



State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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STATE WELL DRILLERS AND PUMP INSTALLERS
EXAMINING AND ADVISORY BOARD

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State Well Drillers and Pump Installers Examining and Advisory Board Meeting Minutes for November 18, 2010

Board Members Present: Art Becker (Chairperson), Anthony Tirro (Vice-Chairperson), Richard Dalton, Gary Poppe, Joe Yost, Joe Pepe, Karl Muessig, Fred Sickels and Carol Graff.

Board Members Absent: none

NJDEP Staff Present: Pat Bono, John Fields, Julia Altieri (am only), Tracy Omrod, Steve Reya, Brian Buttari (pm only), Michael Schumacher (pm only), John Olko (am only).

Member(s) of the Public: Raymond Smith, licensed well driller, Environmental Probing Investigations

- 1. Call to Order** - The meeting was called to order by A. Becker at 9:42 am with a quorum present.
- 2. Review of draft Minutes from September 16, 2010 Meeting** – A Becker noted that the fifth sentence of item 6, which begins with “She believed that” contained a “typo.” The portion of the sentence containing the phrase “but there is no administrative mechanism to established mechanism to do so.” should be corrected to read “but there is no administrative mechanism or established mechanism to do so.” A motion to approve the minutes upon correction of this sentence was made by A. Tirro, seconded by C. Graff and approved unanimously.
- 3. Certification of Scores for October 7, 2010 Master, Journeyman, Journeyman B, Monitoring, Soil Borer and Pump Installers Exams–**

Master – A motion to approve the exam scores was made by J. Yost, seconded by R. Dalton and approved unanimously.

Journeyman – A motion to approve the exam scores was made by A. Tirro, seconded by A. Becker and approved unanimously.

Journeyman B – A motion to approve the exam scores was made by R. Dalton, seconded by A. Tirro and approved unanimously.

Monitoring – A motion to approve the exam scores was made by F. Sickels, seconded by A. Becker and approved unanimously.

Soil Borer – A motion to approve the exam scores was made by Karl Muessig, seconded by J. Yost and approved unanimously.

Pump Installer – The Board members discussed the amount of experience required of a Pump Installer applicant (one year) and how it may affect the pass rate of the exam. One idea of soliciting feedback was to send out a small survey to applicants that questions what the applicant is doing to study/prepare for the exam. The Board members felt that such a survey might allow them to compare the preparation work undertaken by both passing and failing applicants and see what could be done to assist applicants and potentially increase scores and the exam pass rate. J. Pepe, G. Poppe and A. Becker volunteered to form a task force and set up a conference call to discuss how their subcommittee could develop this survey, which could be sent out by the Bureau (potentially with scheduling or score letters). A motion to approve the exam scores was made by G. Poppe, seconded by C. Graff and approved unanimously.

4. Certification of Applicants for December 9, 2010 Master, Journeyman, Journeyman B, Monitoring, Soil Borer and Pump Installers Exams–

Master – A motion to approve the exam scores was made by G. Poppe, seconded by F. Sickels and approved unanimously.

Journeyman – There were no applicants for this category.

Journeyman B – A motion to approve the exam scores was made by G. Poppe, seconded by A. Becker and approved unanimously.

Monitoring – A motion to approve the exam scores was made by K. Muessig, seconded by J. Yost and approved unanimously.

Soil Borer – A motion to approve the exam scores was made by A. Tirro, seconded by Karl Muessig and approved unanimously.

Pump Installer - A motion to approve the exam scores was made by J. Pepe, seconded by A. Becker and approved unanimously.

- 5. Board Meeting Dates for 2011** – The Board set the following meeting dates: January 20, March 17, May 26, July 21, September 15 and November 29. Additionally, two conference calls will be held to review and certify exam scores. These calls will be held on May 3 and November 8. The Bureau will post public notice of these meetings.

Note: The 2011 meeting and conference call dates have been formally published as required on Dec 22nd in the following newspapers: *The Star Ledger*, *Press of Atlantic City* and *The Times*.

- 6. NJDEP Transformation Initiatives-** F. Sickels discussed some of the Department's recent transformation initiatives and how the Bureau will be affected by such changes. As part of the restructuring and personnel changes, Michele Putnam has been moved to another Division and F. Sickels is now Acting Director of the Division of Water Supply. His priorities are focused on devoting more staff resources to field work and utilizing local agencies to assist in monitoring well drilling activities. He feels that county and municipal inspectors could be better utilized to assist in being the Department's eyes and ears out in the field. He also mentioned meeting with J. Fields (Bureau Chief, Bureau of Water Systems & Well Permitting) and P. Bono (Section Chief, Well Permitting Section) to re-assign some of the Bureau's engineering staff to work on Well Permitting issues, such as management of backlogged well records. Data entry of historic well record data by staff from sections other than the well permitting section continues to another ongoing high priority task. He stated that utilization of the National Ground Water Association (NGWA) for administration of the driller/pump installer testing, licensing and continuing education program has the Department's full support. Finally, Mr. Sickels asked the Board members for their support as the Well Permitting staff develop rule revisions and for assistance with involving stakeholders early in the rule writing

schedule to keep the process more transparent and better resolve problems. One area of recent success mentioned by F. Sickels is the inclusion of a requirement to the Licensed Site Remediation Professionals (LSRPs) will verify that licensed well drillers are installing wells at these sites and that well permits are onsite when the wells are drilled.

- 7. Update of Recent Meeting With Former Division of Water Resources Director Michele Putnam (Art Becker)-** A. Becker discussed meeting with Michele Putnam, who was then Director of the Department's Division of Water Resources. (Fred Sickels is now the Acting Director of this Division, as noted earlier). Several topics were covered at this meeting, which A. Becker summarized as follows:

Enforcement- Recent changes to enforcement procedures have begun working and must continue. Additional efforts must be taken to step up the program.

Rule and Regulation Revisions (March 2012)- M. Putnam confirmed her support in working to fully revise the regulations, rather than a simple fee/"patchwork" change. A. Becker also volunteered to assist the Department's stakeholder meetings by enlisting the help of the New Jersey Ground Water Association (NJGWA).

Licensing- A Becker felt that the idea of having third party oversight of the licensing program was well thought of within the Department. He added that the Bureau and Board would still have some control over the application aspect of the program to check and verify the qualifications of applicants before a test is administered and/or a license is issued.

Continuing Education- He stated that the Bureau needs to outsource an entire comprehensive continuing education program. He felt that the program needed to be both beneficial to the industry and manageable with current Department resources, which would be aided through the use of outsourcing this program to the same agency contracted to administer the exam and licensing components of the program.

F. Sickels noted that he expects to support these activities.

- 8. Recent Enforcement Activity-**

J. Olko, from the Department's Water Compliance and Enforcement Division provided an enforcement activity update, stating that the Department's transformation initiative, as discussed previously in the meeting, has significantly changed the structure of the division in which he works. He discussed how he plans to work with the new director of his program and stated that well drilling violations will remain a priority. Additionally, he and J. Altieri discussed how they had recently worked on ten Administrative Orders (AOs) and penalties for frequent violators, which they hope will be reviewed and sent out shortly by the new administration that is in place. A Becker expressed satisfaction that due process is taking place and that enforcement actions are progressing.

F. Sickels brought up a component of the enforcement program that he believes needs to be rectified moving forward: the issue that New Jersey does not currently have a company registration for drilling/pump installation contractors. He thought that as the Department investigates the potential of contracting with NGWA for the licensing process, everyone should keep in mind whether that association could track a company registration or if the Department would have to track the company registration. Lack of company registration requirements has historically hampered the Department's enforcement activities.

- 8. Well Driller/Pump Installer and Master Plumber Jurisdiction Update-** A. Becker stated that he hopes that all stakeholders can come to an agreement that will all both the drilling/pump installing community and the plumbing community to engage in installing and servicing water treatment equipment for facilities served by well water. Based on the current laws and regulations that are in

place, he feels that both parties are legally granted the right to perform the work. He feels, however, that the majority of the work currently being done is actually by individuals who do not possess either type of license. A Becker is still working to set up a meeting with all four stakeholders: the NJ Department of Consumer Affairs (DCA), the Board of Master Plumbers, NJ Department of Environmental Protection (NJDEP) and the State Well Driller and Pump Installer Board. J. Fields volunteered to attend this meeting as a representative of NJDEP. A. Becker will work with the three volunteers from the previous Board meeting (G. Poppe, J. Pepe and A. Tirro) to set up this meeting. Additionally, he indicated that he will reach out to Tom Pitcherello from DCA.

9. **Response to NGWA (Testing, Licensing and Continuing Education Program Administration)-** S. Reya discussed a November 3, 2010 letter he sent to NGWA Executive Director, Kevin McCray, which was in response to a list of questions asked in a June 30, 2010 letter from Mr. McCray. Upon review of S. Reya's responses, NGWA staff will be able to develop a proposal and cost estimate for the proposed program that they would implement by contracting with the Department. S. Reya also noted that a request to proceed with a waiver of public advertising, for the purpose of contracting with a sole-source vendor, had also been submitted to the purchasing element of the Department. He hopes to further refine exactly how the proposed program will look once a response is received from NGWA. He did not specify an exact date for the proposed implementation of this program.
10. **Hardin Geothermal Pipe-** P. Bono recapped the Board's approval for the 4.5-inch Hardin geothermal well casing, which utilizes grout ports to grout the annular space around the casing. Since the last meeting, Hugh Streep, President of Next Gen Technologies, contacted the Bureau and indicated that manufacturing of the pipe had begun, and unfortunately the slots and port hole sizes that were originally designed could not actually be manufactured. He indicated that the thicker than required wall thickness and cooling issues have resulted in an area along the center that will not allow for the drilling of a grout port any larger than ½" in diameter. This revised proposal was ultimately approved by the Bureau after speaking with Board members. The pipe will contain one grout port on each side every foot. The proposed installation, which is a veterinary hospital in Robbinsville, calls for approximately twenty-seven wells to a depth of about 400 feet. Several Board members expressed concern with the grouting procedure due to the high sand content of the bentonite-based geothermal grouts proposed for use as well combined with the size of the smaller ½" grout ports. A. Becker requested that Bureau staff perform unannounced site inspections to verify that the port design allows for proper grouting of the annulus. He also noted that Bureau staff should verify that licensed individuals are onsite to supervise the drilling and grouting the wells. S. Reya offered to send out the permit to Board members so that several can visit the drilling site to observe the drilling and grouting operation.
11. **CETCO High TC Geothermal Grout-** S. Reya detailed a November 15, 2010 from Todd Tannehill, Regional manager of CETCO Drilling Products, in which Mr. Tannehill requested that CETCO High TC Geothermal Grout be approved for use in New Jersey without a field test (pumpability demo and "field mix" permeability test. He requested a waiver from the Bureau and Board from this field test process because he states that "CETCO High TC has a formulation much like CETCO Geothermal Grout, already approved by [the] state. The base sodium bentonite (that affects permeability) is the same as CETCO Geothermal Grout and only the proprietary additives (for thermal conductivity) have been altered." Additionally, he provided permeability data for four different mixes (samples containing (100-lbs, 200-lbs, 300-lbs and 400-lbs of silica sand). The lab permeability measurements, which were all conducted by an independent lab in accordance with ASTM D5084, were below the Department's maximum permeability value of 1×10^{-7} cm/sec (meaning these levels are acceptable). He also noted that the product is certified to NSF/ANSI Standard 60, Drinking Water treatment Chemicals-Health Effects and provided a Technical Data Sheet (TDS) and Material Safety Data Sheet (MSDS).

The Board members suggested that a separate MSDS sheet be obtained, which pertains only to the proprietary additives. They said that the names of the actual chemical makeup of the proprietary additives could be omitted from the form but information on the health effects of the additives should be provided, not simply the grout product itself. They also requested that CETCO provide documentation of the fact that their product is certified to NSF/ANSI Standard 60. If possible, the members noted that they would also like some further information on the standard itself and what exactly the certification verifies and to what extent the health effects have been studied. Finally, members suggested securing a copy of the standard to facilitate their review. S. Reya will follow up with Mr. Tannehill.

12. DEP Program Updates –

ePermitting- Over 90% of the Bureau's well permits are currently being submitted through the ePermitting system according to P. Bono.

Historic Well Records- P. Bono said that additional Bureau staff is now being utilized to enter historic well record information into the Department's database for better retrieval of this crucial information in the future. She stated that this work is currently being performed on overtime and, to a lesser extent on regular time.

Regulation revision- P. Bono indicated that she will be looking for assistance from the Board members as the Bureau begins to revise the well construction regulations. There are a number of broad categories that must be revised so she would like to set up sub-committees to tackle the following tasks: licensing/testing, technical issues and "hairy issues" such as jurisdictional issues that must be resolved with other Boards or state agencies. She also envisions a significant level of input from stakeholder meetings, which will begin early in the process. Additionally, P. Bono hopes that NJGWA may be another valuable source of input and assistance.

13. Adjournment - A motion to adjourn the meeting was made by G. Poppe, seconded by J. Pepe and unanimously approved at 2:28 pm.