



## State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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### **New Jersey Department of Environmental Protection State Well Drillers and Pump Installers Examining and Advisory Board Conference Call Minutes for June 21, 2018**

*Approved by the Board on July 19, 2018*

**Board Members Present at NJDEP Headquarters Building:** Jeff Hoffman

**Board Members Participating Via Telephone:** Art Becker (Chairman), Gordon Craig, Carol Graff and Richard Dalton

**Board Members Absent:** Gary Poppe (Vice Chairman), Joe Yost Steve Domber and Joe Pepe

**Board Legal Representative Participating Via Telephone:** Deputy Attorney General (DAG) Robert Guzek, NJ Division of Law

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

#### **1. Call to Order –**

The conference call began at 10:16 am, however, a Board quorum was not obtained. No motions could be made during the call, but it was noted that this would not be a problem as the Department had not received any well driller or pump installer license applications or applications for continuing education course approval on which the Board needed to officially act.

## **2. Mandatory Ethics Training–**

Following the May Board meeting S. Reya contacted the Department’s ethics Liaison Officer to obtain clarification on the ethics training and briefing requirements to ensure that Board members were in compliance. The representative from the Commissioner’s office volunteered to attend the July 19<sup>th</sup> Board meeting and present the required briefing. All who are in attendance will be documented as having completed the required briefing for those serving as NJ state Board members. Only those who are unable to attend the meeting will be emailed the link to complete the training online from their personal computer. Members on the call felt that the in-person training would be preferred, as in past years there were problems obtaining the completion certificate at the completion of the course for several members who took the training.

## **3. Two (2) Year Certification Exam Timeframe Requirement (per N.J.A.C. 7:9D-1.8(a)3)-**

At the Board’s May 24<sup>th</sup> meeting, the Board requested that Bureau staff look into options to resolving the potential issue of the two (2) year window in which exam certifications shall have been passed to count toward NJ licensure, including drafting language for a potential rule change related to this section. Staff sought clarification from Board members as to options identified thus far so they can draft something prior to the July meeting. Specifically, staff identified possible options to resolve the issue as follows:

- Alter the punctuation such that the phrase “including New Jersey modules, which shall have been taken within two years prior to submitting an application:” applies only to the New Jersey modules, not the drilling/pump installation technical exam modules. This option would mean that only one exam for each license type would fall into the two-year window, not the full listing of required certifications, which can total up to eight (8) exams in the case of a Master license.
- Change “two years” to “\_\_\_\_\_years” (3, 4, 5?) Note: this may necessitate further changes to N.J.A.C. 7:9D-1.9 to prevent individuals from intentionally subverting continuing education requirements and utilizing previously passed certification exams to immediately apply for and receive a “new” license. Similarly, through a limited rule change to the licensing and continuing education requirements the Board could implement a required “wait period” for those who do not meet their continuing education credits before such individuals are eligible to reapply for the same license.
- The timeframe for certifications could be eliminated entirely. This poses the same potential continuing education compliance issues as identified in bullet #2 above.

**Bureau staff will prepare draft rule language covering the above scenarios for review by the Board at the July 19, 2018 meeting.**

## **4. Continuing Education Application Form for Course Providers/Licensees-**

At the Board meeting, during which Dana Haymes discussed the Licensed Site Remediation Professional (LSRP) Board’s handling of continuing education course approvals for the course providers, she mentioned how their Board has an application that is submitted online. Staff has since reviewed their application and drafted a similar version for review by the Board. The draft application, which incorporates the requirements prescribed at N.J.A.C. 7:9D-1.9(g), was developed by M. Ortega and sent to the Board prior to the call. During the call members noted that they would look over it prior to the July meeting and determine if changes are needed. By having an application that includes the required nine (9) or so items from the rule, it should make the Board’s review of course provider requests much easier due to having information submitted in a consistent format by all requestors. It should also make it easier for the course providers, as

the Department can refer them to a form rather than several provisions in the rule as inquiries for approval are received. One item noted by A. Becker was the phrase near the bottom of page 1 (under #2), which states that the Department will not approve Continuing Education Points (CEPS) for courses where the course provider does not provide a certification that all information required to be submitted to the examination and CEP manager that administers the continuing education program including, but not limited to, documentation related to the course and certification of attendance, will be submitted in the required format no later than the end of the continuing education period. He felt that the “no later than the end of the continuing education” phrase was far too lenient because a course provider should not be allowed the full three years to submit documentation if the course is given near the beginning of the cycle. Though this phrase was pulled directly from the rule, the issue will be further discussed in July to determine if this phrase also should be altered should a rule change be pursued for other issues previously identified.

Another topic that was discussed regarding approval of courses, seminars and workshops resulted in finding an incorrect cross reference in the rule. It was noted that N.J.A.C. 7:9D-1.9(g)1 refers to “(g)3 below” though this should actually refer to “(g)4”.

**5. Adjournment-**

The call (which never had a Board quorum) ended at 10:36 am.