



## State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION

PHILIP D. MURPHY  
*Governor*

SHAWN M. LATOURETTE  
*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 Meeting Minutes for January 19, 2023

*Approved by the Board on February 16, 2023*

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

**Board Members Participating Via Telephone/Microsoft Teams:** Gary Poppe (Vice-Chairman), Joe Yost, Gordon Craig, Dave Lyman, Eric Hoffmann, Richard Dalton, and Steve Domber

**Board Members Absent:** Art Becker 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, Joe Mattle, Steve Reya, Michael Schumacher, Mark Ortega, and Steve Vargo

**Members of the Public:** None

#### 1. Call to Order and Introductions-

The meeting was called to order at 9:35 am by Vice Chairman G. Poppe with a quorum present via Microsoft Teams and telephone. Notice of the meeting and instructions on how to participate by video or phone were listed on the Department's website.

#### 2. Review and Certification of the December 15, 2022 Meeting Minutes-

A motion to approve the draft minutes from December 15, 2022 as written was made by S. Domber, seconded by R. Dalton, and approved unanimously.

### 3. Review and Certification of License Applications-

G. Poppe introduced the topic by saying that the Department had reviewed two applications for the Environmental Resource and Geotechnical (ERG) well driller license. The Department had determined that these license applicants had met all of the requirements. No discussion was needed.

License Type	Applicant Name	Employer
ERG	Devan Albert	TPI Environmental
ERG	Shayne J. Martin	Cascade Remediation Services

**A motion to approve two license applicants for licensure was made by D. Lyman, seconded by G. Craig and approved unanimously.**

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

S. Reya introduced the two courses which the Board needed to review. The first was from the Maryland Delaware Water Well Association (MDWWA) and the second was from a Journeyman well driller, Mr. John Lamprecht, who was applying as an individual for a course he took in 2021. MDWWA's course was for their upcoming 2023 Convention, which will be held on February 9<sup>th</sup> and 10<sup>th</sup>.

#### Maryland Delaware Water Well Association (MDWWA) 2023 Convention

G. Craig asked to go over the full list of courses for discussion before voting. He noted that there were a few which he thought might not be acceptable due to their content. R. Dalton suggested eliminating three courses from the list: Legislative Update, Legislative and Legal Updates Effecting the Water Well Industry, and Maryland Geological Survey: Resources, Recent Studies, and Ongoing Work. M. Ortega discussed the Board's vote for the MDWWA 2022 Convention. He explained that the Board voted in favor of accepting the Legislative and Legal Updates Effecting the Water Well Industry in 2022 after determining that the course was for the industry. G. Craig proposed accepting Legislative and Legal Updates Effecting the Water Well Industry, but not accepting Legislative Update and Maryland Geological Survey: Resources, Recent Studies, and Ongoing Work.

R. Dalton asked if the DOT Update course was specific to Maryland/Delaware regulations. M. Ortega said that the agenda appears to be general information and federal requirements.

**A motion to accept all of the proposed MDWWA courses except for Legislative Update and Maryland Geological Survey: Resources, Recent Studies, and Ongoing Work courses was made by R. Dalton. This motion was seconded by S. Domber and approved unanimously.**

Course Name	CEPs
VFD's – A Contractor's Guide	1 Technical
The Value of the Institutional Market	1 Technical
Simple Muds Solve Problems	1 Technical
Legislative and Legal Updates Effecting the Water Well Industry	1 Technical
PFAS in Water Treatment	1 Technical
Lead in Water Treatment	1 Technical
Three Phase Pumps – What's Different/What's the Same	1 Technical
DOT Update	1 Safety

*The Essential Steps for Taking the Mystery Out of the Subsurface*

S. Reya introduced the course, The Essential Steps for Taking the Mystery Out of the Subsurface. He informed the Board that a licensed Journeyman well driller submitted the application for this course that he took in 2021. The course was broken down into three units and each unit was two hours in duration. The applicant requested six CEPs for this course. No further discussion was needed.

**A motion to approve *The Essential Steps for Taking the Mystery Out of the Subsurface* for six technical CEPs was made by G. Craig. This motion was seconded by D. Lyman and approved by all.**

**5. Review of Currently Approved Courses for Renewal for the 2023-2026 CEP Cycle-**

M. Ortega presented a list of 30 courses for renewal from the current continuing education cycle to the 2023-2026 continuing education cycle. M. Ortega explained that he had started to contact course providers to ensure that the course offerings would be available beginning April 1, 2023. M. Ortega added that all the listed courses have previously been approved by the Board over the last two continuing education cycles. He also noted that the Department has not received any complaints about any of the listed courses. S. Domber asked if the course content was the same for all 30 courses. M. Ortega confirmed that the course content, course instructors, and course duration are the same.

**A motion to approve the 30 courses for renewal for the 2023-2026 continuing education cycle was made by G. Craig. The motion was seconded by S. Domber and approved unanimously.**

M. Ortega thanked the Board and told them that as more course providers get back to him, he'll make additional lists for the Board to review at upcoming Board meetings.

Course Name	Course Provider	CEPs
Common Causes of Well Failure	All Star Training	2.5 Technical
Locating Water Wells and Hydrogeology	All Star Training	2 Technical
Updated NJ 7 Hr. Water Well Course	All Star Training	7 Technical
Aquifer Storage Recovery	International School of Well Drilling	1 Technical
Basic Geology	International School of Well Drilling	1 Technical
Drilling Methods Part 1	International School of Well Drilling	1 Technical
Drilling Methods Part 2	International School of Well Drilling	1 Technical
Drilling Methods Part 3	International School of Well Drilling	1 Technical
Drilling Safety	International School of Well Drilling	1 Safety
Generic Well Abandonment in the U.S.A.	International School of Well Drilling	1 Technical
Geothermal Heating and Cooling I	International School of Well Drilling	1 Technical
Geothermal Heating and Cooling II	International School of Well Drilling	1 Technical
Groundwater Basics	International School of Well Drilling	1 Technical
Injection Wells	International School of Well Drilling	1 Technical
Introduction to Pumps	International School of Well Drilling	1 Technical
Pumps II	International School of Well Drilling	1 Technical
Well Development	International School of Well Drilling	1 Technical
Well Rehabilitation I	International School of Well Drilling	1 Technical
Well Rehabilitation II	International School of Well Drilling	1 Technical

Groundwater in Fractured Bedrock	Rutgers NJAES	6 Technical
Practical Applications in Hydrogeology	Rutgers NJAES	17 Technical
Effective Environmental Field Sampling and Data Collection	Rutgers NJAES	3.5 Technical
Geology, Hydrogeology, and Chemistry	Rutgers NJAES	6 Technical
Mud Rotary Class	Drill Tech Group LLC	8 Technical
Monitoring Well Construction	Drill Tech Group LLC	8 Technical
OSHA HAZWOPER 8-Hour Refresher	Varies	8 Safety
OSHA 24 Hour HAZWOPER	Varies	11 Safety
OSHA 40 Hour HAZWOPER	Varies	11 Safety
OSHA 10 Hour Construction	Varies	10 Safety
OSHA 30 Hour Construction	Varies	11 Safety

**6. Continuing Education Status of License Holders/Reminder Letter-**

M. Ortega provided the Board with a brief update regarding the continuing education completion status for well drillers and pump installers. He reminded the Board that the Department had estimated that approximately 75 percent of license holders would meet the CEP requirements for this cycle. Currently, M Ortega added, approximately 76 percent of all well drillers and pump installers have started earning points.

M. Ortega said that of the 76 percent of licensees who have already started earning CEPs, 53 percent of them have already met the requirements. In total, 40 percent of all license holders have already met the CEP requirements for this cycle. M. Ortega speculated that there would not be many more new licensees who start earning CEPs at this point in time. He informed the Board that he has been tracking completion numbers since January 2022 in order to better advise the Board during future licensing cycles. He added that he will provided the Board with an update after the cycle ends.

M. Ortega discussed the new reminder letter that the Department would be sending to all licensees. This letter, which will serve as the Department's final reminder for licensees to meet the continuing education requirements, will be mailed out shortly after the Board meeting. G. Poppe thanked M. Ortega for the update.

**7. Enforcement and Recent Field Work Update-**

S. Vargo informed the Board that the Department recently sent out 15 Notices of Non-Compliance (NONC). These NONCs, which were sent out to individuals and companies, were for perceived violations of the Well Construction and Maintenance; Sealing of Abandoned Wells rule, N.J.A.C. 7:9D.

S. Vargo briefed the Board on the most egregious perceived violation in the batch. He said that the Department received reports where a company used a licensed pump installer to diagnose pump issues, but then used unlicensed workers to do perform the work without the supervision of a licensed pump installer. Additionally, S. Vargo reported that there were six instances of licensed well drillers sealing wells without prior approval and one instance of a well driller sealing a well in a consolidated formation with bentonite grout.

S. Reya discussed the Department's on-going enforcement cases with the Board. He noted that three referrals were sent out recently. S. Reya discussed the Department's enforcement process. He explained that the first step of the enforcement process is the NONC. NONCs which are not rescinded are brought to Compliance and Enforcement in the form of an enforcement referral.

S. Reya discussed the Department's recent field activities with the Board. Recently, S. Reya has been on site for a few days for the installation of a Direct Exchange (DX) geothermal well system. This system was installed in violation of N.J.A.C. 7:9D, which caused multiple days in the field. Additionally, M. Schumacher was out to observe wells be decommissioned and constructed in relation to the blueberry farm inspections which the Department conducted.

T. Pilawski briefly discussed some potential farm inspections for this summer. She also mentioned that some Department staff will be attending the New Jersey Agricultural Convention and Trade Show in Atlantic City in early February. T. Pilawski added that she asked Compliance and Enforcement to take the lead on future inspections of farms to allow Well Permitting staff to be there for support.

## **8. Program Updates-**

### Type 1L Cement

R. Dalton said that J. Hoffman received a proposal from the Department's Division of Science and Research (Science and Research). This is in reference to the Board's request for the Department to obtain permeability data for Type 1L cement, which will replace Type 1 cement in the near future. R. Dalton added that the New Jersey Institute of Technology (NJIT) submitted a proposal to complete some grout tests. He advised the other Board members that the work cannot start until the summer and will take six months to complete. R. Dalton said that he is concerned about the proposed timing. He also mentioned that the proposal does not use ASTM D5084, but seems pretty thorough.

G. Craig said that he will reach out to cement companies to try to figure out a date when Type 1L will be sold in New Jersey. S. Reya thanked G. Craig for looking into that. S. Reya and R. Dalton will look over NJIT's proposal and will likely ask other Board members to review the scope of work. The Board's main concern is the ratio of cement to water because limestone absorbs a lot of water.

G. Craig, D. Lyman, and E. Hoffmann volunteered to lend the Department with assistance. S. Reya said that he will reach out to people when he has more information.

### Jacobs Creed Horizontal Directional Drilling (HDD)

S. Reya discussed the details of the project. The pilot hole, which begins in Upper Makefield, Pennsylvania, would be drilled under the Delaware River and come out on the border of Ewing and Hopewell Townships. A 10" pilot hole will be drilled approximately 2500 linear feet, as deep as 85 feet below the base of the Delaware River. The pilot hole will be reamed to 20" and a 14" pipe will be installed.

S. Reya continued by stating that as of January 3, 2023, the contractor is currently in the reaming phase of the project. He informed the Board that there was a reported inadvertent return (IR). He added that while the IR was only two gallons of drilling fluid that reached the surface, the contractor contained it and followed all protocol in their response plan.

### Princeton Geothermal

S. Reya provided a brief update regarding the large geothermal site at Princeton University. He said that the university is in the process of redoing their circulating plant. They have proposed using

additives to their circulating fluids, which have been sent to the Science and Research for review. These additives are meant to be used as biological growth and corrosion inhibitors. S. Reya said that he is waiting for Science and Research to complete their review of the proposed additives and would brief the Board once they reach a conclusion.

#### Other Program Updates

T. Pilawski informed the Board that the Administrative Analyst 4 position, which is L. Stout's replacement in the Well Permitting Unit, was posted for qualified individuals to apply. She added that interviews will likely start in early-February. Additionally the Environmental Specialist 4 position, which is J. Altieri's replacement in the Technical Assistance and Licensing Unit, should be posted in the coming weeks. There is still an entry-level backfill needed for the Well Permitting Unit, which T. Pilawski expects to be posted with the Environmental Specialist 4 position.

T. Pilawski reminded the Board that J. Mattle will be retiring on May 1, 2023. She announced that she will be moving her retirement up from December 1, 2023 to July 1 2023. She said that she already sent something to her management to start the process of backfilling the two positions.

T. Pilawski mentioned that the letter which the Board sent to the Assistant Commissioner of Water Resources Management, Ms. Patricia Gardner. E. Hoffmann said that he's been having conversations with some well drillers and they have recommended using recently retired well drillers and pump installers to do inspections. T. Pilawski thanked E. Hoffmann for the recommendation and said that she would look into his suggestion.

### **9. New Business-**

S. Reya asked M. Schumacher to speak on a recent development regarding the Regulatory Services Portal (RSP), otherwise known as the electronic permitting system. M. Schumacher explained that he has received complaints regarding the RSP over the last several years, specifically regarding the performance and speed of the website. He informed the Board that the Department has started to move to new servers to boost the performance of the RSP.

E. Hoffmann asked if there was a possibility to have State Plane Coordinates verify the address automatically when a well permit was submitted. He explained that he had recently talked with some well drillers who expressed frustration with the RSP's functionality and the Department's review of well permits when it comes to geographic information systems (GIS) coordinates and property addresses. M. Schumacher explained that the only automated check that is completed with submitted GIS coordinates is to ensure that the provided coordinates are in the appropriate county. He explained that there is no real time state-wide coverage for GIS coordinates and parcel data. M. Schumacher explained that it would cause more errors if the State were to attempt that. E. Hoffmann thanked M. Schumacher for the explanation.

M. Schumacher briefly discussed the Department's transition to a new database management system. He explained that the Department is in the process of transitioning away from using the New Jersey Environmental Management System (NJEMS), to a new system called PEGA. NJEMS has been in use since 2007 and had a life expectancy of 10-years. He noted that the RSP will also likely be upgraded in the coming years.

**10. Adjournment-**

G. Poppe thanked everyone for their time. S. Reya informed the Board that the next meeting would be held on Thursday, February 16, 2023.

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



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### New Jersey Department of Environmental Protection State Well Drillers and Pump Installers Examining and Advisory Board Meeting Minutes for February 16, 2023

*Approved by the Board on March 16, 2023*

**Board Members Participating Via Telephone/Microsoft Teams:** Art Becker (Chairman), Gordon Craig, Dave Lyman, Eric Hoffmann, Jeff Hoffman, Richard Dalton, and Steve Domber

**Board Members Absent:** Gary Poppe and 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:** Brian McGuire; MB Drilling

#### 1. Call to Order and Introductions-

The meeting was called to order at 9:32 am with a quorum present via Microsoft Teams and telephone. Notice of the meeting and instructions on how to participate by video or phone were listed on the Department's website.

A. Becker apologized for missing the January meeting. He thanked E. Hoffmann for assisting him with the Board's letter to the Department, which stressed that the Department prioritize filling the vacancies within the Well Permitting Section. T. Pilawski asked J. Hoffman to provide a brief update regarding the vacancies within the Well Permitting Section. J. Hoffman said that the Department's management recognizes the need to fill the vacancies as soon as possible, but there are some hold ups within Human Resources which are being worked through. A. Becker said that the Board is available to assist if necessary.

#### 2. Review and Certification of the January 19, 2023 Meeting Minutes-

A. Becker asked if any discussion was needed for the January minutes. No discussion was needed.



**A motion to approve the draft minutes from January 19, 2023 as written was made by G. Craig, seconded by E. Hoffmann, and approved by all except for A. Becker and J. Hoffman who were not present for the January meeting.**

**3. Review and Certification of License Applications-**

S. Reya said that there were three license applicants: two environmental resource and geotechnical (ERG) well driller applicants and one master well driller applicant. A. Becker commented on the master well driller applicant, noting that there are not many people applying to be master well drillers anymore. No further discussion was needed:

License Type	Applicant Name	Employer
ERG	Brad A. Frace	TPI Environmental
Master	Dan Burgess	Subsurface Technologies, Inc.
ERG	Thomas Plasket	Geostructures, Inc.

**A motion to approve the three license applicants for licensure was made by J. Hoffman. This motion was seconded by E. Hoffmann and approved unanimously.**

**4. Review and Certification of Course Applications-**

A. Becker read the list of courses to the Board. There were two courses which the Department reviewed and determined to be administratively complete: the New Jersey Ground Water Association (NJGWA) March 2023 Membership Meeting with Electrical Safety Presentation and Crane Coach's Rigger I, Rigger II, and Signaller certifications. He noted that the Crane Coach certifications were submitted by licensed master well driller, Mr. David Stothoff, who took the courses and applied for credit.

*NJGWA*

A. Becker asked if there were any comments regarding the NJGWA course, where they requested two continuing education points (CEPs). R. Dalton mentioned that he does not think that the membership meeting should count for a full point. No further discussion was needed.

**A motion to accept the NJGWA March 2023 Membership Meeting with Electrical Safety Presentation for one technical CEP and one safety CEP was made by G. Craig. This motion was seconded by D. Lyman and approved by all except for R. Dalton, who abstained.**

*Crane Coach*

A. Becker said that the Crane Coach application is for three certifications: Rigger I, Rigger II, and Signaller. The Board discussed the importance of crane safety in the industry. The Board asked M. Ortega if a similar course was approved in the past. M. Ortega said that the Board had approved the Mobile Crane Certification, which was also offered by Crane Coach. He added that David Stothoff, who is submitting the three courses currently under review, also submitted that application and the Board approved the course for eight safety CEPs. M. Ortega reminded the Board that D. Lyman had some experience with the Mobile Crane certification, which aided the Board in their decision making process.

R. Dalton asked if the course even applies to well drillers or pump installers, noting that the training provided was for very large cranes, which may not be commonly used in the drilling industry. D. Lyman agreed with R. Dalton's assessment and said that it is not a common occurrence for well drilling companies though they occasionally may work with such equipment. R. Dalton added that if

any points are awarded that they should be in the safety category. He also talked about some of the Department of Labor's requirements for operating a crane. Some of the other Board members suggested that the courses under review are relevant because a driller or pump installer can be a rigger or a signalperson on a job where they subcontract out for a crane company to be on site.

The Board discussed how points would be assessed to this course, noting that there is not a detailed enough breakdown of the materials that were covered, therefore, it was difficult to ascertain how many points would be appropriate for the course, along with determining whether each applies to safety or technical. M. Ortega informed the Board that Mr. Stothoff requested that the Board review the Rigger I and Rigger II certifications for some technical CEPs. The Board discussed awarding some safety CEPs in the meantime.

**G. Craig made a motion to award eight safety CEPs for these certifications until more information can be obtained by the Department. R. Dalton seconded the motion, but there was further discussion that was needed.**

E. Hoffmann asked how points would be applied at a later date if partial points were awarded now. M. Ortega suggested tabling the discussion until a more thorough timed outline can be obtained. He added that Mr. Stothoff is currently maxed out on safety CEPs, so awarding partial credit in order to get him some points this close to the deadline will not have any effect on his CEP status. The Board members agreed to table the discussion. A. Becker reminded the Board that there was an open motion on the floor, made by G. Craig.

**G. Craig revised his original motion to table the discussion until the March meeting until a more thorough syllabus can be obtained. The motion was seconded by R. Dalton and approved unanimously.**

#### **5. Review of Currently Approved Courses for Renewal for the 2023-2026 CEP Cycle-**

M. Ortega went over a list of 53 courses with the Board, which were all eligible for renewal. He said that all of the listed courses are from the National Ground Water Association (NGWA). These courses previously met the Department's and Board's requirements to become approved and no complaints were received about any of the listed courses. Each course will be taught by the same instructor, will maintain the number of CEPs which were originally awarded, and has the same course content.

R. Dalton asked M. Ortega a question about the spreadsheet. He pointed out that NGWA's Well Disinfection course was highlighted on his version and wanted to know if there was an issue with the course. M. Ortega said that there was no issue and that if it was highlighted, it was a mistake. R. Dalton thanked M. Ortega for the explanation.

**A motion to approve the 53 courses for renewal for the 2023-2026 continuing education cycle was made by R. Dalton. This motion was seconded by G. Craig and approved unanimously.**

#### **6. Continuing Education Status of License Holders-**

M. Ortega provided a brief update regarding the CEP status of currently active licensees. He said that since the January meeting, there had been a big increase in the number of well drillers and pump installers who met the CEP requirements for the cycle. As of February 8<sup>th</sup>, 400 licensees had met the CEP requirements, which is 49 percent of all licensees and 63 percent of everyone who had at least one CEP.

M. Ortega discussed the Department's original prediction of licensees who would renew for the upcoming cycle. He said that the Department originally estimated that approximately 75 percent of all licensees would meet the CEP requirements for this cycle based on renewal rates of licensees in prior cycles. As of February 8<sup>th</sup>, 78 percent of all licensees had started to earn points. M. Ortega noted that there are still licensees out there who are getting started late.

M. Ortega informed the Board that S. Reya and himself have been inundated with continuing education-related phone calls, especially after the Department's most recent CEP reminder letter. The licensing mailbox has also seen a steady flow of questions and certificate submittals. M. Ortega anticipated that the next month and a half would be very busy. A. Becker thanked M. Ortega for the updated.

**7. Type 1L Cement (continued from prior meetings)-**

S. Reya discussed the recent updates on Type 1L cement, which has been a topic of discussion for the last several Board meetings. A meeting was set up by J. Hoffman which included R. Dalton, A. Becker and G. Craig, Well Permitting Section staff, Division of Science and Research staff, and a representative from the New Jersey Institute of Technology (NJIT).

S. Reya discussed the meeting with the Board, noting that he felt like it was very productive. S. Reya said that the NJIT representative has a background in concrete, so his input was very valuable in understanding the phasing out of Type 1 cement. In this meeting, they discussed the scope of work that needs to be completed and reviewed NJIT's project proposal. The group discussed using ASTM D5084 permeability testing instead of what was previously proposed in the original scope of work as that is what is required when a grout manufacturer submits for approval of a new grout material. The group also discussed the timing of events. The Department and Board had been under the impression that Type 1L cement would be distributed in New Jersey starting in April 2023. However, the representative from NJIT informed everyone that the information he has received indicates that it would not be phased in until the end of 2023, which would give NJIT enough time to do the required tests. NJIT representatives will look into the referenced ASTM standard and submit a revised proposal for review. S. Reya thanked A. Becker and G. Craig for attending the meeting and assisting with this evaluation.

G. Craig added that he has been trying to do some independent research into Type 1L cement permeability. He asked the Department to recommend some mix ratios so he can test them out. S. Reya suggested the currently approved mix ratios, 5.2 gallons/bag (target mix) and 6.0 gallons/bag (highest water content allowable) to get a baseline. G. Craig suggested doing 6.0 gallons/bag as the minimum since the Board suspects that this cement will require more water, due to the limestone content. On the high end, G. Craig suggested using 7.0 gallons/bag. R. Dalton and S. Reya agreed that this was a good idea and would be very helpful data. D. Lyman again volunteered to perform mixing and pumpability field tests, if needed, after G. Craig obtains laboratory permeability information.

A. Becker noted that NGWA is starting to get involved in discussions on Type 1L cement. He thanked S. Reya, J. Hoffman, and G. Craig for their work.

**8. Adjournment-**

S. Reya said that the next Board meeting will be held on Thursday, March 16, 2023.

**At 10:30 am, a motion to adjourn the meeting was made by G. Craig, seconded by J. Hoffman, and approved unanimously.**



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*Approved by the Board on April 20, 2023*

**Board Members Participating Via Telephone/Microsoft Teams:** Art Becker (Chairman), Gary Poppe (Vice-Chairman), Joe Yost, Gordon Craig, Dave Lyman, Eric Hoffmann, 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, Steve Reya, Michael Schumacher, Mark Ortega, and Steve Vargo

**Members of the Public:** Brian McGuire, MB Drilling; Ted Borer and Emily Goldman, Princeton University

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

The meeting was called to order at 9:33 am with a quorum present via Microsoft Teams and telephone. Notice of the meeting and instructions on how to participate by video or phone were listed on the Department's website. A. Becker thanked everyone for attending the meeting.

#### **2. Review and Certification of the February 16, 2023 Meeting Minutes-**

A. Becker asked if anyone had any comments on the February minutes. He made note of three corrections that needed to be made. First, on the first sentence of page 3, the word "to" should be added to the sentence after the word "motion". Second, on the second line of the second paragraph on page 3, the word "timed" should be removed. Finally, on the first sentence of the first paragraph of page 4, the word "as" should be changed to "has". No other changes were recommended by the other Board members. M. Ortega and S. Reya made note of the proposed changes.

**A motion to approve the draft minutes from February 16, 2023 after corrections are made was made by G. Craig, seconded by D. Lyman, and approved unanimously.**

### 3. Review and Certification of License Applications-

A. Becker said that there were three license applicants for the environmental resource and geotechnical (ERG) well driller license. No discussion was needed:

License Type	Applicant Name	Employer
ERG	Robert A. Shinn	EPI
ERG	Steven E. Letts	MB Drilling
ERG	Brandon S. Ganser	AST Enterprises Inc.

**A motion to approve the three license applicants for licensure was made by G. Poppe. This motion was seconded by J. Hoffman and approved unanimously.**

### 4. Review and Certification of Course Applications-

*Crane Coach – Rigger 1, Rigger 2, and Signalperson courses*

S. Reya began by discussing the course application which was tabled by the Board during the February meeting. During that meeting, the Board asked the Department to obtain a more detailed course syllabus from Mr. David Stothoff for the Rigger 1, Rigger 2, and Signalperson course applications that he completed. The Board was unable to determine what continuing education point (CEP) category that this course belonged to based on what was originally submitted (safety or technical). S. Reya stated that M. Ortega had obtained a course syllabus from Mr. Stothoff, in the form of the course workbooks and a timed syllabus. A. Becker asked the Board for their thoughts on the newly submitted material.

After some discussion, the Board reaffirmed that the courses are useful for well drillers and pump installers. The Board members agreed that these courses are technical for crane operators, but are safety-related for other trades.

**A motion to approve Rigger 1, Rigger 2, and Signalperson for eight safety CEPs was made by G. Craig. This motion was seconded by R. Dalton and approved unanimously.**

*Adult First Aid/CPR – Mr. Dennis Plaska*

R. Dalton pointed out how Mr. Plaska's course certificate stated that .2 credit hours were awarded to him. M. Ortega noted that different organizations use different methods of denoting credit hours. He added that the National Ground Water Association uses different point denominations than New Jersey uses for continuing education. A. Becker added that the American Institute for Professional Geologists also uses a system that doesn't work hour for hour.

J. Hoffman explained that through the Board's motions, one hour of training equals one CEP. The applicant stated in his application that he was requesting three CEPs. He then provided evidence of training he received which exceeded the three hours that he requested; three hours of online training and an hour and a half of in-person skills training. G. Poppe and D. Lyman agreed with J. Hoffman.

**A motion to approve the Adult First Aid/CPR course for Mr. Plaska for three safety CEPs was made by G. Poppe. This motion was seconded by S. Domber and approved unanimously.**

*Basic Life Support, First Aid CPR/AED, and Bloodborne Pathogens, Right to Know, Hazardous Materials Refresher – Mr. John Poppe III*

S. Reya said that Mr. John Poppe III is requesting three safety CEPs for each of the three course applications he submitted: Basic Life Support, First Aid CPR/AED, and Bloodborne Pathogens, Right to Know, Hazardous Materials Refresher. A. Becker opened the discussion into the three courses.

The Board expressed their concerns over the submitted applications, noting that it was difficult to read. M. Ortega explained that the syllabi that Mr. Poppe provided were difficult to read on the original applications, so he added an addendum to each application to make the syllabi legible. M. Ortega noted that all three of these courses each did add up to three hours of training.

R. Dalton asked a question regarding the certificates that were provided by Mr. Poppe. M. Ortega clarified that Mr. Poppe was the instructor for some of the courses. Some of the provided certificates were Mr. Poppe's instructor certifications to demonstrate that he was certified to perform the training. Mr. Poppe provided a list of names for each licensee that he trained. M. Ortega reminded the Board that the Department awards points to the course instructor if they are a license holder.

**A motion to approve Basic Life Support, First Aid CPR/AED, and Bloodborne Pathogens, Right to Know, Hazardous Materials Refresher for three safety CEPs each was made by E. Hoffmann. This motion was seconded by D. Lyman and approved unanimously.**

M. Ortega volunteered to do some research on first aid courses in the next few months. He said that the Department applied to the Board for all the currently approved OSHA courses and would be willing to do this for first aid courses. M. Ortega said that the Board has approved first aid-related courses three times during the cycle and added that he receives questions about first aid courses frequently. G. Poppe said that this would be a good idea for the Department to submit something official to the Board for review. S. Domber suggested researching specific providers before issuing a blanket approval.

#### *All Star Training*

S. Reya introduced the 16 courses submitted by All Star Training. He noted that seven of the courses are modules within the currently approved NJ 7-Hour Water Well Course. Nine of the courses submitted by All Star Training are new modules. Each of the submitted courses are one hour in duration; four are safety courses presented by Ms. Pam Mason and five are technical courses presented by Mr. Tom Ballard. S. Reya noted that the Board had requested sample log ins for All Star's courses in the past. A. Becker agreed that this might be a good idea again.

The Board praised Mr. Ballard's courses, stating that every one that they have taken has been very informative. The Board also praised All Star Training for the quality of the courses that they've been offering in the last couple of years. The Board did not feel the need to request a sample log-in for the five new courses from Mr. Ballard. A. Becker volunteered to review the four safety courses for the Board and report back during the April meeting.

**S. Domber made a motion to have the Board and Department audit All Star Training's four safety courses. This motion was seconded by G. Craig and approved unanimously.**

Below is a list of courses which will be audited by the Board and Department:

Course Name
Water Well Pipeline Safety and Abandonment of Water Well Hazards
Water Well Drilling and Pumps Safety
Water Well Safety
Health and Safety in the Water Well Industry

A. Becker listed the five new technical courses. He added that he was happy to see some courses on borehole geophysics. No further discussion was needed for these five courses.

**A motion to approve the five technical courses from All Star Training for one technical CEP each was made by G. Craig. This motion was seconded by G. Poppe and approved unanimously.**

S. Reya reminded the Board that they also need to make a motion to approve the seven courses which are from the NJ 7-Hour Water Well Course. G. Craig revised his motion to include the other courses, which the Board did not need to discuss further.

**A motion to approve the 12 technical courses from All Star Training for one technical CEP each was made by G. Craig. This motion was seconded by G. Poppe and approved unanimously.**

Course Name	CEPs
Well Rehabilitation ( <i>part of the NJ 7-Hour Water Well Course</i> )	1 Technical
Locating Water Wells ( <i>part of the NJ 7-Hour Water Well Course</i> )	1 Technical
Groundwater Under the Direct Influence ( <i>part of the NJ 7-Hour Water Well Course</i> )	1 Technical
Hydrogeology ( <i>part of the NJ 7-Hour Water Well Course</i> )	1 Technical
Common Causes of Well Failure I ( <i>part of the NJ 7-Hour Water Well Course</i> )	1 Technical
Common Causes of Well Failure II ( <i>part of the NJ 7-Hour Water Well Course</i> )	1 Technical
Corrosion in Water Supply Wells ( <i>part of the NJ 7-Hour Water Well Course</i> )	1 Technical
Well Disinfection ( <i>new course</i> )	1 Technical
Sinkholes ( <i>new course</i> )	1 Technical
Seals and Liners ( <i>new course</i> )	1 Technical
Borehole Geophysics Specialty Tools ( <i>new course</i> )	1 Technical
Boreholes and Geophysics: Understanding E-Logs ( <i>new course</i> )	1 Technical

*National Drilling Association (NDA)*

S. Reya introduced the final course, the Tri-State Chapter Training Day, presented by NDA. A. Becker made note that he is familiar with a lot of the instructors. No further discussion was needed.

**G. Craig makes a motion to approve the 2023 NDA Tri-State Chapter Training Day for six technical CEPs. This motion was seconded by D. Lyman and approved unanimously.**

#### **5. Review of Currently Approved Courses for Renewal for the 2023-2026 CEP Cycle-**

M. Ortega went over a list of nine courses with the Board, which were all eligible for renewal. These courses previously met the Department's and Board's requirements to become approved and no complaints were received about any of the listed courses. Each course will be taught by the same instructor, will maintain the number of CEPs which were originally awarded, and will have the same course content.

**A motion to approve the nine courses for renewal for the 2023-2026 continuing education cycle was made by G. Poppe. This motion was seconded by R. Dalton and approved unanimously.**

<b>Course Name</b>	<b>Course Provider</b>	<b>CEPs</b>
VFD Training	Tom Stephan	7 Technical
Water System Fundamentals	Tom Stephan	7 Technical
An In-Depth Look at Components and Troubleshooting	Tom Stephan	4 Technical
Electrical Basics/Motors and Troubleshooting	Tom Stephan	6.5 Technical
Overview of the Statutes, Rules, and Regulations Governing the Water Well Industry in New Jersey	Jerry Neidhardt	3 Technical
Material Handling Safety (In-Person)	Experience Safety Institute	1 Safety
Excavations, Trench-Excavation Safety	Experience Safety Institute	1 Safety
Material Handling Safety (Online)	Experience Safety Institute	1 Safety
Utility Proximity/811 Markout	Experience Safety Institute	1 Safety

M. Ortega thanked the Board for renewing these courses. He added that the Board renewed 90 courses for the start of the 2023-2026 continuing education cycle, which begins on April 1, 2023 for eligible licensees. M. Ortega noted that All Star Training would be removing two of the courses that the Board had previously approved for renewal to avoid too many overlapping courses being available on their website. The Common Causes of Well Failure two-hour course and Locating Water Wells and Hydrogeology two-hour course will be unavailable beginning on April 1, 2023.

#### **6. Continuing Education Status of License Holders-**

M. Ortega opened the discussion by reminding the Board of the CEP requirements for well drillers and pump installers. He said that licensees need to earn 21 total CEPs, with a minimum of 10 in the technical category and a minimum of four in the safety category, by March 31, 2023. As long as a licensee meets the requirements by the deadline, they will receive their renewal invoice without the late CEP fee. Licensees who take and complete courses on or after April 1, 2023 to meet the CEP requirements for the 2020-2023 continuing education cycle will have to pay a \$500 late CEP administration fee, which was added to the rule in the 2020 revision. The Department will honor courses taken between April 1, 2020 and March 31, 2023 if they are submitted on or after April 1, 2023.

M. Ortega informed the Board that renewal invoices will be mailed out to eligible licensees in early May. He said that licensees will have until June 30, 2023 to pay for their license without any additional late fees. If a licensee meets the CEP requirements for the 2020-2023 continuing education cycle on or after July 1, 2023, they will have to pay the fee for their license, the \$500 CEP late fee, and the \$50 license late fee. Licensees who fail to renew their license by June 30, 2023 will have an inactive license until such a time that they pay their renewal invoice. The last day that a licensee can pay for their license before it expires is on December 31, 2023. M. Ortega explained that there is a provision in the rule which prevents a licensee from ignoring the CEP requirements and attempting to take the tests after the year is over. A licensee who tries to do this will be required to earn the CEPs that they missed before their license application can be accepted.

M. Ortega said that as of March 16<sup>th</sup>, 508 licensees have met the CEP requirements. This is 62 percent of all licensed well drillers and pump installers. There are another 157 licensees who have started earning CEPs but have not yet finished. There are also 151 licensees who have not earned any points.



M. Ortega said that the Department expects that 75 percent of licensees will meet the CEP requirements by the deadline.

M. Ortega asked the Board members if they wanted a list of licensees who have not met the requirements. A. Becker, G. Poppe, J. Yost, G. Craig, and D. Lyman all asked to receive the list to remind people they know to meet the requirements. M. Ortega said that he will also share this list with the New Jersey Ground Water Association (NJGWA) in case some of their members are on the list.

M. Ortega discussed the remaining course offerings available during the last few weeks of the cycle. He said that NJGWA has an upcoming course on March 21<sup>st</sup>, which was approved for one technical CEP and one safety CEP. Additionally, Rutgers has a course on March 29<sup>th</sup>, which is worth six technical CEPs. There are also over 70 online courses available to all licensees, which can be taken at any time.

M. Ortega made note of around eight licensees who have 21 or more CEPs, but have not met the minimum category requirements. He added that the Department has communicated the requirements through their website and via mail on numerous occasions. The next correspondence from the Department will be sent out to licensees who failed to meet the requirements sometime in mid-April.

M. Ortega informed the Board that he is only aware of one person who plans on submitting a waiver letter to the Board, but the Board should be prepared to review a few cases. During the last cycle, there was no mechanism for the Department or Board to deal with licensees who missed the deadline. The 2020 rule amendments addressed this issue and instituted the \$500 CEP late fee for licensees who did not meet the requirements in time. In accordance with N.J.A.C. 7:9D-1.9(f)4, a licensee in good standing can submit a written request with supporting documentation to the Board to receive a waiver from the CEP requirements on the basis of active duty in the military or reserves, illness, disability, or other good cause.

The Board thanked M. Ortega for the update.

## **7. Type 1L Cement (continued from prior meetings)-**

G. Craig said that he had hired a testing laboratory to conduct tests on two grout samples using Type 1L cement. The first mixture would test 6.0 gallons of water per bag of Portland Type 1L cement, which is the maximum allowable amount of water in grout for Portland Type 1 cement. Another test will be conducted using 7.0 gallons of water per bag of Portland Type 1L cement. Additional water is being used because the Board believes that additional water will be needed due to the higher limestone content of the cement.

G. Craig added that they just started doing the tests this week. The laboratory will do compression strength tests at three days, seven days, and 28 days. Additionally, a permeability test would be conducted at seven days. G. Craig noted that this will give the Board a decent understanding of the grout mixture before New Jersey Institute of Technology (NJIT) finishes their research. The Board thanked G. Craig for his work.

The Board acknowledged they are still unsure when Type 1L cement will be distributed out in New Jersey. G. Craig had previously heard that it will be widely available in April 2023, but the NJIT representative said that it cannot be phased in anytime soon. He also expected a gradual phase in of the product. G. Craig said that he recently heard that mixes have been submitted to New Jersey state

agencies for review. G. Poppe said that he had heard from someone in the industry that the release would be sooner rather than later.

R. Dalton said that he thinks that Portland Type II cement, which is an approved grout mix in New Jersey, should still be available after Type I is phased out. G. Craig said that he will need to check the availability of Type II cement. J. Yost said that Type II cement is typically used to grout public community supply wells. A. Becker asked if bagged Type II cement is readily available. J. Yost said that they usually have cement trucks come out for larger wells, but he is unsure about the availability of bags of Type II cement. R. Dalton said that he had read that Type II will eventually be phased out, but it would not be for a few years.

J. Yost asked if Type 1L cement would be resistant to saltwater. G. Craig said that he does not think that the additional limestone content will make Type 1L cement any less resistant to saltwater than Type 1.

#### **8. Princeton University Circulating Fluid-**

S. Reya introduced Mr. Ted Borer from Princeton University to the Board. S. Reya discussed the Princeton geothermal project with the Board. He said that the circulating plants are being redesigned and Princeton had proposed using five circulating fluid additives that are not currently approved in the well rule. These additives will help to minimize scale, corrosion, and provide biological protection to their system. Below is a list of the proposed chemicals:

- Potassium hydroxide
- Sodium hydroxide
- Sodium hypochlorite
- Sodium silicate
- Sodium tolyltriazole

NJDEP's Division of Science and Research (DSR) analyzed the proposed fluids and drafted a memorandum with their findings. S. Reya read and except from the conclusion section to the Board. The memorandum indicated that potassium hydroxide, sodium hydroxide, sodium hypochlorite, and sodium silicate are not expected to pose a human health concern. Their analysis of sodium tolyltriazole was determined to be inconclusive, as insufficient data was available on the chemical. Mr. Borer thanked S. Reya for the summary of the project and Science and Research's findings. He expanded upon the description of the project that S. Reya provided.

A. Becker had sent S. Reya some questions for Mr. Borer before the meeting. Mr. Borer began to address those questions. A. Becker's first question was about leak detection of the system. Mr. Borer explained that there is a leak detection system in place. There are staff assigned to monitor this and there is an automatic alarm set up to alert staff when a leak is detected and they have ways of ascertaining the location of the leak for repair.

Next, A. Becker asked if there would be any monitoring wells installed on the site which would be used to monitor for leaks. Mr. Borer stated that there are two monitoring wells currently in use which are used to monitor for thermal changes of the groundwater. One is installed in the middle of the geothermal field and the other is installed downgradient. Mr. Borer stressed that the system's leak detection system would catch an issue before a monitoring well would have evidence of contamination.

D. Lyman asked if the proposed chemicals would have any effect on the grout of the wells. Mr. Borer said that A. Becker had a similar question. Mr. Borer was unsure if the chemicals would have any effect on the grout, but noted that the chemicals would be within the geothermal loops. The chemicals used will not have any effect on the loops.

G. Craig and R. Dalton suggested installing a monitoring well on the site to monitor for groundwater contamination. R. Dalton discussed the site geology, stating that groundwater travels through rock fractures much faster than a sand/gravel aquifer system.

E. Hoffmann asked about the safety data sheets (SDS) that Mr. Borer provided. He pointed out that the LD50 data for the sodium tolyltriazole appears to be less toxic than bleach (sodium hypochlorite). If that data is known to the manufacturer, then they should have some scientific data to back that up, which can be provided to the Department's Division of Science and Research.

E. Hoffmann asked if their system is currently set up to monitor changes in pressure. Mr. Borer said that their leak detection system also monitors pressure changes. E. Hoffmann said that if monitoring wells are installed, someone should be sampling for changes in salinity of the groundwater.

Mr. Borer informed the Board that Nebraska is the only other state that has approved sodium tolyltriazole for use as far as he could find. A. Becker asked if anyone in Nebraska is using this chemical currently, but Mr. Borer was unaware of a specific use case.

S. Reya asked the Board to weigh in on this topic. The Board briefly discussed if the approval could be specific to Princeton. T. Pilawski suggested that an operational plan be put into place that details a monitoring and reporting program that would be implemented if a leak occurs. D. Lyman agreed and also suggested installing monitoring wells. R. Dalton suggested holding off on taking a vote until more discussions could occur.

J. Hoffman said that the Board should recommend Department approval of potassium hydroxide, sodium hydroxide, sodium hypochlorite, and sodium silicate in the system since DSR determined that they are not expected to pose a human health concern. J. Hoffman asked if there were any alternatives for sodium tolyltriazole, but Mr. Borer said that he was unaware of an alternative chemical which could be used to prevent copper corrosion. He added that the chemical is commonly used in chill water systems. J. Hoffman asked if the two existing thermal monitoring wells could also be used to sample the groundwater though this apparently will not be feasible.

E. Hoffmann asked Mr. Borer if he could get in contact with the toxicology specialists who manufacture the corrosion inhibitor containing sodium tolyltriazole. He asked Mr. Borer to ask them if they could provide additional information on the chemical. E. Hoffmann added that the SDS states that sodium tolyltriazole is a non-carcinogen, but he wants to know how they drew that conclusion. Mr. Borer asked S. Reya to send him the specific questions so he can work on finding the answers.

**A motion to approve potassium hydroxide, sodium hydroxide, sodium hypochlorite, and sodium silicate, in accordance with N.J.A.C. 7:9D-2.8, for Princeton University's geothermal project. This motion was seconded by G. Craig and approved by all except for J. Yost and D. Lyman who voted against.**

The motion was approved.

Mr. Borer confirmed E. Hoffmann's question and said that he will look into it for the Board. He reminded the Board that even if a leak occurred, the concentration will be very low. Mr. Borer praised

the Board for their thoughtfulness on this subject and thanked them for their time. The Board thanked Mr. Borer for attending the meeting and for the information.

## **9. Bureau Enforcement and Field Word Update-**

### *Field Activities*

S. Vargo discussed the Well Permitting Section's recent field activities with the Board. He said that Well Permitting staff members were in the field once in January and twice in February.

### *Enforcement Activities*

S. Vargo updated the Board on the Well Permitting Section's recent enforcement activities. In January, 15 Notices of Non-Compliance (NONC) were sent out to potential violators. Well Permitting received responses for 11 of the NONCs. Eight of the responses will result in the NONCs being rescinded because sufficient evidence was submitted to show that no violation had occurred. Three of the other responses will require further action. G. Poppe praised S. Vargo and thanked him for the update.

S. Vargo said that another 11 NONCs were sent out after the January update, but no responses have been received yet. S. Vargo explained that Well Permitting is still trying to clear out the backlog of old NONCs.

A. Becker asked about the response times for NONCs. S. Reya said that the person who receives a NONC has 45 days to respond in writing to the Department. S. Reya said that historically when the Bureau sent NONCs there was no organized way to follow up with someone if they did not respond to a NONC. He added that M. Ortega created a new tracking spreadsheet which flags a NONC when a response is not received by the due date.

A. Becker asked what was the oldest NONC that the Department sent out which they have not received any response. S. Vargo said that there were NONCs sent out in 2021 which the Department had not followed up on yet. A. Becker discussed the implications of this with the Board and Department. T. Pilawski said that they will investigate some of the cases that J. Altieri was dealing with prior to her retirement.

S. Reya briefly discussed the enforcement process. Well Permitting sends a NONC to the potential violator first. If it is determined that a violation occurred, it gets referred to the Division of Water Compliance and Enforcement for further action. S. Reya briefly discussed three referrals that were recently sent.

## **10. License Renewal by Individuals with Outstanding Violations-**

T. Pilawski addressed an email which A. Becker had sent to her. A. Becker had expressed concern about licensees with unaddressed violations being allowed to renew their licenses. T. Pilawski explained that the rule does not allow for actions to be taken against a licensee's license renewal. She said that the Board's only recourse would be to seek license sanctions against someone to suspend or revoke their license.

S. Reya said that he had met with DAG J. Denyes to review the language in the rule. The rule says that a person shall demonstrate that they have satisfied the terms and conditions of any final revocation or suspension of a previously issued license or resolved any outstanding final order or penalty. However, this applies to obtaining a new license. There is no mechanism to do this for a

license renewal. S. Reya and J. Denyes explained that a license is a piece of property. J. Hoffman noted that they have had similar issues on the LSRP Board.

J. Denyes discussed the Administrative Procedures Act with the Board. She said that the provisions in the statute protect a person from having their license taken away when they have not been found guilty. R. Dalton asked how the CEP requirements fit into that, since a license can be taken away when a licensee does not meet the CEP requirements. J. Denyes cited the second sentence of that statute, which discusses renewal requirements.

A. Becker asked the Department to focus on the bad actors during the next cycle and to bring them before the Board. The rest of the Board agreed that they want the Department to take action against repeat offenders. Each of the Board members shared their frustrations with the Department.

D. Lyman asked what the Board could do to help the Department. S. Reya said that the best thing that any licensee can do is provide detailed evidence to the Department when a violation occurs. S. Reya discussed the Department's frustrations with frequent offenders as well. J. Mattle brought up that Julia Altieri used to have the sole responsibility of dealing with enforcement. It has been 20 months since she has retired and the position is still not filled.

M. Ortega said that he understands the Board's frustrations and told the Board that everyone in Well Permitting will do their best to bring the bad actors before the Board, despite the staffing issues. J. Yost asked if the Board could see the NONC list that the Department keeps. S. Reya said that there will need to be additional discussions before that can happen. That spreadsheet contains information for rescinded NONCs and the Department does not want to release information for ongoing investigations. T. Pilawski promised that Well Permitting will start to have some internal meeting about license revocation.

#### **11. Program Updates-**

T. Pilawski informed the Board that there was an issue with the Administrative Analyst 4 position for the Well Permitting Unit supervisor backfill. The job posting was taken down before interviews were conducted, but she anticipates that the posting for the position would be back any day now. T. Pilawski added that the Environmental Specialist 4 position for the Technical Assistance and Licensing Unit, should also be posted any day now. There is also an Administrative Analyst entry-level backfill in the works for the Well Permitting Unit.

T. Pilawski briefly discussed some of the Well Permitting Section's upcoming endeavors. She noted that S. Reya and M. Ortega will be working on license renewals for the next several weeks. Additionally, there will be staff assisting with farm inspections.

A. Becker brought up something he had heard about horizontal directional drilling (HDD). He said that other states are starting to look towards New Jersey due to their discussions to regulate HDD. A. Becker added that Washington now requires HDD well drillers to be licensed.

#### **12. Adjournment-**

S. Reya said that the next Board meeting will be held on Thursday, April 20, 2023. A. Becker thanked everyone for attending the meeting.

**At 12:42 am, a motion to adjourn the meeting was made by G. Craig, seconded by J. Yost, and approved unanimously.**



## State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION

PHILIP D. MURPHY  
*Governor*

SHAWN M. LATOURETTE  
*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 Meeting Minutes for April 20, 2023

*Approved by the Board on May 18, 2023*

**Board Members Participating Via Telephone/Microsoft Teams:** Art Becker (Chairman), Gary Poppe (Vice-Chairman), Joe Yost, Gordon Craig, Dave Lyman, Richard Dalton, Steve Domber, and Jeff Hoffman (joined at 10:45)

**Board Members Absent:** Eric Hoffmann

**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, Mark Ortega, and Steve Vargo

**Other NJDEP Staff Present:** Donald Hirsch, Northern Water Compliance and Enforcement

**Members of the Public:** Dermot Dillon, Summit Drilling/New Jersey Ground Water Association (NJGWA); Brian McGuire, MB Drilling

#### 1. Call to Order and Introductions-

The meeting was called to order at 9:32 am with a quorum present via Microsoft Teams and telephone. Notice of the meeting and instructions on how to participate by video or phone were listed on the Department's website. A. Becker thanked everyone for attending the meeting.

#### 2. Review and Certification of the March 16, 2023, Meeting Minutes-

A. Becker asked if anyone had any comments on the March 16<sup>th</sup> draft minutes. No one had any comments, and no further discussion was needed.

**A motion to approve the draft minutes from March 16, 2023, as written, was made by G. Poppe, seconded by D. Lyman, and approved unanimously.**

### 3. Review and Certification of License Applications-

A. Becker said that there were three license applicants for the journeyman well driller license. G. Poppe asked if anyone had heard of Cam Co-Access Water before. A. Becker said that he believed that they were formerly associated with a drilling company down in Atlantic County which is no longer in business. He added that MB Drilling has worked with a company named Cam-Co before, so he assumed that they are related. G. Poppe thanked A. Becker for the information. No further discussion was needed regarding the review of the following license applicants:

License Type	Applicant Name	Employer
Journeyman	Justin W. Amore	Hawk Drilling
Journeyman	Daniel Mancini	D'Agostino Well & Water Services
Journeyman	Jeremiah D. Poley	Cam Co-Access Water

**A motion to approve the three license applicants for licensure was made by G. Poppe. This motion was seconded by S. Domber and approved unanimously.**

### 4. Review and Certification of Course Applications-

#### *All Star Training Follow Up*

All Star Training had submitted four safety courses, which the Board reviewed during the March meeting and advised that the Department should request a sample log in to allow representatives to review the content and format of the following courses:

Course Name
Water Well Pipeline Safety and Abandonment of Water Well Hazards
Water Well Drilling and Pumps Safety
Water Well Safety
Health and Safety in the Water Well Industry

S. Reya discussed the history of All Star Training with the Board, for the benefit of the members who were not present when they originally began to submit course applications for review. He said that a former Board member had received several complaints regarding the format and duration of All Star Training's former "7 Hour Water Well" course, which caused the Department and Board to investigate. The Department, at the behest of the Board, had requested that All Star Training provide sample course log-in information to view the course. Due to the course format, which had no narration, and the course duration, which took significantly less than seven hours, the Board determined that the former "7 Hour Water Well" course did not meet the Board's requirements and revoked the course approval.

All Star Training revised the "7 Hour Water Well Course" by having an industry expert record new video course material, which was later approved by the Board. The Board also approved several new courses, taught by the same instructor, during the March 2023 meeting. The four safety courses submitted by All Star Training used a different instructor and the format was unclear, which caused the Board and Department to want to audit these courses.

A. Becker said that he audited the courses on behalf of the Board and submitted an evaluation of the four courses to S. Reya and M. Ortega. A. Becker discussed the course format first. He said that the individual pages are not timed, but there is an overall timer to read the full document. None of these

courses were narrated and each course had an easy 5-question quiz at the end of the document. The quiz can only be accessed after the timer expires. While the timer for each course was set to 50 minutes, none of the four courses took 50 minutes to read.

A. Becker discussed his thoughts about the course content for the four courses. He said that there were some relevant topics, but a lot of the information that was presented throughout the four courses overlapped. He added that a licensee would receive a lot of redundant information if they were to take more than one of these courses.

A. Becker said that he did not believe that these four courses meet the Board's standards. He asked the Department to weigh in on their evaluation of the courses. S. Reya said that he looked over all four courses and had S. Vargo review two of the courses with him. S. Reya said that he felt that the information was very superficial and provided some examples to the Board. Overall, the Department had the same comments as A. Becker.

A. Becker asked S. Vargo for his opinion on the courses that he took with S. Reya. S. Vargo said that the courses were repetitive and superficial. He said that the quizzes were very easy, and that the timer did not work as it should have. A. Becker agreed with S. Vargo's assessment of the courses. A. Becker said that he also had some issues viewing some of the PDFs, but the Department did not experience any issues with that. A. Becker suggested to the Board that they did not approve these four courses.

**G. Craig made a motion to not approve the four safety courses submitted by All Star Training and for the Department to provide All Star Training with the Board's feedback. This motion was seconded by D. Lyman and approved unanimously.**

*International School of Well Drilling (ISWD)*

S. Reya said that ISWD submitted two new online courses for review. He said that both courses are about grout and noted that one of the courses covers the Nebraska grout study, which has previously been discussed in detail by the Board and Bureau. Each course is about an hour in duration and ISWD requested one continuing education point (CEP) each. A. Becker added that all the courses that he has taken from ISWD have good content and course format.

A. Becker asked if any discussion was needed for these two courses. R. Dalton said that he believed that there should be some notes about state/local rules pertaining to grouting. A. Becker said that it is up to the licensee to be aware of state/local rules in addition to their local geology.

**A motion to approve Grout I and Grout II for one technical CEP each was made by J. Yost. This motion was seconded by G. Poppe and approved unanimously.**

*NJGWA*

S. Reya and A. Becker introduced the course to the Board. S. Reya noted that the Board had previously reviewed and approved the Solar Pumping Systems course which was taught during a prior NJGWA meeting in the last cycle. A. Becker added that the course instructor, Mr. Jim Hartmann, is an excellent speaker and is very knowledgeable.

**A motion to approve the NJGWA May 2023 Membership Meeting with Solar Pumping Systems course for two technical CEPs was made by G. Poppe. This motion was seconded by J. Yost and approved by all except for R. Dalton, who voted against the motion.**



G. Poppe asked if this course would count towards the 2023-2026 continuation education cycle. S. Reya said that it would count for the 2023-2026 continuing education cycle. He explained that well driller and pump installer licenses have an offset continuing education and licensing cycle to allow for continuing education information to be processed before renewal invoices get mailed out. New Jersey licensed well drillers and pump installers could have started to earn points towards the next renewal as early as April 1, 2023, if they met the CEP requirements for the 2020-2023 continuing education cycle.

**5. Waiver Request (Mr. Alphonse Famiano)-**

The Department received a letter from Mr. Famiano on March 16, 2023, in which he requests a waiver from the continuing education requirements for the 2020-2023 continuing education cycle. A. Becker reviewed the letter and asked DAG J. Denyes for her opinion. He said that it is hard to pin down what affected him during this cycle. J. Denyes agreed and suggested that the Board request additional information. She cited the well rule, which says that the licensee shall provide documentation to the Board. A. Becker agreed and noted that he was surprised that Mr. Famiano did not apply for a waiver sooner if he was having persistent issues. It was also noted that with the availability of so many online courses it was unclear why he could not obtain the CEPs at any point throughout the three (3) full years of the cycle.

R. Dalton asked if Mr. Famiano had any CEPs. S. Reya said that Mr. Famiano had not earned any CEPs. R. Dalton said that after reading the letter, he got the impression that Mr. Famiano was the only licensed pump installer at his company. He asked if the company has any other licensed pump installers, which the Department did not know offhand. R. Dalton and A. Becker expressed concern that there may be unlicensed pump work happening as the letter appeared to indicate that Mr. Famiano was the only licensee at the company yet potentially had multiple people/crews performing pump work.

G. Poppe added that all licensees should be aware of the CEP requirements at this point. He said that he believes that it would set a bad precedent if the Board were to approve this without any supporting documentation. A. Becker agreed with G. Poppe.

D. Lyman suggested that the Department ask how many pump installers he has working at the company. T. Pilawski suggested sending two letters to Mr. Famiano: one requesting more information to support his waiver request and one to ask what other licensed pump installers he has working for him. The Board agreed with T. Pilawski's suggestion.

J. Denyes discussed the precedent of approving waivers for general hardships. She offered to work with the Department on crafting a letter to send to Mr. Famiano. S. Reya said that he and M. Ortega will work on the letter.

**6. Final Continuing Education Report on the end of the 2023 Cycle-**

M. Ortega said that as of March 31, 2023, 614 licensed well drillers and pump installers met the CEP requirements. He reiterated that the Department had been forecasting that 75 percent of all licensees would meet the CEP requirements and that 75 percent had met the requirements by the deadline. After the cycle ended, more licensees met the requirements. As of April 20<sup>th</sup>, 644 licensees had met the CEP requirements, which is 79 percent of all active licensees.

M. Ortega noted that six of the 644 took courses after the CEP deadline and will be subject to the \$500 CEP late fee. He noted that he and S. Reya talked to another six licensees who said that they

planned on taking courses late in order to meet the requirements before June 30<sup>th</sup> when licenses expire.

M. Ortega informed the Board that renewal invoices will be mailed out to eligible licensees in early May. On April 11<sup>th</sup>, the Department mailed out 182 notices to licensees who did not meet the CEP requirements advising them of their options if they still wished to renew their license. M. Ortega noted that they have only heard from a small handful of people who received those letters.

A. Becker asked M. Ortega if he knew how many pump installers met the CEP requirements who said that 153 pump installers met the CEP requirements. He confirmed for A. Becker that 492 licensed well drillers met the requirements.

A. Becker discussed the demands of well drillers. He added that the number of licensed well drillers is dwindling and that it is getting hard to find licensed drillers for employment. The Board members agreed with A. Becker's assessment. A. Becker also said that many licensed well drillers only know how to operate direct push rigs. He said that there are not many people who know how to do air rotary, mud rotary, or dual rotary.

A. Becker thanked M. Ortega for the update.

**7. Enforcement and Potential License Sanction Discussion with Donald Hirsch, Chief, Northern Water Compliance and Enforcement-**

T. Pilawski introduced Mr. Donald Hirsch to the Board. D. Hirsch is the Bureau Chief of Northern Water Compliance and Enforcement and will be attending Board meetings in case the Board has any specific questions related to the enforcement process. She discussed a referral that the Well Permitting Section will be developing for a company who was delinquent in submitting well records and well decommissioning reports, which would be sent to D. Hirsch's group in the northern region. T. Pilawski told the Board that the Well Permitting Section recently met to strategize how to bring license sanctions against repeat offenders.

D. Hirsch and T. Pilawski discussed the enforcement process and the hearing process. D. Hirsch said that Water Compliance and Enforcement sticks to the rules and regulations. He said that when Well Permitting sends an enforcement referral, he knows that they have reached the end of the line in that case. He informed the Board that all enforcement regions are very busy and said that some cases move slower than they would expect due to workload and the required procedures that must be followed but they are followed up on and taken seriously. T. Pilawski reminded the Board that Water Compliance and Enforcement regularly sends out staff to do inspections.

A. Becker said that he is happy to see the Department acting. He added that there are a lot of great people in the industry and that it is a slap in their face when no enforcement action is taken against bad actors.

D. Hirsch said that he is looking forward to working with the Board. A. Becker thanked him.

**8. Type 1L Cement (continued from prior meetings)-**

A. Becker said that G. Craig has been doing a lot of work to test Type 1L cement. He added that R. Dalton and S. Reya have been reviewing the lab data. G. Craig explained to the Board that he had a certified lab perform tests on two mixes of Type 1L cement: six gallons of water per bag of Type 1L cement and seven gallons of water per bag of Type 1L cement. G. Craig was pleased to report that so

far, the permeability tests have shown that both mixes meet the Department's permeability requirements. G. Craig added that they did not do any shrink testing or any pump tests yet.

R. Dalton discussed the permeability data from the lab of the two different mixtures and some apparent inconsistencies since increased water content would theoretically result in additional shrinkage and cracking. The permeability of the seven gallon per bag mixture looked better than the six gallon per bag mixture which was surprising to him. He suggested that this might be because the limestone content can vary per bag of cement. G. Craig agreed that there could be some variability but that the initial testing was to get a baseline for what can be expected with Type 1L, which was a complete unknown as far as permeability. Ultimately, R. Dalton added, a pump test needs to be completed.

In prior meetings, the Board had discussed using Type II cement as a replacement to Type I cement. G. Craig said that he has heard that Type II cement will not be available for much longer either due to the financial implications of the manufacturing process effectively applying the same to both types I and II.

G. Craig asked the Board what they should do if Type I cement becomes unavailable before Type II can be approved. He added that cement manufactures are not inclined to do any tests for grout since it is such a small part of their business.

A. Becker said that the industry is not going to be able to wait if cement manufactures stop distributing Type I cement. He added that the industry will be operating illegally. He asked how the Department plans on handling this scenario. S. Reya talked about N.J.A.C. 7:9D-2.8, which discusses the approval of alternative materials and methods. He added that the Department can write something up for the Board to review. He noted that a pump test and additional samples need to be collected and tested during the pump test to be analyzed.

J. Hoffman joined the call at 10:47 am. G. Poppe departed the call at 10:51 am.

A. Becker asked J. Denyes for her opinion on how to proceed. J. Denyes said that the Department has enforcement discretion. She added that they have the ability to enforce, but not the obligation. The Department could also potentially enter a memorandum of understanding. She noted that the Department cannot be the reason for an entire industry shutting down.

J. Denyes asked how other states are handling this problem. A. Becker said that every state currently is experiencing the same problem. J. Denyes said that the Department can engage in emergency rule making. An additional avenue that the Department can go would be to temporarily approve the use of Type II cement until further studies can be completed. J. Denyes said that her office can work with the Department to come up with options.

J. Mattle brought up the Michigan memo, which A. Becker previously provided to the Department. He suggested, after hearing J. Denyes' suggestion of using a memorandum of understanding, that the Department engage in something similar. T. Pilawski suggested that the Board make a motion to help guide the Department.

**R. Dalton makes a motion that the Department put together an interim procedure for using Type 1L cement to grout wells in New Jersey until sufficient data exists in accordance with N.J.A.C. 7:9D. G. Craig seconded the motion and it was approved unanimously.**

D. Lyman asked R. Dalton about using bentonite-based grouts in consolidated (bedrock) formations. R. Dalton said past concerns raised by the Board many years ago that bentonite grouts may be prone to “washing out” through fractures in the rock resulted in the Department not approving bentonite for use in consolidated formations. The 2018 well rule amendments, however, now allow for some bentonite-sand geothermal grouts to be utilized in consolidated formations, due to the increased solids content. R. Dalton further noted that a representative from the drilling and grouting fluid manufacturer, Baroid, once showed him photographs of a uranium mine containing boreholes that were sealed with bentonite well below the water table and there was reportedly no water leakage after many years. D. Lyman said that a bentonite manufacturer may be able to do some of the required testing since they would have a financial interest in having a bentonite product approved, which has been problematic regarding Type 1L cement testing, as previously noted.

J. Denyes asked if Type 1L cement is currently being used. G. Craig and A. Becker said that the material is being used in roads and building construction. Type I and Type II cement will soon be unavailable nationally which makes this a pressing concern. A. Becker added that Florida, Michigan, Minnesota, and a few other states are also investigating the issue. The National Ground Water Association has also been involved in recent investigations into Type 1L cement.

#### **9. Program Updates-**

T. Pilawski thanked D. Hirsch for attending the meeting. She also thanked J. Mattle for his years of service with the Department and noted that he will be retiring at the end of the month. She expressed to the Board that she is hopeful that his replacement will be backfilled soon.

A. Becker thanked J. Mattle on behalf of the Board. J. Mattle thanked the Board for his and said that the last four years that he spent in the Well Permitting Section were the best years of his career. He complimented the Well Permitting staff and wished the Board luck with their upcoming projects.

#### **10. Adjournment-**

S. Reya said that the next Board meeting will be held on Thursday, May 18, 2023. A. Becker thanked everyone for attending. The meeting ended at 11:13 am.



## State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION

PHILIP D. MURPHY  
*Governor*

SHAWN M. LATOURETTE  
*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 Meeting Minutes for May 18, 2023

*Approved by the Board on June 15, 2023*

**Board Members Participating Via Telephone/Microsoft Teams:** Art Becker (Chairman), Gary Poppe (Vice-Chairman), Joe Yost, Gordon Craig, Dave Lyman, Eric Hoffmann, Richard Dalton, Steve Domber, and Jeff Hoffman

**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:** Terry Pilawski, Jennifer Myers, Steve Reya, Michael Schumacher, Mark Ortega, and Steve Vargo

**Other NJDEP Staff Present:** Donald Hirsch, Northern Water Compliance and Enforcement

**Members of the Public:** Brian McGuire, MB Drilling; Tom Stover

#### 1. Call to Order and Introductions-

The meeting was called to order at 9:33 am with a quorum present via Microsoft Teams and telephone. Notice of the meeting and instructions on how to participate by video or phone were listed on the Department's website. A. Becker thanked everyone for attending the meeting.

#### 2. Review and Certification of the April 20, 2023, Meeting Minutes-

S. Reya discussed changes to the April 20<sup>th</sup> minutes which R. Dalton had proposed prior to the meeting. The corrected minutes were distributed to the Board prior to the meeting. A. Becker asked if anyone had any comments on the April 20<sup>th</sup> draft minutes. No one had any further comments, and no further discussion was needed.

**A motion to approve the draft minutes from April 20, 2023, as written, was made by G. Poppe, seconded by D. Lyman, and by all except for E. Hoffmann who abstained because he was not present for the April meeting.**

**3. Review and Certification of License Applications-**

A. Becker said that there were five well driller applicants, including one applicant who was upgrading from an Environmental Resource and Geotechnical (ERG) license to a Journeyman license. S. Reya made note of a correction to the spreadsheet of license candidates which was sent to the Board. He said that Mr. Joshua Ellingworth had applied for a Journeyman license instead of an ERG license. Mr. Ellingworth's original application was for an ERG license, but he later submitted a Journeyman application, which was not accurately reflected in the table disseminated to the Board. In total, there were three Journeyman applications and 2 ERG applications. No further discussion was needed regarding the review of the following license applicants:

License Type	Applicant Name	Employer
Journeyman	Joshua Ellingworth	Parratt Wolff Inc.
Journeyman	Michael R. Varina	High Rock Environmental
Journeyman	Daniel A. Ballentine Jr.	Dan Ballentine Well Drilling, Inc.
ERG	Michael Beveridge	Boring Brothers Inc.
ERG	George Polyak IV	GeoPro, Inc.

**A motion to approve the five license applicants for licensure was made by G. Poppe. This motion was seconded by G. Craig and approved unanimously.**

**4. Review and Certification of Course Applications-**

*Franklin Electric*

S. Reya introduced the Franklin Electric course, High Efficiency Pumping Systems Using Permanent Magnet Technology, which would be presented by Mr. Jim Hartmann. The provider requested two continuing education points (CEPs) for this course. A. Becker asked if there was any discussion needed for this course. No discussion was needed.

**A motion to approve High Efficiency Pumping Systems Using Permanent Magnet Technology for two technical CEPs was made by G. Poppe. This motion was seconded by G. Craig and approved unanimously.**

*Duff Co.*

A. Becker asked the Department if the Duff Co. 2023 Water Treatment and Pump Seminar was administratively complete. The spreadsheet that the Board received identified the course as pending. M. Ortega apologized and said that the course was administratively complete. This course provider requested seven CEPs for this course. The seminar included seven one-hour courses. No further discussion was needed.

**A motion to approve the 2023 Water Treatment and Pump Seminar for seven technical CEPs was made by D. Lyman. This motion was seconded by G. Poppe and approved unanimously.**

*Florida Ground Water Association (FGWA) Conventions*

A. Becker asked if Mr. Stefan Burns was applying for credit for the 2020-2023 continuing education cycle. M. Ortega said that Mr. Burns submitted a course application for the 2021 FGWA Annual

Convention and Trade Show and the 2022 FGWA Annual Convention and Trade Show. Mr. Burns requested 12 CEPs for each convention he attended. M. Ortega added that Mr. Burns currently has eight safety CEPs and needs 13 additional CEPs to meet the requirements for the 2020-2023 continuing education cycle.

R. Dalton indicated that there are a few Florida-specific courses which should not be approved. A. Becker said that he counts 10 technical courses and 4 safety courses between the two seminars that could be approved. The Board members agreed to award Mr. Burns with the number of CEPs that he needs to meet the requirements since there were enough acceptable courses that he took during each seminar.

**G. Craig made a motion to approve the 2021 and 2022 FGWA Annual Convention and Trade Show for 10 technical CEPs and 3 Safety CEPs. This motion was seconded by R. Dalton and approved unanimously.**

Prior to the motion passing, S. Domber asked if the trade hall was being considered for credit. R. Dalton said that the Board has approved trade shows for the National Ground Water Association in the past. A. Becker briefly discussed FGWA's conventions and their process of tracking CEPs for Florida licensed well drillers. He praised them for their quality and efficiency.

#### **5. License Renewal Update-**

M. Ortega updated the Board with the current numbers of licensees who met the CEP requirements. He said that 655 licensees, which is 80 percent of currently licensed well drillers and pump installers, have met the requirements. Only 12 licensees took courses after the deadline. M. Ortega added that the \$500 CEP late fee was added to the invoices for those who met the requirements after March 31, 2023.

He continued by saying that renewal invoices were mailed out to all eligible licensees on May 4, 2023. Unfortunately, he reported that there were billing issues encountered, which affected 11 licensees. M. Ortega indicated that only three of these issues affected licensees who met the requirements and were not Department employees. M. Ortega said that he contacted the affected individuals and informed them of the delay. As of May 18<sup>th</sup>, 242 licensees had paid their renewal invoices.

#### **6. Enforcement Activities-**

##### *Field Activities*

S. Vargo described recent field activities conducted by the Well Permitting Section. The first site inspection was in response to a call from a licensed well driller who was concerned about two seemingly abandoned wells in an area that was being redeveloped. S. Vargo visited the site and spoke with the construction manager, who confirmed that the wells would be sealed. He had since followed up with the well driller and confirmed that the wells were sealed.

S. Vargo described another site visit which was initiated due to some potentially fraudulent paperwork that was submitted to the Department. The Department had received a well decommissioning report for a well that S. Vargo had determined was not sealed after he visited the site. The Department will follow up with a Notice of Non-Compliance (NONC) after a corrected well decommissioning report has been submitted.

The Board and the Department had a lengthy discussion regarding license renewals and the ability of the Department to deny a licensee their renewal when they have outstanding enforcement actions. The Department and DAG J. Denyes explained that a license is a property right, therefore, it cannot be taken away without due process. J. Hoffman noted that the New Jersey Site Remediation Professional Licensing Board (LSRP Board) encounters the same issues. They are not allowed to withhold a license renewal when a licensee has a pending enforcement case.

A. Becker inquired with DAG J. Denyes if the Board could request that the Department present a list of unresolved enforcement issues to them at a future meeting. She said that the Board could request this information. J. Yost and G. Poppe agreed that this is a good idea. They both agreed that it has been a problem for years that the Department has failed to follow up on some NONCs.

**G. Poppe made a motion to request that the Department provide the Board with a list of the most egregious offenders. This motion was seconded by J. Yost and approved unanimously.**

E. Hoffmann asked J. Hoffman how the LSRP Board conducts investigations. J. Hoffman said that the LSRP Board conducts investigations. The Department's Compliance and Enforcement staff are not involved in their investigations. He noted that it is a smaller workload for the LSRP Board because they do not issue permits.

D. Hirsch and T. Pilawski discussed the process to revoke or suspend the license of a New Jersey licensed well driller or pump installer. They discussed the two instances that the Department and Board undertook this process, both which resulted in the suspension of a license.

T. Pilawski followed up on the Board's motion. A. Becker said that he wanted to see a list of the violations and who the violators are. J. Hoffman expressed concern about making NONCs public record when they are not fully fleshed out. DAG J. Denyes said that she needs to check if NONCs are subject to the Open Public Records Act. D. Hirsch brought up Daniel's Law and noted that the Department would need to be careful not to present sensitive information. DAG J. Denyes noted that the Board could go into executive session to discuss sensitive information. J. Hoffman discussed how the LSRP Board handles executive sessions using Microsoft Teams. He said that they create two meetings; one for the main meeting and one in case an executive session is needed.

T. Pilawski reminded the Board that the NONC process is meant for fact finding before a referral is sent to Water Compliance and Enforcement. T. Pilawski and S. Vargo discussed some of the referrals that the Well Permitting Section had already sent to Compliance and Enforcement.

R. Dalton asked if enforcement action could be taken against a county or state entity. He cited an issue with two very deep wells in Jackson Township that were drilled in the 1920's which are not sealed. G. Poppe said that he recently heard about some movement on those two wells. D. Hirsch said that the county would be responsible, and Compliance and Enforcement has taken action against counties and municipalities in the past.

S. Vargo discussed new referrals that on which he is currently working. Two of the referrals are for individuals who conducted unlicensed pump work. The other referrals will be for a New Jersey licensed well driller who did not respond to six NONCs that the Department sent to him; three of the issues were very egregious. S. Vargo said that he is hoping to get the referrals out before the next meeting.



**7. Princeton University Geothermal Circulating Fluid Additives-**

S. Reya explained that during the March 16<sup>th</sup> meeting, the Board recommended Department-approval of four of the five circulating fluid additives proposed by Princeton University. Due to lack of scientific data, the Board did not recommend approval of sodium tolyltriazole and requested that Princeton University obtain more information about this chemical. S. Reya explained that the topic was listed on the agenda in the event additional information was submitted for review, but nothing had been so this topic was tabled.

**8. Program Updates-**

*Staffing Update*

T. Pilawski provided the Board with updates to the Well Permitting Section's staffing issues. She explained that the supervisor backfill for the Technical Assistance and Licensing Unit was in the works and that interviews were scheduled for the supervisor backfill for the Well Permitting Unit. An entry-level backfill is also in the works for the Well Permitting Unit. She further explained that she put in paperwork for J. Mattle's vacant Section Chief position and for her Bureau Chief position. In the meantime, S. Reya will act in J. Mattle's capacity while J. Myers will act in T. Pilawski's capacity after she retires at the end of June.

*Type 1L Cement*

S. Reya explained to the Board members that the Department had met with DAG J. Denyes to find a path forward to approve Type 1L cement for use in New Jersey. He noted that utilizing a memorandum of understanding, similar to Michigan, would not be advisable according to the Department's legal team. S. Reya explained that the Department could potentially utilize N.J.A.C. 7:9D-2.8 or engage in emergency rule making. He noted that emergency rule making would not be ideal because the Board and Department still does not have lot of data available for Type 1L cement so they likely would not be able to draft a rule and have it go through the required process before Type 1 is phased out and unavailable. The Department could potentially submit something to the Board based on N.J.A.C. 7:9D-2.8 for review thanks to G. Craig's work to completed testing. He added that a pump test still needs to be completed and the field grout mixes still need to be analyzed by a lab before the Department can take action. R. Dalton also discussed the review process for new and alternative grouts and how the Board and Department need to remain consistent.

*Lead Exposure*

S. Reya relayed a question to the Board from the Water Supply and Geoscience Director's Office. They wanted to know if the Board members had any knowledge of components in private wells which would create high lead concentrations. S. Reya referenced federal regulations which covered the use of lead-free pipes, fittings, fixtures, solder, and flux for drinking water. S. Reya cited a few examples of components which he believed might contain higher concentrations of lead in the past. He noted that around 2011, when the federal regulations originally went into effect, most of the materials were prohibited. He also noted lead packers as one potential source of lead in which drinking water could come in contact, though he noted they have not been used for many years. He asked the Board members for assistance in identifying any potential lead-containing components within water wells that would better allow the Department to evaluate this. He said much of the focus on lead has been on public water and distribution systems/service lines and they are seeking information on private wells.

J. Yost and R. Dalton further discussed some examples of components which would have high lead concentrations, but A. Becker pointed out that they are not currently used anymore. A. Becker noted that water systems that are older than 30 years old probably have some components that contain a small percentage of lead, but he could not speak to any potential water quality issues as a result of these components.

## **9. Miscellaneous and Public Comments-**

### *Department Correspondence*

A. Becker informed the Board that two letters were sent to Mr. Alphonse Famiano regarding the topics discussed during the April Board meeting. The first letter requested additional information based on the waiver request that Mr. Famiano submitted. The second letter advised Mr. Famiano of the licensing requirements for New Jersey licensed well drillers and pump installers.

### *Public Question*

Mr. Tom Stover addressed the Board about an issue he was having with the Department and decisions regarding permitting wells when there is public water available within 200 ft. of the property boundary. S. Reya discussed the Department's stance regarding the example that Mr. Stover provided. He explained that the homeowner who he had referenced provided additional information after the original permit was denied, which allowed the Department to approve a new permit.

After some discussion, J. Hoffman pointed out that this issue is not within the purview of the Board. Mr. Stover asked if S. Reya could provide him with what the homeowner submitted so he could have an example for the future. A. Becker thanked Mr. Stover for bringing up the topic.

## **10. Adjournment-**

S. Reya said that the next Board meeting will be held on Thursday, June 15, 2023. A. Becker thanked everyone for attending.

**A motion to adjourn the meeting was made at 11:24 am by G. Poppe. This motion was seconded by D. Lyman and approved unanimously.**



## State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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### **New Jersey Department of Environmental Protection State Well Drillers and Pump Installers Examining and Advisory Board Meeting Minutes for June 15, 2023**

*Approved by the Board on July 20, 2023*

**Board Members Participating Via Telephone/Microsoft Teams:** Art Becker (Chairman), Gary Poppe (Vice-Chairman), Gordon Craig, Dave Lyman, Eric Hoffmann, Richard Dalton, Steve Domber, and Jeff Hoffman

**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, Steve Reya, Mark Ortega, and Steve Vargo

**Other NJDEP Staff Present:** Donald Hirsch, Northern Water Compliance and Enforcement

**Members of the Public:** None

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

The meeting was called to order at 9:32 am with a quorum present via Microsoft Teams and telephone. Notice of the meeting and instructions on how to participate by video or phone were listed on the Board's website. A. Becker thanked everyone for attending the meeting.

#### **2. Review and Certification of the May 18, 2023, Meeting Minutes-**

A. Becker asked if anyone had any comments on the May 18<sup>th</sup> draft minutes. No discussion was needed.

**A motion to approve the draft minutes from May 18, 2023, as written, was made by G. Poppe, seconded by J. Hoffman, and approved unanimously.**

### 3. Review and Certification of License Applications-

A. Becker said that there were three license applicants, including one applicant who was upgrading from an Environmental Resource and Geotechnical (ERG) license to a Journeyman license. In total, there was one Journeyman applicant, one ERG applicant, and one Pump Installer applicant. No further discussion was needed regarding the review of the following license applicants:

License Type	Applicant Name	Employer
Journeyman	James A. Steelman	Uni-Tech Drilling
Pump Installer	Daniel E. Bussian	A.C. Schultes
ERG	Casey Rickard	Summit Drilling, LLC

**A motion to approve the three license applicants for licensure was made by D. Lyman. This motion was seconded by G. Poppe and approved unanimously.**

### 4. Review and Certification of Course Applications-

#### *Course Renewals*

M. Ortega informed the Board that there are two additional courses which the Board needed to consider for renewal from the 2020-2023 continuing education cycle: Pipeline Safety & Coordinated Response Exercise and Water & Graphite; A Geothermal Game Changer. He reminded the Board that they renewed approximately 100 courses earlier in the year, between January and March. M. Ortega added that both courses would remain the same for the 2023-2026 continuing education cycle.

A. Becker asked about the online component of the Pipeline Safety & Coordinated Response Exercise course. M. Ortega explained that the Board only approved the in-person version during the 2020-2023 continuing education cycle. He clarified that the Board only needs to take action on the in-person version of the course at this meeting. M. Ortega explained that he can send the Board additional information regarding the online version of the course for the Board to consider at a future meeting.

R. Dalton expressed some confusion with the applications that the Department provided for review. S. Reya explained that he provided the original course applications, which were submitted during the 2020-2023 cycle, as background information on the courses for the Board.

**A motion to renew the two courses was made by R. Dalton. This motion was seconded by G. Craig and approved unanimously.**

Course Name	Course Provider	CEPs
Pipeline Safety & Coordinated Response Exercise – Excavator	Paradigm Liaison Services	2 Safety
Water & Graphite; A Geothermal Game Changer	Minerals Technology Inc.	1.5 Technical

### 5. CEP Waiver Request-

A. Becker introduced the topic and stated that Mr. Mike Faria submitted a waiver request of the continuing education point (CEP) requirements for the 2020-2023 cycle. Mr. Faria discussed a number of medical issues in his waiver, which he asked the Board to consider. S. Reya reminded the Board that they could go into an executive session if they needed to discuss any specifics on Mr. Faria's circumstances. S. Reya discussed the waiver requirements with the Board.

S. Domber asked if the Board could request additional documentation from Mr. Faria. S. Reya and the Board discussed the rule language from N.J.A.C. 7:9D-1.9(f)4, which states the following:

*“A licensee in good standing may submit in writing to the Department, pursuant to N.J.A.C. 7:9D-1.17, a request, including supporting documentation, for a waiver from continuing education requirements pursuant to this subsection on the basis of active duty in the military or reserves, illness, disability, or other good cause.”*

DAG, Jill Denyes explained that there is no specific guidance in the rule regarding the types of documentation that must be submitted to the Board for review. S. Domber asked about the Board’s prior decisions for waiver requests. S. Reya cited two instances where the Board requested additional information from the requestors. The first occurred during the 2017-2020 continuing education cycle and the second instance occurred during the April 2023 Board meeting. In both instances, the requestors did not follow up with supporting documentation for the Board to review. S. Reya updated the Board about the latest request, from Mr. Alphonse Famiano. S. Reya explained that Mr. Famiano has since earned his CEPs and paid for his license.

A. Becker discussed his view on Mr. Faria’s waiver request. A. Becker said that Mr. Faria’s issues began in January 2020, which was during the prior licensing cycle. Mr. Faria successfully renewed his license for the 2020-2023 cycle. A. Becker expressed his sympathy for Mr. Faria, who noted numerous medical issues in his request, but said that he has some concerns with approving his request. A. Becker noted occasions, as cited by Mr. Faria, where he was cleared for light duty work. Additionally, Mr. Faria indicated in his request that he was unaware of the continuing education requirements. G. Poppe agreed with A. Becker’s assessment of the request.

G. Poppe brought up the fact that the Board approved over 100 online courses which someone on light duty could have completed throughout the continuing education cycle. G. Poppe indicated that he does not believe that the waiver request should be approved.

A. Becker said that Mr. Faria’s only recourse is to earn his CEPs and pay for his license along with the appropriate late fees. E. Hoffmann asked the Department about the late fees and grace periods for well drillers and pump installers. S. Reya explained that licensees who took courses after the March 31<sup>st</sup> deadline and submitted them for the 2020-2023 cycle have a \$500 administrative CEP late fee added to their bills. Additionally, eligible licensees who fail to pay for their license by June 30<sup>th</sup>, 2023, will have a \$50 late fee added to their license for not paying on time. Licensees who fail to pay their renewal invoice by June 30, 2023, will have their licenses deactivated. Individuals who fail to pay for their invoices, or earn CEPs, by December 31, 2023, will have their licenses expire. Those individuals will need to take exams again in order to become licensed. Licensees who do not earn their CEPs before December 31<sup>st</sup> will need to earn all their CEPs should they choose to become licensed again at a later date.

D. Lyman agreed with A. Becker and G. Poppe. He added that Mr. Faria has until the end of the year to finish taking all his classes and comply with the renewal requirements. S. Domber and J. Hoffman agreed.

**G. Poppe made a motion to not accept Mr. Faria’s waiver request of the requirements set forth at N.J.A.C. 7:9D-1.9(f)4. This motion was seconded by G. Craig and approved unanimously.**

## **6. Program Updates-**

### *Enforcement*

T. Pilawski discussed the Well Permitting Section's recent efforts to address the Board's concerns regarding enforcement. She discussed a few referrals which were sent to Water Compliance and Enforcement. She also discussed additional actions that the Well Permitting Section was taking to further bolster efforts to bring the bad actors in front of the Board for a hearing.

### *Staffing*

T. Pilawski provided the Board with an update regarding the Well Permitting Section's staffing levels. She informed the Board that the Department recently filled the entry-level backfill for Ms. Lynn Stout. This individual accepted the position and is awaiting Human Resources to assign a start date. Additionally, an individual was selected to replace L. Stout to supervise the Well Permitting Unit, however, Human Resources has not yet offered that individual the position. Interviews are expected to take place for the vacant position left by Ms. Julia Altieri soon. T. Pilawski noted that she was supposed to be on the interview panel for this, but she will be replaced by J. Hoffman if she retires before interviews start. T. Pilawski noted that the Section Chief position, vacated by J. Mattle, is still working its way through the process to get approved. A posting was recently made for the Bureau Chief position, which will replace T. Pilawski after she retires at the end of June.

T. Pilawski informed the Board that this would be her last meeting and thanked the Board for all their time and hard work throughout the years. The Board thanked T. Pilawski for her service and everything that she did for the Board. The Board asked who will take her place in the interim. T. Pilawski said that Ms. Jennifer Myers will be acting in the role of Bureau Chief after she retires, until an official replacement is selected.

### *Miscellaneous*

A. Becker asked what happens to someone's well permits if their license gets suspended. S. Reya explained that the permits will still be there in their services, but they can still subcontract another licensed well driller to perform the work. It was also noted that many companies employ multiple licensed well drillers so if a licensed driller will be performing the work under that permit it would be acceptable as there is no mechanism that would rescind a previously issued permit even if an individual's license is suspended for a period. J. Hoffman also pointed out that the permits technically belong to the property owner.

A. Becker asked M. Ortega if he could report to the Board during a future meeting how many well drillers reside in New Jersey. He wanted to get a better understanding of how many of the 501 well drillers who met the CEP requirements, and presumably renewed their licenses, resided in the state versus out of the state.

## **7. Chairman and Vice Chairman Elections**

A. Becker explained that he was recently rereading the Board's bylaws and noticed that they missed elections for Chairman and Vice Chairman, which should have occurred during the May meeting. A. Becker said that he's been Chairman for a long time and invited others to put their name in for the position. R. Dalton asked about the eligibility requirements to be the Board Chairman. M. Ortega said that the Chairman must be one of the Master Well Drillers on the Board. G. Poppe nominated A. Becker to remain as the Board Chairman.

**A motion was made by G. Poppe to nominate A. Becker as the Board Chairman. This motion was seconded by J. Hoffman and approved by all except for A. Becker who abstained.**

**A motion was made by A. Becker to nominate G. Poppe as the Board Vice Chairman. This motion was seconded by G. Craig and approved by all except for G. Poppe who abstained.**

S. Domber asked about renewals for Board members. S. Reya said that the current term expires in February 2024. He added that the Department will be working on renewals soon to avoid a lapse in terms.

**8. Adjournment-**

S. Reya said that the next Board meeting will be held on Thursday, July 20, 2023. A. Becker thanked everyone for attending.

**A motion to adjourn the meeting was made at 10:20 am by G. Poppe. This motion was seconded by D. Lyman and approved unanimously.**



## State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION

PHILIP D. MURPHY  
*Governor*

SHAWN M. LATOURETTE  
*Commissioner*

SHEILA Y. OLIVER  
*Lt. Governor*

DIVISION OF WATER SUPPLY AND GEOSCIENCE  
NEW JERSEY GEOLOGICAL AND WATER SURVEY ELEMENT  
BUREAU OF WATER ALLOCATION AND WELL PERMITTING  
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### New Jersey Department of Environmental Protection State Well Drillers and Pump Installers Examining and Advisory Board Meeting Minutes for July 20, 2023

*Approved by the Board on August 17, 2023*

**Board Members Participating Via Telephone/Microsoft Teams:** Art Becker (Chairman), Gary Poppe (Vice-Chairman), Gordon Craig, Dave Lyman, Eric Hoffmann, Richard Dalton, and Steve Domber

**Board Members Absent:** Joe Yost 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:** Jennifer Myers, Steve Reya, Mark Ortega, Steve Vargo, and Reena Dave

**Other NJDEP Staff Present:** Donald Hirsch, Northern Water Compliance and Enforcement

**Members of the Public:** Brian McGuire, MB Drilling; Dermot Dillon, Summit Drilling/New Jersey Ground Water Association, Mike Faria (9:37 am)

#### 1. Call to Order and Introductions-

The meeting was called to order at 9:34 am with a quorum present via Microsoft Teams and telephone. Notice of the meeting and instructions on how to participate by video or phone were listed on the Board's website. S. Reya introduced Ms. Reena Dave to the Board. S. Reya informed the Board that R. Dave recently joined the Well Permitting Section, as Ms. Lynn Stout's entry-level backfill in the Well Permitting Unit. A. Becker welcomed R. Dave and thanked everyone for attending the meeting.

#### 2. Review and Certification of the June 15, 2023, Meeting Minutes-

A. Becker asked if anyone had any comments on the June 15<sup>th</sup> draft minutes. A. Becker noted that a correction was needed on page 3, under the Program Updates Staffing topic. He said that the sentence which states, "...if she is retires..." should be modified to the correct tense.



**A motion to approve the draft minutes from June 15, 2023, with the suggested correction, was made by G. Poppe, seconded by G. Craig, and approved unanimously.**

### **3. Licensing-**

#### *Review and Certification of License Applications*

A. Becker said that there are two license applications for review: one Pump Installer and one Journeyman (Class B) well driller. A. Becker noted that the Pump Installer applicant had an issue with his application and submitted a letter for review. He suggested that the Board take a vote on the Journeyman (Class B) applicant and then they could discuss the Pump Installer applicant.

**A motion to approve the Journeyman (Class B) applicant for licensure was made by G. Poppe. This motion was seconded by D. Lyman and approved unanimously.**

A. Becker said that the Pump Installer applicant, Mr. Bruno Carchedi, was unable to provide five instances of work he performed in his application. He provided a letter with his application in which he explained that the company he used to work for is no longer in business. Since the company is out of business, he was unable to obtain addresses where work that he performed was conducted.

A. Becker asked the Department for specifics of Mr. Carchedi's employment history. S. Reya explained that Mr. Carchedi worked for T. Webber Plumbing and Heating between 2016 and 2019. S. Reya explained that while Mr. Carchedi currently works in New Jersey, he obtained his experience out-of-state, according to the application.

S. Reya explained that the Department made changes to the license applications back in October 2022. The biggest change was to create a separate license application for pump installers. Prior to creating a separate application, pump installer applicants were never required to submit proof of five jobs which they worked on. D. Lyman asked if the Board has ever approved an applicant without a paper trail since well permits are not required for pump work. S. Reya noted that applicants have been approved in the past if their references are good or if they provide tax information to validate where they worked.

The Board discussed Mr. Carchedi's experience and certifications. G. Craig explained that Mr. Carchedi met the requirements and should be approved for licensure.

**A motion to approve Mr. Bruno Carchedi for a pump installer license was made by G. Craig. This motion was seconded by D. Lyman and approved unanimously.**

License Type	Applicant Name	Employer
Pump Installer	Bruno Carchedi	Russo Bros & Co Plumbing
Journeyman (Class B)	Donald Garrison	H.H. Garrison & Sons Inc.

#### *Discussion of NJ Licensed Well Drillers Residing Within New Jersey*

M. Ortega provided a brief update on the status of license renewals for all well drillers and pump installers. He noted that 652 well drillers and pump installers have renewed their licenses as of July 18, 2023. He added that there are still 19 open bills for eligible license who have not paid for their renewals. Some late renewal bills were sent out at the beginning of July and the rest will be sent out in the following days.

M. Ortega said that during the June meeting, A. Becker had asked him to report to the Board the number of New Jersey licensed well drillers who reside in New Jersey. M. Ortega said that out of the

652 New Jersey licensed well drillers and pump installers, 502 hold well drilling licenses. Of the 502 individuals who hold well drilling licenses, 386 reside in New Jersey, 62 reside in Pennsylvania, and 17 reside in New York.

M. Ortega explained that there were 171 well drillers who recently saw their licenses expire. M. Ortega investigated the number of the well drillers with recently expired licenses to see how many of them were active during the 2020-2023 licensing cycle. He reported that 69 of these individuals resided in New Jersey, but only 24 had submitted a well record or well decommissioning report during the 2020-2023 licensing cycle. Additionally, 18 resided in Pennsylvania, but only four were active during the 2020-2023 licensing cycle. 10 resided in New York, but only two were active during the 2020-2023 licensing cycle. A. Becker thanked M. Ortega for the information.

A. Becker expressed his concerns about the lack of labor in the industry. He noted that the 386 drillers in New Jersey is even less when you consider that not all of them are actively drilling. A. Becker and G. Poppe noted that it is very difficult to hire individuals who are currently New Jersey licensed well drillers.

M. Ortega discussed the Board's history of denying courses geared towards hiring and empowering the future generations. He recommended that the Board start to consider these courses if they feel like the industry is being heavily impacted by not being able to maintain and grow their staff. The Board discussed other factors, which included municipal water systems serving large portions of the state and local ordinances which restrict the use of irrigation wells. A. Becker added that it is not just New Jersey that is experiencing these issues.

#### **4. Mike Faria Follow Up to Waiver Request-**

A. Becker provided some background information on the topic. He reminded the Board that Mr. Mike Faria had requested a waiver from the continuing education requirements during the June 2023 meeting. The Board reviewed Mr. Faria's letter and ultimately denied his request. Mr. Faria requested to speak to the Board regarding the denial of his request. A. Becker welcomed Mr. Faria to the meeting and opened the discussion.

Mr. Faria thanked the Board for allowing him time to speak. Mr. Faria said that he is looking for relief from the continuing education requirements due to some medical issues that he experienced. He noted that he returned to work in February 2023. He also said that he can earn all his points before the year is over but is looking for relief from paying the \$500 late continuing education point (CEP) fee.

Mr. Faria said that he has been out of the environmental drilling industry since 2016. He explained that being out of the industry has kept him out of the loop. Due to his medical issues, he is still suffering financially, and would not be able to pay the \$500 CEP late fee, he added.

A. Becker said that the Board sympathizes with him but explained that the Board has a limited purview. A. Becker and the Board agreed that Mr. Faria still had time to earn all his points before his license becomes invalid on December 31, 2023. The Board also explained that many well drillers and pump installers earned all their points between February and March, right before the deadline ended. A. Becker noted that the Board does not have the authority to waive the CEP late fee.

Mr. Faria asked what the Board can provide for medical relief. He explained that he lost a lot of time due to his medical issues. A. Becker explained that there were several licensees who started and met the requirements during the last week of the cycle. Mr. Faria explained that this is subjective and that his circumstances are different than others.

E. Hoffmann suggested that Mr. Faria reach out to some drilling companies to see if they would be willing to cover the fees and training needed for his license. E. Hoffmann referenced M. Ortega's discussion earlier and cited a need for licensed individuals who reside in the state. Mr. Faria stated that he is currently employed and works in the foundation drilling industry. A. Becker suggested to Mr. Faria that he earns his CEPs, and the Board would discuss again at a later date, if needed. The Board thanked Mr. Faria for joining the call.

After Mr. Faria departed the call, there was a brief discussion about whether the Board needed to enter an executive session to discuss further. The Board decided that it was not necessary to enter executive session.

D. Lyman asked about the criteria for a medical exemption. S. Reya explained the language in the Well Construction and Maintenance; Sealing of Abandoned Wells rule, N.J.A.C. 7:9D. He added that there is no provision for the Department or the Board to waive the \$500 late CEP fee. The only allowance to licensees is additional time to meet the requirements, in conjunction with the late fees.

A. Becker asked if anyone changed their stance after hearing Mr. Faria speak. G. Poppe said that his opinion did not change. E. Hoffmann brought up how continuing education is especially important for Mr. Faria because he is no longer in the industry.

A. Becker asked DAG J. Denyes if a new motion was needed. J. Denyes said that if the Board has not changed their decision, then a new motion is not needed. A. Becker asked S. Reya to draft a letter to Mr. Faria regarding the Board's decision on behalf of the Board. J. Myers asked if there was any way a late fee could be waived. J. Denyes said that she is unsure of any mechanism that allows for that if it is not included in the rule.

## **5. Review of Continuing Education Courses-**

A. Becker said that the Department determined that the course application submitted by the South Atlantic Well Drillers for the 2023 South Atlantic Jubilee was administratively complete. A. Becker asked if any discussion was needed for the courses within the seminar. R. Dalton said that he had questions on about 75 percent of the course offerings. A. Becker said that there were about six courses that he felt additional discussion was needed.

The Board discussed each class individually and made motions on each course. Below is a list of their motions.

**A motion to approve, Drilling Basics- The Breakdowns you Want to Know, for one technical CEP was made by G. Poppe. This motion was seconded by G. Craig and approved unanimously.**

**A motion to approve, Protecting Your Fleet- An In-Depth Presentation of the Importance of Compliance in the Commercial Vehicle Industry, for two safety CEPs was made by G. Craig. This motion was seconded by G. Poppe and approved unanimously.**

**A motion to approve, Diversifying Your Business into Industrial Drilling Driven by Government Funds Geothermal/Cathodic, for one technical CEP was made by G. Poppe. This motion was seconded by G. Craig and approved by all except for R. Dalton who was opposed.**

A motion to approve, Optimize Irrigation Jobs: Tips and Expert Insights for Selecting the Best Pumping Solution for the Application, for one technical CEP was made by G. Poppe. This motion was seconded by D. Lyman and approved unanimously.

A motion to approved, Geothermal Roundtable on Entering the Industry and Tax Incentives lasting until 2031, for one technical CEP was made by D. Lyman. This motion was seconded by G. Craig and approved unanimously.

A motion to approve, Pump Install Review, for one technical CEP was made by R. Dalton. This motion was seconded by E. Hoffmann and approved unanimously.

A motion to approve, Damage Prevention and Pipeline Safety, for one safety CEP was made by R. Dalton. This motion was seconded by G. Poppe and approved unanimously.

A motion to approve, Equipment Finance: An Essential Part of Your Next Investment and What You Need to Know About It, for one technical CEP was made by G. Poppe. This motion was seconded by D. Lyman and was approved by all except for R. Dalton, S. Domber, and E. Hoffmann.

A motion to approve, Get Ready for What's Next: Trends in Variable Frequency Drives (VFD) for Water Systems, for one technical CEP was made by G. Poppe. This motion was seconded by D. Lyman and approved unanimously.

A motion to approve, Well Rehabilitation Made Easy with a TDS/TEMP/CAMERA, for one technical CEP was made by D. Lyman. This motion was seconded by G. Craig and approved unanimously.

A motion to deny, HR Basics for Small to Medium Size Companies, was made by S. Domber. This motion was seconded by E. Hoffmann and approved unanimously.

A motion to approve, Cement: What we Don't Know About the New Type 1L, for one technical CEP was made by G. Poppe. This motion was seconded by G. Craig and approved unanimously.

A motion to approve, Troubleshooting Hammers, for one technical CEP was made by G. Craig. This motion was seconded by D. Lyman and approved unanimously.

A motion to deny, Maximize Your Online Presence: Leveraging Ratings, Comments, and Social Media for Business Success, was made by R. Dalton. This motion was seconded by G. Craig and approved unanimously.

A motion to approve, VFD's: Did You Know, for one technical CEP was made by D. Lyman. This motion was seconded by G. Craig and approved unanimously.

A motion to approve, Well Fouling Indicators: Observations and Case Studies from the Lab, for one technical CEP was made by G. Craig. This motion was seconded by G. Poppe and approved unanimously.

A motion to deny, World of Wells Chapter 4, was made by G. Craig. This motion was seconded by S. Domber and approved unanimously.

A motion to approve, **Solar Pumping Technology and Applications**, for one technical CEP was made by G. Poppe. This motion was seconded by D. Lyman and approved unanimously.

A motion to approve, **Arsenic Treatment - Understanding Arsenic Treatment for Private Wells**, for one technical CEP was made by G. Craig. This motion was seconded by D. Lyman and approved unanimously.

A motion to deny, **State of the US Water Well Industry/Water Well Trust Update**, was made by G. Craig. This motion was seconded by R. Dalton and approved unanimously.

A motion to approve, **Drinking Water Emerging Contaminants and What to Know**, for one technical CEP was made by G. Poppe. This motion was seconded by D. Lyman and approved unanimously.

A motion to approve, **Evaluating Filter Pack Options and Impacts on Well Longevity**, for one technical CEP was made by G. Poppe. This motion was seconded by S. Domber and approved unanimously.

A motion to approve, **Contract Basics for the Water Well Industry**, for one technical CEP was made by G. Poppe. This motion was seconded by G. Craig and approved by all except for S. Domber and E. Hoffmann.

A motion to deny, **2023 Who Wants to be a Millionaire Driller**, was made by G. Craig. This motion was seconded by R. Dalton and approved unanimously.

Below is a list of approved courses for the 2023 South Atlantic Jubilee:

<b>Course Name</b>	<b>CEPs</b>
Drilling Basics - The Breakdowns you WANT to Know	1 Technical
Protecting Your Fleet - An In-Depth Presentation of the Importance of Compliance in the Commercial Vehicle Industry	2 Safety
Diversifying Your Business into Industrial Drilling Driven by Government Funds Geothermal/Cathodic	1 Technical
Optimize Irrigation Jobs: Tips and Expert Insights for Selecting the Best Pumping Solution for the Application	1 Technical
Geothermal Roundtable on Entering the Industry and Tax Incentives lasting until 2031	1 Technical
Pump Install Review	1 Technical
Damage Prevention and Pipeline Safety	1 Safety
Equipment Finance: An Essential Part of Your Next Investment and What You Need to Know About It	1 Technical
Get Ready for What's Next: Trends in Variable Frequency Drives (VFD) for Water Systems	1 Technical
Well Rehabilitation Made Easy with a TDS/TEMP/CAMERA	1 Technical
Cement: What we Don't Know About the New Type 1L	1 Technical
Troubleshooting Hammers	1 Technical
VFD's: Did You Know?	1 Technical
Well Fouling Indicators: Observations and Case Studies from the Lab	1 Technical

Solar Pumping Technology and Applications	1 Technical
Arsenic Treatment - Understanding Arsenic Treatment for Private Wells	1 Technical
Drinking Water Emerging Contaminants and What to Know	1 Technical
Evaluating Filter Pack Options and Impacts on Well Longevity	1 Technical
Contract Basics for the Water Well Industry	1 Technical

Below is a list of courses which were not recommended for approval for the 2023 South Atlantic Jubilee:

Course Name
HR Basics for Small to Medium Size Companies
Maximize Your Online Presence: Leveraging Ratings, Comments, and Social Media for Business Success
World of Wells Chapter 4
State of the US Water Well Industry/Water Well Trust Update
2023 Who Wants to be a Millionaire Driller

**6. Complaint Referral from the Ocean County Department of Consumer Affairs-**

A. Becker introduced the topic by reading a complaint sent to the Board by the Ocean County Department of Consumer Affairs. After reading the letter, he expressed to the Board that he does not think that they can take any action because the issues are business-related. D. Lyman agreed with A. Becker's assessment of the complaint.

R. Dalton brought up that the complaint mentioned that there was debris in the water. He suggested that the well was screened improperly. A. Becker said that there is not enough information to determine if there was improper well construction. There was additional conversation about the iron staining discussed in the complaint, but the Board members pointed out that a well driller cannot guarantee the water quality.

R. Dalton asked if the company listed in the complaint has had issues in the past. G. Poppe said that the company has had issues, but this appears to be unrelated since it's business-related.

A. Becker noted that the situation is unfortunate. He summarized by noting that the water quality is not the fault of the well driller and that there are no regulatory issues described in the letter. Therefore, A. Becker added, the complaint is outside of the purview of the Board. A. Becker asked how the Department has responded to these complaints in the past. S. Reya said that the Department has a template letter that they can use to send to the Ocean County Department of Community Affairs.

**7. Enforcement Update/List of Frequent Violators/Unresolved Issues – Requested by the Board During the May Meeting-**

S. Reya expressed to the Board that the Department has taken their concerns regarding enforcement very seriously. During the May meeting, the Board had requested a Notice of Non-Compliance (NONC) list from the Department. S. Reya explained that M. Ortega created a spreadsheet which shows the number of all NONCs issued between March 2018 through July 2023. He created another spreadsheet which shows NONCs which are unresolved. Unresolved NONCs are a combination of

the violator not responding, the Department not following up, pending action with Water Compliance and Enforcement, or pending with the Department's Office of Dispute Resolution. S. Reya said that this was a good exercise for Wel Permitting.

S. Reya explained the second report, which was developed by M. Schumacher. M. Schumacher's report identifies companies who have outstanding well record submittals. S. Reya complimented S. Vargo for helping to track everything and for his work on outgoing referrals.

A. Becker asked if companies with a lot of outstanding well records will be receiving fines. S. Reya explained that the Department will send out letters to the companies first and give them an opportunity to comply.

## **8. Board Business-**

S. Reya informed the Board that he would send them their mandatory ethics training soon. He explained that there are two types of ethics training, but they only need to take the short version this year. S. Reya said that he will send the link to the Board members after the meeting. He added that the Board members who are employed by the Department do not have to take the training if they have already done so.

S. Reya reminded the Board members that their terms expire in February 2024. He asked the Board members to take the next two weeks to think about whether they intend to stay on the Board for another term. A. Becker asked the Board to email S. Reya if they do not plan on staying on the Board for another term.

## **9. Program Updates-**

### *Well Permitting Staffing Update*

S. Reya reintroduced Reena Dave to the Board. He said that she will be reporting to Michael Schumacher in the Well Permitting Unit. M. Schumacher was recently selected to replace Ms. Lynn Stout as the Well Permitting Unit's supervisor. S. Reya said that the Department still needs to fill the vacant Environmental Specialist 4 and Section Chief positions. Additionally, the Bureau Chief position, vacated by T. Pilawski, also needs to be filled. S. Reya reminded the Board that J. Myers is acting in the role of Bureau Chief, until the position is officially filled. J. Myers informed the Board that she has filled in for T. Pilawski before and she has already been added to new well permits.

### *NJ Master Plumber/Well Driller and Pump Installer Jurisdiction*

S. Reya told the Board that him and M. Schumacher were recently contacted by the Department of Community Affairs (DCA). He said that the DCA received a letter questioning jurisdictional issues between master plumbers licensed by DCA and well drillers/pump installers licensed by DEP. Additionally, the implication of where a shut off valve can be placed in relation to water treatment components were raised.

S. Reya and M. Schumacher met with the DCA representative on July 6<sup>th</sup>. On July 11<sup>th</sup>, S. Reya and M. Schumacher attended a meeting of the State Board of Examiners of Master Plumbers meeting. S. Reya cited DCA Bulletin 88-10, which established the licensing jurisdiction of private on-site water supply systems and stipulates that the main water supply valve is the point of separation between the two licensed groups. During the meeting, the longstanding jurisdictional issues that code officials and health officers encounter regularly and lack of consistent interpretation of DCA rules and N.J.A.C. 7:9D were discussed. A motion was passed, which requested that DCA staff work with their DEP counterparts to attempt to resolve this situation. S. Reya noted that this could potentially result in

future rule revisions and asked for volunteers from the Board to form a subcommittee to discuss in the future to assist with technical questions related to well systems. G. Poppe and D. Lyman volunteered. A. Becker thanked them.

**10. Adjournment-**

S. Reya said that the next Board meeting will be held on Thursday, August 17, 2023. A. Becker thanked everyone for attending.

**A motion to adjourn the meeting was made at 11:36 am by G. Poppe. This motion was seconded by E. Hoffmann 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 Meeting Minutes for August 17, 2023

*Approved by the Board on September 21, 2023*

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

**Board Members Absent:** Eric Hoffmann

**Board Legal Representative Present:** Deputy Attorney General (DAG) Kevin DeCristofer, NJ Division of Law

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

**Other NJDEP Staff Present:** Donald Hirsch, Northern Water Compliance and Enforcement

**Members of the Public:** Brian McGuire, MB Drilling; Dermot Dillon, Summit Drilling/New Jersey Ground Water Association (NJGWA)

#### 1. Call to Order and Introductions-

The meeting was called to order at 9:32 am with a quorum present via Microsoft Teams and telephone. Notice of the meeting and instructions on how to participate by video or phone were listed on the Board's website.

#### 2. Review and Certification of the July 20, 2023, Meeting Minutes-

A. Becker asked if anyone had any comments on the July 20<sup>th</sup> draft minutes. No discussion was needed.

**A motion to approve the draft minutes from July 20, 2023, as written, was made by G. Poppe, seconded by D. Lyman, and approved unanimously.**

### 3. Review and Certification of License Applications-

A. Becker said that there are four license applications for review: one Master well driller, one Journeyman (Class B) well driller, and two Environmental Resource and Geotechnical (ERG) well drillers. A. Becker noted that the Master well driller applicant and the Journeyman (Class B) applicant were upgrading their licenses.

R. Dalton asked why a person would upgrade from a Pump Installer license to a Journeyman (Class B) license. S. Reya explained the difference between a Journeyman license and a Journeyman (Class B) license. No further discussion was needed about the license applicants.

**A motion to approve the four license applicants for licensure was made by R. Dalton. This motion was seconded by G. Craig and approved unanimously. The approved license applicants are listed on the following table:**

License Type	Applicant Name	Employer
Master	Luke Dvorak	A.C. Schultes
Journeyman (Class B)	Adam Primost	Pickwick Well Drilling
ERG	Michael D. Clark	Redox Tech LLC
ERG	Michael J. Kondas	Environmental Probing Investigations

### 4. Review of Continuing Education Courses-

#### *National Drilling Association (NDA)*

A. Becker said that NDA requested five points for their upcoming convention. S. Reya noted that the convention will take place on September 14<sup>th</sup> in Kentucky. A. Becker indicated that at least one continuing education point (CEP) should be in the safety category. R. Dalton said that he believed that two courses were not relevant to the industry. The Board discussed R. Dalton's concerns but the other members believed that these courses were relevant.

**A motion to approve the NDA 2023 Convention for four technical CEPs and one safety CEP was made by J. Yost. This motion was seconded by G. Craig and approved by all except for R. Dalton, who was opposed to the number of CEPs granted.**

#### *NJGWA*

A. Becker said that NJGWA is requesting two CEPs for their upcoming September membership meeting. One CEP would be for the meeting and then another CEP would be for the Stop the Bleed presentation. R. Dalton indicated that he believed that the meeting should only count for half of a CEP instead of one. No additional discussion was needed.

**A motion to approve the NJGWA September 2023 Membership Meeting with Stop the Bleed Presentation for one technical CEP and one safety CEP was made by D. Lyman. This motion was seconded by G. Poppe and approved by all except for R. Dalton.**

#### *Florida Ground Water Association (FGWA) – Mr. Stefan Burns*

A. Becker introduced the topic. Mr. Stefan Burns, a licensed New Jersey Journeyman well driller, attended the 2023 FGWA Convention and requested 10 CEPs for attending the seminar. A. Becker asked if there was any discussion needed for the convention. R. Dalton said that there were three

courses that he would not recommend approving. S. Domber asked for the Board to go through the classes individually.

The Board voted on each class that Mr. Burns took:

**A motion to not approve the FGWA Annual Business Meeting was made by J. Hoffman. This motion was seconded by J. Yost and approved unanimously.**

**A motion to approve the Friday Trade Show Hall for two technical CEPs was made by G. Craig. This motion was seconded by G. Poppe and approved by all except for R. Dalton and S. Domber.**

**A motion to approve Mixing Drilling Fluids and Pumpable Grouts for one technical CEP was made by R. Dalton. This motion was seconded by D. Lyman and approved unanimously.**

**A motion to not approve Water Management District Panel Presentation was made by R. Dalton. This motion was seconded by J. Yost and approved unanimously.**

**A motion to not approve Water Well Rules and How to Break Them was made by D. Lyman. This motion was seconded by G. Poppe and approved unanimously.**

**A motion to approve Introduction to Well Rehabilitation and Maintenance for one technical CEP was made by S. Domber. This motion was seconded by G. Poppe and approved unanimously.**

**A motion to approve the Saturday Trade Show Hall for two technical CEPs was made by R. Dalton. This motion was seconded by J. Yost and approved by all except for S. Domber who was opposed.**

Below is a list of courses recommended for approval for Mr. Burns:

Course Name	CEPs
Trade Show Hall (Friday)	2 Technical
Mixing Drilling Fluids and Pumpable Grouts	1 Technical
Introduction to Well Rehabilitation and Maintenance	1 Technical
Trade Show Hall (Saturday)	1 Technical

Below is a list of courses which were not recommended for approval for Mr. Burns:

Course Name
FGWA Annual Business Meeting
Water Management District Panel Presentation
Water Well Rules and How to Break Them

## **5. Program Updates-**

S. Reya provided an update regarding the Board's discussion of Mr. Mike Faria's continuing education waiver request from prior meetings. He explained that following the July meeting, DAG J. Denyes further researched the rule language in N.J.A.C. 7:9D-1.9(f)4 and concluded that the

Department needs to make the final decision for waiver requests. J. Denyes informed S. Reya before the August meeting that her office is further evaluating this matter.

A. Becker briefly discussed enforcement and the structure of the Board meetings. He informed the Board that he had reach out to the Department to inquire why enforcement was not a topic on this meeting agenda. S. Reya discussed the structure of Board meetings with the Board. He noted that historically, the Board met for full meetings every other month. Two conference calls were added for the Board to verify license exam applicants. When the continuing education program was introduced, the Board expanded to meetings every month, with the off months being meant primarily to discuss licensing and continuing education.

A. Becker discussed his involvement with the Empire State Water Well Drillers Association in New York. He said that there has been discussion there regarding some confusion with the National Ground Water Association's test vendor, PSI. The Empire State Water Well Drillers Association believes that they can only schedule one test with PSI per day. A. Becker said that he has spoken with a representative with the National Ground Water Association, and they indicated to him that there was no limit to the number of tests an individual can take in a day. Mr. Brian McGuire said that in his experience, a person can only take two tests per day due to the facilities only offering two time slots for tests per day. A. Becker thanked B. McGuire for the insight.

G. Poppe departed the call at 10:10 am.

**6. Adjournment-**

S. Reya said that the next Board meeting will be held on Thursday, September 21, 2023. A. Becker thanked everyone for attending. The meeting ended at 10:13 am.



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### **New Jersey Department of Environmental Protection State Well Drillers and Pump Installers Examining and Advisory Board Meeting Minutes for September 21, 2023**

*Approved by the Board on October 19, 2023*

**Board Members Participating Via Telephone/Microsoft Teams:** Art Becker (Chairman), Gary Poppe (Vice-Chairman), Joe Yost, Gordon Craig, Dave Lyman, Eric Hoffmann, Jeff Hoffman, Richard Dalton, and Steve Domber

**Board Members Absent:** N/A

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

**NJDEP Water Supply (Bureau of Water Allocation and Well Permitting) Staff Present:** Jennifer Myers, Steve Reya, Michael Schumacher, Mark Ortega, and Steve Vargo

**Other NJDEP Staff Present:** Mitch Reicher, Northern Water Compliance and Enforcement

**Members of the Public:** Wesley Eichfeld, MB Drilling; Dermot Dillon, Summit Drilling/New Jersey Ground Water Association (NJGWA)

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

The meeting was called to order at 9:33 am with a quorum present via Microsoft Teams and telephone. Notice of the meeting and instructions on how to participate by video or phone were listed on the Board's website.

#### **2. Review and Certification of the August 17, 2023, Meeting Minutes-**

A. Becker asked if anyone had any comments on the August 17<sup>th</sup> draft minutes. No discussion was needed.

**A motion to approve the draft minutes from August 17, 2023, as written, was made by G. Poppe, seconded by S. Domber, and approved by all except for E. Hoffmann and J. Yost, who abstained because they were not present at the August meeting.**

### **3. Review and Certification of License Applications-**

A. Becker said that there are two license applications for review: one Pump Installer and one Environmental Resource and Geotechnical (ERG) well driller.

A. Becker noted that the Pump Installer applicant, Mr. Andrew Phillips, provided a letter with his application which the Board needed to review. S. Reya explained the contents of the letter to the Board. In the letter, Mr. Phillips noted that he worked for Robbins Water Service, and he was unable to obtain five jobs he worked on to verify his experience with his former employer. S. Reya added that no specific reason was given for why he was unable to obtain this information.

S. Reya added that he received an email from Robbins Water Service staff, which stated that they would be willing to provide the employment history information to the Board or Department, if asked. Given the additional details received from Robbins Water Service, the Department believes that the license application is deficient. S. Reya noted that if the employer stated that they are willing to provide work experience for the applicant, Mr. Phillips should obtain the documentation and submit a completed application, as is required for all pump installer applicants. A. Becker asked for the Board to weigh in on this topic.

**A motion to not accept the Pump Installer license application from Mr. Andrew Phillips due to lack of training information was made by J. Yost. This motion was seconded by G. Craig.**

Additional discussion took place before the motion was voted on.

R. Dalton said that he had some questions about prior exceptions made for Pump Installers. G. Craig said that Robbins Water Service is able and willing to provide the information. S. Reya noted that while Mr. Phillips provided tax information which showed that he worked for Robbins Water Service, they do not show that he did any pump work during his time with the company.

J. Hoffman asked if the Board would be willing to issue a conditional approval, contingent on what Robbins Water Service provides to the Department. M. Ortega asked for the Board not to issue a conditional approval because the references that Mr. Phillips used will likely be affected and a new application will need to be submitted.

The Board returned to the motion on the table.

**All Board members were in favor of the motion except for R. Dalton, who was opposed.**

A. Becker asked if there was any further discussion needed for the ERG well driller license applicant. No discussion was needed.

**A motion to approve the one ERG license applicant for licensure was made by G. Poppe. This motion was seconded by S. Domber and approved unanimously.**

License Type	Applicant Name	Employer
ERG	Patrick Morris	ERC Environmental

#### **4. Enforcement-**

##### *Field Activities*

S. Vargo discussed field activities between August and September. He said that he went to witness a driller construct a well in accordance with a permit condition, but the well driller had cancelled. He instead did an unannounced visit with another driller and reported that everything was in compliance.

##### *Notices of Non-Compliance (NONC) and Enforcement Referrals*

S. Vargo said that the Department sent out 13 NONCs in August. Two of them were for instances where permit conditions to install additional lengths of casing to the proposed well location infringing on the minimum required setback distances between the well and septic were not met. In one of these instances, the well driller identified the issue and explained to the Department that he was working with a builder on two properties, but accidentally referred to the permit that did not require additional casing when installing the well, thus installing less than what was required in the subject well. The well driller decommissioned the well which was not drilled in accordance with the permit conditions, obtained a new permit, and drilled a conforming well. In the other instance, the well driller is contesting the NONC. S. Vargo also discussed another driller who did not obtain authorization to seal three wells which needed prior approval.

S. Vargo said that one referral was sent to Southern Compliance and Enforcement on August 3, 2023 regarding a potentially improperly decommissioned well at a residential property. He further noted that four other referrals were previously sent to Compliance and Enforcement and are still pending. Two of these cases went to Northern Compliance and Enforcement, and still need to be assigned to a case manager. The other two are in Southern Compliance and Enforcement and have a case manager assigned to them.

#### **5. Program Updates-**

##### *Staffing*

S. Reya provided a brief update on staffing levels in the Well Permitting Section. He said that an entry-level backfill position for the vacant Section Chief will be filled soon. J. Mattle retired in May 2023 and the Section Chief promotional position has not been announced yet.

E. Hoffmann departed at 10:00 am.

##### *Bader Field Geothermal Well Project*

S. Reya informed the Board of some discussions that have occurred for a potential geothermal well field at Bader Field, in Atlantic City. The contractors are currently proposing to install up to 7,000 geothermal wells to a total depth of 700 feet. S. Reya pointed out that this depth would penetrate the confining unit above the “Atlantic City 800-foot Sands” aquifer system, which is a major source of drinking water in the region. The aquifers above the 800’ sands have known saltwater contamination. S. Reya also noted that this site, which was formerly an airport, has known, but undelineated contamination that needs to be addressed. Both of these issues are a major concern within the Department and any evaluation of the geothermal wells will entail prevention of cross contaminating the deeper confined aquifer(s).

A. Becker thanked S. Reya for the update and added that he hopes that the Department continues to take a close look at this project. A. Becker noted that he was involved in very early discussions on this project. He suggested that, if the project proceeds, a licensed International Ground Source Heat Pump Association (IGSHPA) inspector be brought on to the project, like Princeton. G. Craig said that his company did a pilot hole at this site.

J. Yost asked for more specifics on the proposed well construction. G. Craig explained how the wells would be constructed. J. Myers further discussed the Department's perspective on the project and also noted that many other Department programs are involved in the review of the proposed redevelopment of this site.

*October Meeting*

M. Ortega informed the Board that the October meeting will require the Board to review two large conferences, in addition to some smaller courses. He said that either he or S. Reya will provide the Board with the course information two weeks ahead of the meeting to give them adequate time to review everything. A. Becker thanked M. Ortega for the information.

**6. Adjournment-**

A. Becker informed the Board that he will not be present at the upcoming October Board meeting. He asked G. Poppe to lead the meeting. A. Becker asked for M. Ortega to still send him the continuing education information and he'll provide feedback ahead of the meeting. S. Reya said that the next Board meeting will be held on Thursday, October 19, 2023. A. Becker thanked everyone for attending.

**A motion to adjourn the meeting at 10:13 was made by G. Poppe. This motion was seconded by J. Hoffman and approved unanimously.**





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### New Jersey Department of Environmental Protection State Well Drillers and Pump Installers Examining and Advisory Board Meeting Minutes for October 19, 2023

*Approved by the Board on November 16, 2023*

**Board Members Participating Via Telephone/Microsoft Teams:** Art Becker (Chairman), Gary Poppe (Vice-Chairman), Joe Yost, Gordon Craig, Eric Hoffmann, and Richard Dalton

**Board Members Absent:** Dave Lyman, Jeff Hoffman, and Steve Domber

**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:** Jennifer Myers, Steve Reya, and Mark Ortega

**Other NJDEP Staff Present:** Don Hirsch, Northern Water Compliance and Enforcement

**Members of the Public:** Brian McGuire, MB Drilling; Dermot Dillon, Summit Drilling/New Jersey Ground Water Association (NJGWA)

#### 1. Call to Order and Introductions-

The meeting was called to order at 9:35 am with a quorum present via Microsoft Teams and telephone. Notice of the meeting and instructions on how to participate by video or phone were listed on the Board's website.

#### 2. Review and Certification of the September 21, 2023, Meeting Minutes-

S. Reya brought up a mistake on the second page of the draft minutes, which was pointed out by A. Becker before the meeting. While writing the draft minutes, the Department had not included the motion made to approve the Environmental Resource and Geotechnical (ERG) license for Mr. Patrick Morris. S. Reya and M. Ortega confirmed that the Board did make this motion, but it was an oversight not adding it to the draft minutes. S. Reya read to the Board the two sentences that they propose adding to the minutes. A. Becker thanked him for the explanation and asked if anyone else had any comments on the September 21<sup>st</sup> draft minutes. No one had any further comments.

**A motion to approve the draft minutes from September 21, 2023, with the noted corrections, was made by G. Poppe, seconded by J. Yost, and approved unanimously.**

**3. Review and Certification of License Applications-**

A. Becker said that there are five license applications for review: two Pump Installers, and one ERG well driller, one Journeyman well driller, and one Master well driller. A Becker asked if anyone had any comments on the license applicants. R. Dalton pointed out that many of the well driller and pump installer license applicants that have recently been approved would not have been approved for licensure under the old testing procedures. He added that the minimum passing score used to be 80 but is now 70 for most tests.

**A motion to approve the five license applicants for licensure was made by R. Dalton. This motion was seconded by G. Craig and approved unanimously.**

License Type	Applicant Name	Employer
ERG	Matthew A. Ullrich	Parratt Wolff Inc.
Pump Installer	Bryan Engerbretson	A.C. Schultes
Pump Installer	Matthew G. Cruz	King George Enterprises
Journeyman	Zachary M. Nesbitt	A.C. Schultes
Master	Thomas R. Starner II	A.C. Schultes

**4. License Inquiry Regarding On-Site Supervision of Multiple Rigs for Specialty Drilling-**

S. Reya introduced the topic by discussing the New Jersey Wind Port project in Salem County, near the Salem Nuclear Power Plant. This project, which is on an artificial island, will serve as an assembly site for turbines for an offshore wind turbine project. To support the construction of the turbines, a permit was obtained to install wick drains on this site.

S. Reya said that the contractor's plan is to install 30,967 wick drains, each wick drain will be set approximately 57 feet below ground surface. Due to the large number of wells being installed on this site, the contractor asked if they could have a deviation from the licensing requirements. Specifically, the contractor asked if the Department would allow one New Jersey licensed well driller to oversee multiple drill rigs which are spaced about a couple hundred feet apart. S. Reya read the language in the well rule to the Board. The rule specifies that one New Jersey licensed well driller of the proper class is needed for each drill rig on the site. S. Reya also noted that the reasoning for this request appears to be financial.

A. Becker asked how many drill rigs the contractor plans on utilizing at one time. S. Reya said that he believes that there will be three or four rigs running at the same time. S. Reya showed the Board a tentative plot plan for the well field to demonstrate how close together these wells would be installed. G. Craig pointed out that Princeton University needed one New Jersey licensed well driller per drill rig when they drilled thousands of geothermal wells on the campus. G. Craig added that it would set a bad precedent if a waiver from the licensing requirements were granted. G. Poppe, R. Dalton, and J. Yost all agreed.

A. Becker said that he is familiar with how wick drains are installed and explained the process to the Board members. He explained that a mandrel will be used to drive the tools into the ground. He said that in good conditions, about a dozen wick drains can be installed per hour.

A. Becker did agree that the licensing requirements should not be waived, noting that it is not in the best interest of the State or the Board to waive those requirements. J. Yost asked if these wells will be decommissioned in the future. A. Becker said that these wells dry and stabilize the soil and do not get decommissioned.

The Board discussed the potential hazards with approving a waiver for this site. The Board discussed other large upcoming projects which this may impact, including the proposed geothermal project at Bader Field in Atlantic City. E. Hoffmann suggested potentially approving the licensing waiver for this site only, noting that these wells are not grouted in place and, therefore, the construction differs from most other types of wells. J. Myers brought up safety and liability concerns for not having one licensed driller per drill rig. A. Becker asked for a motion on this topic.

**A motion to not allow one New Jersey licensed well driller to oversee multiple drill rigs was made by G. Poppe. This motion was seconded by J. Yost and approved by all except for E. Hoffmann who was opposed.**

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

A. Becker said that there were a lot of courses for the Board to review. He asked if the Board wanted to start with the shorter ones first, which they agreed to do.

##### *Goulds Water Service/Parkhurst Distributing*

A. Becker said that Mr. Tom Stephan is requesting seven technical continuing education points (CEPs) for his course, Fundamentals of Pumps and Improving Pumping Performance of Variable Frequency Drives. He asked if any discussion was needed for this course. No discussion was needed.

**A motion to approve Fundamentals of Pumps and Improving Pumping Performance of Variable Frequency Drives for seven technical CEPs was made by G. Craig. This motion was seconded by G. Poppe and approved unanimously.**

##### *New Jersey Ground Water Association (NJGWA)*

A. Becker said that NJGWA is hosting their November membership meeting with a presentation by Mr. Denis Crayon. NJGWA is requesting two CEPs for this course: one technical CEP for the meeting and one safety CEP for the Material Handling Safety presentation. M. Ortega noted in the course application spreadsheet that Material Handling Safety has been previously approved by the Board. A. Becker asked if any further discussion was needed. R. Dalton said that he disagrees with awarding the meeting one full CEP.

**A motion to approve NJGWA's November 2023 Membership Meeting with Material Handling Safety for one technical CEP and one safety CEP was made by J. Yost. This motion was seconded by G. Poppe and approved by all except for R. Dalton, who was opposed.**

##### *WorldWide Drilling Resource, Inc. (WorldWide)*

A. Becker said that WorldWide is offering eight courses, each one hour long. A. Becker asked if there was any discussion needed for any of their courses. R. Dalton said that he had questions about five of the eight courses. A. Becker recommended reviewing each course individually.

Below is a list of courses that the Board approved and denied, followed by their motions and discussions.

<b>Course Name</b>	<b>CEPs</b>
Water Well Development & Rehabilitation	1 Technical
Air Drilling	1 Technical
The Good, The Bad, The Ugly, and The Outcome of Communicating in the Workplace	1 Technical
What You do Before You Roll a Tire	1 Safety
Casing Advancement 101	1 Technical
Tips for Handling Hammer & Bit Warranties	1 Technical
Water Well Visuals: Integrating Art, Photography, Video, and Social Media for Marketing and Success	0 CEPs – Denied
Successful Business Management Requires: Effort, Determination, Passion, Courage, and Compassion	0 CEPs - Denied

**A motion to approve Water Well Development & Rehabilitation for one technical CEP was made by G. Poppe, seconded by G. Craig, and approved unanimously.**

**A motion to approve Air Drilling for one technical CEP was made by R. Dalton, seconded by J. Yost, and approved unanimously.**

**A motion to approve The Good, The Bad, The Ugly, and The Outcome of Communicating in the Workplace for one technical CEP was made by J. Yost. This motion was seconded by G. Poppe and approved by all except for R. Dalton, who was opposed.**

The Board discussed the course, What You do Before You Roll a Tire. R. Dalton explained that this course should not be approved because it is something needed to obtain your driver's license, not your drilling license. G. Craig disagreed, noting that driving safety is important to the drilling industry. A. Becker explained that driving is hazardous and thought that this course would be important.

**A motion to approve What You do Before You Roll a Tire for one safety CEP was made by E. Hoffmann. This motion was seconded by G. Craig and approved by all except for R. Dalton, who abstained.**

**A motion to approve Casing Advancement 101 for one technical CEP was made by R. Dalton, seconded by J. Yost, and approved unanimously.**

The Board discussed Tips for Handling Hammer and Bit Warranties. A. Becker said that he has taken some courses from this instructor and has found the topics to be very informative, and not just focused on the business aspects of drilling.

**A motion to approve Tips for Handling Hammer and Bit Warranties for one technical CEP was made by G. Craig, seconded by J. Yost, and approved unanimously.**

**A motion to deny Water Well Visuals: Integrating Art, Photography, Video, and Social Media for Marketing and Success was made by G. Craig. This motion was seconded by R. Dalton and approved unanimously.**

**A motion to deny Successful Business Management Requires: Effort, Determination, Passion, Courage, and Compassion was made by J. Yost. This motion was seconded by R. Dalton and approved unanimously.**

*National Ground Water Association (NGWA)*

A. Becker said that NGWA is offering 48 courses for their upcoming Groundwater Week, which will be held from December 5<sup>th</sup> through December 7<sup>th</sup>. Every course on the list is one hour in duration, except for Determination of Slot Size from Sieve Analysis Data, which is two hours in duration. Courses which are approved for Groundwater Week will also have online versions available at a later date.

A. Becker asked if the Board should vote on these courses in blocks. R. Dalton said that he had questions on five of the courses and believed one course was a sales pitch. He also noted that he believed that the last nine courses on the list, provided by the Department, applied more to environmental consultants and less to well drillers and pump installers.

Below is a list of courses that the Board approved and denied, followed by their motions and discussions.

<b>Course Name</b>	<b>CEPs</b>
Ultraviolet 101 - UV for Domestic Water Wells	1 Technical
Casing Advancement 101	1 Technical
Respirators and the Hazards of Silica	1 Safety
Select the Right Submersible Motor to Power Your Pumping System: How Different Designs Impact Operations	1 Technical
Unleashing Efficiency: Exploring the Potential of Permanent Magnet Motors in the Water Well Industry	1 Technical
Navigating the Build America, Buy America Act	1 Technical
Drilling Basics - Break Down of Basics and All the Questions You Want Answered	1 Technical
The Institutional Market and the Value It Presents to the Geothermal & Drilling Industry	1 Technical
Motors - Understanding How and Why They Fail, Testing, and Solutions	1 Technical
Motor Protection	1 Technical
Groundwater Equipment Financing	1 Technical
Loss Circulation - Facts, Treatment and Proper Development	1 Technical
Case Studies in Designing and Installing Geothermal Systems: Treasure Island Commercial Electrification and NGWA HQ	1 Technical
Understanding Meters and Meggers When Testing Submersible Motors	1 Technical
Emerging Contaminants in Drinking Water and Effective Treatment Technology Tools	1 Technical
Sonic Drilling - The Future Is Now	1 Technical
Building Blocks of Training a New Driller	1 Technical
Renewable Energy Pumping	1 Technical
Uses of Chemicals for Restoring & Maintaining Performance of Water Wells	1 Technical
Mud Testing - How Important Is It?	1 Technical
Dual Rotary Drilling in Water Wells and Geothermal Boreholes	1 Technical

Optimize Irrigation Jobs: Tips & Expert Insights for Selecting the Best Pumping Solution for the Application	1 Technical
A Bits a Bit, but Is It?	1 Technical
Safety & New Hires - Injuries That Can Impact a Business Legacy	1 Safety
Pump Panel Electrical Installation and Maintenance, Soft Starting and Stopping	1 Technical
Electrical Basics and Tips for Water Systems	1 Technical
Water Well Disinfection and Rehabilitation	1 Technical
Ever Changing and Essential Saga of Well Development in the Field	1 Technical
Best Practices for a Submersible Pump Install	1 Technical
Keep It Simple Well Rehab	1 Technical
Health & Safety Around the Well Drilling Site	1 Safety
VFD's - Did You Know?	1 Technical
Aqua-Scopic Well Rehabilitation	1 Technical
Sieve Analysis, Slot Size, and Gravel Pack Selection	1 Technical
Laboratory Evaluations of Well Fouling for Corrective Action	1 Technical
Preparing to Sell or Hand Over Your Business	1 Technical
Determination of Slot Size from Sieve Analysis Data	2 Technical
Grouting and Well Abandonment-Methods and Materials	1 Technical
Improving the Efficiency of Irrigation Pumping Systems through Pump System Optimization	1 Technical
Passing on Knowledge to the Next Generation Roundtable	1 Technical
Evaluating Aquifer Recharge for Generation Opportunities	1 Technical
PFAS in Groundwater: What's Now and What's Next	1 Technical
Introduction to Using Resistivity for Securing and Maintaining Sustainable Water Resources	1 Technical
What Geophysical Method and Why? The Right Tool for the Right Answer: Applied Geophysics for Groundwater Projects	1 Technical
Decentralized Systems and Managed Aquifer Recharge (MAR)	1 Technical
Winning Your Brand's Key Moments of Truth to Grow Your Business	0 CEPs – Denied
2023 State of the U.S. Water Well Industry Report	0 CEPs – Denied
Nuclear Magnetic Resonance (NMR) Technology for Groundwater Investigations	0 CEPs - Denied

**A motion to approve Ultraviolet 101 - UV for Domestic Water Wells, Casing Advancement 101, Select the Right Submersible Motor to Power Your Pumping System: How Different Designs Impact Operations, and Unleashing Efficiency: Exploring the Potential of Permanent Magnet Motors in the Water Well Industry for one technical CEP and Respirators and the Hazards of Silica for one safety CEP was made by G. Craig. This motion was seconded by J. Yost and approved unanimously.**

The Board discussed the course, Navigating the Build America, Buy America Act. R. Dalton said that he was unsure if this course should count for credit. J. Yost said that the Build America, Buy America Act is very important when bidding public community supply wells. R. Dalton suggested that this would only be relevant to company owners and not well drillers in the field. A. Becker said that

employees should be aware of the Act to make their contractors aware of any materials on their sites which are not made in the United States. No further discussion was needed.

**A motion to approve Navigating the Build America, Buy America Act for one technical CEP was made by J. Yost. This motion was seconded by G. Poppe and approved unanimously.**

**A motion to approve Drilling Basics - Break Down of Basics and All the Questions You Want Answered, The Institutional Market and the Value It Presents to the Geothermal & Drilling Industry, Motors - Understanding How and Why They Fail, Testing, and Solutions, Motor Protection, Groundwater Equipment Financing, and Loss Circulation - Facts, Treatment and Proper Development for one technical CEP was made by R. Dalton. This motion was seconded by G. Poppe and approved unanimously.**

The Board discussed the course, Case Studies in Designing and Installing Geothermal Systems: Treasure Island Commercial Electrification and NGWA HQ. G. Craig said that this course would be beneficial to licensees because it will expose them to geothermal wells. No further discussion was needed.

**A motion to approve Case Studies in Designing and Installing Geothermal Systems: Treasure Island Commercial Electrification and NGWA HQ for one technical CEP was made by G. Craig. This motion was seconded by G. Poppe and approved by all except for R. Dalton, who abstained.**

A. Becker asked the Board if they focus on the remaining courses which require additional discussion and then circle back to approve the remaining courses. R. Dalton listed the courses that he had questions about.

**A motion to deny Winning Your Brand's Key Moments of Truth to Grow Your Business was made by J. Yost, seconded by G. Craig, and approved unanimously.**

The Board discussed the course, Aqua-Scopic Well Rehabilitation. R. Dalton said that he thought that this course appeared to be a sales pitch which is geared toward the company's equipment. A. Becker noted that NGWA has similar standards and requirements to the Board and Department regarding sales pitches in courses. J. Yost said that he would be interested in taking this course.

**A motion to approve Aqua-Scopic Well Rehabilitation for one technical CEP was made by J. Yost. This motion was seconded by G. Poppe and approved by all except for R. Dalton, who was opposed.**

**A motion to deny 2023 State of the U.S. Water Well Industry Report was made by J. Yost, seconded by G. Poppe, and approved unanimously.**

**A motion to approve Improving the Efficiency of Irrigation Pumping Systems through Pump System Optimization for one technical CEP was made by E. Hoffmann, seconded by G. Poppe, and approved unanimously.**

**A motion to approve Passing on Knowledge to the Next Generation Roundtable for one technical CEP was made by J. Yost, seconded by G. Poppe, and approved unanimously.**

The Board discussed the course, Evaluating Aquifer Recharge for Generation Opportunities. R. Dalton said that he does not believe that this course is related to drilling.

**A motion to approve Evaluating Aquifer Recharge for Generation Opportunities for one technical CEP was made by J. Yost. This motion was seconded by G. Poppe and approved by all except for R. Dalton, who was opposed.**

The Board discussed the course, PFAS in Groundwater: What's Now and What's Next. R. Dalton said that he agrees that PFAS is important as a topic, but he thought that this course applied more towards environmental consultants and not well drillers. E. Hoffmann agreed that the course might be a bit more geared towards consultants, but he said that this course might help drillers to collect cleaner samples out in the field.

**A motion to approve PFAS in Groundwater: What's Now and What's Next for one technical CEP was made by E. Hoffmann. This motion was seconded by J. Yost and approved by all except for R. Dalton, who abstained.**

**A motion to approve Introduction to Using Resistivity for Securing and Maintaining Sustainable Water Resources for one technical CEP was made by J. Yost. This motion was seconded by G. Poppe and approved by all except for R. Dalton, who abstained.**

The Board discussed the course, Nuclear Magnetic Resonance (NMR) Technology for Groundwater Investigations. R. Dalton said that this type of technology is not widely used in New Jersey. The Board agreed with him.

**A motion to deny Nuclear Magnetic Resonance (NMR) Technology for Groundwater Investigations was made by G. Craig, seconded by R. Dalton, and approved unanimously.**

The Board discussed the course, What Geophysical Method and Why? The Right Tool for the Right Answer: Applied Geophysics for Groundwater Projects. R. Dalton explained that this course is very technical in nature and that he did not believe it would be beneficial for licensees. E. Hoffmann said that he believed that it would help well drillers learn about more technical topics to improve their knowledge.

**A motion to approve What Geophysical Method and Why? The Right Tool for the Right Answer: Applied Geophysics for Groundwater Projects for one technical CEP was made by G. Poppe. This motion was seconded by J. Yost and approved by all except for R. Dalton, who was opposed.**

**A motion to approve Decentralized Systems and Managed Aquifer Recharge (MAR) for one technical CEP was made by J. Yost. This motion was seconded by G. Poppe and approved by all except for R. Dalton and E. Hoffmann, who were opposed.**

The Board went back to review the courses that they believed did not need any further discussion. M. Ortega read the remaining course names to the Board.

**A motion to approve the remaining 24 courses was made by E. Hoffmann, seconded by J. Yost, and approved unanimously.**

All the courses were approved for one technical CEP except for Safety & New Hires – Injuries That Can Impact a Business Legacy, which was approved for one safety CEP, and Determination of Slot Size from Sieve Analysis Data, which was approved for two technical CEPs.



G. Poppe left the call at 11:00 am.

**6. New Business-**

A. Becker asked if there was any new business up for discussion. M. Ortega said that the Department will provide the Board with proposed meeting dates for 2024 during the November meeting. He added that the schedule will be the same as this year and that meetings would occur at 9:30 am on the third Thursday of every month.

S. Reya reminded the Board that the next meeting will be held on Thursday, November 16, 2023. R. Dalton added that he will not be present for the November meeting.

**7. Adjournment-**

A. Becker thanked everyone for attending the meeting. The meeting adjourned at 11:10 am.



## State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION

PHILIP D. MURPHY  
*Governor*

SHAWN M. LaTOURETTE  
*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 Meeting Minutes for November 16, 2023

*Approved by the Board on December 21, 2023*

**Board Members Participating Via Telephone/Microsoft Teams:** Art Becker (Chairman), Gary Poppe (Vice-Chairman), Joe Yost, Gordon Craig, Dave Lyman, Eric Hoffmann, Jeff Hoffman and Steve Domber

**Board Members Absent:** Richard Dalton

**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:** Steve Reya, Mark Ortega, and Steve Vargo

**Other NJDEP Staff Present:** Don Hirsch, Northern Water Compliance and Enforcement; Stephen Myers, Anthony Bevacqua, and Ryan Gergely, Climate Change, Clean Energy, & Sustainability

**Members of the Public:** Brian McGuire, MB Drilling; Dermot Dillon

#### 1. Call to Order and Introductions-

The meeting was called to order at 9:32 am with a quorum present via Microsoft Teams and telephone. Notice of the meeting and instructions on how to participate by video or phone were listed on the Board's website.

A. Becker congratulated J. Hoffman on his upcoming retirement. He added that this would be J. Hoffman's last meeting before he retires at the end of the month. A. Becker and the rest of the Board wished him a happy and healthy retirement. A. Becker then read a letter he prepared for J. Hoffman to the Board, which thanked him for his exemplary service to the Board and the State of New Jersey. J. Hoffman thanked the Board for the kind words and the work that they do for New Jersey.

**2. Review and Certification of the October 19, 2023, Meeting Minutes-**

A. Becker asked if anyone had any comments on the draft meeting minutes from October 19, 2023. No one had any comments.

**A motion to approve the draft minutes from October 19, 2023, as written, was made by G. Poppe, seconded by J. Hoffman, and approved by all except for D. Lyman and S. Domber, who abstained.**

**3. Set 2024 Board Meeting Dates-**

A. Becker read the list of proposed 2024 meeting dates to the Board:

Thursday, January 18, 2024  
Thursday, February 15, 2024  
Thursday, March 21, 2024  
Thursday, April 18, 2024  
Thursday, May 16, 2024  
Thursday, June 20, 2024

Thursday, July 18, 2024  
Thursday, August 15, 2024  
Thursday, September 19, 2024  
Thursday, October 17, 2024  
Thursday, November 21, 2024  
Thursday, December 19, 2024

The meetings are scheduled for the third Thursday of every month and will begin at 9:30 am. The January, March, May, July, September, and November meetings will contain full agendas. The February, April, June, August, October, and December meetings will contain shorter agendas for the Board to review license applications and continuing education course applications.

A. Becker opened the topic up for discussion. He added that he might be unavailable for the February and September meetings. G. Craig added that he might also be unavailable for the September meeting. None of the other Board members reported any conflicts.

The Board members agreed with the Department's proposed 2024 meeting dates. S. Domber asked S. Reya to set up calendar appointments as soon as he can.

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

A. Becker said that there are four license applications for review: one Pump Installer, two Environmental Resource and Geotechnical (ERG) Well Drillers, and one Vertical Closed Loop Geothermal (VCLG) Well Driller. It was noted that all applications for licensure were found to be administratively complete by the Department. A Becker asked if anyone had any comments on the license applicants. No discussion was needed.

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

License Type	Applicant Name	Employer
ERG	Nicholas S. Parisano	SANO Drilling Inc.
Pump Installer	James A. Chattin	Municipal Maintenance Company
ERG	Greivin F. LaPorta	Hawk Drilling, Inc.
VCLG	Nick Phelps	Midwest Geothermal

M. Ortega asked to briefly discuss continuing education before moving on to the next agenda item. He informed the Board that he received an update from the National Ground Water Association

(NGWA) regarding Groundwater Week, which the Board had reviewed during the October meeting. He explained that there were four courses which the Board approved for one technical continuing education point (CEP) each, which were erroneously reported by NGWA. NGWA clarified that these four courses are 30 minutes each and will be combined to form two 2-hour courses. M. Ortega noted the following changes:

- Select the Right Submersible Motor to Power Your Pumping System: How Different Designs Impact Operations AND Unleashing Efficiency: Exploring the Potential of Permanent Magnet Motors in the Water Well Industry will be combined to form Motor Symposium Part 1, which will be one hour in duration.
- Motors-Understanding How and Why the Fail, Testing, and Solutions AND Motor Protection will be combined to form Motor Symposium Part 2, which will be one hour in duration.

M. Ortega also reported that the name of the course, Ever Changing and Essential Saga of Well Development in the Field will be changed to Evolution of Well Development in the Field: The Ever Changing Saga. He added that the course content, duration, and instructor will remain the same for this course.

**A motion to accept the changes reported by NGWA for Groundwater Week 2023 was made by J. Yost, seconded by S. Domber, and approved unanimously.**

#### **5. Ground Source Heat Pump (GSHP) Baseline Report Presentation-**

S. Reya introduced Stephen Myers, Anthony Bevacqua, and Ryan Gergely from the Department's Bureau of Climate Change, Clean Energy, and Sustainability. S. Reya explained that they were going to present information on the New Jersey Ground Source Heat Pump (GSHP) Baseline Report. S. Myers provided the Board with some background on the Bureau of Climate Change, Clean Energy, and Sustainability, which was established in 2010. Their Bureau does a lot of work with the Board of Public Utilities and other programs within the Department.

R. Gergely proceeded to give the presentation on the New Jersey GSHP Baseline Report. To summarize, their presentation covered the following topics: the current inventory of geothermal well systems in New Jersey, the history of geothermal well systems in New Jersey, current incentives for installing geothermal well systems, and recommendations to increase usage of geothermal well systems. A. Bevacqua discussed the tasks which have been assigned to the Bureau of Climate Change, Clean Energy, and Sustainability. At the conclusion of the presentation, R. Gergely thanked the staff from the Bureau of Water Allocation and Well Permitting and the Board for their time. Staff from the Bureau of Climate Change, Clean Energy, and Sustainability asked the Board if they had any questions on the presentation.

G. Craig expressed concern that their report stated that there are more open loop geothermal systems than closed loop geothermal systems in New Jersey. He added that open loop systems are less reliable than closed loop systems and often have problems associated with the long-term operation and maintenance. He felt that the report could potentially steer potential ground source heat pump customers to open loop systems based on them believing it is more popular in the state, which could have unintended adverse impacts. R. Gergely explained that the report was summarized at the property level and not the total number of wells. R. Gergely said that they would look at the report to ensure that it did not prioritize one system over another.

S. Domber inquired if they have conducted any studies regarding lot sizes and geothermal systems. A. Bevacqua said that they are working on that currently. G. Craig noted that lot size should not be a huge constraint as geothermal wells can be drilled on very small lots with limited rig access.

A. Becker expressed concern about the drilling industry's ability to meet the expectations set forth in the Energy Master Plan. S. Myers explained that the Energy Master Plan discusses the electrification of the entire energy grid, which includes options other than geothermal well systems.

J. Yost asked if there have been any reports of groundwater quality issues in areas around geothermal well systems. J. Hoffman explained that there have been national studies on this topic and no change in groundwater quality was discovered. S. Reya and J. Hoffman discussed the monitoring wells which were constructed at Princeton University to monitor water temperature changes for their geothermal well system.

A. Becker thanked A. Bevacqua, S. Myers, and R. Gergely for their time and said that the Board will be around to offer help if needed.

## **6. Bureau Field Work and Enforcement Update/Discussion of Notice of Non-Compliance (NONC) Time Requirement-**

### *Field Work and Enforcement Update*

S. Vargo discussed field work conducted by the Well Permitting Section since the last enforcement update. He added that Well Permitting is continuing to put conditions to witness the construction of wells. Well Permitting witnessed two wells be constructed over the course of three days. Both wells were in response to conditions placed on permits to notify the Department prior to drilling. Both instances resulted in properly constructed wells. One of the two wells was double cased and installed across the road from a site with known groundwater contamination.

S. Vargo said that Well Permitting sent out five NONCs for perceived violations. He also followed up on the 13 NONCs which were sent out in August. Of the 13 that were sent out, the Department received 10 responses. All 10 responses resulted in the NONCs being rescinded.

### *Discussion of NONC Time Requirement*

S. Reya asked for the opinion of the Board and D. Hirsch regarding Well Permitting's NONC process. He explained the current process and the purpose of NONCs, for those who were unfamiliar with the process. S. Reya explained that the cover letter that is attached to the NONC currently gives the person and the company 45 days to respond in writing to the Department. S. Reya noted that the 45-day period is not currently linked to any rules or laws. He asked D. Hirsch and the Board if they believed it was reasonable to reduce the required response time from 45 days to 30 days. E. Hoffmann added that Licensed Site Remediation Professionals usually get seven days to respond to a violation. D. Hirsch added that the time can be reduced even further than 30 days in more serious situations, but ultimately it is up to the program. The Board agreed that 30 days is more than reasonable.

A. Becker asked what happens to individuals who do not respond to NONCs for long periods of time. D. Hirsch explained the additional penalties that can be imposed based on Subchapter 4 of the Well Construction and Maintenance; Sealing of Abandoned Wells rule, N.J.A.C. 7:9D.

A. Becker asked for a follow-up on the older violations that the Department had reported on a few months ago. S. Reya said that there is no current update and that Bureau staff members have not forgotten about the topic.

### *Other Topics*

J. Hoffman talked briefly about the various wind farm projects throughout New Jersey and how certain projects might involve horizontal directional drilling (HDD). He added that one was already installed on Long Beach Island and another in Island Beach State Park, but these were sealed, without the Department's knowledge, after one of the wind farm projects was abruptly cancelled. J. Hoffman expressed concerns about these HDD wells not being appropriately grouted but explained that a mitigating factor might be the shallow depth at which these HDD wells were installed. Due to the shallow depth, it is not expected to affect groundwater quality.

S. Reya talked about the Department's desire to regulate HDD in New Jersey and discussed the Science Advisory Board report. J. Hoffman said that the Department will soon start to work on a guidance document for HDD.

A. Becker asked about the wick drain project, which was discussed during the October meeting. S. Reya said that he had heard back from the consultant shortly after the October meeting, in response to the Department's letter noting that the Board evaluated the issue and reiterated that the contractor must comply with the statute and rule requiring that one licensed driller is onsite for each rig. He did note, however, that the cancellation of some offshore wind projects may impact site activities at this site and that at this time it is not clear how much of the proposed work will continue.

### **7. Program Updates-**

S. Reya informed the Board that a new Environmental Services Trainee would soon be starting in the Technical Assistance and Licensing Unit. This person will be filling the entry-level backfill left by J. Mattle.

S. Reya discussed the Well Permitting Section's involvement with the League of Municipalities conference in Atlantic City. S. Reya and M. Schumacher attended the conference on separate days and manned the Water Supply and Geoscience table with staff from the Bureau of Safe Drinking Water and the Bureau of Water Systems Engineering. S. Reya said that Well Permitting's goal was to bring greater awareness to homeowners and local/county officials in lake communities. Wells drilled in these areas often do not meet current construction standards and do not meet current setback distances and casing requirements.

### **8. New Business-**

A. Becker reminded the Board that their terms expire in February. He asked the Board members to convey to S. Reya whether they wished to serve another term as soon as possible. A. Becker asked S. Reya about ethics training for the Board. S. Reya said that there were a few stragglers from the summer who had not yet completed their required ethics training and that he would contact them separately.

### **9. Adjournment-**

A. Becker thanked everyone for attending the meeting. The next meeting will be held on Thursday, December 21. A. Becker thanked J. Hoffman and wished him a happy and healthy retirement.

**A motion to adjourn the meeting at 10:58 am was made by J. Yost. This motion was seconded by G. Poppe and approved unanimously.**



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### New Jersey Department of Environmental Protection State Well Drillers and Pump Installers Examining and Advisory Board Meeting Minutes for December 21, 2023

*Approved by the Board on January 18, 2024*

**Board Members Participating Via Telephone/Microsoft Teams:** Art Becker (Chairman), Gary Poppe (Vice-Chairman), Joe Yost, Gordon Craig, Dave Lyman, Eric Hoffmann, Steve Domber, and Richard Dalton

**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:** Kathleen Burkhard, Mark Miller, Steve Reya, Mark Ortega, Steve Vargo, Gina Fernandes

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

**Members of the Public:** Brian McGuire, MB Drilling; Dermot Dillon, Summit Drilling/New Jersey Ground Water Association (NJGWA)

#### 1. Call to Order and Introductions-

The meeting was called to order at 9:33 am with a quorum present via Microsoft Teams and telephone. Notice of the meeting and instructions on how to participate by video or phone were listed on the Board's website. A. Becker thanked everyone for attending and wished everyone a happy and healthy holiday season.

S. Domber announced some changes in the Bureau of Water Allocation and Well Permitting. First, Ms. Kathleen Burkhard is the new Bureau Chief, replacing Terry Pilawski who retired. Mark Miller is the new Environmental Specialist 4, replacing Julia Altieri. Mark Miller will supervise Well Permitting's Well Construction, Technical, Exam, and Licensing Unit. S. Domber also announced that he has replaced Jeff Hoffman as New Jersey's State Geologist. S. Reya introduced Ms. Gina Fernandes, who was hired as a new staff member in Well Permitting's Well Construction, Technical,

Exam, and Licensing Unit. The Board congratulated everyone on their promotions and welcomed G. Fernandes.

**2. Review and Certification of the November 16, 2023, Meeting Minutes-**

A. Becker asked if anyone had any comments on the draft meeting minutes from November 16, 2023. No one had any comments.

**A motion to approve the draft minutes from November 16, 2023, as written, was made by G. Poppe, seconded by J. Yost, and approved by all except for R. Dalton, who abstained.**

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

A. Becker said that there were eight license applications submitted to the Department for review, only five were administratively complete. A. Becker asked if the Board had any comments on the five Environmental Resource and Geotechnical (ERG) well driller license applicants who were deemed acceptable by the Department. No discussion was needed.

**A motion to approve the five license applicants for licensure was made by S. Domber. This motion was seconded by D. Lyman and approved unanimously.**

License Type	Applicant Name	Employer
ERG	Joshua M. Ross	Summit Drilling, LLC
ERG	Brooke A. Anderson	MB Drilling, LLC
ERG	Lyle Delmeier	Boring Brothers Inc.
ERG	Connor J. Healy	MB Drilling, LLC
ERG	Ashton T. Fisher	SANO Drilling, Inc.

**4. New Business-**

S. Reya said that the Department recently learned that the Environmental Protection Agency (EPA) is currently undergoing a risk evaluation of some chemicals, which includes vinyl chloride. Vinyl Chloride is used to manufacture polyvinyl chloride (PVC), which is a very common material for well casing and well screens. The EPA's review could potentially affect the manufacture or use of PVC in the United States in the future, including a ban on materials using PVC. The Board members noted that they had not heard of this and thanked S. Reya for bringing it to their attention.

A. Becker asked S. Reya about the upcoming term expiration for the Board members. S. Reya said that there will be one or two vacancies. Members can serve in good standing if a decision on reappointments are not made before the terms expire in February 2024. A. Becker asked S. Reya if all the Board members have completed their ethics training for 2023. S. Reya said that he believed that there were two stragglers, and he would speak with them separately. E. Hoffmann said to the Board that he likely will not be able to continue to serve on the Board, but he has a replacement in mind that he will encourage to apply for the opening when it becomes available.

A. Becker thanked everyone for their contributions.



**5. Adjournment-**

A. Becker thanked everyone for attending the meeting. The next meeting will be held on Thursday, January 18<sup>th</sup>.

**A motion to adjourn the meeting at 10:58 am was made by J. Yost. This motion was seconded by G. Poppe and approved unanimously.**