



State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION

PHILIP D. MURPHY
Governor

SHAWN M. LaTOURETTE
Commissioner

TAHESHA WAY, Esq.
Lt. Governor

DIVISION OF WATER SUPPLY AND GEOSCIENCE
NEW JERSEY GEOLOGICAL AND WATER SURVEY ELEMENT
BUREAU OF WATER ALLOCATION AND WELL PERMITTING
401 E. STATE STREET – P.O. BOX 420
MAIL CODE 401-04Q
TRENTON, NEW JERSEY 08625-0420
TELEPHONE: (609) 984-6831
FAX: (609) 633-1231
www.nj.gov/dep/watersupply

New Jersey Department of Environmental Protection State Well Drillers and Pump Installers Examining and Advisory Board Meeting Minutes for March 21, 2024

Approved by the Board on April 18, 2024

Board Members Participating Via Telephone/Microsoft Teams: Art Becker (Chairman), Joe Yost, Gordon Craig, Eric Hoffmann, Steve Domber, and Richard Dalton

Board Members Absent: Gary Poppe and Dave Lyman

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

NJDEP Water Supply (Bureau of Water Allocation and Well Permitting) Staff Present: Kathleen Burkhard, Mark Miller, Steve Reya, Mark Ortega, and Steve Vargo

Other NJDEP Staff Present: Don Hirsch, Northern Water Compliance and Enforcement; Alexandra Carone, Geological Mapping and Coastal Geology Section

Members of the Public: Brian McGuire, MB Drilling

1. Call to Order and Introductions-

The meeting was called to order at 9:36 am with a quorum present via Microsoft Teams and telephone. Notice of the meeting and instructions on how to participate by video or phone were listed on the Board's website. A. Becker thanked everyone for attending.

A. Becker discussed the recent passing of Mr. Richard Stothoff, who was a New Jersey licensed Master well driller and ran the Samuel Stothoff Company for many years. He further noted that current Board member Dave Lyman currently runs the Samuel Stothoff Company. A. Becker shared some of his past experiences with Mr. Stothoff and said that he was a nice person and a credit to the industry.

2. Review and Certification of the February 15, 2024, Meeting Minutes-

A. Becker asked if anyone had any comments on the draft meeting minutes from February 15, 2024. No discussion was needed.

A motion to approve the draft minutes from February 15, 2024, as written, was made by J. Yost, seconded by G. Craig, and approved by all except for A. Becker, who abstained.

3. Review and Certification of Well Driller and Pump Installer License Applications-

A. Becker said that there were four license applications submitted to the Department for review, but only two were administratively complete. He added that the two administratively acceptable applications consist of one pump installer and one journeyman well driller. A. Becker asked if the Board had any comments on these license applicants. No discussion was needed on the applicants, who are listed below:

License Type	Applicant Name	Employer
Pump Installer	Alex Jones	Accurate Well & Pump, LLC
Journeyman	Arthur R. Remedios	Geopro Inc.

A motion to approve the two license applicants for licensure was made by S. Domber. This motion was seconded by J. Yost and approved unanimously.

4. Review of Continuing Education Courses-

A. Becker said that there were two courses up for review. One is a follow up from the Tri-State Drilling Contractors Association and the other is from the New Jersey Ground Water Association (NJGWA). The Board discussed the Tri-State Drilling Contractors Association first.

Tri-State Drilling Contractors Association Follow Up

S. Reya said that this follow-up is due to the Board’s motion to request a more detailed course description for the course named Drilling Professionalism and Safety. This one-hour course will be taught during the 2024 Annual Tri-State Drilling Contractors Association Training Day. S. Reya said that the Board does not need to take action on the other courses in the seminar since they were approved in February. He said that M. Ortega reached out to the course provider, and they provided a more detailed description of the course. The course provider acknowledged that the summary was lacking, so they added additional details and added a second course instructor to teach the course. No further discussion was needed.

A motion to approve Drilling Professionalism and Safety for one safety continuing education point (CEP) was made by G. Craig. This motion was seconded by R. Dalton and approved unanimously.

New Jersey Ground Water Association (NJGWA)

S. Reya said that NJGWA’s quarterly meeting will have the same format that they usually have. Two CEPs are being requested: one for the meeting and one for the course. S. Reya noted that the course will focus on ground penetrating radar (GPR). A. Becker asked if any discussion was needed, but there were no additional comments.

A motion to approve the NJGWA March 2024 Membership Meeting with GPR and How it Can be Used to Assist Well Drillers and Pump Installers for two technical CEPs was made by J. Yost. This motion was seconded by G. Craig and approved by all except for R. Dalton, who was opposed.

5. Enforcement and Field Work Update-

S. Vargo described the Notice of Non-Compliance (NONC) table, which was provided to the Board electronically. He said that 11 NONCs were sent out in February for perceived well-related violations and the Department has already received responses for seven of them. The potential violators have until April 2, 2024, to respond to the Department in writing. S. Vargo explained that at least two of the responses will result in referrals being sent to Water Compliance and Enforcement. He added that one of those cases was for an individual engaging in unlicensed pump work and the other was for a well driller who drilled a well without a valid permit.

In addition to the 11 NONCs that were sent out in February, S. Vargo said that another 11 older NONCs will be sent out in the near future from Well Permitting's backlog. He added that four letters clarifying regulatory requirements were also sent to drillers for various reasons and they made it clear that any future failure to comply would result in enforcement action.

A. Becker asked if the backlog that S. Vargo mentioned is for NONCs that were already sent out. S. Vargo said that these were all older NONCs that were drafted, which were never sent out to the well drillers. A. Becker mentioned that Ms. Julia Altieri had several open cases that he is hoping the Department will follow up on and resolve. M. Miller said that he is currently looking through Ms. Altieri's old enforcement files. He explained that there are some that were never issued and others that were never followed up on by enforcement. He is still working on sorting through her old files.

M. Miller discussed some of his plans regarding enforcement and fieldwork with the Board. He said that he is starting to get all his staff out in the field more. Well Permitting will soon start to add permit conditions to more well permits with conditions to witness the construction of a well. Well Permitting is also working on an inspection handbook which can be shared with Health Departments. Staff in Well Permitting's Technical Unit have been meeting monthly to discuss NONCs and NONC responses.

M. Miller also added that he has been working with M. Schumacher to address the cancellation of permits that were never acted on or the submittal of well records which were never submitted. They are working on language which dissuades licensees from cancelling permits for wells which were drilled. There have also been discussions on sending automatic NONCs for well permits 30 days after a permit expires if a well record was never submitted.

R. Dalton asked S. Reya if he had heard anything new on the old oil well located in Jackson Township. S. Reya said that he has not heard anything recently and needs to follow up with Ocean County.

M. Miller said that Well Permitting has started the process of making changes to N.J.A.C. 7:9D. He asked the Board to start considering changes that they want to see. A. Becker said that he wants to see something added to the rules which prohibit licensees from renewing their licenses who have outstanding enforcement issues.

A. Becker thanked S. Vargo and M. Miller for their report and asked how often the Board should expect enforcement reports. S. Reya said that enforcement reports will occur during every other meeting. Licensing and continuing education will continue to be discussed every month.

6. Program Updates-

S. Reya updated the Board on appointments and reappointments. He explained that the Department received resumés for E. Hoffmann’s replacement as the Board’s public member. The position had been posted on the Division of Water Supply and Geoscience’s homepage and the Board’s webpage. Additionally, email notifications were sent out to Well Permitting’s and the LSRP Board’s email distribution lists. S. Reya said that The Department is also working on replacing the third Department representative in addition to reappointments for the Board members who are continuing to serve on the Board. He will need current resumés from all Board members seeking reappointment and will send emails to all Board members, which will include the most recent copy the Department has on file so they can be updated as needed.

7. New Business-

A. Becker asked if anyone had any new business to bring up. A. Becker said that he had a topic that he wished to discuss. He asked the Department why bentonite chips are prohibited for use in consolidated formations. He explained that bentonite chips are useful when drillers encounter large voids or caverns.

S. Reya explained that when the rules were revised in 2018, no differentiation was made between bentonite chips and bentonite slurry when discussing competent rock formations. S. Reya said that his understanding was that bentonite was originally prohibited for use in consolidated formations due to concerns with it never setting up and it washing out over time. S. Reya said that the Department will approve deviations in cases where grout is being lost to the formation and often will allow well drillers to use bentonite chips in such intervals. M. Miller said that Bureau is keeping a spreadsheet of potential changes that should be made to the rule during the upcoming rule revisions and that this topic can also be added to the spreadsheet as a discussion topic.

S. Domber informed the Board that the Section Chief position in Well Permitting was recently posted. He anticipates that the spot should be filled in a few months.

8. Adjournment-

A. Becker thanked everyone for attending the meeting. The next meeting will be held on Thursday, April 18, 2024.

A motion to adjourn the meeting at 10:22 am was made by E. Hoffmann. This motion was seconded by S. Domber and approved unanimously.