



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

May 1, 2014

A meeting of the New Hampshire Water Well Board (“Board”) was held on May 1, 2014, in the Department of Environmental Services Building in rooms 112 & 113, 29 Hazen Drive, Concord, NH 03301.

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

Chairman Skillings brought the meeting to order at 9:37 AM.

Secretary Pelletier joined the meeting at 9:38 AM.

**Approval of Minutes**

Upon motion by Mr. Smith and seconded by Mr. Guercia, the Board voted to accept the Minutes of the March 7, 2014 meeting, as printed.

**Licensing**

**License Applicants**

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

**Reporting**

**Compliance Review**

Mr. Schofield explained his findings from the compliance review discussed at the last Board meeting. The Board sent a courtesy letter to nine water well contractors the Board felt should be checked for compliance based on previous data trends. These contractors were: Northeast Water Wells Inc., Odgen Well & Pump Co. Inc., Ferguson Well Drilling, Fowler Well Drilling, Robert Lucas & Sons Well Drilling, Gould Well Company, Faxon’s Artesian Wells & Pumps, Carr Well & Pump Services and Roth Artesian Well Company. A report on the responses received from the contractors was given to the Board members for review. The Board requested the contractors respond within 30 days. Four of the contractors responded within the specified time frame with letters addressing the issue. A fifth, Robert Lucas, sent a letter after the 30-day time frame. Mr.

Schofield read the letters to the Board. A certified letter was sent to the remaining five contractors (including Mr. Lucas) on April 22, 2014 inviting them to the Board's meeting. Two of the contractors, Bill Gould from Gould Well Company and Chuck Roth from Roth Artesian Well Company attended the meeting. Mr. Schofield mentioned that a technical drilling contractor who was not on the initial compliance review list was also sent a similar courtesy letter. T & K Drilling Inc. was sent a letter dated April 7, 2014, but has not responded as of the Board's meeting.

Mr. Gould presented himself to the Board to explain why he did not file his Well Completion Reports ("Reports"). Mr. Gould stated that he had an accident in 2012 and was recovering from surgery through July 2013. He brought three Reports from 2013 that were not submitted. The Board thanked Mr. Gould for presenting himself and submitting his Reports. The Board decided not to seek administrative fines for Mr. Gould's late Reports as this was his first offense.

Mr. Roth presented himself to the Board to explain why he did not file his Reports. Mr. Roth brought 26 Reports with him and stated that he had an additional 10 waiting to be filed for 2013. Mr. Roth explained that he had been overwhelmed with running a business. He stated he did not have someone in the office to help and that a secretary could not complete the reports. He also stated that he had some personal and health issues. The Board reminded Mr. Roth that he had a history of late reporting and that he had previously paid fines for this reason. The Board thanked Mr. Roth for presenting himself and submitting his Reports.

The Board discussed an appropriate penalty for Mr. Roth as he had a history of filing late Reports. Leah McKenna from the Drinking Water & Groundwater Bureau stated that DES can propose monetary fines up to \$2000 per violation and that Mr. Roth was fined \$100 per violation for his last fine for late reporting. Upon motion by Mr. Pelletier, and seconded by Mr. Smith, the Board voted unanimously to recommend that the NH Department of Environmental Services ("DES") consider an administrative fine of \$150 per violation. As part of the same motion, the Board voted to send a letter informing Mr. Roth that the Board will move forward with proceedings to suspend his water well contractor license for a period of 12 months if he continues to violate the reporting requirements in the future.

Mr. Richard Faxon, of Faxon's Artesian Wells & Pumps, did not attend the meeting. Mr. Schofield explained that the invitation letters were mailed out on April 22, 2014, which was just over a week before the date of the meeting, and the certified mail green card had not been received, to date. There was a general belief that Faxon's Artesian Wells & Pumps had drilled wells in 2013, however no reports have been received. The Board directed staff to follow-up on the matter.

The Board considered what actions to take for the remainder of contractors that filed late reports. Upon motion by Mr. Pelletier, and seconded by Mr. Garside, the Board voted unanimously to recommend that DES send a Letter of Past Violation to water well contractors who have sent in late Reports.

### **Administrative Rules**

#### **Licensing Rules**

Mr. Schofield updated the Board by explaining he met with the New Hampshire Water Well Association ("Association") on April 1, 2014 and gave a presentation on the proposed new licensing model. The Association decided they wanted to hold a large meeting during the day

time hours for all licensees and to invite several presenters. The Association will be sending an invitation to all licensed water well contractors and pump installers notifying them of the meeting to discuss the new proposed rules.

Mr. Schofield noted a few comments on the proposed changes that arose since the last meeting. Mr. Hunt had a concern about the requirement for 1600 hours of experience for a journeyman license. The current rules state that one year of experience shall be equal to a minimum of 1600 hours of experience per year. Mr. Hunt felt 1600 hours was more than some contractors will have in a year. The Board discussed the experience component of licensure and decided to change the definition of "Journeyman well driller" to include 1600 hours of experience as a helper or trainee within two years prior to the application. This same definition change will also apply to "Journeyman pump installer". Mr. Skillings reminded the Board that an applicant is able to ask for a waiver or exemption of the rule for exceptional circumstances.

Mr. Schofield proposed changing the requirement for (3) references as it applies to the journeyman license. The Board agreed to keep the requirement for (3) references, but amended the rule for the type of references required to include at least (1) reference from a licensed master well driller or licensed master pump installer depending on the type of license being applied for, and the remaining (2) could be character references.

The Board addressed a question about why the licensing rules were being changed. Mr. Pelletier explained that the current licensing structure provides no career path for young people in the industry. The new structure would provide the ability for new people to enter the trade, receive training, and make a career out of it. Mr. Guercia pointed out that consumers think that the people working on their well and pump are licensed and they're not. Steve Schwed, President of the NH Water Well Association presented himself to the Board. Mr. Schwed agreed that this new license structure provides a career path for people in the business.

#### Fees

Mr. Schofield reviewed the proposed license fees and estimated revenue with the Board. The Board discussed the need to raise some of the other fees, such as the application fee and exam fee. Mr. Schofield pointed out that these fees haven't changed in 30 years. The Board also considered other potential sources of revenue to make the Board self supporting.

#### New Business

##### Other

The Board reviewed a letter from Jay Levesque of Forest Pump & Filter Co., requesting that a complaint against Forest Pump & Filter Co., from 2004 be removed from the registry. Mr. Pelletier motioned to remove the complaint from the registry, and Mr. Guercia seconded the motion. The motion carried.

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

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Rene Pelletier  
Water Well Board Secretary