



State of New Hampshire
WATER WELL BOARD



Roger B. Skillings, C.W.D. – P.I., *Water Well Contractor*
David R. Hunt, *Water Well Contractor*
Kelly M. Dobrowolski, *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*

DRAFT
NH WATER WELL BOARD MINUTES

April 2, 2015

A meeting of the New Hampshire Water Well Board (“Board”) was held on April 2, 2015, in the Department of Environmental Services Building in rooms 112 & 113, 29 Hazen Drive, Concord, NH 03301.

Present were: Roger Skillings, Chairman
Rene Pelletier, Secretary
Board Members: Steve Guercia, Steven Garside, David Hunt, Kelly Dobrowolski,
and Frederick Chormann
NHDES Staff: Richard Schofield and Katie Murphy

Mr. Skillings brought the meeting to order at 9:35 A.M.

Approval of Minutes

Upon motion by Mr. Chormann, and seconded by Mr. Hunt, the Board voted to accept the Minutes of the February 5, 2015 meeting, with the change “could reasonable have been discovered” to “could reasonably have been discovered.”

Request for Exemption

Wragg Brothers Well Drilling

The Board considered a request for exemption of We 604.05 by Wragg Brothers Well Drilling (hereinafter Wragg Bros.) to decommission 3 dug wells and 20 drilled wells for Pennichuck Water. Mark Filion and Victoria Hawkes from Pennichuck Water, and Jay Wragg from Wragg Bros., were present for the discussion. Wragg Bros.’ request was based on the Board’s proposed rules using ½ inch crushed stone at 100 foot intervals, with 2 foot bentonite plugs between each interval, followed by cement or bentonite grout from 20 feet below the casing to the surface. Mr. Skillings noted that the proposed rules are subject to change and an exemption would need to be discussed by the Membership in reference to the current rules. The request from Mr. Wragg included a list of wells at several water systems proposed to be decommissioned, but did not include a written proposal for sealing each well, which Wragg Bros. seeks approval for. Mark Filion addressed the Board to explain that the wells are no longer being used and have no known contamination.

The Membership expressed concern that more detailed information was needed for each of the wells in order to grant the request. The Board also noted that in order to grant an exemption, the petitioner must provide a statement of why adherence to the current rule will cause the petitioner, or third person, undue hardship, and why an exemption of the rule will not adversely impact the public interest, or the intent of the law, pursuant to We 204.04.

DES staff offered to assist Mr. Wragg and Pennichuck Water with compiling additional information, which may be available in DES databases. The Board decided to table the request for exemption until the next meeting, provided that Wragg Bros. submits a document describing the proposed decommissioning method for the Board to approve.

Capital Well Clean Water Center

The Board considered a request for exemption of We 604.05 by Capital Well Clean Water Center (hereinafter Capital Well) to follow the grouting procedure in the proposed rules for decommissioning 6 wells on Conway, NH. The Board did not believe enough information was provided on each individual well for a decision to be made. Mr. Schofield will write a letter to Capital Well requesting additional information, in accordance with We 204.04.

Licensing

License Applicants

The Board considered an application from Alfred Galietta for a pump installer license. Mr. Galietta prequalifies as a licensed plumber in the State of New Hampshire. Upon motion by Mr. Hunt, and seconded by Mr. Chormann, the Board voted unanimously to approve the application.

The Board received complete pump installer license applications from six licensed master plumbers employed by R.C. Dickenson and Son. Raymond Dickenson, owner of R.C. Dickenson and Son, currently holds a pump installer license. Upon motion by Mr. Pelletier, and seconded by Mr. Hunt, the Board voted unanimously to approve all six applications.

The Board considered a water well contractor license application from Scott Hollabaugh for Miller Engineering and Testing. Mr. Hollabaugh was previously licensed with Expedition Drilling but allowed his license to lapse for two years. The Board reminded Mr. Schofield that Mr. Hollabaugh will need to retake the examination in accordance with We 401.03(b) before he may receive his license.

Reporting

Annual Well Construction Report for 2014

Mr. Schofield presented the report to the Board and provided a description of its contents. Mr. Schofield explained that the report lists all active licensed water well contractors and their respective total of well completion reports submitted annually from 2011 to 2014. The Board reviewed the report and identified contractors they felt were under-reporting based on data trends and knowledge of the Membership. The Membership discussed how to address water well contractors that consistently fail to comply with reporting requirements and identified two contractors that should be investigated. Mr. Hunt made a motion to request NHDES to conduct a thorough and immediate investigation regarding the reporting compliance of the two contractors in question. The motion was seconded by Mr. Garside and unanimously approved by the Board.

The Board agreed that Mr. Schofield will send a letter to identified contractors to verify that they have correctly reported the number of wells constructed in 2014. Mr. Schofield will also send a copy of the Annual Well Construction Report to the New Hampshire Water Well Association.

Administrative Rules**Changes to Administrative Rules**

Mr. Schofield provided a review of the procedure for the adoption of regular rules for the Board and requested a preliminary vote to approve the proposed rules as amended pending the results of a meeting with the PFGFHVAC Association. Mr. Schofield presented current issues with the rules for the Board to consider. The Membership discussed application forms for the Journeyman and Master license, and agreed that during the one year transition period, applicants should not be required to have three references because many employees of licensed businesses have only worked for one company. The Board also agreed that employees of licensed businesses will need time to apply for and get licensed during the transition period.

The Board approved specific language pertaining to the exam requirements during the transition period and a reduced exam fee for the first year. The Board also authorized staff to review applications from licensed plumbers and other previously licensed applicants. The Board will continue to review applications from all previously unlicensed applicants and applications with uncertain qualifications.

Mr. Schofield informed the Board of concerns that were raised regarding the proposed rules which allow surface waters and roads as part of the protective well radius, without providing minimum setbacks or some protections for the well. Mr. Schofield explained that the DES-Subsurface Systems Bureau rules allow the protective well radius to cross onto surface waters and roads, and suggested that the Board's proposed rules should be consistent with the DES rules because the two programs work together. He suggested including a provision that if a well is constructed within 50 feet from a surface water, or 75 feet from a road, a minimum of 40 feet of casing and grouting would be required. The Membership discussed whether the rules addressing wells adjacent to roads should apply to paved roads, or to any road, and agreed that the rules should apply to the edge of any public road. These requirements will be incorporated in the proposed rules as a separate section.

Review of February 5, 2015 Amendments

The Board reviewed the changes agreed upon at the February 5, 2015 meeting. The Board expressed concerns about licenses for dug well contractors and the lack of well completion reports being submitted by licensees. Mr. Schofield agreed to send a letter out to dug well contractors as a reminder that the rules require the submission of well completion reports for dug wells. The Board considered the impacts of bleed water from geothermal wells and discussed whether the proposed rules should include provisions for regulation. Mr. Skillings expressed concern that the proposed rules are silent on bleed water and as a result may allow for pump and dump geothermal systems. The Board determined that the issue warrants more discussion. Mr. Schofield requested that the Board consider changes to the business license fee when a licensee holds more than one business license. The Board agreed upon a reduced business license fee for the second business license.

Mr. Schofield rescinded his request for a preliminary vote to approve the proposed rules as amended until all the changes discussed by the Board are incorporated.

Exemption for De-Watering Operations

The Board considered the current exemption from licensing for installing temporary de-watering wells and pumps. The Board agreed that de-watering wells greater than 20 feet deep should require a technical license and that We 302.03 should be amended to reflect this provision.

Continuing Education

Mr. Schofield informed the Board that Mr. Skillings had volunteered to present a seminar with the New Hampshire Water Works Association focusing on open loop geothermal wells versus closed loop geothermal wells. The training will be held at the NHDES auditorium on May 13, 2015 from 5:00 P.M. to 7:00 P.M.

Old Business

Legislative Update

Mr. Schofield notified the Board of updates to several bills of interest. HB 498, an act relative to notification of radon and arsenic testing, passed the House and is moving on to the Senate. HB 609, an act relative to hydraulic fracturing, was killed by the House. HB 216, an act relative to recovery of certain investigatory costs by regulatory boards and commissions, was passed by the House and has moved on to the Senate. This bill would not affect the Water Well Board.

New Business

Well Construction Photos

Mr. Schofield presented some historical photos of Elmer Tasker and Bob Bailey working on a cable tool machine, and other older well drilling rigs.

Elections

Mr. Hunt was elected to the position of Chairman, and Mr. Pelletier was re-elected to the position of Secretary.

Upon motion by Mr. Guercia, and seconded by Mr. Garside, the Board voted to adjourn the meeting.

Rene Pelletier
Water Well Board Secretary