



State of New Hampshire
WATER WELL BOARD



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

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

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NH WATER WELL BOARD MINUTES

March 7, 2014

A meeting of the New Hampshire Water Well Board (“Board”) was held on March 7, 2014, in the Department of Environmental Services Building in rooms 113 & 114, 29 Hazen Drive, Concord, NH 03301.

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

Chairman Skillings brought the meeting to order at 9:36 AM.

Approval of Minutes

Upon motion by Mr. Pelletier and seconded by Mr. Smith, the Board voted to accept the Minutes of the December 18, 2013 meeting, as printed.

Complaint Request Removal

Contoocook Artesian Well Co.

The Board considered the request for removal by Contoocook Artesian Well Co. (hereinafter Contoocook Well). Mr. Schofield explained that the last complaint against Contoocook Well was received on September 9, 2010, which was over three years ago. Under RSA 482-B:18 and We 1002.04, as long as a licensee does not have a complaint within three years prior to the request for removal, the board shall remove the complaints. Mr. Smith asked if there were any exceptions to the rule whereas under certain circumstances a complaint should never be removed from the record. Mr. Schofield indicated that there are no exceptions, however the complaints are only removed from the registry, and all the complaint files are still public record under New Hampshire’s Right-to-Know law. Mr. Hunt motioned to accept Contoocook Well’s request for removal of complaints from the registry. Mr. Smith seconded the motion and the Board unanimously voted to grant the request.

Licensing

Continuing Education Committee

Mr. Guercia stated that the continuing education discussions were dependent on licensing and how it would be structured. He stated that they cannot go any further with the process until it is

determined who will be licensed and the different types of licenses. Mr. Skillings indicated that the Board will consider what has been discussed with the sub-committee and that the Board will return to the issue at a later date.

License Applicants

The Board considered an application from Brad Brock for a technical drilling license. Mr. Smith motioned to accept Mr. Brock's application and Mr. Hunt seconded the motion. The Board voted unanimously to approve the application.

Reporting

Enforcement Policy for Well Completion Reports Amended

Mr. Schofield introduced Leah McKenna, Supervisor for the Drinking Water & Groundwater Bureau (hereinafter DWGB) enforcement section. Mr. Schofield indicated that he and Ms. McKenna reviewed the existing policy for reporting of well completion reports and suggested that it should be revised since it has been twelve years since it was written. The Board approved the existing policy in 2002. Mr. Schofield indicated that the new policy will explain how the program will take actions with respect to non-reporting. Mr. Schofield indicated that this is a DWGB program; however he wanted the Board to be aware of the changes to the policy to make sure there were no objections or concerns from the Board. The Board discussed the stepped approach to disciplinary actions with respect to confirmed violations. Mr. Pelletier suggested the policy be titled a Standard Operating Procedure (SOP). Mr. Pelletier reminded the Board that the SOP does not have to be approved since it is an agency document. The Board had no objections to the SOP.

Annual Compliance Check

Mr. Schofield explained the report by indicating it showed the number of well completion reports received by licensed water well contractors per year from 2010 to 2013. The data also included a partial list of licensed contractors who filed no reports within the specified years. Contractors who maintain a license but no longer drill wells in New Hampshire were excluded from the list. Mr. Schofield explained that the data came from several sources in an effort to provide the most accurate data possible. The Board reviewed the report and made note of any contractors they felt should be checked for compliance based on data trends. The Board agreed that a courtesy letter should be sent to certain contractors asking if the well completion report data presented to the Board is accurate. Ms. McKenna indicated that enforcement would be based on the contractor response and a previous history of non-compliance. The Board agreed to review the courtesy letter before it is sent to the specified contractors.

Administrative Rules

Licensing and Rules Subcommittee Report

Mr. Schofield updated the Board by explaining the recommendations of the Water Well Board Subcommittee (the Committee) on Licensing and Rules. The Committee met three times since the last Water Well Board meeting. Mr. Schofield reported that the Committee chose to use the Maine Water Well Commission licensing program as a model for New Hampshire and outlined the framework for licensure, qualifications and examination.

The licensing structure would include a Journeyman license and a Master license for well drillers and pump installers. A business license would also be retained for water well contractor and pump installer businesses. All tradesmen would be required to hold either a Journeyman or a Master

license. Trainees/helpers would qualify for a Journeyman license after a minimum of one year experience and would need to pass a state exam. Journeyman would qualify for a Master license after a minimum of two years working as a licensed Journeyman and would need to pass a state exam. A business would be required to have a Master well driller or Master pump installer on staff to hold a business license for well construction or pump installation, respectively.

The Membership reviewed, commented and generally approved of the Committees' recommendations.

The Membership discussed how the business license would be administered and which business entities would be required to hold a business license. Mr. Hunt suggested that the Board would need to define, which type of business would need a Business license. Mr. Guercia concurred. The Membership also considered the Committees' suggestions for grandfathering and license fees.

Mr. Pelletier and Mr. Skillings indicated that they felt this information should be presented to the New Hampshire Water Well Association (the Association) to give them the opportunity to inform their members that the Board will be discussing the proposed licensing structure for all well drillers and pump installers. The Board agreed to send the Association the details of the proposed licensing structure.

New Business

Continuing Education

Mr. Schofield explained to the Board that he has electrical training scheduled at five locations throughout the state, including Lancaster, NH. The training will cover changes to the 2014 National Electrical Code. Mr. Schofield indicated that he may be able to present some topics the Board felt were important to the training schedule.

Mr. Schofield also informed the Board that Franklin Electric would be able to provide training for NH pump installers for the next licensing cycle, however Franklin Electric would like to receive a request from the Board to do the training. The Board agreed to have Mr. Schofield send a letter requesting training for the 2014 and 2015 license cycle.

Mr. Smith asked the Board if the number of required Continued Education Units (CEU) will increase. Mr. Schofield stated that the number of required hours is written in the law and therefore it would require the statute to be changed. Mr. Guercia reported that within the discussions he has had with the Board's Continuing Education Committee, the Committee felt that two hours was not enough and indicated that they will recommend the number of CEUs be increased.

Other

Mr. Schofield indicated that he had received a telephone call from a person looking for information on hydraulic "fracking" as she was given a petition to sign from a group called Food and Water Watch. Mr. Schofield stated that the caller did not know the difference between water well hydro-fracturing and gas well fracking. The Board discussed the need for a distinction between gas fracking and water well hydro-fracturing. Mr. Pelletier suggested putting a fact sheet on the New Hampshire Department of Environmental Services website that would illustrate the differences. Mr. Schofield was concerned that New Hampshire residents will sign a petition without knowing the distinction between water well hydro-fracturing and gas well fracking. The Board decided that this petition is not an issue because any fracking legislation would have to go through the New

Hampshire Legislature and the distinction would be made at that point, if necessary. Mr. Schofield agreed to return the call to provide the clarification.

Upon motion by Mr. Pelletier, and seconded by Mr. Chormann, the Board voted to adjourn the meeting.

Rene Pelletier
Water Well Board Secretary