A motion to request additional information for Troubleshooting with Meters was made by R. Dalton. This motion was seconded by E. Hoffmann. No vote was held for this motion.**

The Board asked Mr. Dermot Dillon when this course was going to be held in order to see if it could be reviewed in time for the next meeting. Mr. Dillon stated that this course would be held on Thursday, May 19<sup>th</sup>, which is the day of the next Board meeting. R. Dalton revised his previous motion.

**R. Dalton made a revised motion to accept Troubleshooting with Meters on the condition that the course provider submits a more detailed agenda to the Department prior to the membership meeting on May 17<sup>th</sup> so that it can be provided to the Board. This motion was seconded by E. Hoffmann and approved unanimously.**

A. Becker thanked R. Dalton for revising his original motion.

S. Reya introduced the next course, Update on New Jersey Trade Licensing and Public Works Contractor Registration, which would be presented by Mr. Robert Incollingo, Esq. S. Reya added that this course, originally titled Unlicensed Work, Should You Pay – Do You Have To?, was changed after J. Hoffman and A. Becker emailed the Department asking for additional information regarding the course. Department staff, therefore, requested additional information from NJGWA, and Mr. Dillon provided the updated course information to the Department.

A. Becker asked if there was any discussion needed for Mr. Incollingo's course, Update on New Jersey Trade Licensing and Public Works Contractor Registration. R. Dalton expressed his concerns with the course, stating that he thought it was more relevant for consumers instead of well drillers and pump installers. D. Lyman asked R. Dalton and the Board to think outside of the box regarding submitted courses. He continued by stating that the technology in the well drilling industry does not change very often and that the business aspect of the industry is a very important topic. G. Craig noted that it's important for well drillers to learn about the NJ Department of Labor Public Works Contractor Registration because it is difficult to navigate. J. Yost added that this course would be very beneficial to those licensees who specialize in installing public community supply wells.

R. Dalton said that he believes that 80 percent of this course does not apply to well drilling, whether it be business or technical. E. Hoffmann said that he thought that half of the course may not be applicable.

A. Becker asked if anyone would be present either for this course on May 19<sup>th</sup> or during the May 2022 Membership Meeting, which will be held on May 24<sup>th</sup>. A. Becker noted that he will be away and will be unable to attend. None of the present Board members indicated whether they would be able to attend or not, but Mr. Dillon noted that G. Poppe usually attends the meetings if he is available. Mr. Denis Crayon said that there is a standing invite to all Board members to attending the NJGWA meetings to observe who they are conducted.

**A motion to approve the Update on New Jersey Trade Licensing and Public Works Contractor Registration course for one technical CEP was made by J. Yost. This motion was seconded by G. Craig and approved by all except for R. Dalton, who voted against the motion.**

A. Becker brought up the next course, which was for the NJGWA May 2022 Membership Meeting w/ Update on New Jersey Trade Licensing and Public Works Contractor Registration course. NJGWA requested two CEPs for this course, one for the meeting and one for the course which was previously approved.

R. Dalton said that the meeting should only count for half of a point, instead of a full point. D. Lyman said that he thought that the meeting was being undervalued. R. Dalton reminded the Board that most licensing boards do not give credit for attending association meetings. He said that he only applies to have Board meetings count for credit toward his Professional Geologist license when there is technical information that is discussed, such as during a presentation. E. Hoffmann agreed with R. Dalton.

D. Lyman asked E. Hoffmann about his Licensed Site Remediation Professional (LSRP) license. Specifically, he wanted to know if association meetings count for credit towards his LSRP license. E. Hoffmann said that LSRPs do not receive credit for the social events but do receive credit for technical presentations. He added that other licensing boards are more liberal.

J. Yost said that it is already a challenge for licensees to take time off to earn credit for their license. He said that everyone who attends is present for a minimum of three hours and should be awarded one full point for the meeting portion. A. Becker said that he holds 11 different licenses and all but two require continuing education as part of the renewal process. He briefly spoke about the value of the meetings to the industry. E. Hoffmann asked A. Becker how other states handle association meetings. A. Becker said that other states accept association meetings, noting that some states even accept Board meetings for credit.

R. Dalton said that NJGWA should be treated like everyone else and not be granted an automatic approval. G. Craig clarified that the amount of time is not the issue, however, the quantity of content during each meeting is the issue.

**A motion to accept the NJGWA May 2022 Membership Meeting w/ Update on New Jersey Trade Licensing and Public Works Contractor Registration course for two technical CEPs was made by J. Yost. This motion was seconded by G. Craig and approved by all except for R. Dalton who voted against.**

A. Becker requested that the agenda for the May 19<sup>th</sup> Board meeting include a discussion regarding the continuing education course application form. He noted that revising the application to clarify the and formalize exactly what is to be provided as far as a course curriculum, syllabus and/or detailed description may alleviate some of the back and forth between course providers and the Department/Board and ensure consistent submittals.

S. Reya asked the Board to circle back to some of the courses which they skipped during the Troubleshooting with Meters discussion. S. Reya said that the Board did not make a motion on Surviving a DOT Roadside Inspection, PFAS 101, and Material Handling Safety. A. Becker asked if any discussion was needed for these three courses. No further discussion was needed, and the Board voted on these courses as a block.

**A motion to approve Surviving a DOT Roadside Inspection, PFAS 101, and Material Handling Safety each for one technical CEP was made by D. Lyman. This motion was seconded by E. Hoffmann and approved unanimously.**

### *Waiver Request*

S. Reya said that a licensee recently applied for a waiver from the continuing education requirements for this cycle due to a medical condition. The letter from the licensee was provided to the Board prior to the meeting for them to review. S. Reya added that this licensee was involved in a serious car accident and as a result, has a medical condition which is preventing them from earning additional CEPs. This licensee has already earned nine CEPs for this cycle.

S. Reya said that this is the first true waiver request that the Board has received as it was submitted far in advance of the deadline by a licensee who was obtaining points throughout the cycle, however, he will no longer be able to do so for the remainder of the cycle due to the issues detailed in his letter. He added that the Board received a few letters after the end of the last cycle from individuals who earned points late or did not meet the requirements. It was clarified with Board members that this waiver request would be for this cycle and would not be a permanent waiver from the requirements. J. Yost expressed that the Board should accept this as the individual is being responsible in providing a rationale as to why he cannot obtain the required CEPs and demonstrating that he values his license and is doing all he can to make sure it remains active.

A. Becker asked for DAG J. Denyes to weigh in on this topic. He asked her if the Board is allowed to grant conditional waivers. J. Denyes said that the rule is vague and does not talk about the length of time a waiver is good for, if one is granted; this is up to the Board and the Department. A. Becker asked what the rule says about waivers. J. Denyes said that N.J.A.C. 7:9D-1.9(f) states that a licensee in good standing may submit a waiver from continuing education requirements on the basis of active duty in the military or reserves, illness, disability, or other good cause.

J. Denyes said that the Board could go into executive session if they wished to further discuss this topic in further detail. The Board did not deem it necessary to go into executive session. J. Denyes said that if the Board makes a motion to approve this waiver to make sure they approve it for this cycle only.

**A motion to accept the waiver request submitted by the licensee for the current continuing education cycle was made by R. Dalton. This motion was seconded by D. Lyman and approved unanimously.**

The Department will notify the licensee in writing that his request for a waiver from the remaining CEPs for the current cycle is approved.

### **5. New Items-**

S. Reya informed the Board that 22 letters had been emailed to A. Becker's attention from NJGWA members. These letters had requested that the Board consider changing the number of points granted to the NJGWA March 2022 Membership meeting from 1.5 Technical CEPs to 2 Technical CEPs. R. Dalton said that he would not change his vote or vote on a long-term blanket approval to permanently grant one full CEP for the meeting.

### **6. Adjournment-**

A. Becker thanked everyone for attending. The next scheduled meeting is on Thursday, May 19, 2022.

**At 10:44 am, a motion to adjourn the meeting was made by G. Craig, seconded by D. Lyman, and approved unanimously.**