



## State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION

PHILIP D. MURPHY  
*Governor*

SHAWN M. LATOURETTE  
*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](http://www.nj.gov/dep/watersupply)

### **New Jersey Department of Environmental Protection State Well Drillers and Pump Installers Examining and Advisory Board Meeting Minutes for July 21, 2022**

*Approved by the Board on August 18, 2022*

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

**Board Members Participating Via Telephone/Microsoft Teams:** Art Becker (Chairman), Gary Poppe (Vice-Chairman), Joe Yost, Gordon Craig, Dave Lyman, Eric Hoffmann, and Richard Dalton

**Board Members Absent:** Jeff Hoffman and Steve Domber

**Board Legal Representative Present:** N/A

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

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

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

The meeting was called to order at 9:31 am with a quorum present via Microsoft Teams and telephone. Notice of the meeting and instructions on how to participate by video or phone were listed on the Department's website.

A. Becker thanked the members of the public for attending the meeting.

#### **2. Review and Certification of the June 16, 2022 Meeting Minutes-**

A motion to approve the draft minutes from June 16, 2022 as written was made by G. Poppe, seconded by E. Hoffmann, and approved by all except for A. Becker and D. Lyman who abstained as they were not present for the June meeting.

**3. Review and Certification of License Applications-**

A. Becker listed the names of the three license applicants; there were two applicants for the Environmental Resource and Geotechnical (ERG) well driller license and one for the Pump Installer license. A. Becker asked if there were any comments on the applicants, who are listed below.

License Type	Applicant Name	Employer
Pump Installer	Bryan M. Giles	All Hours Emergency Pump and Well Repair
ERG	Dino E. Selders	Gregg Drilling, LLC
ERG	Christian A. Tormen	Summit Drilling, LLC

G. Craig said that he was surprised that someone from Gregg Drilling, who is based out of California, applied for a New Jersey license. A. Becker said that Gregg Drilling is involved with the wind farm project off New Jersey’s coast. He added that they have specialized equipment for the job. R. Dalton explained that most of the drilling will be completed outside of the state line, which is three miles offshore, but there would also be some borings that will within state waters.

**A motion to approve the three noted license applicants for licensure was made by G. Craig. This motion was seconded by D. Lyman and approved unanimously.**

**4. Continuing Education-**

*Rutgers*

A. Becker introduced the course, Geology, Hydrogeology, and Chemistry, presented by Rutgers. He added that the Department reviewed this course and determined the application to be administratively complete. He asked if any discussion was needed for this course. R. Dalton said that he believed the course was primarily designed for Licensed Site Remediation Professionals and would be more involved than what a well driller would need to know for their job and not relevant.

**A motion to approve Geology, Hydrogeology, and Chemistry was approved for six technical continuing education points was made by G. Poppe. This motion was seconded by E. Hoffmann and approved by all except for R. Dalton, who voted against the motion.**

A. Becker added that he plans on attending this course and thinks that it will be very worthwhile.

**5. Revised Application Review-**

*Course Provider Application*

A. Becker said that S. Reya and M. Ortega prepared revised applications for the Board to review. S. Reya suggested starting with the Course Provider Application, since it is the one that the Board specifically requested be revised. He added that M. Ortega spent the most amount of time revising this application. Currently, the Course Provider Application results in the most returned applications or the most requests for additional information. The proposed changes should alleviate this.

It was noted the current Course Provider Application is only two pages. The first page contains basic instructions and requests some contact information from the applicant. The second page contains a checklist for the applicant to check off when they have completed one of the required items. S. Reya explained that the new version contains text boxes, which allows the applicant to complete the application on this document. If they choose to complete the application in a separate document, they will write “See Attached” to indicate that they have answered the question on the application. S. Reya

added that M. Ortega greatly expanded the instructions and addressed some issues which resulted in administratively incomplete/deficient applications.

S. Reya reminded the Board that they requested that a deadline be placed on the application so the Board has sufficient time to review them prior to each meeting. Currently, the rule (N.J.A.C. 7:9D) states that applications should be submitted at least 90 days prior to the date when the course will be administered. The rule also allows the Department discretion to accept applications sooner than 90 days or after a course has already taken place. To address the Board's concern, language was added that says that applications "may be accepted within 10 days of a Board meeting." This is consistent how the Department does for license applicants to allow time for members to be provided with documentation in need of review prior to each meeting.

S. Reya asked the Board if they had any feedback or suggestions. A. Becker said that the revised application looked good and addressed all their concerns. He thanked S. Reya and M. Ortega.

#### *License Applications*

S. Reya said that the license applications should be more straightforward. First, he provided a brief history of license applications to the Board. Before the rule was updated in 2018, the Department had a different application for every license type. After 2018, the Department merged the applications into one, combining all the license types into one application. Over the last few years, there has been some confusion among applicants, specifically with pump installer applicants, which made Department staff consider creating a separate pump installer license application.

S. Reya and M. Ortega created a new, standalone, application for pump installer applicants. All categories of well driller license applicants will continue to use one license application. During the May meeting, S. Reya discussed with the Board the possibility of requiring five invoices to verify the work experience of pump installer applicants; this now appears on the version of the application which was presented to the Board.

S. Reya asked the Board to submit any comments or suggestions to either him or M. Ortega by the end of the following week. J. Yost asked if the pump installer application which was presented applies to pump installers who specialize in public community supply wells. S. Reya said that it applies to anyone who is applying for a pump installer license and that when the pump installers take their exams, they can either take the exam for high-capacity pumps (over 100 gallons per minute) or low-capacity pumps (under 100 gallons per minute). D. Lyman asked if the name of the license applicant needs to appear on the invoice. S. Reya said that the applicant's name does not need to be on the invoice.

A. Becker expressed his concerns about leaving customer information on submitted invoices. The Board and the Department agreed that customer information, including their name and any financial details, can be redacted when submitting the application. A. Becker asked S. Reya and M. Ortega to make note of this in the application.

Mr. Dermot Dillon thanked S. Reya and M. Ortega for their work in revising these applications and for their work on the licensing and continuing education programs.

#### **6. Enforcement Update-**

S. Vargo said that 14 Notices of Non-Compliance (NONC) were sent out in late-April. The Department had heard from several of the licensees who had received NONCs, and many were

determined to be administrative errors upon review of additional information. The Department reviewed all evidence provided by the well drillers and rescinded five of the NONCs.

S. Vargo discussed ongoing inspections that are occurring at blueberry farms throughout Atlantic County. Staff from the Well Permitting Section, Water Compliance and Enforcement, and Division of Water Quality conducted initial site inspections of these facilities between June and August of 2021. S. Vargo added that Southern Water Compliance and Enforcement recently issued 19 Notices of Violation to some of the farm owners. The violations were mostly due to potable wells being too close to septic systems or wells permitted for non-potable use were being used for drinking water.

Next, S. Vargo discussed a complaint from a homeowner in Plainsboro. The homeowner reported that an illegal hand dug well was being constructed on a nearby property. S. Vargo requested photo documentation before reaching out to the potential violator of the rule. After receiving photos and a written description of the well in question, which refuted the complaint and proved that what was constructed was not a well in violation of N.J.A.C. 7:9D, S. Vargo reached out to the property owner. S. Vargo proceeded to show pictures of the apparent, which ended up being a drum used for water storage that looked like stone-lined hand dug well at ground surface.

A. Becker thanked S. Vargo for the update.

#### **7. Portland-Limestone Cement-**

A. Becker said that he asked for this topic to be added to the agenda. He said that he is licensed in Michigan and recently received a notice from the Department of Environment, Great Lakes, and Energy regarding changes in the cement industry. The notice stated that the concrete industry has switched their manufacturing of Type 1 Portland cement to Portland-limestone cement (Type IL). This change, which contains higher amounts of limestone, is due to manufacturers trying to reduce their carbon footprints. After reading this information, A. Becker said that he forwarded it to S. Reya so the Board could discuss the potential ramifications of Type 1 cement being phased out nationally.

A. Becker asked R. Dalton for his thoughts on Type IL Portland cement. R. Dalton said that he was not sure if this new cement would be pumpable or meet the permeability requirements in New Jersey. A. Becker noted that he did some research and read that this type of cement takes longer to set. G. Craig added that he reached out to several cement manufacturing companies after reading the notice that A. Becker received. He asked for additional time to get more information from the manufacturers and requested that the Board table this topic until the next meeting.

R. Dalton said that he went on the Portland website and could not find any reference to permeability of Type IL Portland cement. Currently, the use of Portland Type 1, Type 2, and Type 3 cement are acceptable in New Jersey to grout well casing and the annular space between well casing(s). R. Dalton added that someone would need to do a grout demonstration with this type of grout so the Board can determine if it meets New Jersey's requirements. The Board members expressed disbelief after seeing no mention of Type IL cement's permeability in the Michigan letter to water well drilling contractors.

A. Becker said that this change will universally affect the drilling industry. He asked G. Craig to report back to the Board after he's had time to reach out to his contacts in the cement manufacturing industry. A. Becker asked for G. Craig to find any information he could about the pumpability and permeability of Type IL cement.

E. Hoffmann noted that this change in composition may be because of the environment, social, and governance movement, otherwise known as the ESG movement. Companies use the ESG movement to build in more sustainable ways and produce products that are more environmentally friendly. He added that this change in cement composition is likely to be nationwide instead of being specific to certain regions of the United States.

**8. Princeton University Geothermal Well Drilling Update/Heating Ventilation Air Conditioning and Refrigeration (HVACR) and Well Driller Licensing Requirements-**

S. Reya discussed the ongoing project at Princeton University. The University recently completed the second phase of project, which was in West Windsor. The third phase of the project just started, back on the Princeton side. S. Reya reminded the Board that the University is trying to have zero emissions by 2046, which is their 300<sup>th</sup> anniversary.

S. Reya informed the Board that an issue was brought to his attention while the geothermal well contractor was running the lateral lines at the West Windsor site. An inspector from West Windsor informed the well drilling contractor that what they were doing was a violation of the Heating, Ventilating, Air Conditioning and Refrigeration (HVACR) Contractors Rule, N.J.A.C. 13:32A. S. Reya reminded the Board that both G. Poppe and former Board member and Water Supply and Geoscience Director, Fred Sickles, commented on the proposed HVACR rule back in 2012. Several Board members also noted that they attended a meeting in Newark to discuss the rule proposal at which they raised the apparent conflict with the N.J.A.C. 7:9D which stipulates the circulating fluids that must be used in closed loop systems and how horizontal lines must be joined.

S. Reya said that he called the West Windsor inspector to try to get some clarification from him. The inspector pointed S. Reya to minutes from an April 5, 2022 meeting of the State Board of HVACR Contractors. S. Reya read the minutes but was not clear as to the context of the motion and has requested additional information related to this matter.

S. Reya noted that he wanted to bring this to the Board's attention and asked for input from G. Craig and G. Poppe since they were the most familiar with the subject. He inquired as to whether either have been informed by any inspectors that they were unable to run geothermal lateral lines in residential or commercial geothermal well installations. G. Craig said that this is a big problem that needs to be addressed. He was not sure what advice to provide since it appeared to be a rule issue between two state agencies. G. Poppe agreed and noted that it sounded similar to what happened with New Jersey licensed plumbers regarding the jurisdictional issues with 7:9D and the plumbing subcode, which were clarified in a 1988 Consent Order and subsequent Department of Consumer Affairs (DCA) bulletin. R. Dalton suggested getting the Board's Deputy Attorney General (DAG), Jill Denyes, to investigate this problem.

A. Becker asked how the Board would like to handle this issue. R. Dalton reiterated his stance that DAG J. Denyes, who was unable to attend this meeting, needs to be notified about this. S. Reya added that at no point in time did anyone issue stop work orders to the geothermal well contractors on the West Windsor site. G. Craig suggested being proactive to deal with this issue. A. Becker suggested that the Board make a motion to have the Department attempt to reach a resolution on this topic.

**G. Craig made a motion to have the Department get clarification from the HVACR Board to reach a resolution. This motion was seconded by G. Poppe and approved unanimously.**

**9. New Business-**

Mr. Brian McGuire asked S. Reya and M. Ortega a question about testing. He said that a member of his staff has been trying to schedule an exam but said that the testing vendor says that pre-approval is needed from the Board. S. Reya explained that pre-approval is not required for New Jersey well driller or pump installer exams. Mr. McGuire said that he will follow up with the testing vendor and will follow up with the Department if needed.

**10. Adjournment-**

A. Becker thanked the Board and members of the public for attending. The next scheduled Board meeting will be held on Thursday, August 18<sup>th</sup>.

**At 10:21 am, a motion to adjourn the meeting was made by G. Poppe, seconded by G. Craig, and approved unanimously.**