



State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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NJ STATE WELL DRILLERS AND PUMP INSTALLERS
EXAMINING AND ADVISORY BOARD

NJ State Well Drillers and Pump Installers Examining and Advisory Board Meeting Minutes for Thursday, September 17, 2015

Approved by the Board on November 24, 2015

Board Members Present: Art Becker (Chairman), Gary Poppe (Vice-Chairman), Joe Yost, Carol Graff, Steve Doughty (present until 10:20 am at which point he left to attend another meeting) and Richard Dalton

Board Members Absent: Joe Pepe, Gordon Craig.

Board Legal Representative: Jill Denyes, Deputy Attorney General (DAG), NJ Division of Law

NJDEP Bureau of Water Allocation & Well Permitting Staff Present: Terry Pilawski, Pat Bono, Steve Reya, Julia Altieri (arrived at 10:29 am), Michael Schumacher, Mark Ortega and Melia Stoop

New Jersey Geologic & Water Survey (NJGWS) Staff- Jeff L. Hoffman, NJ State Geologist (present until 10:20 am at which point he left to attend another meeting)

Other NJ DEP Member Present: Bryan Barrett and Brett Callanan of Water Compliance and Enforcement-Central Region

1. Call to Order –

The meeting was called to order by Chairman A. Becker at 9:37 am, with a quorum present.

- 2. Introductions-** Assistant Commissioner of Water Resources Management, Dan Kennedy, introduced himself to Board members and provided some background on the DEP programs he oversees. In response to a written inquiry Chairman A. Becker sent to the Commissioner's office regarding necessary revisions to the current well regulations (N.J.A.C. 7:9D), Mr. Kennedy provided an update of the current status of the regulatory revisions and reason for the delay in the proposal and adoption

of the rules. Unfortunately the draft rule revisions have been held up due to the prioritization of necessary rule revisions within various Department programs. Many of these regulatory revisions needing immediate action are now completed. Therefore, he anticipates that the much needed updates to the well regulations will soon undergo Department legal review and subsequently sent to the governor's office. At that point, the Board can advocate for the rule proposal. He anticipates that the rule will be submitted by December 2015 and will be proposed in early 2016. Additionally, he noted that he would be willing to provide another update at the Board's November meeting provided his schedule permits.

Assistant Commissioner Kennedy also informed Board members that staff continues to work on Board reappointments. Staff will reach out to the Board members if any additional information needs be submitted.

3. Review and Certification of the Minutes for the July 23rd, 2015 Meeting –

A motion to approve the minutes without change was made by G. Poppe, seconded by R. Dalton and approved unanimously.

4. Review and Certification of Exam Applicants for the October 7, 2015 Master Well Driller, Journeyman, Journeyman B, Monitoring Well Driller, Soil Borer and Pump Installers Exams –

Master Well Driller– A motion to approve all listed exam applicants was made by G. Poppe, seconded by J. Yost and approved unanimously.

Journeyman - A motion to approve all listed exam applicants was made by G. Poppe, seconded by S. Doughty and approved unanimously.

Journeyman B – A motion to approve a single exam applicant was made by R. Dalton, seconded by J. Yost and approved unanimously.

Monitoring – A motion to approve all listed exam applicants was made by J. Yost, seconded by G. Poppe and approved unanimously.

Soil Borer – S. Reya noted that one applicant, Roman Iwaskiw, whose application is listed as “pending,” included a letter describing extenuating circumstances which precluded him from meeting the application requirements. Specifically, Mr. Iwaskiw indicated that he was unable to meet the application requirement of providing information for drilling a borehole greater than 50 feet in depth. His letter stated he is certified by the National Ground Water Association (NGWA) in their monitoring and augering category, but his drilling work in Pennsylvania has never required him to go deeper than 50 feet. He drills using direct push technology and, since bedrock is encountered at relatively shallow depths in eastern Pennsylvania, he does not have the opportunity to exceed that depth. NJ does not require a drilling permit for boreholes less than 50 feet deep. The purpose for requiring a permitted borehole on the application is to allow staff to review the construction of at least one borehole drilled by the applicant. S. Reya also explained that since the applicant has met the minimum experience requirement of three (3) years while drilling out of state and is certified by NGWA in the appropriate category, Mr. Iwaskiw is eligible to sit for the Monitoring Well Driller exam. Unlike other licenses, the soil borer license has no “equivalent” NGWA certification exam to use as a qualifier to sit for the NJ exam. Board members expressed unanimous support to allow Mr. Iwaskiw to sit for the Soil Borer exam since he is deemed qualified to sit for a “higher level” license category. A. Becker also suggested that the Board reexamine the Soil Borer application at a future

meeting to allow for out-of-state soil boring experience to count towards NJ licensure, provided the applicant has passed higher or equivalent NGWA certification(s).

A motion to approve all listed exam applicants, including R. Iwaskiw, was made by S. Doughty, seconded by R. Dalton and approved unanimously.

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

5. Drought Status Update-

A lack of recent precipitation has necessitated regular meetings between S. Doughty and other Department staff to continually assess the drought status. S. Doughty explained that the Department has various levels of drought status at its disposal to attempt to mitigate the adverse effects of drought conditions. Based on current drought indicators (including precipitation, stream flows, ground water and reservoir levels), staff is currently looking into the potential of imposing a drought watch for certain water supply regions. He indicated that a drought watch essentially calls for residents to voluntarily conserve water. A “Drought Conditions Update (9/16/15)” was also provided to Board members, which detailed the precipitation deficit facing New Jersey’s water supply.

G. Poppe raised concerns about the lowering of the static water table in the Englishtown formation, particularly in the southwest portion of Colts Neck where there are a number of golf courses. Mr. Poppe reported that he and another active driller in the area met with Tom Frank from the Colts Neck Health Department regarding their observations and serious concerns while working on wells in that area. Mr. Frank notified the residents via an article in a newsletter, urging water conservation when irrigating.

Many residential property owners in the area have two wells in the Englishtown formation – one for domestic supply and a second for irrigation. G. Poppe described the wells as having significantly higher pump capacities than an average domestic well serving a single home and believes that a number of the property owners have a combined pump capacity of greater than 70 gpm. (70 gpm is the threshold for a NJDEP water allocation permit/water use registration). For several years now, the static water level has been dropping but the drop has become noticeably more dramatic since July of this year. G. Poppe reports that the static water level within a number of wells has dropped as much as 40 – 95 feet. This creates a need for the pumps to run constantly to compensate for the lack of water needed to recharge the well. He reported that he has encountered a number of situations in the region where well pumps became so overheated, the PVC well casing melted, causing the well pump to fuse to the casing and sealed off the well screen. This necessitates the decommissioning of the well and drilling of a new well to replace the failed well. Division staff will look into the issue reported by G. Poppe.

6. Reminders of the 2015 and 2016 well driller and pump installer exam dates were announced as follows:

- 2015 exams: October 7, December 9
- 2016 exams: April 6, June 8, October 5, December 7

7. Geo Energy Alternatives (GEA) GA-Xtra Geothermal Grout Update-

No progress has taken place since the last Board meeting. The outstanding issue is the need to collect another sample to send for lab testing as the original sample could not be used for the required permeability tests. The manufacturer representative had requested that the contractor be able to use this grout for an entire project and not just for one well for the Board demonstration so that the contractor would not need to switch grouts in the middle of the job. Members all agreed that utilizing a grout product that has not yet achieved approval from the Department poses unnecessary risk and that only one well should be grouted with the product for the purpose of demonstrating that the product can be mixed and placed within a borehole in accordance with both manufacturer specifications and NJDEP regulations.

8. Ethics Training for Board Members- Jill Denyes, Deputy Attorney General (DAG) New Jersey Division of Law-

J. Denyes advised that all members are required to complete an online Ethics Training course to serve on a NJ State Board. This training must be retaken every three (3) years. J. Hoffman indicated that state employees are also required to complete ethics training, but that he believes State officials are required to take a different online training module. A link and further information about the required training will be sent to Board members by P. Bono.

9. Enforcement and Field Work Activities –

A summary of Well Permitting Program's recent (past 8 weeks) enforcement and field activities was presented by J. Altieri.

A.) Field work: Well Permitting Section staff performed 14 field inspections the past 8 weeks, mostly in the month of August, again several in one day. Field work included site inspections to find lost wells, new public supply and other potable well construction. For the first time in a long time, DEP staff inspected and field verified a case of an unlicensed person constructing soil borings in the Mercer County with suspected construction violations as well. Follow up inspections to the same site showed the company to be in compliance with Category 5 construction standards and having licensed people of the proper class on-site to finish the job. Notices of violation have been sent to the individual and his company with penalties pending for the unlicensed issue.

B.) Coordination with DEP's Compliance and Enforcement: Work continues with efforts to further the updating and transformation of the well permitting enforcement program into the NJEMS system. Well permitting staff met with Central Region Enforcement staff computer specialists to build the necessary internal computer infrastructure to make to process work. Work is expected to continue in the coming months.

C.) Slater Well Drilling Case: A letter dated September 1, 2015 was sent by the DEP Office of Legal Affairs to the Office of Administrative Law in Newark to formally request that the case involving Slater Well Drilling be returned to the NJDEP. In a letter dated September 9, 2015, the Administrative Law Judge, Margaret Monaco, confirmed that the Slater case is being returned to NJDEP. This is a result from the fact that Mr. Slater passed away on July 10, 2015. Because of

this, the Department will rescind the notice of penalty assessment that was issued to Slater Well Drilling concerning the Handley and Motts wells for \$675.00. Staff had been preparing to attend a Hearing on the matter in Newark later this month.

D.) Decommissioning of Improperly Constructed Well: Well permitting Staff are planning to witness an alternate decommissioning method for an improperly constructed well in Berkeley Twp., Ocean County. The well was constructed in violation of two (2) permit conditions requiring the well to be installed with double casing and salt resistant cement based grouting material. The well was drilled on the waterfront on Barnegat Bay in an area of suspected saltwater intrusion. The DEP approved alternate decommissioning requires the driller to remove the six-inch PVC casing, ream the borehole to a diameter of 12-inches and clear the borehole down to 90 feet, removing the entire casing, screen and gravel pack. The borehole would then be tremie grouted with sufficient amount of cement based grout. Staff has been negotiating over the past few months with the driller to resolve this and other outstanding compliance issues with his company and the Department. Decommissioning of the well is set to begin September 29, 2015 and hopefully will be completed within one or two days.

10. Program Updates (Terry Pilawski, Bureau Chief and Pat Bono, Section Chief, Bureau of Water Allocation and Well permitting) –

Mark Ortega, an hourly employee working for the Well Permitting Section for a little over six (6) months, has been hired full time by the program. T. Pilawski added that she has long been requesting a critical hire, which was finally approved. Mr. Ortega will be starting his full time employment with the Department beginning on Monday, September 21, 2015.

P. Bono reported that Bureau staff is currently in the process of entering all “antique files” (well construction documentation for wells installed pre-1947) It is expected that the project will be completed by the end of the year. When the project is complete, all information for wells that were constructed prior to instituting the well permitting program will be viewable through the online well search tool that well drillers/pump installers will ultimately be able to utilize through the Department’s website. A number of these wells date back to the 1800s. Although the online search tool itself will not be completely built before the end of this year, Department staff will have an easier time locating historical well documentation as it will be available in the Department-wide database, NJEMS.

Next, P. Bono explained the key points of a presentation she gave to the New Jersey Ground Water Association (NJGWA) on September 15. She noted that the purpose of the training was to explain the EPA Groundwater Rule and how the NJ Safe Drinking Water Program administers and enforces the rule. Public non-community wells are the common well-use that falls under the purview of this program. The training stressed the need for licensed well drillers to troubleshoot well problems associated with bacteriological contamination in a timely manner and provide corrective action work plans that address the deficiencies. At the NJGWA meeting, she provided checklists to assist the licensed community in inspecting such water systems, documenting the deficiencies and developing a corrective action plan to address the problems. She provided the checklist and associated information

to Board members and requested feedback from any members who attempt to utilize the form as part of their job. She will also be providing her presentation PowerPoint slides and the driller checklist handout to NJGWA for future reference and anticipates that future training on this topic will be necessary to better educate the community on their role in the process.

12. ePermitting Issue (A. Becker)-

A. Becker raised a billing problem associated with e-permitting that was addressed by M. Schumacher. A recent credit card surcharge that is now being added to credit card payments through the website is not listed on receipts for online payments processed by the system. This is creating accounting problems for drilling contractors because the permit fee shown on the confirmation and payment screens for e-permitting reflects only the permit fee and not the total charge and payment made by the drilling company. A. Becker stated that the fact that the surcharge is not listed as an actual payment creates bookkeeping problems. M. Schumacher said he has heard this complaint from other contractors and has reported the issue to the Department's Office of Information Technology. He believes the issue will be resolved shortly so the total cost incurred will soon be displayed, which will resolve the issue of unaccounted for money.

13. Adjournment- A motion to adjourn was made by G. Poppe at 11:16 am, seconded by J. Yost and approved unanimously.