



## State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION

PHILIP D. MURPHY  
*Governor*

CATHERINE R. McCABE  
*Commissioner*

SHEILA Y. OLIVER  
*Lt. Governor*

DIVISION OF WATER SUPPLY AND GEOSCIENCE  
NEW JERSEY GEOLOGICAL AND WATER SURVEY ELEMENT  
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**New Jersey Department of Environmental Protection  
NJ State Well Drillers and Pump Installers Examining and Advisory Board  
Meeting Minutes for January 23, 2020**

*Approved by the Board on April 16, 2020*

**Board Member Attendance:**

Present	Absent
Art Becker (Chairman) Gary Poppe (Vice-Chairman) Joe Yost Gordon Craig Joe Pepe Carol Graff Jeff Hoffman Richard Dalton Steve Domber	

**Board Legal Representative Present:** N/A

**NJDEP Bureau of Water Allocation & Well Permitting Staff Present:** Terry Pilawski, Joe Mattle, Julia Altieri, Steve Reya, Michael Schumacher, and Mark Ortega

**Members of the Public Present:** Dermot Dillon, New Jersey Groundwater Association (NJGWA) Secretary/Summit Drilling Co.

**1. Call to Order and Opening Statement-**

The meeting was called to order by Chairman Art Becker at 9:36 am with a quorum present.

Dermot Dillon, of the New Jersey Ground Water Association and Summit Drilling, was introduced to the Board. S. Reya informed the Board that Deputy Attorney General, Jill Denyes, was ill and would not be present at the meeting. If any legal questions were to arise then she was available for a call-in.

2. **Review and Certification of November 21, 2019 Draft Meeting Minutes-**  
A motion to approve the draft minutes from the September 19, 2019 meeting, pending one correction made by T. Pilawski, was made by G. Craig, seconded by C. Graff, approved unanimously.
3. **Review and Certification of December 19, 2019 Draft Conference Call Minutes-**  
A motion to approve the draft conference call minutes from October 17, 2019 was made by G. Poppe, seconded by S. Domber, and approved by all expect for C. Graff and J. Yost who abstained.

4. **Board Business and Correspondence-**  
Remaining meetings and conference calls for 2020:

The Board will physically meet at NJDEP Headquarters (401 E. State St. in Trenton) on the following dates beginning at 9:30 am:

**March 26, May 21, July 23, September 24, November 19**

Board telephone conference calls will be held during the intervening months to review continuing education course applications and candidates for NJ driller or pump installer licenses. The calls will be held at 10:00 am on the following schedule:

**February 13, April 16, June 18, August 13, October 15, December 17**

5. **Testing and Licensing-**  
The Bureau received two (2) license applications for review: one for the environmental resource and geotechnical (ERG) license and one for the journeyman license. S. Reya summarized the license applicant list:

**ERG** – Jeremy Triepke  
**Journeyman** – Thomas Starner

The applicants were found to meet the regulatory requirements of N.J.A.C. 7:9D-1.8. A. Becker asked if there was any discussion regarding these applicants. No further discussion was needed.

**A motion to approve Jeremy Triepke for the ERG license and Thomas Starner for the journeyman license was made by G. Craig, seconded by C. Graff, and approved unanimously.**

6. **License Suspension Update-**  
S. Reya informed the Board that Mr. Kevin Blumhagen surrendered his license on January 2, 2020. He noted that settlement agreement letter covers what happens if Mr. Blumhagen violates the terms of the agreement while his license is suspended. S. Reya said in lieu of additional monitoring from the Department, a letter was sent to Sussex and Warren county Health Departments to notify them of the license suspension. S. Reya reminded the Board that Mr. Blumhagen can continue business as usual as long as he is under the supervision of a licensed well driller of the proper class.

S. Reya said that Mr. Blumhagen would need to supply the Board with a letter to reinstate his license prior to the March 26, 2020 meeting. He said that as long as Mr. Blumhagen complies with the settlement agreement then the Department will not have an issue with his license being reinstated.

**7. Continuing Education Program-**

A table summarizing one (1) administratively complete course, along with supporting documentation, was provided to the Board members prior to the meeting for review. Below is the course information and requested continuing education point (CEP) totals:

Maryland Delaware Water Well Association (MDWWA) 2020 Convention – MDWWA – Varies

A. Becker said that the content for MDWWA has been good in prior years and that they do a good job. He said that he knows a lot of New Jersey well drillers that hold licenses in either Maryland or Delaware that attend these conventions. There was some discussion about the course content and which sessions should be acceptable for credit in New Jersey. A. Becker proposed that the Board should not restrict regulatory classes because they are regulations for different states.

**A motion is made to recommend approving the MDWWA 2020 Convention except for the sessions that are specific to Maryland and Delaware regulations by G. Craig, seconded by J. Yost, and approved unanimously.**

**8. CEP Update-**

M. Ortega informed the Board that 47 percent of all of the licensed well drillers and pump installers have completed the CEP requirement. He asked the Board to review the stat sheet that he provided to them at their convenience. The stat sheet listed percentages of completion by license type and total completion. This spreadsheet also contained a list of courses that were taken during the National Ground Water Association's Groundwater Week, which A. Becker had asked for during the last meeting.

M. Ortega said that he looked how many licensees did not renew during the previous two licensing cycles. He concluded that approximately 10 to 15 percent of licensees did not renew their licenses during these cycles. S. Reya said that the Department expects a much larger percentage of licensees to not renew due to the continuing education requirement.

A. Becker had requested that M. Ortega create a list of licensees who have not started earning CEPs. M. Ortega explained the lists that he had created to Board: one for licensees who have not started earning CEPs and one for licensees who have started earning CEPs but have not met the seven-point requirement. A. Becker asked the Board members to look through these lists for individuals that they know so that they can spread the word.

M. Ortega talked about the overlap with the soil borer class and how many soil borers have not started earning continuing education points. He indicated, on the lists distributed to the Board, the soil borers that have made contact with the Department to schedule a class, which would put them on higher notice to earn their CEPs.

## **9. Course Reevaluation-**

S. Reya began the discussion by citing N.J.A.C. 7:9D-1.10 (j) 2, which states that course recommendations shall be reevaluated at the end of the three-year licensing cycle for which they were recommended. He said that the Department needs the Board's input for the reoccurring courses.

S. Reya gave examples of course that would be eligible for reapproval. He said that the International School of Well Drilling's online courses would remain the same and therefore would be able to be reapproved. The New Jersey Ground Water Association meetings would not carry forward since they are all different. He said that moving into the next continuing education cycle, M. Ortega needs to get together new course numbers for the classes that are being accepted for the new cycle.

A. Becker recommended putting it as an agenda item for a future meeting. S. Reya said that the Department would gather a list of courses which are eligible to be renewed and provide it to the Board. S. Reya suggested that the Board forms the subcommittee, like what was done in early 2019 when the course application volume was high.

## **10. Online CEP Limit Discussion-**

S. Reya presented the Board with a list of their motions related to continuing education from 2018. He pointed out that one of the motions limited the amount of online CEPs that a licensee could take. He requested that the Board reevaluate this motion because the Department, who is asking as the CEP manager, does not have the ability to track subsets of technical and safety points. This would make the tracking of CEPs difficult and could potentially lead to errors in reporting, S. Reya explained.

G. Craig asked how many online CEPs are currently allowed based on the Board motion. M. Ortega said that a maximum of eight (8) online CEPs were approved in the Board motion that S. Reya referenced. S. Domber asked if other states have restrictions to online points. A. Becker said that some states have restrictions, but not all of them do.

A. Becker expressed his concerns with online courses. He stated that some courses are not as sophisticated as others and that those courses allow a licensee to potentially not be sitting at the computer while the course is running. S. Domber brought up that electronic learning is trending up academically and that younger generations are more used to learning through online courses. G. Craig stated that the benefits of allowing more online courses is that a business owner would have more flexibility to let their employees take the classes that they need to maintain their licenses during nights and weekends.

There was a discussion amongst the Board about the amount of online CEPs that should be acceptable. There were recommendations to raise the maximum allowable online CEPs to 10, 11, and 14. M. Schumacher explained the capabilities of the New Jersey Environmental Management System (NJEMS) in reference to its ability to track CEPs. He said that NJEMS only allows the Department to track categories of CEPs, like technical and safety, but not subcategories, like online and in-person. He continued to explain that due to the incapacities of NJEMS that the Department would need to track those online CEPs manually.

A. Becker continued to discuss his concerns regarding licensees circumventing the CEP requirement by taking online classes that do not properly track your attendance or presence. M. Ortega reassured A. Becker by reminding him that all classes still need to be approved by the Board. If there was an online class that was presented, whether by a course provider or an individual, that the Board can deny the class if they feel as if the monitoring requirements are too lackadaisical. A. Becker and G.

Poppe agreed, but still stated that they did not think that a licensee should be able to obtain all of their CEPs online.

C. Graff reminded the Board that the problem is that the Department's system, NJEMS, is only capable of tracking two categories. If the Board proceeded with a limitation to online credits, then the Department would need to manually track everyone's CEPs. A. Becker suggested disallowing online CEPs to be accepted altogether since the Department is unable to track online CEPs. S. Reya said that if no online CEPs will be allowed then there is a real risk of having a very large percentage of licensees not renew in 2023. M. Ortega said that if the Board goes in that direction that the Department would need to immediately notify course providers with online courses to tell them that they will not be renewed for the 2020 – 2023 licensing cycle.

S. Domber said that after hearing all of the discussion that he was in favor of only having the two categories and removing the online requirement. He said that if the Board decides to go that route that it can always be changed for future licensing cycles. G. Craig agreed with S. Domber. M. Ortega said that the Department would still monitor the amount of individuals taking online courses. A. Becker asked if there was any further discussion before making a revised motion. There was no further discussion.

A motion was made to allow approved web-based continuing education credits if they fall within the technical and safety categories during the three-year licensing period by J. Yost, seconded by G. Craig, and approved unanimously.

#### **11. Soil Borer/Journeyman (Class B) Upgrade Class Schedule-**

S. Reya provided an updated on the classes that have been administered by the Department. M. Schumacher and A. Becker taught two classes on January 21, 2020. Each class was three hours and was split event between the two instructors. All scheduled attendees were present and both classes went very well.

S. Reya went over the attendance for the first set of classes. He said that 17 licensees attended the first class, which was a mix of soil borers and journeyman (Class B) well drillers. An additional 14 licensees attended the second class in the afternoon. S. Reya reminded the Board that there are 103 eligible licensees for this course and after the first day of classes approximately a third of the licenses can upgrade their licenses to the higher license types. Additional classes will be held on February 6, 2020 and March 12, 2020.

#### **12. Upcoming Deadlines-**

S. Reya reminded the Board members that well drillers and pump installers need to obtain their seven CEPs by March 31, 2020. S. Reya recommended getting J. Denyes on the phone just to verify that the Department has done their due diligence to notify these individuals of what will happen if they do not comply with the well rule.

A. Becker asked S. Reya to remind the Board what happens if individuals do not comply with the well rule. S. Reya explained the history of late fees. He said that the Department, under the old well rule, only had a late fee for those license holders who did not pay their license renewal invoice by June 30 of the year that the license expired. The license could be renewed with the payment of a 50-dollar late fee if it was paid prior to December 31 of that year. S. Reya said that there is a similar provision in the current rule, but there is no provision for license holders who do not meet the continuing education requirement by the March 31 deadline. He said that if a license holder does not

demonstrate that they earned credit by the deadline that they are unable to renew their license by June 30.

The Department had previously proposed a 500-dollar administrative fee for these individuals as a penalty due to all of the behind-the-scenes work that needs to be completed. However, the corrections to the well rule will not make it in time for the deadline, S. Reya added. A. Becker asked about the process, if this provision were to be approved. S. Reya said that the license holder will need to pay the 500-dollar fee and earn the credit before they can renew their license. They will only need to pay the 50-dollar fee if they did not pay for their renewal before June 30.

J. Denyes joined the meeting via conference call.

S. Reya caught up J. Denyes on the topic. After bringing her up to speed, he said that the Department was going to send one last mailing later in January, which would give license holders two months to comply with what is in the well rule, as it is currently written. This letter will spell out what will happen if the license holder does not comply with the continuing education requirement. S. Reya also said that the Department would send out a letter to the soil borers who have not yet attended the upgrade course.

J. Denyes asked about the percentage of individuals who have complied with the CEP requirement. S. Reya said that approximately 42 percent of licensees are still non-compliant, but that there were still two months left in the continuing education cycle. J. Denyes suggested that if there is large percentage of non-compliance and licensees saying that they did not receive enough notice that the Board might want to consider an extension. S. Reya said that the Department hopes that after this final reminder that the non-compliance percentage shrinks.

J. Denyes discussed the rule proposal, which tackles the issue of a driller not completing their CEPs on time. She said that there might be some basis to extend the cycle based on how far that rule proposal is. T. Pilawski stated that the proposed rule changes are currently with the Department's Office of Legal Affairs (OLA) and that the Board's former DAG, Robert Guzek, has been assigned the task of reviewing the rule proposal. J. Denyes said that she would touch base with R. Guzek to check the status of the proposal.

A. Becker asked for clarification on licensees submitting CEPs to the Department. S. Reya said that a licensee can still submit information to the Department after April 1, 2020 and it can be accepted if it is an approved course. He said that it might hold up the licensee getting their invoice, but they should still be able to renew if they took seven CEPs. J. Denyes said that it sounds like the Department is doing everything that they can and is following what the rule says.

There was a brief discussion about the provision in the rule about CEP waivers. J. Denyes said that if a licensee said that they were ill and thus unable to meet the requirement that the Department would have to accept the CEP waiver. S. Reya discussed his concerns with a licensee potentially being able to circumvent a requirement that was in place for 18 months because a licensee was ill for a week or a month.

The Board members thanked J. Denyes for her time and wished her well. J. Denyes departed the call.

A. Becker asked for clarification about the soil borers who haven't registered for the class. S. Reya said that the Department will send out one more letter to the soil borers in an attempt to get any stragglers to sign up for the class. If the soil borers do not take the upgrade course then they will not be licensed after July 1, 2020. The reminder letter is not being sent to the journeyman (Class B)

drillers because it is not mandatory for them to take. If a journeyman (Class B) well driller does not attend the upgrade course then they will continue to be licensed as a journeyman (Class B) driller after they renew.

### **13. Princeton Geothermal Project Update-**

S. Reya reminded the Board about the motion they made in reference to the Princeton geothermal project. He said that due to the scope of the project that the Board made a motion that they strongly recommend that an independent inspector licensed by the International Ground Source Heat Pump Association (IGSHPA) be hired for this project. S. Reya told the Board that Princeton University and the Department met via the Department's Bureau of Permit Coordination and engaged in conversation about the upcoming project.

S. Reya continued to explain the discussions that were held during this meeting. He said that J. Hoffman brought up a concern about the wells impacting surface water temperatures. This is of concern due to the large number of harmful algal blooms that was seen in 2019. J. Hoffman said that he requested monitoring wells to be installed to monitor water temperatures. J. Hoffman said that Princeton was in favor of the Department's recommendations and that the meeting was very good.

J. Hoffman discussed his other discoveries from their meeting. He said that Princeton's plan was to install all of the wells over the next few decades, installing a few 100 each decade until the project is complete and the entire campus is energy efficient. He said that Princeton backed off of some of their experimental designs after discussing the project with well drillers. Instead of using non-standard grout and casing materials, they are now proposing traditional U-Bend loops at shallower depths.

S. Reya showed the Board a proposed site diagram and explained the new well construction. He explained that there will be some wells that are 850-foot U-Bends and some wells will be 500-foot wells using twister pipe. A. Becker asked if contractors were selected and S. Reya responded that they were. S. Reya said that Princeton asked for the Department to submit a list of criteria which the Department wants reported

### **14. Enforcement Update-**

J. Altieri provided the Board with a summary of field activity between November 21, 2019 to January 23, 2020:

#### **Field Inspections – November 21, 2019 to January 23, 2020 (2 total)**

- Issue: 2<sup>nd</sup> Follow up site inspection-Bureau staff inspected suspected improperly constructed potable well in Plainfield, Union County as part of a multi Bureau enforcement activity conducted by the Department.
  - Enforcement Action- well is out of compliance for various permitting and well construction issues. Department Enforcement working with client to resolve outstanding paperwork issues.
- Issue: The Bureau successfully resolved issue of non-compliance by witnessing the proper permitting and reinstallation of three illegally constructed monitor wells constructed without permits.
  - Enforcement Action- issue of non-compliance resolved - no further action

#### **New Investigation-Lost and/or Destroyed Wells-Settlement Agreement**

- Issue: Three shallow improperly decommissioned monitor wells that were destroyed by excavation located in Union City, Union County. Notice of destroyed wells was submitted by the LSRP company representative notifying the Department of improper well decommissioning because of redevelopment and construction activities, a violation of N.J.A.C. 7:9D-3.1.
  - Enforcement Action-Bureau staff reviewed and determined that a violation occurred, and penalties should be assessed to settle the matter with the State in accordance with the regulations. Referral to Central Region Water Compliance and Enforcement to issue settlement offer pending for the 3 wells that were improperly decommissioned.

**Status update- Ongoing Administrative Hearings - ADR Requested by the Department**

- Issue: Formal Administrative hearing requests filed by well drillers and their companies to dispute five cases of improper permitting, grouting and constructing of domestic and irrigation wells. Hearing requests were granted by the Department. DEP Office of Dispute Resolution requesting affected parties to take part in Alternate Dispute Resolution (ADR) process instead.
  - Update-ADR offer following standard procedures, contact was made with one of the companies, settlements are pending negotiation at this time.

**Status update - On-going issues of well drilling violations** – Bureau staff to schedule witnessing of decommissioning and reconstruction) of one irrigation well as part of the final issue of non-compliance involving a drilling company who had constructed 5 unpermitted irrigation wells in Ocean County. The well reconstruction will be the 5<sup>th</sup> and final unpermitted well that were ordered sealed by the Department as part of the resolution of a long standing AONOCAPA. Penalty portion of AONOCAPA has already been settled.

**15. Program Updates-**

T. Pilawski provided the Board with an update to the well rule amendments proposal. She informed the Board that she will reach out to OLA for an update. T. Pilawski informed the Board that the Well Permitting Section has four hourly positions open. She said that that she is looking for individuals with environmental or geology background. Finally, T. Pilawski provided a brief update to the Woodbury geothermal site. She said that the site was being prepped and that they should begin drilling at the beginning of February.

M. Schumacher provided the Board with some stats from 2019. He prepared charts for the Board that detailed totals of completed well searches, permits issued, well records reviewed, and well decommissioning reports reviewed. A. Becker asked if the Department has a sense of if well drillers are being timelier with submitting their well records. M. Schumacher said that he hasn't looked at that aspect of the data. A. Becker asked when the last time the Department did a large inventory of well records. M. Ortega said that it was about four years ago and that in the near future the Department will try to take another look at the inventory.

M. Ortega inform the Board that the Division is in the process of updating their webpages. He asked the Board for suggestions to improve any of the pages that Well Permitting oversees. A. Becker suggested that the Department add information about what a licensee should do if they move. M. Ortega thanked A. Becker for the suggestion and said that he would add that to one of the Well Permitting pages.



**16. Ethics Presentation-**

A. Becker, G. Poppe, J. Yost, G. Craig, and C. Graff stayed for the mandatory ethics presentation. J. Hoffman, R. Dalton, and S. Domber departed as the same training is administered to all State employees. A quorum was still present after they departed. The presentation lasted for 45 minutes.

**17. Adjournment-**

A motion to adjourn was made at 12:59 pm by G. Poppe, seconded by G. Craig, and approved unanimously.



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### **New Jersey Department of Environmental Protection State Well Drillers and Pump Installers Examining and Advisory Board Conference Call Minutes for February 13, 2020**

*Approved by the Board on April 16, 2020*

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

**Board Members Participating Via Telephone:** Art Becker (Chairman), Gary Poppe (Vice-Chairman), Gordon Craig, Joe Yost, Carol Graff, Richard Dalton, and Steve Domber

**Board Members Absent:** Joe Pepe

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

#### **1. Call to Order-**

The meeting was called to order at 10:02 am with a quorum present via telephone.

#### **2. Continuing Education Course Review-**

A table summarizing one (1) course, along with the supporting documentation, was provided to the Board members prior to the meeting for review as they were deemed administratively complete by the Bureau. Below is the information for the course and how many continuing education points (CEPs) were requested:

#### **New Jersey Ground Water Association March 2020 Membership Meeting including Excavations – Trench Excavations Presentation – NJGWA – 1 Technical CEP and 1 Safety CEP**

A. Becker said that this would be a good course and brought up a recent accident in another state where two individuals were killed in a trench. A. Becker asked if there was any further discussion needed for this class. R. Dalton said that he believed that this class should only count for one and a half CEPs, instead of two. He said that due to the lack of information being presented during the meeting he felt that it should only count for half of a point. G. Craig said

that the Board will reevaluate the amount of points that are given to the NJGWA for their membership meetings at the start of the next licensing cycle.

**A motion to recommend approving New Jersey Ground Water Association March 2020 Membership Meeting including Excavations – Trench Excavations Presentation for 1 technical CEP and 1 safety CEP was made by G. Poppe, seconded by G. Craig, and approved by all except for R. Dalton who was opposed.**

**3. Reevaluate Courses for 2020-2023 Licensing Cycle-**

A. Becker asked for volunteers to review course applications prior to the March 26<sup>th</sup> Board meeting. G. Craig volunteered for this work group.

S. Reya said that there are 27 course that are eligible for renewal. Of the 27 courses up for renewal, five of them are approved OSHA classes, 10 of them are online courses, and the remaining 12 are in-person courses. S. Reya said that the process should be straightforward since all classes were already approved and there have not be any changes in these classes reported to the Department. He cited N.J.A.C. 7:9D-1.10 (j) 2, which states that course recommendations shall be reevaluated at the end of the three-year licensing cycle for which they were recommended.

It was decided that the Bureau will send the course information for all currently approved courses to the original continuing education subcommittee, which consisted of G. Craig, C. Graff, and J. Yost and J. Pepe, for review before March Board meeting.

**4. Continuing Education Update-**

M. Ortega provided an update for the completion status of the continuing education program and the Soil Borer/Journeyman (Class B) Upgrade Class. He stated that as of February 12, 2020 53 percent of all licensees have completed the CEP requirement; another nine percent of licensees have started obtaining CEPs but have not finished. 38 percent of licensees have not started obtaining points yet.

M. Ortega continued by informing the Board that 41 of the 79 currently licensed soil borers have completed the upgrade course. There are another 13 soil borers scheduled for the final set of classes on March 12, 2020. 17 out of the 24 currently licensed have taken the upgrade course. There is one journeyman (Class B) well driller currently scheduled for the final class.

A. Becker said that the Department usually sees approximately 15 to 20 percent of licensees not renew their licenses at the end of the licensing cycle. He followed up by saying that it should be expected that there will be a larger decrease in active licensees at the conclusion of this cycle. A lot of licensees are retired and just pay the fee every three-years to maintain their standing, but most of those individuals have no plans on taking courses to maintain their license.

A. Becker thanked M. Ortega for the update. He then asked if there was any further discussion needed before adjourning. R. Dalton had an additional topic to discuss.

**5. Total Green Grout Permeability Results-**

R. Dalton discussed the lab permeability results that the Department had received from Total Green. He said that the results did not meet our standards. A. Becker asked if the Department could notify the representative from Total Green to inform them that they cannot proceed with their field demonstration. S. Reya said that he already contacted their representative.

**6. Adjournment-**

At 10:20 am a motion to adjourn the meeting was made by G. Poppe, seconded by G. Craig, and approved unanimously.



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### New Jersey Department of Environmental Protection State Well Drillers and Pump Installers Examining and Advisory Board Conference Call Minutes for March 26, 2020

*Approved by the Board on April 16, 2020*

Due to COVID-19 impacts this meeting was conducted as a conference call in lieu of an in-person meeting. Notice of the change and instructions for members of the public interested in participating in the call were posted on the Department's website as follows:

**Please be advised that the March 26, 2020 NJ State Well Drillers and Pump Installers Examining and Advisory Board (Board) will not be held at the Department of Environmental Protection headquarters to best protect the health and safety of Board members, Department staff and members of the public. Limited Board business exclusive to reviewing new applicants for well driller and pump installer licenses, continuing education course offerings and continuing education requirement deadlines will be reviewed by the Board during a conference call to be held at 10 am. During the call the Board intends to take formal action to approve qualified license candidates and make any other necessary formal motions. Members of the public who wish to participate in the call may call 1-888-557-8511 and enter access code 9841764 when prompted. Please continue to check this website for information on future meetings.**

**Board Members Participating Via Telephone:** Art Becker (Chairman), Gary Poppe (Vice-Chairman), Gordon Craig, Joe Yost, Carol Graff, Joe Pepe, Jeff Hoffman, Richard Dalton, and Steve Domber

**Board Members Absent:** none

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

**Board Legal Counsel:** Jill Denyes, Deputy Attorney General (DAG)

**Members of the Public:** Karen Whitfield, Michael Glaser

#### 1. Call to Order-

The meeting was called to order at 10:03 am with a quorum present via telephone.

**2. Review and Certification of New License Applicants-**

Board members reviewed the applicants for eight (8) well driller and pump installer licenses: 3 Environmental Resource & Geotechnical (ERG), 3 Vertical Closed Loop Geothermal and 2 Pump Installer. A summary is provided below:

Environmental Resource & Geotechnical	Kurt Bassett	Navarro and Weight Consulting Engineers
Environmental Resource & Geotechnical	Kristopher G. Curtis	Allstar Drilling & Probing
Environmental Resource & Geotechnical	Shane Wayman	Parratt Wolff Inc.
Pump Installer	Michael Glaser	Aqua Solutions, LLC
Pump Installer	Philip S. Andrews	Subsurface Technologies Inc.
Vertical Closed Loop Geothermal	Glenn Eaves	Chesapeake Geosystems, Inc.
Vertical Closed Loop Geothermal	Joseph Fairbank	Chesapeake Geosystems, Inc.
Vertical Closed Loop Geothermal	Corey McAllister	Chesapeake Geosystems, Inc.

S. Reya indicated that the Department found that all listed applicants meet the experience and exam requirements for licensure based upon the criteria prescribed in the rule. He also indicated that none of the listed applicants had any outstanding violations with the Department. Michael Glaser, who is a candidate for the pump installer license who was present on the call also discussed his experience and provided additional information on his experience. Mr. Glaser departed the call at 10:12 am.

**A motion to certify all eight (8) listed applicants for licensure was made by J. Yost. The motion was seconded by G. Poppe and approved unanimously.**

**3. Kevin Blumhagen License Reinstatement Request-**

Prior to the call, Board members were provided with a license reinstatement request letter and supporting documentation, which the Department received on March 25, 2020. The request was submitted by Mr. Blumhagen's legal counsel, Edward P. Azar, Esq. As noted in the request, the 75-day suspension of Mr. Blumhagen's NJ pump installer license ended on March 18, 2020. Board members were notified that the Department has not taken any enforcement action against Mr. Blumhagen during the time in which his license was suspended. The Department, therefore, found that he complied with the terms of the Settlement Agreement in which the Department and Mr. Blumhagen entered into in which he was to hire a NJ licensed pump installer to perform necessary oversight work during the period of his suspension.

**Following the Board's review of the letter and documents provided, a motion to reinstate Mr. Blumhagen's pump installer license was made by G. Poppe. The motion was approved by J. Yost and approved unanimously.**

Department staff will return Mr. Blumhagen's physical license, which he previously surrendered. Additionally, they will notify counties in which he frequently works that the license has been reinstated.

4. **Department update regarding COVID-19 impact on license/continuing education deadlines-** T. Pilawski informed the Board that as a result of the COVID-19 health crisis, Department staff has been evaluating any permit or license expiration dates that could be extended for good cause. After consultation with staff in which the information technology (IT) needs of the program were considered, staff is of the belief that Department resources necessary for the conversion of nearly 300 licenses (held by existing Soil Borers, Monitoring Well Drillers and Journeyman Class B well drillers) is unlikely to be able to completed in time for license renewal processing for the June 30, 2020 license expiration. A proposal to deal with the IT limitations in being able to assure license renewals can be processed without interruption is to extend the license expiration deadline one year to June 30, 2021. The corresponding continuing education deadline would also be pushed back one year to April 1, 2021. In doing so, the Department would not receive the license renewal income for this fiscal year. This renewal income would be received during fiscal year 2021. Estimated loss of income by extending the deadline one-year is would also be the equivalent of one third of the license renewal income assuming all licensees renew. From 2021 onward, the license cycle would then revert back to the standard three (3) year duration.

As T. Pilawski explained, however, trying to hold to the current deadlines could potentially result in license holders not being able to submit well permit applications as of July 1, 2020. If the licenses are not properly converted in the Department and NJ Treasury system prior to that point, along with generation of invoices and collection of renewal fees an interruption of license status and/or problems submitting well permit applications through the Department's online permitting system would be the result. She reiterated that although the current continuing education points (CEPs) of all license holders are tracked and up to date in Well Permitting's records, the ability to re-classify licenses requires IT staff that are already tasked with other Department emergency initiatives related to COVID-19 and that there is no way the program can estimate a timeframe for when DOIT will be able to focus on resolving this licensing issue. She also noted that staff reached out to DAG, Jill Denyes, who advised staff to elevate the request for the license extension through the Department's chain of command. DAG Denyes was on the conference call and reiterated this recommendation. The program is in the process of raising this issue with management. Any extension would require an Executive Order or rule/law change as the deadlines are currently prescribed in rule and statute.

Finally, T. Pilawski noted that the statute and rule that govern continuing education note that a waiver from continuing education may be requested from a licensee "on the basis of active duty in the military or reserves, illness, disability, or other due cause." By extending the license expiration and continuing education deadline concurrently, she noted that these waiver requests would not be necessary. In trying to maintain the current deadlines, the Board would potentially be in a position to be forced to evaluate waiver requests from approximately 300 licensed individuals who have not yet obtained the required CEPs.

She asked Board members for their input on the proposed extension. J. Yost stated that he sees no other option but to proceed with granting the extension considering the current circumstance. G. Poppe also agreed and felt the extension is warranted. G. Craig questioned whether additional CEPs would be required from April 2020 through April 2021 and it was clarified that they would not be required. He too was in agreement with the extension. J. Yost further noted that although the Department would lose some income in extending the deadline, the whole world is losing money due to the virus and that is simply something with which the State will have to deal with.

**J. Yost made a motion that the Board recommends to the Department to establish a one year extension to the current well driller and pump installer license and continuing education deadlines as a result of the COVID-19 impacts specified by the Department, as failure to do so**

**could potentially result in licensure status interruption and associated loss of income for licensed well drillers and pump installers should the Department encounter the difficulties described. The motion was seconded by G. Craig and approved unanimously.**

**5. Continuing Education Course Provider Application Review-**

Water Source, Contaminants and Treatment Technologies (4.5 CEPs requested). Applicant: Richard A. Mest, Master Water Conditioning Corp.

The application and summary table describing this course content were provided to Board members for evaluation. G. Poppe noted that he read through the packet and felt the content would be beneficial to NJ license holders. A. Becker agreed and added that he had attended courses put on by the same instructor in the past and found them very informative. J. Pepe also felt the topic was clearly related to the industry.

**A motion to approve the Water Source, Contaminants and Treatment technologies course for the requested 4.5 CEPs was made by J. Yost and seconded by J. Pepe. The motion was approved unanimously.**

M. Ortega provided an update for the completion status of the continuing education program and indicated that the Department is up to date in tracking CEPs for all license holders but there are two online course providers who will have to report their rosters in the coming days in order to have a final tally on CEP completion compliance. He will reach out to both providers to obtain attendance data immediately following April 1<sup>st</sup>. Currently, he indicated that approximately 62% of all license holders have obtained the 7 or more CEPs required for renewal.

**6. Evaluation of existing approved courses for the 2020-2023 CEP cycle-**

As discussed on the February Conference Call, the Board's opportunity to evaluate previously approved courses and address any concerns prior to carrying the approved courses into the next cycle was to be done at this meeting. Considering the discussion described item #4 above, however, it was determined that discussion on this topic should now be held off until the Board meets in person. A. Becker requested that Department staff include this topic on the agenda of the Board's next in-person meeting since reviewing a large list of course information over the phone is difficult. It was also not deemed to be time sensitive due to the extension proposal discussed earlier.

**7. Well Permit Application Processing Update-**

S. Reya indicated that Lynn Stout and her staff have been taking necessary steps to review well permit applications remotely and with some outstanding IT limitations. The program wished to make drilling contractors aware that permit applications continue to be reviewed and approved, however, there may be delays and drillers should not expect unreasonable turnaround times such as one day considering current limitations. He asked that drillers be patient and noted that L. Stout and her staff requested that we urge drillers to double and triple check their submittals. A number of issues could easily be resolved in a timelier manner, but they are having to be retuned for administrative errors, all of which is more difficult and time consuming when working through their remote system. He noted that contractors can expect quicker turnaround times by increasing the accuracy of the information they submit to the Bureau.



**8. New Jersey American Water Co. Backflow Prevention Issue-**

G. Poppe raised an issue of backflow prevention device requirements being implemented by New Jersey American Water Company in a development in Howell Twp. This issue has been previously raised at Board meeting and he requested an update and further guidance. T. Pilawski, J. Mattle and S. Reya met with the Bureau of Water Systems Engineering on the issue, as the requirements fall under the purview of that program and the NJ Safe Drinking Water Act rule (N.J.A.C. 7:10). Well Permitting staff made that program aware of the concerns but is not the regulatory authority on the issue so all correspondence or inquiries should be sent to that program. G. Poppe requested that program staff send him the appropriate contacts and relevant information as the issue has recently been brought to his attention by a number of individuals who would like to follow up on the matter. Well Permitting staff will email the requested information to G. Poppe.

**9. Adjournment-**

At 10:47 am a motion to adjourn the meeting was made by G. Poppe, seconded by G. Craig, and approved unanimously.



## State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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CATHERINE R. McCABE  
*Commissioner*

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*Lt. Governor*

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### New Jersey Department of Environmental Protection State Well Drillers and Pump Installers Examining and Advisory Board Conference Call Minutes for April 16, 2020

*Approved by the Board on May 21, 2020*

**Board Members Present at NJDEP Headquarters Building:** N/A

**Board Members Participating Via Telephone:** Art Becker (Chairman), Gary Poppe (Vice-Chairman), Gordon Craig, Joe Pepe, Carol Graff, Jeff Hoffman, Richard Dalton, and Steve Domber

**Board Members Absent:** Joe Yost

**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:** Terry Pilawski, Joe Mattle, Steve Reya, and Mark Ortega

**Members of the Public:** Dermot Dillon, Summit Drilling and President of NJGWA (joined the call at 10:35)

#### 1. Call to Order-

The meeting was called to order at 10:04 am with a quorum present via telephone.

A. Becker opened the meeting by letting the Board members know that in addition to covering the agenda previously provided, there would be a discussion about irrigation wells at the end of the meeting. This update to the agenda was added at the last moment by the Bureau to update the Board on recent impacts of the COVID-19 pandemic to the drilling industry.

#### 2. Review and Certification of January 23, February 13, and March 26, 2020 Draft Meeting Minutes-

A motion to approve the draft minutes from the January 23, 2020, February 13, 2020 and March 26, 2020 meetings without change, was made by G. Poppe, seconded by G. Craig, approved unanimously.

A. Becker confirmed the Board's decision to remove the online continuing education point (CEP) cap due to the Department's inability to successfully track the information, which was noted in meeting minutes. Board members discussed concerns with individuals seeking to take a large percentage of required CEPs via online courses and not engaging in in-person training courses. G. Craig noted that the Board's decision to eliminate the intended limit on online courses acceptable for credit was based on the Department's assertion that tracking online/in-person in addition to the other categories (technical/industry and safety) for the next CEP cycle is problematic with existing licensing software and staff resources. M. Ortega informed A. Becker that the Department will continue to monitor individuals who take online classes and can provide information if the Board ever wants to see how many licensees rely solely on online classes. C. Graff reminded members that the Board will still have to approve all classes, online and in-person so all content will be evaluated.

**3. Testing & Licensing-**

S. Reya informed the Board that the Department received two license applications, but neither were administratively complete. Bureau staff will contact the applicants and report back to the Board if and when the applications are sufficiently corrected.

**4. PSI Update-**

S. Reya informed the Board that the National Ground Water Association (NGWA) notified the Department that PSI, the testing vendor for license exams, had closed all exam locations due to the COVID-19 outbreak. PSI has been looking into online testing in the event of a prolonged quarantine. S. Reya continued by stating that all of PSI's testing centers will be closed until April 30, 2020 and that they will try to open some of their locations beginning on May 1, 2020. Due to the closed testing locations, the Board will probably not receive many license applications in the coming months.

**5. Department status regarding COVID-19 impact on license/continuing education deadlines-**

S. Reya reminded the Board that during the March 26, 2020 call the Board and Department staff had discussed pushing back the continuing education and licensing cycles due to foreseeable issues coordinating with IT to convert licenses. It was initially thought that necessary IT resources would be overtasked with COVID-19 emergency tasks and would not be able to assist with converting license types (Soil Borers, Monitoring Well Drillers and Journeyman B well drillers) in time for the renewal to proceed as planned. S. Reya informed the Board that those issues were addressed by M. Schumacher and himself and that they were able to work with IT to get the appropriate licenses converted in time for the renewal invoices. The March 30<sup>th</sup> CEP and June 30<sup>th</sup> CEP license deadlines remain in place, as specified in the rule.

The NJ Department of Treasury will process the invoices on April 27 and the Department will mail them out to those eligible to renew during the first week of May. S. Reya told the Board that the non-renewal letters would be sent out to licensees who did not meet the continuing education requirement by the deadline. After briefly describing what was in the letter, he asked the Board if they wanted the Department to include any language about CEP waiver requests that may be submitted by a licensee, pursuant to N.J.A.C. 7:9D-1.9(f). The Board ultimately decided that the waiver information was in the rule if any licensees wanted to submit a waiver request for review by the Board. Additionally, program contact information is contained in the letter. Licensees who receive written notification that they are not eligible to renew due to failing to obtain the required seven (7) CEPs may contact that program with questions or further information on recourse should they wish to remain licensed.

M. Ortega provided the Board an update for CEP completion percentages. He stated that as of the deadline 69 percent of all licensees had completed the requirement and the other 31 percent would be receiving the non-renewal letter that S. Reya had discussed with the Board. A. Becker confirmed that the Department expected about 70 percent completion and were on target with what was expected. M. Ortega stated that the Department is likely to receive a few more applications or approved courses from licensees who receive the non-renewal letter.

**6. Evaluation of existing approved courses for the 2020-2023 cycle-**

The existing list of approved classes, which the Board had taken formal action on during the prior continuing education cycle, was summarized by Bureau staff. This master list of classes was provided to the Board via email prior to the call. There are 27 total classes that are eligible for approval: 12 in person, 10 online, 5 with multiple providers.

A. Becker opened the discussion by saying that he has attended the Well Contractor's Workshop, which is a 12 CEP course offered by the International School of Well Drilling. He said that this class is very comprehensive and that he recommends it for reapproval.

G. Graff suggested changing the amount of points that a licensee would receive for attending the OSHA HAZWOPER 8-Hour Refresher course. S. Reya reminded the Board that they made a motion that one hour of training equals one CEP and that for consistency, all course approvals have followed that ratio. A. Becker said that Maryland has gone back and forth with the OSHA HAZWOPER 8-Hour Refresher course, but that they currently accept it for credit in their continuing education program. G. Craig recommended keeping it the same as it was in the prior continuing education cycle, which is that it counts for eight safety points and can only be taken once in a three-year period. A. Becker asked if there was any further discussion on OSHA classes. No further discussion was needed.

**A motion to approve the OSHA HAZWOPER 8-Hour Refresher course for eight safety CEPs was made by G. Poppe, seconded by G. Craig, and approved unanimously.**

G. Poppe said that the rest of the classes listed by the Department were all acceptable to him. G. Craig clarified that the course providers do not need to do anything or submit any additional documentation to the Department if their courses were reapproved. S. Reya said that no additional information is needed from the course providers unless they change the course content and/or instructor(s). If a course provider needs to add dates for a course, then they just need to notify the Department of when the courses will be administered so the new dates can be added to the Department's website.

**A motion to approve the remaining courses on the list (26 total) was made by G. Craig, seconded by R. Dalton, and approved unanimously.**

**7. Review of continuing education course information provided by individual licensees who wish to have courses not previously approved credited for CEPs towards their licenses-**

The Board was presented with course information provided to the Department by three licensees: Henry Boyd, Glenn Endreson, and Glen Carleton. S. Reya stated that Mr. Boyd had submitted a large number of courses that he had either administered or attended over the course of the licensing cycle. The Board and Department staff ultimately decided to review the information that Mr. Boyd provided for the Connecticut Private Well Conference that he attended.

**A motion to recommend the approval of Mr. Boyd's Connecticut Private Well Conference for 10 CEPs was made by G. Poppe, seconded by C. Graff, and approved unanimously.**

Before the vote had passed, A. Becker had asked if he needed to abstain since he knows Mr. Boyd and had attended his presentations in the past. DAG Denyes informed A. Becker that he would not need to abstain for those reasons. DAG Denyes also confirmed that as the Board Chairman, A. Becker would only need to vote as a tiebreaker.

The Board reviewed the information submitted by Mr. Carleton and Mr. Endreson and decided that there was not enough information to process their applications. The Board asked Department staff to investigate further.

**R. Dalton made a motion to hold off on further discussion of Mr. Carleton's courses until additional information is provided to the Department. This was seconded by C. Graff and approved unanimously.**

**G. Craig made a motion to hold off on further discussion of Mr. Endreson's course until additional information is provided to the Department. This was seconded by G. Poppe and approved unanimously.**

#### **8. Irrigation Well Discussion-**

T. Pilawski stated that the Department had received a letter from the Irrigation Association which states that irrigation wells and appurtenances are considered a utility and therefore are acceptable work to be conducted under Governor Murphy's Executive Order (EO) 122, which ordered that all non-essential construction cease. T. Pilawski explained to the Board that Department staff had looked through the list of well uses and determined that irrigation wells drilled for existing structures did not meet the intent of the Governor's EO. A list was submitted to the Commissioner's office of well uses that would be acceptable under the EO.

The Department has returned well permits for irrigation wells for existing dwellings technically deficient due to the EO, T. Pilawski explained. Currently, the Department does not have anything in writing from the Governor's Office that states that this work is considered essential under the EO. The letter received from the Irrigation Association states that the Governor's Office approved this work and Department staff had forwarded up the chain of command for clarification. She indicated that if the Department is instructed that the Governor's Office confirms that irrigation wells are deemed a water utility and the work may proceed, the Bureau will again approve well permit applications. Consistent with all other permits issued since the EO, a condition would be included on the permit noting that all well drilling activities must comply with the social distancing requirements prescribed in EO 122.

G. Poppe left the call at 11:17.

A. Becker asked T. Pilawski what the Department would do with the well permits that were sent back technically deficient if they are deemed as essential work. T. Pilawski stated that the Department would reach out to the affected parties and subsequently approve the well permits.

**9. Program Updates-**

T. Pilawski informed the Board that the new agreement with NGWA was signed and sent back to them. This contract would continue the testing which NGWA has been administering since May 2018.

T. Pilawski also informed the Board that drilling has commenced at Princeton University. She reminded the Board that this is to construct a large geothermal well field.

**10. Adjournment-**

At 11:20 am a motion to adjourn the meeting was made by G. Craig, seconded by C. Graff, and approved unanimously.



## State of New Jersey

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### New Jersey Department of Environmental Protection State Well Drillers and Pump Installers Examining and Advisory Board Conference Call Minutes for May 21, 2020

*Approved by the Board on June 18, 2020 and revised on August 13, 2020*

**Board Members Present at NJDEP Headquarters Building:** N/A

**Board Members Participating Via Telephone:** Art Becker (Chairman), Gary Poppe (Vice-Chairman), Gordon Craig, Joe Yost, Joe Pepe, Carol Graff, Jeff Hoffman, Richard Dalton, and Steve Domber

**Board Members Absent:** none

**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:** Terry Pilawski, Joe Mattle, Julia Altieri, Steve Reya and Mark Ortega

**Members of the Public:** none

#### 1. Call to Order-

The meeting was called to order at 10:04 am with a quorum present via telephone.

#### 2. Review and Certification of the April 16, 2020 Conference Call Minutes-

A motion to approve the draft minutes as prepared, was made by G. Poppe. The motion was seconded by J. Pepe and approved by all members except J. Yost who abstained because he did not participate in the call.

#### 3. Review and Certification of New License Applicants: Five (5) Total-

Qualification for one (1) Journeyman Class B, two (2) Environmental Resource and Geotechnical (ERG) Drillers, two (2) Vertical Closed Loop Geothermal (VCLG) driller license applicants were forwarded to Board members for review prior to the call, stated A Becker. The status of the Journeyman Class B license applicant, Naftali Feldman, was listed

on the summary table provided as “Pending Board Review” by the Bureau. He is a licensed driller in NY and is the owner of his drilling company. At the time of the drilling of two (2) of the wells listed as drilling experience, however, he was not licensed to drill wells and employed a licensed driller. According to the letter provided by Mr. Feldman this individual was unable to sign his reference questionnaire due to medical issues.

**Following review of Mr. Feldman’s application and supporting information, a motion to approve him for a Journeyman Class B license was made by R. Dalton, seconded by C. Graff and passed unanimously.**

The remaining four (4) listed applicants were found to meet the experience requirements prescribed in the rule (N.J.A.C. 7:9D) and the applications were deemed administratively complete by Bureau of Water Allocation and Well Permitting Staff.

**A motion to approve two (2) ERG license applicants and two (2) VCLG licenses was made by G. Poppe, seconded by J. Yost and passed unanimously. Those approved for licensure are as follows:**

License Type	Applicant Name	Employer
Environmental Resource & Geotechnical	Albert L. Root IV	Von Nieda Environmental
Environmental Resource & Geotechnical	Joshua Miller	Arcadis
Vertical Closed Loop Geothermal	Jay Corron	Chesapeake Geosystems Inc.
Vertical Closed Loop Geothermal	Edward Gross	Chesapeake Geosystems Inc.

#### **4. New Continuing Education Course Provider Applications - National Ground Water Association (NGWA)-**

A. Becker noted that documentation for two (2) sets of webinars that NGWA has been/will be offering throughout May was submitted for Board consideration of continuing education points (CEPs) for NJ license holders. The application packets comprise seven (7) webinars in one and six (6) in the other (13 total) since the registration format for each group of webinars is different. The applications for all listed courses were found to be administratively complete following the Bureau's review.

Board members agreed that the vast majority of NGWA webinars were clearly related to the drilling and pump industry of New Jersey and should be approved. S. Domber noted that he reviewed the course content for the Conjunctive Water Management in Oregon, which is contained in the May 2020 Groundwater Webinar Package proposed for a total of seven (7) CEPs. He stated that both the regulatory and geologic conditions concerning water management in Oregon, while potentially interesting, are not equivalent to those in NJ so the topic is not relevant to drillers and pump installers operating in NJ. He indicated that it would set a bad precedent if the Board were to approve courses not relevant to NJ license holders. J. Hoffman and C. Graff agreed with his comments.

**After additional discussion, J. Yost motioned that the listed NGWA courses, except for the Conjunctive Water Management in Oregon webinar, be approved for CEP credit.**



**The motion was seconded by G. Poppe and passed unanimously. The thirteen (13) approved courses and the classification of points awarded are as follows:<sup>1</sup>**

<b>Course Name</b>	<b>Presented By</b>	<b>Technical Points</b>
Hydrogeology and Aquifers Webinar	NGWA	1
Operational Stages of a Well	NGWA	1
Well Design Basics	NGWA	1
Water Well Video Logging	NGWA	1
Well Disinfection	NGWA	1
Borehole Logging	NGWA	1
Chemicals and Techniques Used for Well Development	NGWA	1
May 2020 Groundwater Webinar Package	NGWA	Up to 6

**5. Follow-up Review of CEPs Submitted by License Holders-**

Glenn Endreson- Board members were reminded that during the April conference call meeting, a letter submitted by Mr. Endreson and documentation of a 2018 Florida Ground Water Association Annual Convention and Trade-show he attended was reviewed by the Board for consideration of CEPs to be awarded towards his Master license for renewal. At that time, he was unable to provide an agenda or a detailed description of the course content. The Board, therefore, tabled evaluating his request for CEPs until such time as he provides these items. His original letter and certificate along with the previously omitted items that have since been provided to the Bureau were forwarded to the Board prior to today's call.

**G. Craig made a motion that based on the additional course description information he supplied; he be approved for the requested CEPs because the content is related to drilling/pump installation. The motion was seconded by R. Dalton and passed unanimously.**

The Bureau will contact Mr. Endreson and reactivate his renewal bill as he is now eligible for renewal.

Glen Carleton- S. Reya gave a brief update on a licensee whose CEPs were also pending further review. During the Board's review of his courses in April it was not clear whether Mr. Carleton, who is a USGS employee, took courses that were equivalent to previously approved OSHA HAZWOPER 8-hour refresher course so the Board tabled further evaluation until the Bureau could obtain further information. Mr. Carleton has since submitted

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<sup>1</sup> This motion was revised on August 13, 2020 when the Department discovered that the incorrect amount of points were awarded to NGWA for the May 2020 Groundwater Webinar package.

documentation to the Bureau that indicates that the USGS online training modules for which he provided verification of completion are consistent with and equivalent to the OSHA HAZWOPER refresher course and was taken pursuant to CFR 1919.120. Points have since been credited towards his license and the renewal bill information has been forwarded to him to allow for online submittal of his renewal payment. No action was needed from the Board on this matter.

#### **6. Continuing Education Waiver Requests-**

Two individuals who failed to obtain the seven (7) required CEPs by March 31, 2020 have submitted letters to the Board for consideration of CEPs obtained after the deadline. These licensees were notified via letter from the Bureau that they were ineligible to renew and would not be receiving renewal invoices. Both individuals, Paul Williams and David Nelson, have since obtained enough CEPs and have submitted requests for the Board's consideration of accepting the CEPs that were obtained after the deadline prescribed by N.J.A.C. 7:9D-1.9(f).

Board members and DAG, Jill Denyes, discussed the requirements specified in the rule and role of the Board to evaluate such requests and potentially accept credits obtained after the deadline. Additionally, A. Becker asked for clarification from DAG Denyes regarding potentially setting a precedent for others coming forward to renew their licenses when they may have knowingly and willfully failed to meet the regulatory deadline. She noted that any decision by the Board to accept credits based on the documentation submitted for review could be viewed that way so the Board will have to evaluate each request on a case by case basis and be consistent when evaluating if the requests are justified and licensees are deemed eligible for renewal. DAG Denyes further noted that the only options in the current rule for those who missed the deadline are to re-test and pass all exams required for licensure or to file a waiver request for consideration by the Board. Following this discussion the Board evaluated two (2) requests filed by license holders that late CEPs be accepted.

Paul Williams- S. Reya explained that Mr. Williams, a Journeyman driller, obtained four (4) CEPs prior to the deadline, however, the remaining credits were obtained online after the deadline. Mr. Williams provided a letter to the Board explaining the reasons he did not obtain all of the required CEPs in time and requested that the Board accept his “late” credits and allow him to renew his license.

**In consideration of the extenuating circumstances detailed in Mr. Williams’ letter, G. Poppe motioned that the three (3) points obtained after the deadline prescribed in N.J.A.C. 7:9D be accepted. Further, the motion stipulated it is recommended that Department include language in follow up correspondence with Mr. Williams that his credits are being accepted during this first CEP cycle due to the reasons detailed in his letter, however, the Board does not wish to see him fail to meet the CEP requirement at the end of the 2023 cycle or any subsequent cycles. The motion was seconded G. Craig and passed unanimously.**

David Nelson- Mr. Nelson also submitted a letter to the Board in which he requested that the Board accept his credits that were obtained after the March 31<sup>st</sup> CEP deadline and allow him to renew his Pump Installers license. Mr. Nelson noted that after he received a letter from the Bureau stating that he was ineligible for license renewal due to the failure to obtain the required seven (7) CEPs, he immediately signed up and took online courses to obtain all outstanding CEPs. Board members discussed Mr. Nelson's letter and R. Dalton noted that in addition to what is noted in the letter there is a worldwide health pandemic that is adversely affecting everyone in various ways and suggested that since Mr. Nelson went out and rectified his late credits upon receipt of the letter from the Department the Board should accept his credits and allow him to renew his Pump Installers license.

**G. Craig made a motion to accept David Nelson's CEP points for eligibility of license renewal and that the Department allow him to renew his license while including similar language to the motion just passed for Mr. Williams, as the Board does not wish to see this become a repeat occurrence with Mr. Nelson. The motion was seconded by J. Yost and passed unanimously.**

**7. Licensees Who Failed to Obtain CEPs and Intend to Retest to Maintain Licensure-**

M. Ortega and S. Reya explained that some individuals who received letters of non-renewal eligibility called and indicated that they would re-take the exams necessary for licensure. Unfortunately, however, due to COVID-19, PSI test centers remain closed. Bureau staff has been in contact with NGWA staff and routinely checks PSI's website for updates on anticipated reopening dates. Staff noted that these delays may impact licensees and there could be potential waiver requests filed pursuant to N.J.A.C. 7:9D-1.9(f)4 because if test centers remain closed there will be a delay in when those who plan to retest are able to do so. If they cannot pass the required exams and submit their applications to the Bureau and Board for review it will result in loss of license on July 1, 2020. Board members and DAG Denyes discussed the rules and stated that any requests will be evaluated upon submittal to the Board. M. Ortega and S. Reya confirmed they have not received any further information or requests for consideration by the Board at this time.

**8. CEP Completion Percentage Status and Driller/Pump Installer Renewal Processing Update (M. Ortega/S. Reya)-**

M. Ortega noted that some additional continuing education point completion records have continued to be submitted for points obtained prior to the deadline. Bills for these individuals, which were closed due them being eligible for renewal are being reopened upon verification of successful course completion. Approximately 73% of all licensees are eligible for renewal due to either satisfying the CEP requirements of being newly licensed and exempt from the requirement at this renewal cycle.

**9. Geothermal Wellfield Projects: Woodbury recommissioning and Princeton University Wellfield Progress (S. Reya)-**

S. Reya provided a brief update on two (2) large geothermal projects currently under way, both of which have been discussed in detail at prior meetings. He indicated that the recommissioning of improperly constructed closed loop geothermal wells in Woodbury by overdrilling the wells with a sonic rig was progressing well. Progress thus far has been slowed by significant site excavation needs and some downtime due to a drill rig repair though he mentioned the project was approximately 25% complete at this point. He also indicated Department staff is pleased with the work because, the driller has been successful in following the approved compliance plan to overdrill the wells to the total original depth and remove the geothermal loops for all wells.

With regard to the Princeton University geothermal project, he noted that the Bureau has continued to receive weekly updates from the International Ground Source Heat Pump Association (IGSHPA) certified third party inspector and that he also recently inspected the drilling operations. Currently two (2) drilling contractors are onsite drilling 850 ft. deep closed loop wells. One driller is drilling with mud rotary and polycrystalline diamond compact (PDC) bits and the other is utilizing the air rotary/down hole hammer drilling method. There have been some problems involving geothermal loop damage of a well due to interconnection of adjacent wells downhole and difficulties with installation of the tremie pipe and loop to total depth on some bores. The Bureau continues to monitor the drilling activities and is routinely in contact with the drilling contractors, the University, the certified inspector and the construction management contractor to ensure regulatory compliance.

#### **10. Revisions to N.J.A.C. 7:9D (T. Pilawski)-**

T. Pilawski said staff from the Office of Legal affairs completed their review of the document and the it must now be approved by the Water Resources Assistant Commissioner's Office as well as the DEP Commissioner's office before the rule proposal may be published in the NJ register. She also noted that once published, the public comment period may extend longer than usual due to COVID-19, which has been the case with rule proposals put out during the pandemic. This would extend the time before the rule would become operative.

#### **11. Board Member Vacancy Posting and Re-appointments-**

As has been noted at previous meetings, C Graff has indicated that she wishes to continue on the Board until the next three-year appointment is made for her position at which point, she does not want to be reappointed for another term. The anticipated vacancy was posted on the Division's website to solicit resumes and letters of interest from qualified individuals. S. Reya noted that the closing date was May 15<sup>th</sup> so the Bureau will be working on reappointments shortly. He asked that any Board members who did not provide him with an updated resume last summer do so now. He will again email the most recent resume on file to those members and asked that they send him an updated version as soon as possible.

#### **12. Chair/Vice Chair Elections-**

Chairman A. Becker reminded members that Board Chair and Vice Chair elections are to be conducted at the May meeting each year. He said he enjoys his role as Board Chairman and is

fully willing to continue in that capacity if requested but asked if any other Board members wished to serve as Chair and have an election. All members unanimously supported A. Becker remaining as Chair.

**G. Poppe motioned to nominate Art Becker to continue as Board Chairman. The motion was seconded by G. Craig and passed unanimously. G. Craig then motioned to nominate Gary Poppe to continue as Vice-Chairman, the motion was seconded by J. Yost and passed unanimously.**

**13. Grout Demo-**

Board member volunteers were requested for an upcoming geothermal grout demonstration for a CETCO geothermal grout for which the manufacturer is seeking NJ approval and has already supplied acceptable lab permeability data. R. Dalton, A. Becker and G. Craig all volunteered to attend provided the date and location works with their schedules. S. Reya will reach out to them once a time and place has been selected. He also noted social distancing and PPE protocols would have to be observed, however, it is an outdoor event presumably with sufficient space to do so.

**14. Adjournment-**

Having no further business to discuss, the call was adjourned at 12:01 pm.



## State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION

PHILIP D. MURPHY  
*Governor*

CATHERINE R. McCABE  
*Commissioner*

SHEILA Y. OLIVER  
*Lt. Governor*

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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 18, 2020

*Approved by the Board on July 23, 2020*

**Board Members Present at NJDEP Headquarters Building:** N/A

**Board Members Participating Via Telephone:** Art Becker (Chairman), Gordon Craig, Joe Yost, Joe Pepe, Carol Graff, Jeff Hoffman, Richard Dalton, and Steve Domber

**Board Members Absent:** Gary Poppe (Vice-Chairman)

**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:** Terry Pilawski, Joe Mattle, Julia Altieri, Steve Reya and Mark Ortega

**Members of the Public:** None

#### 1. Call to Order-

The meeting was called to order at 10:03 am with a quorum present via telephone.

#### 2. Review and Certification of the May 21, 2020 Conference Call Minutes-

A motion to approve the draft minutes as prepared was made by C. Graff, seconded by S. Domber, and approved unanimously.

#### 3. Evaluation of letters submitted by three licensees who failed to obtain their continuing education points (CEPs)-

The Board began by reviewing the letter and supporting documentation submitted by Mr. Ed DeSantis. G. Craig said that the Board set a precedent to accept the late credits from licensees during the May 2020 meeting and said the Board should accept the points for Mr. DeSantis who eventually obtained the required CEPs though after the prescribed deadline, as he outlined in his letter. A. Becker agreed with G. Craig's statement.

**A motion to accept the late credits submitted by Mr. Ed DeSantis was made by G. Craig, seconded by J. Yost, and approved unanimously.**

The Board reviewed the letter and supporting documentation submitted by Mr. Mike Heinold. G. Craig asked what course Mr. Heinold took in lieu of the cancelled Rutgers course. S. Reya explained that Mr. Heinold had attended two New Jersey Ground Water Association meetings during the licensing cycle and had earned four CEPs. Mr. Heinold took three International School of Well Drilling courses after the deadline since the Rutgers Groundwater in Fractured Bedrock course, which he was registered for, was cancelled due to COVID-19. A. Becker said that he believed that this was the most straightforward case since Mr. Heinold was directly impacted by COVID-19. He clearly would have obtained his CEPs prior to the deadline, had the course for which he was scheduled not been cancelled due to COVID.

**A motion to accept the late credits submitted by Mr. Mike Heinold was made by R. Dalton, seconded by G. Craig, and approved unanimously.**

The Board reviewed the letter and supporting documentation submitted by Mr. Mike Stengle. S. Domber asked what course Mr. Stengle took to obtain his seven CEPs. S. Reya said that he took the All Star Training Water Well Course.

**A motion was made to accept the late credits submitted by Mr. Mike Stengle by S. Domber, seconded by C. Graff, and approved unanimously.**

A. Becker requested that the Department add the same language that was discussed during the May 2020 meeting to strongly discourage these individuals from having this happen again. S. Reya explained what language was used in the letters that were distributed at the conclusion of the May meeting.

#### **4. Recent Bureau Enforcement Action Update-**

J. Altieri provided the Board with an enforcement update as summarized below:

##### **Well Permitting Enforcement Activities– 3/26/2020-6/18/2020**

**New Investigations:** Lost and/or Destroyed Wells

**Issue:** Four separate issues of shallow improperly decommissioned monitoring wells that were reported destroyed by excavation during redevelopment and construction activities. All are violations of N.J.A.C. 7:9D-3.1 and were self-reported as a result of the Bureau's lost/destroyed guidelines.

**Enforcement Action:** Cases to be referred to DEP Water & Compliance/Enforcement to issue settlement agreements for penalties totaling \$11,000 for eight wells total.

**Issue:** Unlicensed pump installation activity.

**Enforcement Action:** Verified case to be referred to DEP Water & Compliance/Enforcement to issue settlement agreements for penalties totaling \$1,625 for one violation of N.J.A.C. 7:9D-1.6(c)

**New Investigations:** Unlicensed decommissioning and unlicensed pump installation

**Issue:** Two total reported cases of alleged improper/unlicensed well decommissioning.

**Issue:** Two total reported cases of alleged unlicensed well pump installation. All cases were reported by well drillers or consumer complaint. Located in Atlantic and Ocean counties.

**Enforcement Action:** Bureau sent two letters of inquiry to companies suspected of improper/unlicensed activity asking for their licensed person they use to supervise work. Both companies verified licensed individuals they use and were put on notice to make sure they followed the regulations in the future. Suspected violation could not be verified.

**Enforcement Action:** Bureau sent two separate notices of non-compliance for improper well decommissioning and unlicensed pump installation work. Violation verified, both cases pending referral

T. Pilawski also brought the Board up to speed on two older enforcement cases that had been discussed during prior meetings. She started by discussing the situation with journeyman well driller, Mr. Glenn Battschinger. T. Pilawski explained the background of his violation and informed the Board that the Bureau is not entering an Alternative Dispute Resolution (ADR) with him because he did not comply with the order to seal the well. The Bureau and Water Compliance and Enforcement will only enter into ADR when the accused party has complied with any orders issued by the Department.

T. Pilawski informed the Board that Mr. Joe Buffa of Admiral Water is going to enter a settlement for his violation. Mr. Buffa admitted that he did not have a licensed pump installer on one occasion while he conducted pump work.

## **5. Discussion of candidate for potential appointment on Board-**

A. Becker reminded the Board that C. Graff is stepping down from serving as the Board's public member. S. Reya notified the Board that Mr. Eric Hoffmann submitted a resume after the Department had made the posting available on their website. S. Reya said that Mr. Hoffman had attended a Board meeting about 10 years ago and had formerly worked with the Board on a site remediation issue.

The Department had reached out to him because he had been asking over the years to be notified if the position ever became available. J. Hoffman said that Eric regularly attends the LSRP Board meetings. A. Becker said that he has also worked with Eric and that he has good knowledge of environmental wells. A. Becker asked about the steps that need to be taken in order to get him approved to serve on the Board. S. Reya asked the Board to weigh in on it and then based on their decision, the Department would proceed with bringing his appointment up the chain of command.

R. Dalton asked if anyone else applied to the Board vacancy that was posted on the website. S. Reya said that no one else applied. After Board members had time to review Mr. Hoffmann's letter of interest and resume' A. Becker asked for a motion.

**A motion to recommend the appointment of Mr. Eric Hoffman as the public member of the Board was made by J. Hoffman, seconded by R. Dalton, and approved unanimously. Bureau staff will relay the Board's recommendation to the Commissioner's Office to facilitate his appointment.**



**6. License Renewals-**

S. Reya informed the Board that the percentage of licensees who have met the requirement remains unchanged. Approximately 690 licensees have paid their bills and will receive licenses for the 2020 – 2023 licensing cycle.

He also said that some licensees have made the Department aware that their new licenses were printed with the incorrect expiration date. After looking into the issue, Department staff concluded that this glitch impacted all Environmental Resource and Geotechnical and Vertical Closed Loop Geothermal well drillers. The Department sent an email to everyone registered for their email distribution list of the situation and are working on the issue. Once this situation is resolved, the Department will reprint and redistribute licenses for the impacted licensees.

**7. Program Updates-**

T. Pilawski provided the Board with a brief update about the proposed rule amendments. She told the Board that the proposal was recently sent back to the Department for a minor clarification. After the correction is made, it will be sent back to the legal team for review.

**8. Geothermal Projects Update-  
Woodbury:**

S. Reya provided the Board an update with the progress of the recommissioning of the geothermal site in Woodbury. He stated that in the last monthly report that the Department had received, 19 wells were completed and the contractor located some of the other loops and performed the necessary sitework to facilitate rig access and overdrilling of the wells. S. Reya expressed that the Department has been very pleased with the progress and success of the recommissioning of these wells.

**Princeton University:**

As was reported to the Board during their May conference call, the Bureau has continued to receive weekly updates from the International Ground Source Heat Pump Association certified third party inspector. Currently two drilling contractors are onsite drilling 850 ft. deep closed loop wells. One driller is drilling with mud rotary and polycrystalline diamond compact bits and the other is utilizing the air rotary/down hole hammer drilling method. The Department is currently working with one of the contractors on corrective actions for a well that was not constructed properly. The report submitted to the Department indicated that in one bore, the bore was drilled to 850 ft. but the contractor was only able to advance the geothermal U-bend to 716 ft., reportedly due to problems with their drilling mud cleaning system. Further their crew was only able to advance the tremie pipe to approximately 500 ft. at which point the remaining annular space was grouted. The Bureau has contacted the contractor about the non-conforming well and a conference call is scheduled for this afternoon. The intent is to discuss the necessary corrective actions for the well in addition to the Department making all parties aware of the regulatory requirements that are to be met on all future bores. The drilling contractor, university representative, construction project manager and IGSHA-certified third-party oversight representatives will all have representatives on the call with Department staff.

**Total Green Direct Exchange (DX) Geothermal System:**

The Bureau was recently contacted by the Total Green DX Geothermal System representative who attended the September 19, 2019 Board meeting to discuss a proposed version of his product for use in NJ. The design Bill Buschur presented at that time specified a PVC sleeve in which the copper U-bend would be installed to address the Department and Board's prior concerns of copper deterioration and potential release of refrigerant into ground water. At that time, he also proposed a grout mix that

had not been tested for permeability in accordance with ASTM D5084. Since that meeting Mr. Buschur has periodically been in contact with the Bureau regarding the grout testing and associated requirements. S. Reya noted that he recently inquired about utilizing a Department-approved grout to seal the annular space between the borehole and the PVC sleeve but wanted to use the unapproved grout to seal between the PVC sleeve and the copper U-bend. The Bureau responded that both annular spaces would have to be sealed using an approved grout since the unapproved grout could not be left in place should the well/system need to be decommissioned and drilling out DX geothermal wells that are potentially drilled on an angle on residential properties would not be a feasible expectation. Mr. Buscher's last correspondence indicated that he would pursue the permeability testing necessary for approval of the grout, which could then be used in both annular spaces. The Board will be kept apprised of any updates and/or with details regarding the proposed field/grouting demonstration that is to occur once the grout is demonstrated to meet applicable permeability standards. Specifically, Board members expressed interest in ensuring that the contractor is able to pump the specified grout through a ½" diameter tremie pipe, as their product installation documents stipulate.

**9. Other Business-**

J. Pepe informed A. Becker and the other members that he does not wish to be reappointed to his position on the Board. He offered to remain as an active Board member until a replacement is found. A. Becker thanked J. Pepe for his service and for offering to remain on the Board until a replacement is found. T. Pilawski said that the Department would be working on getting the position posted as soon as possible so the Department could process the rest of the Board member resumes.

**10. Adjournment-**

At 10:58 am, a motion to adjourn the meeting was made by G. Craig, seconded by C. Graff, and approved unanimously.



## State of New Jersey

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### New Jersey Department of Environmental Protection State Well Drillers and Pump Installers Examining and Advisory Board Conference Call Minutes for July 23, 2020

*Approved by the Board on August 13, 2020*

**Board Members Present at NJDEP Headquarters Building:** N/A

**Board Members Participating Via Telephone:** Art Becker (Chairman), Gary Poppe (Vice-Chairman), Joe Yost, Carol Graff, Richard Dalton, and Steve Domber

**Board Members Absent:** Gordon Craig, Joe Pepe, and Jeff Hoffman

**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:** Terry Pilawski, Steve Reya and Mark Ortega

**Members of the Public:** None

#### 1. Call to Order-

The meeting was called to order at 10:04 am with a quorum present via telephone. A. Becker noted that this meeting was supposed to be held in person, however, due to COVID-19, the meeting was changed to a conference call. He noted that the Department had made the phone number available prior to the meeting via the Board's website.

#### 2. Review and Certification of the June 18, 2020 Conference Call Minutes-

S. Reya said that J. Hoffman, who was not present for the call, made a clarification to something that was in the minutes and asked for it to be removed. J. Hoffman had mistakenly said that Mr. Eric Hoffman regularly attended LSRP Board meetings and that he was thinking of someone else. This change would appear in the fifth bullet, second paragraph of the minutes.

**A motion to accept the minutes, after removing the language in item five, paragraph two, was made by J. Yost, seconded by C. Graff, and approved unanimously.**

### **3. Review of Continuing Education Course Applications-**

A. Becker informed the Board that five courses were identified as administratively complete by the Department and were up for review by the Board and asked if S. Reya could go over the courses. Four of these courses were submitted by the International School of Well Drilling (ISWD) and one was submitted by Denis Crayon.

S. Reya started by going over the four courses submitted by the ISWD. He started by reminding the Board that ISWD currently has several courses approved by the Board already and submits roster updates to the Department monthly. S. Reya said that ISWD is proposing a three-part course on Drilling Methods and an Aquifer Storage Recovery class; each class would count for one technical continuing education point (CEP).

A. Becker said that he believed that these courses were appropriate. He told the Board that he had talked to S. Reya earlier in the week about the length of time the courses were offered. A. Becker noted that each class is only about 50 minutes according to what ISWD submitted in their timed outline of the courses.

**A motion to approve Drilling Methods I, Drilling Methods II, Drilling Methods III, and Aquifer Storage Recovery was made by J. Yost, seconded by G. Poppe, and approved unanimously.**

A. Becker brought up the course submitted by Denis Crayon and Rutgers University, COVID-19, Support and Resources for Building Resilience. S. Reya prefaced his explanation of the course by recalling an email exchange that he had had with Mr. Crayon prior to the application being submitted, which was provided with the course application submittal. He said that Mr. Crayon had reached out to Department staff asking if they thought that this course topic was relevant. S. Reya said that he replied and stated that the Department only reviews the course applications for administrative completeness, while the Board reviews the course content. He informed Mr. Crayon that it is reasonable to justify that well driller and pump installers fall into the essential worker category and the course may be eligible in meeting the safety credits requirement for licensees. S. Reya said that he could not make any assumption of the Board's analysis of his, at the time, potential application.

R. Dalton asked for clarification about the number of CEPs that was being requested. S. Reya said that three (3) safety CEPs were being requested for this course. A. Becker noted that this course is out of the ordinary as far as topics submitted for CEPs thus far. S. Domber and J. Yost stated that they do not think that this course is relevant to the drilling industry. Board members noted that while COVID-19 training is currently an important topic, the three (3) hour course proposed is not directly related to the NJ well drilling or pump installation industry (as required by N.J.A.C. 1.11(j)).

**A motion to not recommend the course, COVID-19 Support and Resources for Building Resilience, for approval was made by G. Graff, seconded by S. Domber, and approved unanimously.**

A. Becker asked S. Reya to notify Mr. Crayon about the Board's decision.

### **4. License Renewals-**

To date, 736 licenses have paid their bills and renewed their licenses. There are another 43 licensees who have open bills and have not paid. S. Reya clarified that these 43 individuals had met the CEP requirement but had not paid for their license yet. Late fees will be assessed to these individuals shortly.

S. Reya provided an update about the issue he reported during the June meeting with the Environmental Resource and Geotechnical and Vertical Closed Loop Geothermal driller licenses. He reminded the Board that licenses for these two license types were printed with the expiration date of June 30, 2020, instead of June 30, 2023. The issue was corrected at the end of June and S. Reya had put in a request to have new licenses printed for the impacted licensees. S. Reya said that the Bureau is working with entities to verify license status of affected individuals.

There has been no change to the 264 licensees who did not meet the CEP requirement. S. Reya reminded the Board that these individuals do not have a path forward to renewing their license since they did not meet the CEP requirement and the license renewal has passed.

S. Reya noted that two (2) former licensees had encountered issues due to not renewing. One of the licensees said that he had received all of the Department's notifications about the CEP requirement, but he had intended on retiring until a job opportunity recently came up, so he inquired about his options for reinstatement. The other licensee contacted the Bureau because he was unable to obtain a permit due to the ePermitting system generating a message that he was not licensed to certify a well permit application. This driller was notified in writing that he did not obtain any CEPs and his license had expired as a result. He was further advised that he is not authorized to drill, replace, repair or modify any well or well pumping equipment until he again becomes licensed or performs the work under the direct supervision of an adequately licensed individual.

A. Becker asked if anyone else had submitted a hardship exemption from the CEP requirement. S. Reya said that no one else had submitted any information to the Department.

## **5. DX Geothermal – Grout Review and Proposed Installation-**

Board members were reminded about their September 2019 meeting with Mr. Bill Buschur of Total Green. Mr. Buschur had requested to use their direct exchange (DX) geothermal system, which is comprised of copper pipe and refrigerant. To address prior concerns with these systems raised by the Department and Board, he proposed, to sleeve the copper U-bend with PVC and grout between the copper and PVC as well as between the PVC casing and the borehole. At that meeting the consensus of the Board was that the manufacturer demonstrated that the new design sufficiently addressed the concerns, however, the grout mix needed to be demonstrated to meet the required permeability specified in N.J.A.C. 7:9D and be tested in accordance with the appropriate ASTM standard. S. Reya noted that there were issues with the permeability results that Total Green had submitted to the Department.

S. Reya had been in contact with Mr. Buschur recently about moving forward with a grout demonstration because they had a potential job in New Jersey and wished to proceed. Unfortunately, Mr. Buschur had submitted updated data five minutes before the conference call had started, S. Reya explained. If it is determined to meet the permeability value, the next step would be to proceed with a field demonstration to illustrate that the specified grout can be mixed in accordance with manufacturer specifications and pumped using a .5" tremie pipe, as specified in Total Green's well installation instructions.

S. Reya said he will work with R. Dalton to review the information that was submitted to the Department. A. Becker asked the Board if they wanted to issue a conditional approval for Total Green to proceed with scheduling the field demonstration to pump the grout into a new DX installation provided they are able to determine if the grout meets the standard or to wait until the next meeting to hear the result of what him and R. Dalton find before deciding. C. Graff suggested waiting until the Board has more information since the latest documents have not yet been reviewed by anyone. Other

members agreed and indicated that with the amount of time DX systems have been under review, there is no need to conditionally approve this step before the grout data has been vetted.

**A motion to wait until more information is available about the grout that Total Green provided was made by C. Graff, seconded by J. Yost, and approved unanimously.**

**6. Recent Bureau Enforcement Action Update-**

S. Reya gave the enforcement update on behalf of Julia Altieri, who was unable to make the call though she provided a written summary of enforcement activities, which was forwarded to Board members.

**Well Permitting Enforcement Activities– 6/18/2020-7/23/2020**

**New Investigations:** Unlicensed decommissioning in Montville Morris Co.

**Issue:** Three total reported cases of alleged unlicensed well decommissioning of deep cased wells. All cases were reported by local Health Department when they tried to obtain decommissioning reports from the property owners. Individual is a licensed pump installer with the State of NJ who claimed to use a licensed company but had not. In 2018, same individual was investigated for decommissioning hand dug well without proper license and was warned that he could not perform this work in the future without a proper license.

**Enforcement Action:** Bureau sent one notice of non-compliance to the individual for three instances of unlicensed well decommissioning work dated June 24, 2020. No response from individual at the present time. Case will be referred to Water Compliance Enforcement for further settlement (if verified) and possible licensing sanctions.

A. Becker said that he was concerned about how the grout was mixed by the unlicensed individual. S. Reya said that he has already discussed this with the Health Department. He informed the Health Department that the Department would typically require wells that are not sealed properly to be drilled out and re-grouted because there is no way to confirm that the well was grouted according to the rule if done by an unlicensed individual. S. Reya said that the Department still does not have all of the details and that the investigation is still being conducted.

T. Pilawski and M. Ortega gave an update on an Alternative Dispute Resolution (ADR) pre-meeting that had occurred.

**Status update:** Ongoing Administrative Hearings – ADR coordination meeting

**Issue:** On July 9, 2020 the DEP Office of Dispute Resolution/ Southern Water Compliance and Enforcement, Well Permitting staff and the licensed well driller took part in a conference call to clarify and discuss an improperly grouted well to be decommissioned as the ordered by the Department in an Administrative Order and Notice of Civil Administrative Penalties Assessment (AONOCAPA) issued by the Department. The meeting was held at the request of the drilling company.

**Update:** During the meeting, the driller agreed to comply and properly decommission the well in accordance with the enforcement order issued by the Department. Bureau staff intend to witness all required decommissioning work during normal State business days. Anticipated work to be completed by the end of July or August.

## 7. Program Updates-

### Furloughs

T. Pilawski informed the Board that the majority of the state's workforce had been furloughed throughout the month of July. Furloughs commenced on June 30<sup>th</sup> and were set to end on July 25<sup>th</sup>. T. Pilawski said that the Bureau sent an email to everyone on the Bureau's email distribution list to notify them to expect delays in July. Due to the furloughs, the Bureau expected to fall behind on reviews of permits, records, and decommissioning reports.

### Horizontal Directional Drilling (HDD)

T. Pilawski said that there was a recent incident with the New Jersey Natural Gas' Southern Reliability Link, in Upper Freehold, where an inadvertent return resulted in drilling mud flowing to the surface. Drilling mud was discovered in a small stream and caused damage to a nearby home. The homeowner reported that drilling mud was coming through cracks in the foundation of her home and flooded her basement. This incident resulted in several environmental groups contacting the Commissioner's Office.

T. Pilawski said that after this incident occurred, she had discussed with DAG J. Denyes the possibility of including HDD in the Well Construction and Maintenance; Sealing of Abandoned Wells rule, N.J.A.C. 7:9D. Currently, the Division of Land Use Regulation has been working with the Well Permitting Section to include permit requirements to address abandonment contingency planning and grouting on projects that are using HDD. T. Pilawski said the Department would likely seek a statutory change in order to add a license type and establish standards for construction of HDD wells as they are essentially unregulated in N.J.A.C. 7:9D as currently constituted.

### Well Rule Update

T. Pilawski informed the Board that the well rule revisions had made it to the Governor's office and were sent back to the Bureau for grammatical changes. The grammatical issues were addressed and the draft was sent back to the Assistant Commissioner's office for review. T. Pilawski expressed her optimism with the situation.

### National Ground Water Association (NGWA) Exam Contract

T. Pilawski provided the Board with an update about the exam contract that the Department has with NGWA. She said that at the beginning of the year, the Department and NGWA had reached an agreement to allow NGWA to continue administering exams and providing the Department with exam statistics. Unfortunately, due to COVID-19, the Department received a mandate that purchase orders would only be approved in three-month intervals; currently money is approved through September 2020. T. Pilawski said that she had spoken with NGWA on July 15<sup>th</sup>, during a routine conference call, and informed them of the Department's fiscal situation.

T. Pilawski discussed the different scenarios based on NGWA's decision, including the New Jersey exam modules not being available in three-month blocks if the State is not able to pay the bill. T. Pilawski said that S. Reya had wrote a memo to justify the importance of testing for well drillers and pump installers, which is considered an essential business. In the short term, the Bureau has provided NGWA with revised contract language to account for the new payment structure and both parties are working on signing a new agreement that will allow the third party testing for well drillers and pump installers to continue in its current format without interruption.

## **8. Geothermal Projects Update-**

### Woodbury Geothermal Site Recommissioning

S. Reya said that the report the Bureau received at the end of June from the contractor stated that 29 wells have been successfully completed. This includes having the original loops removed from the ground, new loops installed, and the well being grouted. S. Reya noted that the depths of the loops vary. The reports that the Department had originally received stated that the loops were approximately 330 feet, but the contractor has reported that the wells are generally around 200 to 220 feet. The Department is very pleased with the progress of the recommissioning of this site. T. Pilawski noted that the property owner has been paying the penalties on time.

### Princeton

S. Reya said that there was one non-conforming well at the Princeton site, drilled by Midwest Geothermal. He explained that they drilled an 850-foot bore but were only successful in installing the U-bend to 716 ft. due to a problem with their drilling mud cleaning system. Further, they were unable to advance the tremie pipe beyond 500 feet. This resulted in an insufficient amount of grout being pumped into the well. On June 19, 2020, J. Hoffman, T. Pilawski and S. Reya had a call with all relevant parties including the drilling contractor, third party oversight company providing International Ground Source Heat Pump Association (IGSHPA) certified inspectors onsite at all times, a Princeton University representative, construction management contractor representatives and the licensed driller overseeing the drilling operations,. During the call the Department detailed the expectations of this project and what to do if an issue is encountered in the field. S. Reya noted that T. Pilawski made it clear that the expectation is that all drillers are to comply with the regulatory requirements in NJ or enforcement action will be taken.

It was also noted that the nonconforming geothermal U-bend installation was removed from the bore and the well was re-drilled multiple times using larger bits until the U-bend and tremie could be successfully installed to the 850 ft. drilled depth. T. Pilawski and S. Reya indicated that the drilling contractor was very responsive in addressing the non-conforming well installation in a timely manner and without further incident but wanted them to be aware that in the future if they encounter a problem during well construction they should not proceed with completing the installation as it will be deemed non-conforming. They noted that there have not been any issues since having the conference call.

As of the last report that the Department received, Midwest Geothermal had completed 35 wells and Chesapeake Geosystems had completed 14 wells. Currently, Midwest Geothermal is still drilling, however, Chesapeake Geosystems is not on-site drilling. Another contractor is set to be on-site in September and at that point, there will be approximately six drill rigs on site. A. Becker asked who is responsible for verifying the driller licenses. S. Reya said that the IGSPHA inspector verifies the driller license and includes that information on their report.

## **9. Adjournment-**

At 11:05 am, a motion to adjourn the meeting was made by G. Poppe, seconded by C. Graff, and approved unanimously.





## State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION

PHILIP D. MURPHY  
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*Lt. Governor*

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### New Jersey Department of Environmental Protection State Well Drillers and Pump Installers Examining and Advisory Board Conference Call Minutes for August 13, 2020

*Approved by the Board on September 24, 2020*

**Board Members Present at NJDEP Headquarters Building:** N/A

**Board Members Participating Via Telephone:** Art Becker (Chairman), Gary Poppe (Vice-Chairman), Gordon Craig, Joe Pepe, Carol Graff, Richard Dalton, and Steve Domber

**Board Members Absent:** Joe Yost and Jeff Hoffman

**Board Legal Representative Present:** N/A

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

**Members of the Public:** None

#### 1. Call to Order-

The meeting was called to order at 10:02 am with a quorum present via telephone.

#### 2. Review and Certification of the July 23, 2020 Conference Call Minutes and Proposed Corrections to the May 21, 2020 Board Conference Call Minutes-

S. Reya explained that there was a mistake in item #4 of the May 21, 2020 minutes in which the National Ground Water Association (NGWA) May 2020 Groundwater Webinar Package was listed as approved for the incorrect amount of continuing education points (CEPs). The Department recently became aware of this mistake and had corrected it on their website. The correction makes it clear that licensees could earn up to six (6) CEPs for the course. It was originally incorrectly listed as being approved for a maximum of five (5) CEPs.

**A motion to accept the proposed corrections to the May 21, 2020 minutes and the July 23, 2020 minutes as written was made by G. Poppe. The motion was seconded by C. Graff and approved by all except for J. Pepe and G. Craig, who abstained.**

### 3. Review of Well Driller License Applications-

A. Becker asked if S. Reya knew what project the three drillers who applied for their environmental resource and geotechnical (ERG) licenses would be working on, noting that they were all from Alabama. S. Reya said that these drillers, if approved for licensure, would be drilling diagonal wells with a sonic rig under an active factory for an environmental remediation project in northern New Jersey. A. Becker asked the Board if there was any further discussion about the three licensees. No further discussion was needed.

A motion to approve the three (3) ERG license applicants was made by G. Poppe, seconded by C. Graff, and approved unanimously.

License Type	Applicant Name	Employer
Environmental Resource & Geotechnical	Chris Ratley	GSE, Inc.
Environmental Resource & Geotechnical	Jeremy Ryan Bailey	GSE, Inc.
Environmental Resource & Geotechnical	Robert Morgan	GSE, Inc.

### 4. Review of Continuing Education Course Application-

The application for one course from the American Ground Water Trust (AGWT), NJ Well and Pump Technology Webinar was forwarded to Board members in advance of the call for review. A. Becker confirmed that this course was vetted by the Department and deemed to be administratively complete. He also noted that he knows a lot of the presenters that are listed from attending prior events and believes this will be a good course to fulfil the goal of continuing education. A. Becker asked if any further discussion was needed for the course. No further discussion was needed.

A motion to approve NJ Well and Pump Technology Webinar for six (6) technical CEPs was made by G. Craig, seconded by S. Domber, and approved unanimously.

Course Name	Presented By	Technical Points
NJ Well and Pump Technology Webinar	AGWT	6

### 5. License Renewals-

S. Reya informed the Board that late fees had been assessed to all licensees who did not pay their bills by the June 30<sup>th</sup> deadline. S. Reya noted that there was a glitch with the Department's software which resulted in licensees who did not meet the CEP requirement having their cancelled bills re-opened when late fees were assessed. S. Reya said that the Department also consulted DAG Jill Denyes to notify her of the bills being sent in error. Staff let her know that an email was sent to the Bureau's distribution list the day the problem was identified to notify recipients as quickly as possible that they should not pay the bill if they did not obtain the CEPs necessary for license renewal eligibility and that any payment made for an ineligible license would be refunded and the new license would not be issued. A letter, similar to the email, is also being sent to everyone who received a bill in error.

A. Becker asked if the Department knew what the cause is and confirmed that it was an issue with the Department's software and not another entity. S. Reya confirmed that it was the Department's software and had nothing to do with the Department of Treasury. T. Pilawski speculated that it is a

coding issue and noted that M. Schumacher had forwarded this issue to our IT staff and the software developers.

S. Reya informed the Board that there are no requests for late CEPs or extensions to the deadline for the Board's review at this time.

**6. Direct Exchange (DX) Geothermal – Grout Review and Proposed Installation-**

S. Reya provided a brief synopsis of the history of the Department and Board's review of Total Green's DX geothermal system, which they have proposed installing in NJ. He stated that the grout permeability test which Total Green submitted to the Board in February 2020 did not meet the Department's requirements, as stipulated in N.J.A.C. 7:9D. A new test was conducted and submitted for the Board's review right before the July meeting. S. Reya said that himself and R. Dalton had reviewed the latest permeability test and that it meets the minimum requirements that are outlined in the rule. He noted that Total Green needs to demonstrate that they can successfully grout both annular spaces (outside and inside the PVC sleeve) of a test well with a ½" tremie pipe. R. Dalton noted that this grout is not certified by the National Sanitation Foundation, but Total Green had supplied the Safety Data Sheets for all of the materials in the grout.

A. Becker asked about the demonstration and whether Total Green intended to drill a vertical or diagonal well. S. Reya said that he did not know yet and that the Board would need to first approve Total Green to conduct a field demonstration before they can submit a well permit application with a deviation and specific plan. G. Poppe stated that he would like to be present for the field demonstration.

**A motion was made to allow Total Green to move forward with a field demonstration of their DX geothermal system and proposed grout mix by G. Craig, seconded by G. Poppe, and approved unanimously.**

A. Becker asked S. Reya to set up a date for the field demonstration with Total Green representatives. R. Dalton, A. Becker, G. Craig, and G. Poppe volunteered to be present for the field demonstration. The field demonstration would ensure that the product can be installed and grouted in accordance with manufacturer submittals and N.J.A.C. 7:9D.

**7. Board Appointments/Vacancies Update-**

T. Pilawski said that the Department has received several inquiries regarding the Pump Installer Board vacancy. She said that the Department had it posted on the Board's website and sent an email to all well drillers and pump installers who are registered with the Well Permitting Section's email distribution list. Resumes and letters of interest are due by August 21, 2020 and will be reviewed afterwards. T. Pilawski informed the Board that after an applicant is chosen, all of the new appointments and reappointments will be forwarded to the Assistant Commissioner and Commissioner's Office.

**8. Miscellaneous Topics-**

*Howell Township/New Jersey American Water*

T. Pilawski updated the Board about their inquiries of New Jersey American Water's practices in Howell Township. She said that Well Permitting staff had a meeting set up with the Bureau of Water Systems Engineering to discuss in greater detail.

*Program Updates*

T. Pilawski informed the Board that Michele Putnam, the current Assistant Commissioning of Water Resource Management, is retiring on September 1, 2020. Pat Gardner, the Director of Water Supply and Geoscience, will be replacing her.

*Princeton Geothermal Project*

A. Becker asked for the status of the Princeton geothermal project. S. Reya said that the Department has been receiving weekly reports. The review of the reports indicates that recently everything is progressing well and that the drilling company is complying with the regulations. S. Reya noted that there is currently only one company on site drilling wells, but other companies will join in September and the two (2) companies will eventually have a total of six (6) rigs onsite.

**9. Adjournment-**

At 10:43 am, a motion to adjourn the meeting was made by G. Poppe, seconded by G. Craig, and approved unanimously.



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### New Jersey Department of Environmental Protection State Well Drillers and Pump Installers Examining and Advisory Board Conference Call Minutes for September 24, 2020

*Approved by the Board on October 15, 2020*

**Board Members Present at NJDEP Headquarters Building:** N/A

**Board Members Participating Via Telephone:** Art Becker (Chairman), Gary Poppe (Vice-Chairman), Joe Yost, Gordon Craig, Carol Graff, Jeff Hoffman, Richard Dalton, and Steve Domber

**Board Members Absent:** Joe Pepe

**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:** Terry Pilawski, Joe Mattle, Julia Altieri, Steve Reya, and Mark Ortega

**Members of the Public:** Dermot Dillon, President, New Jersey Ground Water Association, Eric Hoffman, Peak Environmental

#### 1. Call to Order-

The meeting was called to order at 10:01 am with a quorum present via telephone. A. Becker noted that this meeting was supposed to be held in person, however, due to COVID-19, the meeting was changed to a conference call. He noted that the Department had made the phone number available prior to the meeting via the Board's website.

#### 2. Review and Certification of the August 13, 2020 Conference Call Minutes-

A motion to accept the August 13, 2020 minutes as written was made by G. Poppe, seconded by J. Yost and approved unanimously.

#### 3. Tentative 2021 Board Meeting Dates-

The Board members were presented with a list of potential 2021 Board meeting dates. After reviewing the dates proposed by the Department, both A. Becker and G. Craig said that they would be

out of the state for the majority of January and would not be able to attend any in person meetings. A. Becker proposed moving the January meeting to Tuesday, January 12, 2020. After some discussion, the Board decided to continue to meet on the third Thursday of January but changed the January meeting to a conference call so both A. Becker and G. Craig would be able to call in for the meeting. The Board members decided to meet on the following dates at NJDEP Headquarters in Trenton beginning at 9:30 am:

**March 25, May 20, July 22, September 23, November 18**

The following dates were selected to hold telephone conference calls to begin at 10:00 am:

**January 21, February 11, April 15, June 17, August 12, October 14, December 16**

**A motion to accept the 2021 meeting and conference dates was made by J. Yost, seconded by G. Poppe, and approved unanimously.**

S. Reya asked DAG Denyes if there was any specific disclaimer language needed for the public notice in case more meetings are converted to conference calls due to COVID-19. DAG Denyes suggested that the Department run the public notice by her before it goes out to the newspapers. She will check the proposed language for consistency with other Open Public Meeting Act statements since other Boards and Commissions are in the same predicament of not knowing which future meetings will be able to be held in-person.

**4. Review Resumes/qualifications Submitted by Candidates for the Upcoming Licensed Pump Installer Vacancy (three candidates)-**

A. Becker asked the Board if anyone had any comments about the three applications for the pump installer Board vacancy. The three individuals who applied for the vacancy were Frank Berkey, Obdulio George Cruz, and David Lyman. A. Becker said that he reviewed the resumes of all three candidates and that they were all good, but his vote would be for David Lyman. A. Becker said that he believed that Mr. Lyman's resume stood out to him most of the candidates.

A. Becker confirmed with the Department that it is ultimately their responsibility to make the selection and that the Commissioner will appoint the selected candidate. T. Pilawski suggested that the Board rank the candidates so the Department could use the Board's input to inform their decision.

C. Graff noted that she worked with Mr. Lyman in his capacity serving on the New Jersey Ground Water Association Board. R. Dalton said that Mr. Berkey has a background similar to J. Pepe such that he had experience with electrical and plumbing issues that could be helpful. The Board discussed the experience of the three candidates. A. Becker pointed out that Mr. Berkey stated that he holds a well drillers license in his application. He asked S. Reya to verify this information. S. Reya said that Mr. Berkey does not currently hold a well drillers license, only a pump installer license. A. Becker called for the Board members to vote on their number one and number two candidates.

**A motion was made by G. Poppe to recommend Mr. David Lyman as the Board's first choice for the pump installer position. The motion was seconded by J. Yost and approved by all except for C. Graff and R. Dalton who abstained.**

**A motion was made by G. Poppe to recommend Mr. Obdulio George Cruz as the Board's second choice for the pump installer position. The motion was seconded by J. Yost and approved by all except for C. Graff and R. Dalton, who abstained.**

While no motion was made, Mr. Frank Berkey would be the Board's third choice for the pump installer position.

**5. Review of Well Driller License Applications-**

After reviewing the license applicant information, A. Becker asked the Board if there was any further discussion for the one pump installer applicant. No further discussion was needed.

**A motion to approve the one Pump Installer license applicant was made by G. Craig, seconded by C. Graff, and approved unanimously.**

License Type	Applicant Name	Employer
Pump Installer	Wesley Allman	Jersey Shore Lawn & Sprinkler

**6. Review of Continuing Education Course Application-**

The Board reviewed courses submitted by the American Ground Water Trust (AGWT) and the National Ground Water Association. The Board started by reviewing the one submission from AGWT.

J. Yost said that he thought that the PFAS course was focused on water treatment and may not be relevant to NJ well drillers and pump installers. A. Becker said that PFAS is an emerging topic and that a lot of environmental consultants have to deal with PFAS site clean ups. He added that he thought that this was a good topic and thought that everyone should be aware of this pollutant. S. Domber agreed with A. Becker's assessment of this course as it is a statewide concern.

**A motion was made by G. Poppe to recommend the approval of the NJ, MD, & DE PFAS course, seconded by C. Graff, and approved unanimously.**

The Board began to discuss the 42 new courses submitted by NGWA. R. Dalton said that he had a concern about the length of some of the courses and the amount of continuing education points (CEPs) requested by NGWA. G. Craig noted that there are seven courses that are approximately 40 minutes and asked if those courses could count for three quarters of a point. J. Yost noted that the Board had previously made a motion that the smallest denomination of points was a half of a point. G. Craig suggested that if the course goes into the next half hour by more than halfway into the next half hour or hour, to round up to the nearest half hour/hour.

G. Poppe made a motion to round up to one CEP if the course is 45 minutes or longer, but down to a half of a CEP if the course is less than 45 minutes. J. Yost seconded this motion. All were in favor except for R. Dalton who voted nay.

After further discussion, A. Becker asked for the motion to be restated. G. Poppe restated his motion to make it clearer.

**G. Poppe made a motion to round courses which are 45 minutes or greater up to the nearest hour. If a course is less than 45 minutes into the hour, it gets rounded down to a half hour and will receive half of a CEP. This rounding applies to all hours. Further, the minimum course**

**duration eligible for CEPs will be .5 hours so any course shorter than a half hour would not be awarded any CEPs. His motion was seconded by J. Yost and approved unanimously.**

The Board went down the list of courses and stopped to discuss courses which they thought should not be recommended for approval. The following courses were not recommended for approval by the Board:

- Age of Amazon 2.0
- How Water Well Contractor Can Become Invincible to Lawsuits and Save Thousands in Taxes
- Green Infrastructure
- Getting Past the “Feel Good” Part of a Groundwater Project in Third World Counties
- Supply Chain Survival in the Age of Amazon

The Board voted on the course entitled, “How to Build a Better Business and then Sell it for a Profit”, however, due to a tie vote, the course could not be approved or denied. The Board decided to table this for another time.

The following list of courses were recommended for approval by the Board:

Course Name	Presented By	Technical Points	Safety Points
NJ, MD, & DE PFAS Webinar	AGWT	6	
Direct Push Logging Workshop	NGWA	.5	
Iron Bacterial Remediation	NGWA	1	
Treat Muddy Drilling Water by Using a Sediment Filter Bag as a BMP	NGWA	1	
A Hybrid Geothermal Heat Pump–Photovoltaic Solar System Yields 5 Times the Efficiency	NGWA	1	
PFAS and Groundwater: Real and Perceived Risk	NGWA	1	
Water Management Software Technology Workshop	NGWA	.5	
Chromate removal, the ins and outs of available technologies	NGWA	1	
Understanding Friction Loss Calculations	NGWA	.5	
Not Just a Bolt-on; Integrating Safety into Operational Excellence	NGWA		1
Sustainable Removal of Iron Clogging in Boreholes	NGWA	1	
Working in a Surface Mine	NGWA		1
Drone Based Geophysical Surveys for Groundwater Applications	NGWA	1	
The Multiple Challenges of Unused Wells	NGWA	1	
Three Fields of Science That Can Influence the Life Cycle of a Water Well Geology – Chemistry - Microbiology	NGWA	1.5	
Water Well Maintenance – Maintaining Production and More Consistent Quality	NGWA	1	
Why Recommend Certified Products?	NGWA	.5	
Radium Removal from Potable Water Supplies	NGWA	1	



Useful On-line Tools and Applications for Well Drilling Businesses	NGWA	1	
Water Well Rehabilitation and Time Based Preventive Maintenance	NGWA	1	
The Emerging Revolution in Groundwater Rights	NGWA	1	
Phase Converters, VFDs and Low Harmonics. Why Should I Care?	NGWA	1	
Drilling Reactive Clays and Shales	NGWA	1	
Protecting Today's More Efficient Pump Motors from PWM Damage	NGWA	.5	
Constant Pressure Systems - The Opportunity, the Challenges, the Playbook	NGWA	1	
Maximizing Efficiency in the Drilling Process Panel	NGWA	1	
Performing Plumbness and Alignment Tests - The Lost, but Essential Art	NGWA	1	
An Introduction to Behavioral Based Safety (BBS)	NGWA		.5
Solar Powered Single Phase 3-inch AC Pumps for Replacing Windmills	NGWA	.5	
Redefining Water Treatment Technology Selection for Today's Water Quality Challenges	NGWA	1	
Don't Forget to Disinfect...Developing a Strategy for Microbiological Contamination in Private Water Systems.	NGWA	1	
Scientific Groundwater Terminology You May Not Fully Understand - Let's Discuss	NGWA	1	
Risk Management for the 21st Century Business	NGWA	1.5	
Water Well Design by the Numbers	NGWA	4	
Drilling Mud Quality, Additives, and Mixing Course	NGWA	3.5	
Introduction to Groundwater Resources	NGWA	1.5	
Safe Practice in the Groundwater Industry	NGWA		3

## 7. License Renewal Update-

S. Reya discussed issues with license renewals with the Board. Due to a glitch with the software that the Department uses, renewal invoices were sent to individuals who were no longer eligible for renewal because they did not meet the CEP requirement. S. Reya said that 14 individuals had paid those invoices, despite email correspondence going out as soon as the Department became aware of the glitch. The Department responded by ensuring those 14 ineligible licenses were not delivered to the individuals who did not obtain the required CEPs. Certified letters will be mailed out to them and their money will be refunded shortly.

S. Reya updated the Board on the status of the Environmental Resource and Geotechnical licenses, which were printed with the incorrect expiration dates. He said that the Department had requested that these licenses be reprinted for a third time and staff will be checking and mailing them directly to make sure they are correct and all accounted for this time.

S. Reya noted that there was a tentative topic on the agenda which would not be taking place. He noted that M. Ortega received a waiver request from the CEP requirements from a well driller recently. M. Ortega had requested some follow up information for the Board, however, no follow up

information was provided. If additional information is obtained, it will be discussed during a future meeting.

## **8. Enforcement Update-**

J. Altieri provided the Board with an update on the Well Permitting Section's recent enforcement activities as follows:

### **Well Permitting Enforcement Activities– 7/23/2020-9/24/2020**

**New Investigations:** Improper pump installation – Monmouth, Somerset County

**Issue:** Two instances of consumer and driller reported complaints of individuals allegedly working on well pumps improperly and/or without a license.

**Enforcement Action:** After investigation, both cases had non-specific documentation or work that was not covered under well regulations. Department staff reached out to all individuals to clarify what is covered in current well regs and sent letters of clarification.

**New Investigations:** Improper well construction – Gloucester County

**Issue:** The Department is working to resolve an instance of improper well construction of a domestic replacement well in which the licensed Journeyman well driller did not construct a well with a sufficient amount of grouted casing to case off a potential source of contamination. The well to be constructed was short of the minimum distance to a septic system so the approved permit was issued with a condition requiring the installation of additional casing and grout as usual permitting procedures.

**Enforcement Action:** The driller was issued a Notice of Non-compliance (NONC) and ordered to properly decommission the well. The follow up response received from the driller was not sufficient to rescind the NONC so the well is still pending proper decommissioning at this time.

**Status Update:** Ongoing Enforcement

**Issue:** Payment of Settlement Agreements

Settlement Agreements for penalties owed to the Department for three confirmed issues of non-compliance have been paid for violations of unlicensed pump installation, unlicensed well drilling and decommissioning, improper well construction (grouting), and drilling wells without permits.

**Issue:** Administrative Hearing – ADR coordination

On July 9, 2020 the Department's Office of Alternative Dispute Resolution/Southern Water Compliance and Enforcement, Well Permitting staff and the licensed well driller agreed to properly decommission a well as part of an Administrative Order and Notice of Civil Administrative Penalties Assessment (AONOCAPA) issued by the Department.

**Update:** Still pending resolution. Previously agreed upon timeframe for ordered decommissioning of well has passed (August 2020). Office of Dispute Resolution reaching out to driller for current status of pending decommissioning.

**Issue:** Unlicensed decommissioning – Montville Morris Co.

Three total reported cases of alleged unlicensed well decommissioning of deep cased wells. Individual is licensed pump installer with the State of NJ who claimed to use a licensed company did not. In 2018, same individual was investigated for same issue.

**Update:** Still pending resolution. No response to the issued NONC. Case to be referred to Water Compliance Enforcement for further settlement and possible remediation of work and licensing sanctions.

A. Becker left the call at 11:48. Vice-chairman, G. Poppe, presided over the duration of the call with a quorum present.

## **9. Geothermal Updates-**

### *Woodbury*

S. Reya informed the Board that as of August 31<sup>st</sup>, 45 geothermal wells have been over-drilled and replaced with conforming wells to comply with the site recommissioning plan. He stated that there are a few more wells which can be completed without issue. Approximately 80 total wells are believed to be onsite all of which are to be overdrilled. There are some wells that currently have access issues and cannot be located by excavation for proper recommissioning at this time. The Department has been in contact with the drilling contractor performing the work and is being kept apprised any access issues that would lead project delays or potential alterations to the previously approved recommissioning plan under which they are currently working.

### *Princeton*

S. Reya informed the Board that as of the latest update he received, nearly 100 wells were completed at the Princeton site. Between the three companies, 82,000 linear feet have been drilled. S. Reya noted that it is expected that there will be six drill rigs on site starting in October (from two drilling companies).

G. Poppe asked S. Reya if he had any plans on going to this site soon as he would like to see the drill site. S. Reya said that he would try to set something up with the university and would get back to him.

### *Total Green*

S. Reya informed the Board that there has been no movement on scheduling a grout/DX geothermal system installation demonstration with Total Green.

## **10. Horizontal Directional Drilling (HDD)-**

J. Hoffman said that there are more HDD projects that are being considered in New Jersey. He reiterated that the Board's standpoint of HDD wells is that they are a threat to the State's groundwater resources. Department staff has been working with the Division of Land Use Management due to an incident in Monmouth County where an inadvertent return of an HDD bore reportedly destroyed the foundation of someone's house.

T. Pilawski reported that the Land Use Permits for the Southern Reliability Link pipeline have been suspended by Land Use pending further evaluation of the project.

R. Dalton said that the Division of Science and Research was asked to investigate HDD wells. R. Dalton and S. Reya were selected to work with the Science Advisory Board for evaluation of HDD projects and potential impacts to groundwater.

**11. Program Updates-**

T. Pilawski informed the Board that the amendments to the Well Rule will be published in the New Jersey Register on October 19, 2020. The Department will do outreach after it is published.

**12. Adjournment-**

At 12:09 pm, a motion to adjourn the meeting was made by C. Graff, seconded by G. Craig, and approved unanimously.



## State of New Jersey

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### New Jersey Department of Environmental Protection State Well Drillers and Pump Installers Examining and Advisory Board Conference Call Minutes for October 15, 2020

*Approved by the Board on November 19, 2020*

**Board Members Present at NJDEP Headquarters Building:** N/A

**Board Members Participating Via Telephone:** Art Becker (Chairman), Gary Poppe (Vice-Chairman), Joe Yost, Gordon Craig, Joe Pepe, Carol Graff, Jeff Hoffman, Richard Dalton, and Steve Domber

**Board Members Absent:** N/A

**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:** Joe Mattle, Julia Altieri, Steve Reya, and Mark Ortega

**Members of the Public:** Eric Hoffman, Peak Environmental, Nick Thies, Boring Bros.

#### 1. Call to Order-

The meeting was called to order at 10:02 am with a quorum present via telephone.

#### 2. Review and Certification of the September 24, 2020 Conference Call Minutes-

A motion to accept the September 24, 2020 minutes as written was made by G. Poppe, seconded by G. Craig and approved unanimously.

#### 3. Review of Continuing Education Course Applications-

The Board was presented with an application and supplemental information for WorldWide Drilling Resource, Inc. for a seven-hour seminar. The following courses will be offered during the 2020 WorldWide DownHome Drillfest <sup>TM</sup>:

- Water Well History and Drilling, A Common Sense Approach
- Drill Rig Safety

- Mud Rotary-Based Advanced Drilling
- Drilling/Pump/Well Development Presentation and Discussion
- Drill Rig Maintenance
- Saving Money Pumping Groundwater
- The 12 Critical Traits for Sustained Profitable Business Growth

A. Becker asked the Board members if they had any comments on this seminar. S. Domber said that he did not believe that “The 12 Critical Traits for Sustained Profitable Business Growth” course should be counted for credit. G. Craig disagreed and reiterated his belief that business courses are of great importance for well drillers and pump installers. The Board members took a vote on all the courses except for “The 12 Critical Traits for Sustained Profitable Business Growth”, which they voted on separately. The Board members agreed that the six other course offerings were relevant to the NJ well drilling and pump industry and that continuing education points (CEPs) should be approved for the requested amount.

**S. Domber made a motion to approve all courses proposed for the 2020 WorldWide DownHome Drillfest™, except for “The 12 Critical Traits for Sustained Profitable Business Growth”. This motion was seconded by J. Hoffman and approved unanimously.**

**G. Craig made a motion to approve “The 12 Critical Traits for Sustained Profitable Business Growth”. The motion was seconded by G. Poppe. The motion was opposed by J. Yost, S. Domber, R. Dalton, J. Hoffman, and C. Graff. The motion did not pass so “The 12 Critical Traits for Sustained Profitable Business Growth” was not recommended for approval.**

S. Reya brought to the Board’s attention that they had a tie vote during the September 24, 2020 Board meeting for one of the National Ground Water Association (NGWA) online courses. The tie vote was for the NGWA University course, “How to Build a Better Business and Then Sell it for a Profit”. A. Becker asked the Board for another vote since all Board members were present.

**G. Poppe made a motion to approve “How to Build a Better Business and Then Sell it for a Profit”. The motion was seconded by G. Craig. C. Graff, J. Pepe and A. Becker voted in favor of the motion. It was opposed by J. Yost, J. Hoffman, S. Domber, and R. Dalton. The motion passed (five to four).**

#### **4. Request for Reinstatement of License and Allowance for “late” Continuing Education Points (CEPs)-**

S. Reya informed the Board that Mr. Dennis Gaughan recently notified the Department that he was unable to obtain his CEPs due to medical issues that he experienced during the licensing cycle. Board members were provided with an email, dated September 29, 2020, from Mr. Gaughan in which he stated that he had health issues that prevented him from obtaining the regulatory requirement that he obtain CEPs by March 31, 2020 in order for him to be eligible for license renewal. G. Craig said that licensees had a long time to obtain their seven CEPs and it was not clear why he was unable to do so. C. Graff asked if there was any additional information available and asked if Mr. Gaughan was drilling during that time. J. Yost asked about the availability of online courses that he could have completed from home even if he was not well enough to attend in-person classes. M. Ortega said that the International School of Well Drilling and All Star Training course were available in the middle of 2019.

A. Becker asked for the Department to reach out to Mr. Gaughan for some additional information since his email did not include any specific dates, thus it was not possible for the Board to evaluate his requests for special consideration in requesting a waiver from the CEP requirement prescribed in N.J.A.C. 7:9D-1. He asked DAG J. Denyes to assist the Department in requesting further information to avoid violations of the Health Insurance Portability and Accountability Act.

## **5. Discussion of Well Driller Oversight Activities-**

A. introduced Mr. Nick Thies, President of Boring Bros and a journeyman well driller. Mr. Thies had referenced an ongoing Department enforcement issue involving an out-of-state company allegedly performing illegal soil boring activities. Mr. Thies was contracted to be on site for the proper decommissioning of these soil borings as there was an unlicensed well driller who drilled and improperly abandoned the 100 ft. borings without permits. Mr. Thies expressed his concerns about allowing contractors who are not licensed in New Jersey to perform work in New Jersey under the oversight of a New Jersey licensed well driller as he believes it subverts licensing requirements and the intent of NJ regulations. He discussed his encounters with out-of-state drillers who are unfamiliar with the laws in New Jersey and sometimes do not know how to operate a drill rig.

A. Becker asked the Board members for their comments on what Mr. Thies had just discussed. R. Dalton referenced a site where 3000-foot cores were needed, and no New Jersey licensed well drillers had the experience or technology to accomplish this task. He noted that there is sometimes a need for techniques and technology that are not immediately available in the State. J. Yost said that he brought this issues up a few years ago and he believed that contractors should be licensed. Mr. Thies suggested that these companies take out special permits if they will be doing this work but that it should be reviewed on a case by case basis. A. Becker said that the procedure of subcontracting services is universal throughout the United States and would require a statue change as current rules allow for a licensed driller/pump installer to oversee work performed under their license. He noted that it would be very difficult to pass a law saying that you cannot subcontract out to another company. G. Poppe also noted that if a company is not conducting work in full accordance with NJ rules, it is the licensed driller's responsibility to either ensure that they are or put an end to the job. Therefore, the license requirements are effective because it is incumbent on the licensee to ensure that the rules are followed since that licensee is ultimately responsible for the work performed.

Mr. Thies reiterated that he frequently sees out-of-state companies drilling wells without the supervision of a New Jersey licensed well driller or pump installer of the proper class. A. Becker asked Mr. Thies to report this activity to the Department immediately if he witnesses something. He praised the Department for their swift action when a complaint is filed.

A. Becker expressed this thanks to Mr. Thies for bringing this to their attention and spending time with the Board.

G. Poppe, J. Pepe, and Mr. Thies departed the call at 10:42 am. A quorum was still present.

## **6. Status of N.J.A.C. 7:9D Rule Proposal-**

S. Reya informed the Board that the rule proposal containing the necessary updates that have been discussed over the past few years will be published in the New Jersey Register on October 19, 2020. All Board members will be emailed on the morning of Monday, October 19, 2020 with more information about the public comment period and how they can view and comment on the rule proposal. All individuals on the Well Permitting Section's email distribution list will also be emailed this information.

**7. Adjournment-**

**At 10:45 am, a motion to adjourn was made by J. Yost, seconded by C. Graff, and approved unanimously.**





## State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION

PHILIP D. MURPHY  
*Governor*

CATHERINE R. McCABE  
*Commissioner*

SHEILA Y. OLIVER  
*Lt. Governor*

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### **New Jersey Department of Environmental Protection State Well Drillers and Pump Installers Examining and Advisory Board Conference Call Minutes for November 19, 2020**

*Approved by the Board on January 21, 2021*

**Board Members Present at NJDEP Headquarters Building:** N/A

**Board Members Participating Via Telephone:** Art Becker (Chairman), Gary Poppe (Vice-Chairman), Joe Yost, Gordon Craig, Carol Graff, Jeff Hoffman, Richard Dalton, and Steve Domber

**Board Members Absent:** Joe Pepe

**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:** Joe Mattle, Julia Altieri, Steve Reya, and Mark Ortega

**Members of the Public:** Eric Hoffmann, Peak Environmental

#### **1. Call to Order-**

The meeting was called to order at 10:03 am with a quorum present via telephone. A. Becker noted that this meeting was supposed to be held in person, however, due to COVID-19, the meeting was changed to a conference call. He noted that the Department had made the phone number publicly available prior to the meeting via the Board's website.

#### **2. Review and Certification of the October 15, 2020 Draft Conference Call Minutes-**

A motion to accept the October 15, 2020 minutes as prepared was made by G. Poppe, seconded by J. Yost, and approved unanimously.

#### **3. Review of Well Driller License Applications-**

After reviewing the license applicant information, A. Becker asked the Board if there was any further discussion for the four license applicants. No further discussion was needed.

A motion to approve three Environmental Resource and Geotechnical (ERG) and one Pump Installer license applicants for licensure was made by G. Craig, seconded by C. Graff, and approved unanimously.

License Type	Applicant Name	Employer
ERG	Kenneth Friedrich	Environmental Probing Investigations
Pump Installer	Vincent LoVacco	D'Agostino Well
ERG	Anthony Convery	Parratt-Wolff, Inc.
ERG	Ryan Patrick McCormack	GSE, Inc.

**4. Letters for Continuing Education Point (CEP) Deadline Extension/License Reinstatement-**

*Mr. Dennis Gaughan*

A. Becker reminded the Board members that they had initially discussed Mr. Gaughan's case during the October 15, 2020 meeting. The Board was waiting for additional information to be presented before they could determine whether to grant Mr. Gaughan an extension for his license. S. Reya said that he had spoken with Mr. Gaughan twice since the October meeting, but has not yet received the follow-up information that the Board requested.

*Mr. Leonard Stone*

S. Reya informed the Board that Mr. Stone failed to meet the CEP deadline of March 31, 2020 and submitted a letter asking for the Board to consider his late credits. He added that the Department was contacted by his office in September to discuss how Mr. Stone had been busy and had tried to take the OSHA 8 Hour Refresher course in March 2020, but he did not complete it until September 2020.

A. Becker had asked the Board if any discussion was needed based on Mr. Stone's letter and S. Reya's synopsis. No further discussion was needed. A. Becker and the rest of the Board members agreed that since Mr. Stone did not meet the CEP requirement then no further action was needed from the Board. Board members noted that there was no legitimate reason for why he was unable to complete an 8-hour class by the deadline and requested leniency several months after his license lapsed. A. Becker asked for S. Reya to contact Mr. Stone and let him know that the Board would not grant his request for extension.

**5. Discussion of Course Content and Criteria for Evaluation of Whether CEPs may be Awarded for a Proposed Course-**

A. Becker began by discussing the background of the topic. Over the last several meetings, Board members had failed to reach a consensus about courses which are business-related. Some Board members believe that business courses are very important to the growth of well drillers and pump installers. Other Board members believe that while important, the well rule does not indicate that business courses are acceptable content for meeting CEP requirements specific to NJ well drillers and pump installers.

G. Craig suggested that the Board add business courses as a third category and that licensees be able to earn up to four points in this category. There was some discussion about having this be an elective category with a maximum of four points per cycle. S. Reya discussed the Department's logistical concerns with having business courses be an elective category.

A. Becker asked R. Dalton what his main concern is with business-related courses. R. Dalton said that it concerned him that a licensee could obtain only business and safety courses and not take any

technical courses. J. Yost agreed with R. Dalton's assessment and said that licensees should not be allowed to do that. G. Craig said that the business courses are important to business owners, who are also well drillers, to gain the knowledge to make their employees more well-rounded in the industry. These courses would also be informative for licensees who are looking to own businesses in the future. J. Yost said that he did not believe that the Board should get involved in the business side of the industry. J. Hoffman agreed with J. Yost.

J. Hoffman said that the Licensed Site Remediation Professional (LSRP) Board does not approve business courses for LSRPs but does approve ethics courses as a third category. Eric Hoffmann, LSRP with Peak Environmental who was also present on the call, further clarified that the ethics courses are not business ethics but pertain to the ethics of their site work as it relates to applicable regulations. M. Ortega brought up that when a member of the LSRP Board came in to discuss their CEP program, they said that not many ethics courses are offered, and it often becomes problematic when it gets close to the deadline. He also noted that it could be problematic for licensees if an additional category was created for business courses due to the lack of course offerings.

**A motion to accept business courses as technical credits was made by G. Craig and seconded by C. Graff. A. Becker asked for a vote from all the Board members for this motion. G. Craig, C. Graff, G. Poppe, and A. Becker voted in favor. J. Yost, J. Hoffman, S. Domber, and R. Dalton voted against. After the vote ended in a tie, J. Yost changed his vote to be in favor of the motion. The motion passes.**

The Board members were reminded that this is not a blanket approval for all business courses. Each course will continue to be reviewed for content on a case by case basis.

#### **6. Continuing Education Course Application Review-**

*WorldWide Drilling Resource, Inc. (WorldWide)*

S. Reya informed the Board that a representative from WorldWide had emailed the Department after their course, WorldWide DownHome DrillFest™, was approved in October. One of the previously approved courses, Saving Money Pumping Groundwater, needed to be replaced with a new course. If the replacement course was approved, the seminar would be worth up to six CEPs. WorldWide had proposed the new course, "Down Hole Video."

**A motion to accept Down Hole Video as a replacement for Saving Money Pumping Groundwater was made by J. Yost, seconded by G. Poppe and approved unanimously.**

*George Cruz – New Jersey Water Association Course*

A. Becker asked J. Yost if this course was good for his water treatment license and J. Yost said that it was. A. Becker read the course description to the Board. C. Graff confirmed that Mr. Cruz was not teaching the course but attended the course and was applying as an individual for course approval.

**A motion to accept Water Well Rehabilitation and Maintenance course for Mr. George Cruz was made by G. Poppe, seconded by G. Craig and approved unanimously.**

*National Drilling Association (NDA)*

A. Becker asked S. Reya about how many credits NDA was requesting. S. Reya said that NDA did not request a specific amount of points. The Board members reviewed the courses for the NDA 2020 Buckeye Chapter Virtual Fall Training Expo. A. Becker asked if any further discussion was needed for the courses.

**A motion to approve the NDA 2020 Buckeye Chapter Virtual Fall Training Expo for two (2) technical and two (2) safety CEPs was made by G. Craig, seconded by G. Poppe and approved unanimously.**

<b>Approved NDA 2020 Buckeye Chapter Virtual Fall Training Expo Course Names</b>	<b>CEPs</b>
Drilling with Diamond Bits	1 Technical
Encountering Odorous Gases and Vapors	1 Technical
“CALL BEFORE YOU DIG” It’s the LAW	1 Safety
Common Issues Identified by Commercial Enforcement Officials	1 Safety

*National Ground Water Association (NGWA)*

A. Becker asked the Board members to go through all the courses which NGWA submitted for credit for Groundwater Week 2020. The Board members decided to approve all the courses which they believed to be acceptable at the end and would make individual motions for courses which they deemed unacceptable. Courses which were under 30 minutes long were not reviewed by the Board, as they do not meet the threshold for the minimum acceptable course duration set by prior Board motion.

**A motion to approve 40 courses for 2020 NGWA Groundwater Week was made by G. Poppe, seconded by R. Dalton, and approved unanimously.**

<b>Approved NGWA Groundwater Week 2020 Course Names</b>	<b>CEPs</b>
Asset Management for Sustainable Wells: Not Just for Utility Water Supply	1 Technical
Basic Curves and Residential Sizing Examples	1 Technical
Biology and Chemistry of In Situ Activated Carbon during Remediation Applications	1.5 Technical
Drones plus Geophysics: A Better Platform for Better Site Characterization	1 Technical
Family Business Succession in the Water Well Industry	1 Technical
Federal Legislative Issues Affecting the Water Well Industry	1 Technical
Friction Loss Defined and Basic Friction Loss Calculations	1 Technical
Groundwater Remediation Technologies	1 Technical
Grouting and Drilling Jobs that Didn’t Follow the Book	1 Technical
Helping Well Owners Understand their Risks and Well Vulnerability	1 Technical
Hey Hey PFAS Go Away! – The Forever Chemical That’s Finite	1 Technical
How to Read a Profit and Loss Statement: More Than Just Numbers	1 Technical
How to Upgrade Your Irrigation Pump Motor Control to Reduce Downtime	1 Technical
Hydrogeologic Classification System for Water-Well Boreholes	1 Technical
Improving Effectiveness (OEE) for a Single Irrigation System or Across All Your Systems Using Cloud Technology	1 Technical
Improving the Value of Legacy Data Sets Using Modern Methods	1.5 Technical
Installing All Types of Pump Controls at the Well	1 Technical
Large Wells/Small Spaces: The Challenges of Urban Drilling	1 Technical
Liability and Technical Considerations for GHX Design & Installation for GSHP Systems	1 Technical
Motor Mysteries Solved	1 Technical

NPSH and Avoiding Cavitation	1 Technical
Peristaltic Chemical Feed Metering Pumps: Installation and Maintenance	1 Technical
Power Quality and Pumps – Is Your Power Killing Your Pumps?	1 Technical
Predictive Maintenance of Heavy Equipment	1 Technical
Pressure Hazards in the Groundwater Industry	1 Safety
Profiting from Adding Water Treatment and Service Operations	1 Technical
Proper Drill Site Assessment, Preparation, and Execution	1 Safety
Proper Pump Selection Minimizes Operation and Maintenance Costs	1 Technical
Realistic Budgeting to Reinvest in Your Business	1 Technical
Remote Monitoring for Irrigation Systems that Continue to Run When Communication Links are Lost	1 Technical
Select the Right Pump for You Job: Vertical Lineshaft and Submersible Turbines	1 Technical
Single Phase Motor and Control Testing	1 Technical
Smarter and Faster – Tools to Manage Your Day-to-Day Operations	1 Technical
Solar Groundwater Pumping Systems	1 Technical
Sustainable Groundwater Management: Explaining How Our Metrics and Modeling Approaches Support Our Decision-Making	1 Technical
The Holy Grail – In Search of ASR Well Development Optimization	1 Technical
Things You Didn't Know You could do with a Variable Frequency Drive	1 Technical
Water Well Cleaning and Maintenance – Maintaining Quantity and Quality	1 Technical
Water Well Inspections for Real Estate Transactions in Your State	1 Technical
Well Cleaning Chemicals: Selection, Application, and the Treatment Process	1 Technical

The following courses were not approved by the Board:

**A motion to not recommend “EcoVoices Immediately: Community Service and Outreach with Theatrical Energy!” was made by G. Poppe, seconded by G. Craig, and approved unanimously.**

**A motion to not recommend “Federal Business Income Taxation Update” was made by G. Craig, seconded by J. Hoffman, and approved unanimously.**

**A motion to not recommend “Five Ways to Build a Workplace Employees Love” was made by G. Craig seconded by J. Yost and approved unanimously.**

**A motion to not recommend “Groundwater Guardians: Spreading the Word to Protect the Resource” was made by C. Graff, seconded by G. Craig, and approved unanimously.**

**A motion to not recommend “Groundwater is Captivating: Engaging Grades 3 – 12!” was made by G. Craig, seconded by G. Poppe, and approved unanimously.**

**A motion to not recommend “How COVID-19 Affected Our Business Operations: Lessons Learned” was made by G. Poppe, seconded by J. Yost and approved unanimously.**

**A motion to not recommend “Managing Remote Employees” was made by S. Domber, seconded by G. Poppe, and approved unanimously.**

**A motion to not recommend “Marketing Your Business for the Future” was made by J. Yost, seconded by S. Domber, and approved unanimously.**

**A motion to not recommend “New Recovery Wellfield Due-Diligence and Design in Southern Arizona” was made by S. Domber, seconded by G. Poppe, and approved unanimously.**

**A motion to not recommend “Showcasing Your Business Online” was made by J. Yost, G. Poppe, and approved unanimously.**

**A motion to not recommend “State and Local Tax – Updates, Pitfalls, and Opportunities” was made by R. Dalton, seconded by C. Graff, and approved unanimously.**

G. Craig left the meeting at 11:04 am, a quorum was still present as the Board voted on the courses.

## **7. Enforcement Update-**

J. Altieri provided the Board with an update on the Well Permitting Section’s enforcement activities between September 24, 2020 and November 19, 2020.

**New Investigation** – Improper well decommissioning – Lebanon Twp., Hunterdon County

**Issue:** Homeowner improperly filled in (not tremie-grouted) a cased well while constructing new home and did so without a license. Homeowner alerted Department after County requested a completed decommissioning report for the old well, which is now within the footprint of his home.

**Enforcement Action:** After investigation, the property owner claims the original well driller of new replacement well never came back to decommission old well, so he filled the well in with cement on his own. Homeowner was advised to try and access the well if possible, to have licensed well driller drill out any material to depth and redo grouting for proper decommissioning. Department staff to follow up.

**New Investigation** – Unpermitted/unlicensed mon. well construction – Freehold Boro, Monmouth Co. – Three wells total

**Issue:** LSRP requested completed well records for three monitoring wells from Department after original well driller refused to submit records for well permits, he obtained but was not on-site when the wells were constructed. LSRP confirmed that an unlicensed well driller constructed the wells without licensed well driller supervision for three out of seven permits obtained.

**Enforcement Action:** Bureau staff ordered three wells to be properly decommissioned by a licensed well driller with alternate decommissioning method (drill out) under Bureau supervision. Remaining four permits need to be cancelled by original well driller since they are no longer valid (expired).

**Ongoing Investigations** – Improper well construction-Gloucester County

**Issue:** One instance of improper well construction of a domestic replacement well whereas the licensed Journeyman well driller did not construct a well with enough grouted length of casing to case off a potential source of contamination. The well to be constructed was short of the minimum distance to a septic system so the approved permit was issued with a condition to install additional casing and grout as usual permitting procedures.

**Update:** The driller claims there was an error in identification of septic distances to well after closer inspection. Driller needs to submit additional documentation to verify error before issue of Non-compliance is resolved. Still pending resolution.

#### **8. Rule Status Update-**

J. Mattle informed the Board that the well rule (N.J.A.C. 7:9D) is on two separate paths in the proposal/adoption process. The first path, which the Board has been updated on over the last several months, is currently in the public comment period for revisions to continuing education and other administrative clarifications. Due to the timing of the rule update, the well rule, as it is currently written, is going to sunset on January 31, 2021. As a result, the alternate path that the well rule is going to take is to readopt the current rule without any changes because the rule would expire if not extended since the sunset date is before the proposed rule update could be adopted and operable.. J. Mattle explained that the changes that are proposed and are undergoing public comments are still following the prescribed timeframe and members should not be alarmed if they see a notice that says the Department is proposing to readopt the rule without change.

#### **9. Geothermal Projects Update-**

##### Direct Exchange (DX)

S. Reya informed the Board that there has been some movement recently with the proposed DX well installation and grout demo. He said that he was recently contacted by a contractor and a well driller who were looking for some information on the necessary remaining steps for the installation and for potential state-wide approval of the technology. S. Reya said that he would follow up with the Board volunteers who expressed interest in attending if and when he receives any additional information.

##### Princeton

S. Reya noted that 184 wells have been completed for the Princeton geothermal well field. The Department has received reports of a few wells which were damaged when new wells were being constructed. Some newly constructed wells had intercepted previously constructed wells. S. Reya continues to work with the drilling contractors to properly decommission or replace these wells, however, the destruction of numerous wells during the drilling of adjacent bores has caused concern.

A. Becker asked how far apart the wells are on the site. S. Reya said that he believed that the wells were about 20 to 25 feet apart. S. Reya noted that the original test well which was installed had also drifted over 100 feet from vertical at the bottom of the hole though that well was significantly deeper than the current wells being drilled (850 ft.). S. Reya said that from a regulatory standpoint, things are going very well. There are currently six drill rigs on the site and having the International Ground Source Heat Pump Association inspectors on site overseeing and reporting the drilling and grouting activities has been extremely beneficial in ensuring compliance.

##### Woodbury Geothermal Site Recommissioning

S. Reya informed the Board that approximately 60 wells have been successfully overdrilled and have had conforming wells installed. There are still some remaining wells that cannot be located or accessed due to site constraints. The contractor performing the re-commissioning also believes that some of the wells on the site plan were never installed. They are continuing to perform excavation and site work and will document their findings and submit them to the Department for review.

**10. Adjournment-**

**At 11:28 am, a motion to adjourn the meeting was made by C. Graff, seconded by J. Yost and approved unanimously.**





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### New Jersey Department of Environmental Protection State Well Drillers and Pump Installers Examining and Advisory Board Conference Call Minutes for December 17, 2020

*Approved by the Board on January 21, 2021*

**Board Members Present at NJDEP Headquarters Building:** N/A

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

**Board Members Absent:** Gary Poppe, Joe Yost, and Joe Pepe

**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:** Joe Mattle, Julia Altieri, Steve Reya, and Mark Ortega

**Members of the Public:** Eric Hoffmann, Peak Environmental

#### 1. Call to Order-

The meeting was called to order at 10:05 am.

**Note:** Following this meeting it was determined that although five (5) Board members were in attendance, no quorum was obtained as three (3) licensees are necessary per the quorum requirements prescribed by N.J.A.C. 7:9D-1.10(d). Only two (2) were present. The following represents the events of the meeting, however, any items on which the Board sought to pass a motion will be addressed at the January 21, 2021 meeting.

#### 2. Review and Certification of the November 19, 2020 Conference Call Minutes-

A motion to accept the November 19, 2020 minutes was made by G. Craig, seconded by S. Domber, and approved unanimously.

#### 3. Review of Well Driller License Applications-

S. Reya noted that Allied Well Drilling submitted five Vertical Closed Loop Geothermal well driller license applications shortly before the November 19, 2020 meeting. These applications were sent

back due to being administratively incomplete. S. Reya indicated the Bureau was working with Allied staff on the necessary revisions to the applications, however, the Department had not received the corrected applications at the time of the Board meeting. No action from the Board was necessary as these applications have not yet been deemed administratively complete by the Bureau.

A. Becker asked if Allied Well Drilling was one of the companies involved with the Princeton geothermal project. S. Reya said that Allied is one of the companies conducting work at Princeton. He added that Allied has several drill rigs on site and have hired New Jersey licensed well drillers of the proper class to oversee the operations of each drill rig.

A. Becker asked if any further discussion was needed for the two license applications. No further discussion was needed.

**A motion to approve the one Environmental Resource and Geotechnical (ERG) and one Pump Installer license applicant was made by G. Craig, seconded by C. Graff, and approved unanimously.**

License Type	Applicant Name	Employer
ERG	Matthew Daniel	Boring Brothers Inc.
Pump Installer	Edward W. Del Carlo Jr.	D&L Pump Company

**4. Letter for Continuing Education Point (CEP) Deadline Extension-**

Mr. Michael Davidson, a former Journeyman well driller, had submitted a request that the Board consider a temporary reinstatement of his license so that he could obtain CEPs which he had failed to obtain prior to the March 31, 2020 deadline. S. Reya said that the Department had originally obtained the request in September, shortly after invoices were erroneously sent to ineligible individuals. He reminded the Board that the Department had sent letters to all individuals saying that the bills were sent in error and to disregard.

S. Reya noted that after receiving the original letter from Mr. Davidson's daughter, M. Ortega had flagged the letter because they had stated that Mr. Davidson had intended on attending a course in April, which was after the March 31, 2020 deadline. M. Ortega had received a revised letter stating that Mr. Davidson had intended to attend a Rutgers class in March 2020, prior to the deadline, but could not make it due to the COVID-19 pandemic and a stay-at-home order in his town. M. Ortega had reached out to Mr. Davidson to try to confirm if he had registered for the course prior to it being rescheduled, but Mr. Davidson did not have any documentation. M. Ortega reached out to the Department's contact at Rutgers to see if Mr. Davidson had registered for the class before it was rescheduled, but Rutgers did not have his name on the registration list.

A. Becker said that his case is very similar to one from the November 19, 2020 meeting and that Mr. Davidson did not meet the requirement, thus an extension could not be granted. A. Becker asked the other Board members for their opinion and they all agreed. A. Becker asked the Department to send a letter to Mr. Davidson of the Board's decision.

**5. Horizontal Directional Drilling (HDD)-**

As noted during previous meetings, the Department's Science Advisory Board (SAB) has been tasked with evaluating HDD technology and providing a report of their findings to the Department. On December 14, 2020 engineers and contractors with direct experience designing and conducting HDDs and other trenchless technology presented background information and case studies to the SAB and

Department staff. J. Hoffman, R. Dalton, T. Pilawski, J. Mattle and S. Reya all attended the video presentations. S. Reya explained that the SAB is comprised of academics, scientists and industry professionals.

T. Pilawski suggested that the licensed members of the Well Board be asked to be subject matter experts for the SAB. It was her belief that the Board's position that HDD be regulated due to the potential to impact groundwater resources was one of the driving factors behind their meetings and asked if any members would be willing to speak with SAB representatives. A. Becker said that he could provide some comments, but he is not an expert with HDD technology. J. Hoffman, R. Dalton and S. Reya clarified that any member of the Board who is a licensed well driller would be providing guidance based on their knowledge of wells which they drill and general drilling/grouting practices. G. Craig said that he would join A. Becker as an adviser if needed. A. Becker stressed the importance of evaluating HDDs and said that he felt that the Board and Department will be working on this for many years to come and that the amount of large-scale HDD projects has been increasing recently.

## **6. Geothermal Update-**

### *Princeton*

A. Becker asked for a status update for the Princeton geothermal project. S. Reya said that there is not a significant update from the November 19, 2020 meeting. He said that the Bureau continues to receive weekly reports that both drilling contractors occasionally drill into previously constructed geothermal loops, which then need to be properly decommissioned and replaced. A. Becker asked if any of the companies have considered using new tools to avert the issue of boreholes intersecting downhole. G. Craig said that the drilling contractors are having issues with snapping drill rods downhole. A general discussion of drill rods, drill bits and distance between the wells ensued.

R. Dalton asked how they know when a previously constructed well had been intercepted by a new borehole. It was noted that drill mud "return" from within the geothermal piping of an adjacent geothermal loop is often the first indicator that the loop has been damaged and pressure testing of the geothermal loops would show if the integrity was compromised. R. Dalton said that the contractors could also encounter drill fluid migration problems due to the fractures in the bedrock.

## **7. Adjournment-**

A. Becker wished everyone a safe and happy holiday and thanked everyone for their work for 2020.

At 10:33 am a motion to adjourn the meeting was made by G. Craig, seconded by S. Domber, and approved unanimously.