



# State of New Jersey

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

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STATE WELL DRILLERS AND PUMP INSTALLERS  
EXAMINING AND ADVISORY BOARD

### New Jersey Department of Environmental Protection Well Drillers and Pump Installers Examining and Advisory Board Meeting Minutes for July 19, 2012

**Board Members Present:** Art Becker (Chairman), Gary Poppe (Vice Chairman), Richard Dalton, Gordon Craig, Steve Doughty, Carol Graff and Dr. Karl Muessig

**Board Members Absent:** Joseph Yost, Joseph Pepe

**Board Legal Advisor Present:** Tirza Wahrman, Deputy Attorney General (DAG)

**NJDEP Bureau of Water Allocation & Well Permitting Staff Present:** Terry Pilawski, Pat Bono, Steve Reya, Julia Altieri, Mike Schumacher, Brian Buttari, Letitia Jones, Melia Stoop

**Member(s) of the Public:** None.

**1. Call to Order –**

Chairman Art Becker called the meeting to order at 9:30 am with a quorum present.

**2. Review of the Minutes from the May 24, 2012 Meeting –**

A motion to approve the minutes without change was made by K. Muessig, seconded by S. Doughty and approved unanimously. C. Graff suggested that future minutes contain a listing or attachment of the exam scores that were certified by the Board at the meeting. It was noted that passing applicant scores will be listed but failing applicants will be omitted from the list.

**3. Review and Certification of Exam Applicants for the June 13<sup>th</sup>, 2012 Master, Journeyman, Journeyman B, Monitoring, Soil Borer and Pump Installers Exams –**

**Master** – A motion to approve all listed applicants for the exam was made by G. Poppe, seconded by C. Graff and approved unanimously.

**Journeyman** – A motion to approve all listed applicants for the exam was made by G. Poppe, seconded by G. Craig and approved unanimously.

**Journeyman B** – A motion to approve all listed applicants for the exam was made by S. Doughty, seconded by A. Becker and approved unanimously.

**Monitoring** – A motion to approve all listed applicants for the exam was made by G. Poppe, seconded by R. Dalton and approved unanimously.

**Soil Borer** – A motion to approve all listed exam applicants was made by G. Craig, seconded by C. Graff and approved unanimously.

**Pump Installer** – A motion to approve all listed exam applicants was made by C. Graff, seconded by K. Muessig and approved unanimously.

- 4. Pump Installer Exam Survey Results-** Board members reviewed the results of the Pump Installer Exam Surveys that were completed by applicants who took the June 13, 2012 exam. Members discussed a common problem within the pump industry: the fact that little troubleshooting of electrical components of a pumping system is performed anymore. Typically, entire components are replaced rather than determining the actual cause of the problem by troubleshooting the entire pumping system. Additionally, it was noted that employers often send unlicensed employees out to a site to determine the problem instead of having a licensed person perform the diagnosis to determine the cause of the problem.

Members also expressed their concerns that often employers and business owners are not properly training their successors on technical expertise or sound business practices. These observations were supported by the results of both the pump installer survey and the exam scores on the technical portion of the exam. S. Doughty questioned how to remedy the problem and G. Poppe asked how to promote public awareness of these problems. All agreed that these concerns are an industry-wide issue and that there is no immediate solution. Members also noted that the issue should be further discussed at the next meeting when J. Pepe and J. Yost are both present, as they have extensive knowledge of the pump industry.

It is also anticipated that the move to use the National Ground Water Association (NGWA) pump installer exams will remedy the high exam failure rate to some extent. The NGWA offers two separate pump tests: one for pumps over 100 gallons per minute and one under 100 gallons per minute. The current NJ license exam does not allow applicants to choose a specialty exam type based upon the types of pumps on which they most often work. This may be a contributing factor to the poor passing rates, which are generally the lowest among all license categories. Chairman Becker stated that the surveys continue to be very informative to the Board and requested that DEP staff continue to include the survey in all Pump Installer exams that are administered.

- 5. Board Business & Correspondence-LSRP Letter-** Chairman Becker discussed a letter he recently drafted to the Licensed Site Remediation Professional (LSRP) Board. The letter stresses the importance of documenting the name, NJDEP driller license number and license class of any individual performing well drilling activities on sites managed under the LSRP program. The letter requests that the LSRP Board reminds LSRPs of these requirements and notes that failure to meet such state requirements could place project results in jeopardy and could result in a violation of the state well drilling regulations. C. Graff stated that the letter should also urge LSRPs to make sure that the state regulatory requirement to have the well permit number permanently affixed on all wells is followed. A. Becker will revise the letter to incorporate the Board's comments and send the letter to Karen L. Hershey, Esq., Secretary and Liaison to the LSRP Board. It is envisioned that the Board can distribute the letter to the various LSRPs and include the information in LSRP training material.

- 6. NJDEP Enforcement Activities Update-**

J. Altieri provided a compliance and enforcement update on Department activity since the Board's last meeting. Bureau staff members have been working with NJDEP's Northern Water Compliance & Enforcement Office and, as a result, a final resolution was reached regarding the decommissioning

of an improperly constructed well in Warren County. Brian Buttari witnessed this well decommissioning to ensure that proper procedures were followed. In a separate incident, B. Buttari recently witnessed an unlicensed individual acting as a pump installer. Initial reports of violations reported on this individual date back ten years. Well permitting staff are following up.

Another recent enforcement case came to light based on a complaint filed by the son of a deceased pump installer. In this situation the partner, who is not licensed, has been operating a business and displaying the name and license number of the former (deceased) partner. Staff are investigating the details to determine if the person has been performing pump work without a license. T. Pilawski questioned whether the Department has the ability to issue a cease and desist order to the unlicensed person in addition to violation notices that have already been sent to immediately stop the person from violating the regulations. DAG T. Wahrman, requested that all details of the case be forwarded to her for follow up on the possibility of issuing a cease and desist order.

J. Altieri said the Department continues to work with state DAGs on two ongoing cases of alleged improperly constructed wells. G. Poppe brought up some outstanding cases that he believed put the state's groundwater at risk because improperly constructed wells that have not been decommissioned can act as conduits for contamination to reach confined aquifers. J. Altieri indicated that she intends to follow up on the referenced cases shortly.

- 7. Technical Topic- Discussion of Heating Ventilation Air Conditioning and Refrigeration (HVACR) Board Correspondence-** P. Bono summarized a licensing and geothermal system construction issue that was discussed at the Board's May meeting. The proposed Heating, Ventilation, Air conditioning and Refrigeration (HVACR) regulations (N.J.A.C. 13:32A) conflict with geothermal well licensing requirements already established in the well drilling regulations (N.J.A.C. 7:9D). They also do not reference construction standards for all geothermal well system installations as established in N.J.A.C. 7:9D. Representatives of the New Jersey Ground Association (NJGWA) recently met with NJDEP Division of Water Supply Director, Fred Sickels, Terry Pilawski and other Division staff to request assistance from the Department in resolving the conflict with the HVACR regulation proposal. Two letters (dated May 30, 2012, and another on July 11, 2012) detailing these concerns were sent from Mr. Sickels to David M. Puteska, who is the liaison for the HVACR Board. In addition, NJGWA, sent a letter to Mr. Puteska prior to both NJDEP letters. To date no written response has been received from any of the three letters. It was suggested that someone from the Director's office call Mr. Puteska's office to see if they plan to address the Department and NJGWA's joint concerns regarding the apparent conflict with the well drilling regulations. S. Doughty offered to follow up on this matter.
- 8. Technical Topic Updates-** S. Reya notified the board that Baroid Industrial Drilling Products would be coming in shortly to meet with Bureau staff to present data on their development of antimicrobial grout material and drilling fluids. He also announced that the approval letter for the installation of Agreenability's geothermal system (geothermal twisted pipe bundle/2TPB) was signed by Bureau of Water Allocation and Well Permitting Chief, Terry Pilawski, and sent out to Agreenability President, Robert Jensen.
- 9. Well Permitting Program Updates- Document Review and Data Entry**  
Assistance from additional staff within the Bureau of Water Allocation and Well Permitting has aided in catching up on the review of paper well decommissioning reports. J. Altieri said that

approximately 7,000 decommissioning reports were done in the last six months while still attempting to keep up with current paper submissions. Unfortunately, however, data entry of "historic" paper well decommissioning reports is somewhat backlogged at the moment. T. Pilawski added that the Bureau has recently hired additional staff, which should free up some staff resources for this task. Efforts to review and enter historic well records (pre-2003) recently resumed since the close of the fiscal year.

#### **Online Well Search Tool**

M. Schumacher updated the Board on a new well search tool that will allow users to access well permits, well records and well decommissioning reports online through the DEP website. He noted that the vast amount of user requests have recently caused the program to "crash" because the Department's servers cannot handle the high volume of requests being submitted. The Department is pursuing the development of a new portal service that would be better able to handle the demands for receptor evaluation searches. It could also be used by drillers to search for information. T. Pilawski spoke about how security concerns have necessitated the development of this portal service as the Department does not want to list sensitive information, such as the location and construction details of public community water systems, directly on a website. The new portal service will essentially perform an identity check of users who request such information. If the check fails to verify the identity of the user, access to such records would be denied through the internet portal. The Division is still ironing out security concerns and Division policies as they relate to the dissemination of this sensitive material.

#### **Well Regulation Update**

The draft of the well regulation (N.J.A.C. 7:9D) have been submitted to the Department's Office of Legal Affairs. T. Pilawski said that she hopes to receive comments back from this office shortly. Once these comments have been addressed the draft will be published in the New Jersey Register and made available for public comment, at which point licensed drillers, pump installers, consultants, engineers, health departments and the public may submit written comments to the Department. A. Becker thanked Division staff for their work on the revisions to the regulations.

#### **National Ground Water Association (NGWA) Proposed Testing and Licensing Program**

S. Reya said that both he and P. Bono were able to review current NGWA certification exams after signing a confidentiality agreement. He stated that they found the exams to be thorough and consistent with the technical portions of the current NJ exams. He also said the exams did not contain any questions that would directly conflict with NJ regulations, which was a concern expressed by several Board members in the past. The proposed testing and licensing program allows for the development of a NJ regulations component for each category of license. S. Reya and P. Bono noted that this portion of the exam can contain any other topics the Board may want to address that may not be fully covered by the current NGWA certification exam.

They requested volunteers to work on the regulatory exam module for the Pump Installer exam. S. Reya will contact G. Poppe, J. Pepe and J. Yost, all of whom regularly perform pump installation work, to request their assistance and input with this task. A. Becker also noted that he would be willing to assist with developing this exam. All Board members are welcome to participate.

- 10. Adjournment-** A motion to adjourn the meeting was made by Gary Poppe, seconded by Gordon Craig and approved by all at 12:36 pm.