



State of New Hampshire  
**WATER WELL BOARD**



Roger B. Skillings, C.W.D. – P.I., *Water Well Contractor*  
David R. Hunt, *Water Well Contractor*  
Stephen R. Smith, *Pump Installer*  
Richard P. Schofield, P.G., *Staff*

Steven Garside, *Technical Driller*  
Rene Pelletier, P.G., *Dept. of Environmental Services*  
Frederick H. Chormann, Jr., P.G., *State Geologist*  
Steve Guercia, Certified Operator, *Public Member*

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NH WATER WELL BOARD MINUTES

July 24, 2014

A meeting of the New Hampshire Water Well Board (“Board”) was held on July 24, 2014, in the Department of Environmental Services Building in rooms 112 & 113, 29 Hazen Drive, Concord, NH 03301.

Present were: Roger Skillings, Chairman  
Brandon Kernen for Rene Pelletier, Secretary  
Board Members: Stephen Smith, Steve Guercia, Steven Garside, David Hunt, and Frederick Chormann  
NH DES Staff: Richard Schofield and Greg Cummings

Chairman Skillings brought the meeting to order at 10:12 AM.

**Approval of Minutes**

Upon motion by Mr. Smith and seconded by Mr. Chormann, the Board voted to accept the Minutes of the May 1, 2014 meeting, as printed.

**Request for Waiver**

The Board considered a request for waiver of the requirements We 604 from Geosphere Environmental Management Inc. (“Geosphere”) on behalf of Aquarion Water Co. of Hampton NH to decommission three wells. Aquarion has constructed a new production well in close proximity of the three wells that are not being used and would like to decommission them. The Board discussed the reasons and methods of sealing the wells with Ray Talkington of Geosphere. After careful consideration and a few modifications, Mr. Smith motioned to accept the waiver with the modifications stated by the Chairman. Mr. Guercia seconded the motion and the Board unanimously voted to grant the waiver.

**Licensing**

**License Applicants**

The Board considered an application from Geoffrey Terragni for a domestic pump installer license. Mr. Smith motioned to accept Mr. Terragni’s application and Mr. Garside seconded the motion. The Board voted unanimously to approve the application.

The Board considered an application from Christopher Parker who is changing the name of his company to Chris Parker Enterprises, LLC. The Board did not have to vote on the application since Mr. Parker already has a drilling license.

The Board considered an application from Brian Law for a water well contractor license. Mr. Law submitted four references on his application however one of the references did not recommend Mr. Law for licensure as a water well contractor as he only has experience using a Geoprobe machine. Mr. Law presented himself to the Board to address the issue. The Board did not feel that the type of equipment used for installing wells to be a reason to deny him licensure. Mr. Law also forgot to completely fill out the experience portion of his application. The Board allowed Mr. Law to complete the incomplete application during the Board meeting. Mr. Smith motioned to accept Mr. Law's updated application and Mr. Hunt seconded the motion. The Board voted unanimously to approve the application.

The Board considered an application from Steven Ploss. Mr. Ploss is an existing licensee with a technical drilling license. He left Maine Drilling and Blasting to register his license in his own name. The Board did not have to vote on the application since Mr. Ploss already has a drilling license.

### Renewals

On July 18, 2014 the Water Well Program issued 303 license renewals. As of July 24, there were about 36 licensees who had not yet renewed. The Board reviewed a list of licensees who had yet to renew their licenses. The Board acknowledged that licensees who had not renewed since July 1 cannot drill wells or install pumps as they are no longer licensed.

### Reporting

#### Faxon's Artesian Wells & Pumps

Mr. Schofield informed the Board that he had received a call from Lucy Faxon explaining she could not attend the meeting due to a death in the family. He also presented the Board with copies of well permits obtained from the town of Windham, NH for some of the wells that were drilled by the Faxon's in 2013, and were submitted late. The well completion reports for these wells were submitted under Ms. Faxon's license (#1768), d/b/a Lucy Faxon, however the permits issued by the town of Windham were issued to Mr. Faxon, license (#364), d/b/a Faxon's Artesian Wells. It was also noted that the Faxon's had not renewed their licenses on July 1 and were currently not licensed. The Board postponed further discussion on the matter until Lucy Faxon and Richard Faxon, Sr. could be present to address the Board. The Board instructed staff to invite the Faxon's to the next meeting.

### Rules

#### Administrative Fines

Mr. Schofield explained to the Board that all administrative fines were being readopted for all of DES with the context of a matrix for calculating fines which compares the deviation from requirement against the potential for harm. The matrix consists of minor, moderate and major categories. Mr. Schofield discussed new administrative fines proposed by Gretchen Hamel, Administrator of the DES Legal Unit, with the Board. The Membership reviewed and discussed each rule and proposed fine, but failed to review the complete document because of time constraints. The Membership noted some significant inconsistencies between the fine amounts for violation of rules that were similar in nature, such as installing and sealing well casings. One of the Board members suggested defining the deviation from the requirement and potential for harm for each violation, which would provide a range of fine amounts for DES. Upon further discussion it was decided to vote to accept the fines as proposed, with the anticipation that any fine could be appealed by the defendant in front of the Board, and handled on a case-by-case basis. Mr. Guercia made the motion and it was seconded by Mr. Garside. The Board voted, by

majority, to accept the fine schedule. Mr. Hunt voted against the motion, stating he felt some of the proposed fines were not proportional with the magnitude of the violation causing the fine. Chairman Skillings also stated for the record that he was opposed to the approval.

#### Final Review of Proposed Rules

Mr. Schofield presented a draft of the proposed rules to the Board. He discussed minor changes to the rules since the last Board meeting. He also explained that he presented the proposed rules at a New Hampshire Water Well Association stakeholder meeting on June 3, 2014. The Board addressed comments and concerns from stakeholders that were brought up at the June 3 meeting. The main concern was “what is going to change from these proposed rule changes?” Mr. Schofield suggested that the new stepped career path would foster professional development, competence, and accountability for industry workers. The license will provide credentials for drillers and pump technicians as well as provide assurance to the public. The Board felt the new licensing structure would allow the Board to hold individual licensees accountable as well as the company holding the license. The Board also felt that the new rules would make the water well industry in New Hampshire structured and more respected by other trades. After reviewing the proposed rules, Mr. Smith made a motion to move forward with the rules and Mr. Chormann seconded the motion. The Board voted unanimously to initiate the rulemaking process.

#### Old Business

##### Continuing Education

Mr. Schofield reported to the Board that the program conducted electrical training for pump installers during the Spring in five locations with Mark Hilbert and Bill Benard. Both Mr. Hilbert and Mr. Benard were NH state electrical inspectors, now retired. Mr. Schofield received positive feedback from participants of the training.

#### New Business

##### Well Completion Report Form

Mr. Schofield explained to the Board that the program recently ran out of well completion report forms and he decided to present changes to the Board before updating the forms. Mr. Schofield reviewed the changes with the Board. A few minor changes to the well completion report form will be made.

##### New USGS Fact Sheet

The members of the Board stated that they received an influx of calls from the public inquiring about well testing due to the release of the new USGS fact sheet – Arsenic, Iron, Manganese, and Uranium Concentrations in Private Bedrock Wells in Southeastern, New Hampshire, 2012-2013. The Board expressed some concern over the lack of licensure or certification for installing treatment systems in New Hampshire.

Upon motion by Mr. Smith, the Board voted to adjourn the meeting.

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Rene Pelletier  
Water Well Board Secretary