

Minutes – Thursday, Sept. 13, 2007

State Well Drillers and Pump Installers Examining and Advisory Board

Board Members Present: Pete Demicco, Art Becker, Dick Dalton, Joseph Pepe Sr., Karl Muessig, Fred Sickels, Anthony Tirro (via speakerphone)

Board Members Absent: Norman Primost

Others Present: Helene Chudzick (DAG), Michael Schumacher (DEP), Holly Papp (DEP), Melinda Strahle (DEP), Tracy Omrod (DEP), Brian Buttari (DEP), Steve Reya (DEP), Pat Bono (DEP), Julia Altieri (DEP), Vince Monaco (DEP), Gary Poppe

- 1. Call to Order** – The meeting was called to order by Art Becker at 10:01 am with a quorum present.
- 2. Review of Minutes from July 17, 2007 meeting** – Fred Sickels suggested to remove the reason why the conference room was needed by noon. A motion to remove that from the July minutes was made by Fred Sickels; seconded by Karl Muessig. Karl Muessig made a motion to approve the July 17, 2007 minutes with the suggested change and it was seconded by Pete Demicco; the motion carried.
- 3. Certification of test applicants** – After a review of the test applicant lists, a motion to approve the Master Well Driller applicants was made by Dick Dalton and was seconded by Fred Sickels; the motion carried.

Along with his application, a letter had been submitted on behalf of Max Dieber, which requested that he be allowed to sit for the Journeyman exam even though he had not fulfilled all the requirements (5 wells drilled within the past 3 years). Helene Chudzick suggested that his request be denied because he could have made sure to fulfill the requirements like everyone else. Art Becker said a letter needs to be written to Max Dieber explaining that he should drill the needed number of wells and apply to sit for the next test. Max Deiber's application will be rejected.

A total of 4 rejections for Journeyman and Journeyman B were noted and a motion to approve the accepted applications for both drilling classes was made by Karl Muessig and was seconded by Dick Dalton; the motion carried.

- 4. Written Challenges to Test Questions** – At 10:12am, Open Session was suspended and the Board entered an Executive Session in order to review the questions which were being challenged. The Board returned to Open Session at 10:47am.
- 5. Summary of Test Questions Review** – Joe Pepe and Norman Primost reviewed and revised the Pump Installers exam. Some questions were eliminated and some were revised. Questions that tested more technical knowledge were added, along with more questions being added to the regulatory section. Norm Primost and Joe Pepe believe the Pump Installers exam is now complete and correct.
- 6. Board Vacancy** – Eight applications have been received. A recommendation needs to be given to the commissioner, so DEP staff asked the Board members for their input on what expertise might be missing from the Board. Art Becker mentioned that the Board lost someone with experience in North Jersey (hard rock). He also noted that he has mostly environmental experience, Anthony Tirro has more geotech experience, and Norm Primost has water well experience. He suggests possibly looking for someone with experience installing large, deep, production wells. It was also mentioned that someone with obstruction (fishing) experience would be useful. Fred Sickels suggested having conversations with each applicant in order to gauge their level of interest in the position. Joe Pepe would like someone with more pump experience. Karl Muessing suggested possibly choosing a Master Well Driller because they tend to have more experience with a wider range of issues.
- 7. Technical Issues** – Steve Reya reviewed recent correspondence and actions with regards to the Morrison grout demonstration. A letter dated August 6, 2007 was received by the Bureau, which stated that Morrison recognizes that the grout mixture did not meet regulatory specifications and noted that the pump was malfunctioning the day of the demonstration. Morrison later notified the Bureau that they would not be scheduling a new grout demonstration; they would instead be drilling-out the 14 wells that were grouted with the flawed mixture and one additional well that they were not able to grout properly due to suspected borehole collapse. The Bureau sent a letter on September 10, 2007 stating that Morrison must notify the Bureau of all pending drilling and/or re-drilling so that the Bureau can be onsite. This work is anticipated to occur within approximately 6 weeks.
- 8. Status of Continuing Education** – Melinda Strahle presented a summary of her research on other states' continuing education programs for well drillers (hand-out in meeting folders). 22 of 50 states have continuing education for their licensed well drillers. Art Becker noted that numerous states are also trying to start CE programs and he would find out who they are. He mentioned that Florida and North Carolina have the most strict and demanding CE programs that he knows

of; suggested looking at those programs for ideas. Fred Sickels suggested looking at other areas of the DEP that have CE programs and discerning if BWS&WP could copy-cat their programs. Art Becker noted that CE would help the NJ Groundwater Association financially, especially if the number of internet credits is limited. Fred Sickels left the meeting at 12:12 pm.

- 9. Progress of E-Permitting Development** – Michael Schumacher gave a presentation of the E-Permitting system (showed web pages, etc).

- 10. Reporting Pumping Capacities** – Vince Monaco discussed how the Bureau is looking to identify entities with wells that contain pumps that are rated greater than 35 gpm (in the Highlands) and greater than 70 gpm (rest of the state). The Bureau would like to have wells/pumps registered (water use registration). Initially this registration would be voluntary, however we will eventually change the rules. The Bureau will ask drillers and pump installers for help in getting the information out to homeowners. Joe Pepe asked what was the proper way to report a pump installation in a residential well; Bureau said he could submit a “revised” well record. Joe Pepe suggested adding an additional screen to E-Permitting for that purpose. Pat Bono will email information to the NJGWA to be put in the newsletter, information will be added to the Well Permitting website, and flyers will be sent out with permits.

- 11. Obtaining Pre-Approvals for Setback Minimums** – The Bureau is having trouble making informed decisions about setbacks with the limited information that is submitted with permit applications; wants homeowners to get variance approvals from their local authorities before submitting a well permit request via a driller. Art Becker questioned how this new policy would be implemented, how it would impact the industry, and was concerned that it would become another task for the drillers to do. He asked the Bureau to make sure that the wording of the regulation will specifically state who’s responsibility it is to get the local approval.

- 12. New Business/Public Comments** – Gary Poppe had previously submitted a letter to the Board regarding a complaint against John Ricigliano (Well Doctor). He cited a number of instances where Mr. Ricigliano has been involved in questionable practices regarding well construction and/or lack of permitting. Art Becker employed the Bureau to take action in this matter. He stated his frustration with the lack of enforcement action against negligence, and believes it sends the wrong message to drillers who do the right thing. Joe Pepe wanted to know the procedure for moving forward with action, legal complaints, etc. Pat Bono mentioned that allegations are being brought to Enforcement. Vince Monaco said that the Bureau would look into the matter, along with other “bad actors”. Julia Altieri noted that Notices of Non-Compliance (NONC’s) and Settlement Offer Letters (SOL’s) are sent and that most matters get resolved, however there is a

point at which some disputes stall; never making it to the point where a license is revoked. Pat Bono offered that it is often difficult to get evidence against a disreputable driller because homeowners don't cooperate. Vince Monaco encouraged the submission of complaint letters like Gary Poppe's.

13. Adjournment – A motion to adjourn the meeting was made by Joe Pepe and was seconded by Pete Demicco. Art Becker adjourned the meeting at 2:00 pm.