



The State of New Hampshire
Department of Environmental Services



Clark B. Freise, Assistant Commissioner

February 21, 2017

The Honorable Carol McGuire, Chair
House Executive Departments and Administration
Legislative Office Building, Room 306
Concord, NH 03301

RE: HB298, *An Act relative to the mechanical licensing board*

Dear Chairman McGuire and Members of the Committee:

Thank you for the opportunity to comment on HB 298. This bill proposes to make amendments to numerous aspects of the laws that govern the Mechanical Licensing Board. Included with the proposed amendments is an expansion of the definition of "plumbing" which would allow licensed plumbers to install replacement water well pumps. State law currently enables licensed plumbers to only repair water well pumps; the installation of new or replacement water well pumps must be completed by a licensed pump installer pursuant to RSA 482-B. However, current state law includes a streamlined process for qualified licensed plumbers to obtain a pump installer license, and over 100 plumbers are currently licensed to install pumps. The New Hampshire Department of Environmental Services (NHDES) opposes the aspect of HB 298 that changes the definition of "plumbing" to allow a licensed plumber to install water well pumps without a license because this change:

- 1) Reduces the protection of public safety and groundwater;
- 2) Enables plumbers who do not have the proper equipment, education or experience to fully assess the broad array of problems that may be associated with a well not producing water to represent themselves as competent contractors to work on water wells
- 3) Is technically flawed because plumbers would still not lawfully or safely be able to install water well pumps unless they obtained an electrical license or a pump installer license; and
- 4) Creates a dysfunctional regulatory scheme because the Water Well Board does not have jurisdiction over plumbers without a pump installer license, yet the Mechanical Board does not have authority or expertise to enforce the laws or rules associated with installing water well pumps.

The General Court established the New Hampshire Water Well Board over thirty years ago to protect and improve the general health and welfare of the people of the state of New Hampshire, to protect the groundwater resources of the state, to regulate the construction of water wells and the installation of well pumps, to license water well contractors and well pump installers, and to provide well records. The Water Well Board membership includes the commissioner of the NHDES, or designee; the state geologist; two active water well contractors; one active pump installer; one active technical driller and a member of the public who has demonstrated concern for and knowledge of water resources management in New Hampshire. The Water Well Board

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ensures licensed well drillers and pump installers are qualified by implementing minimum requirements for experience and education as well as demonstrating competency by passing a structured exam. Additionally, licensed pump installers must maintain compliance with continuing education requirements.

The Water Well Board is uniquely qualified to oversee the development and enforcement of all aspects of well drilling and pump installation work which includes: 1) Pump sizing and installation 2) Installing electrical wiring including grounding and bonding from the main electrical panel to the submersible pump 3) Installing down-hole well components (drop pipes, torque arrestors) 4) Installing a sanitary well cap and components that connect the well to the home (pitless adaptors, horizontal water lines) 5) Installing interior components of the pumping system (pressure tanks, switches and pump motor controls) and 6) Ensuring the well and pump system is appropriately disinfected.

Approximately 50% of New Hampshire's residents rely on a private well for their source of drinking water. There are over 250,000 private drinking water wells in New Hampshire. When a well is failing to produce water or is producing water with unsatisfactory water quality, there are many issues that could cause these problems that are not associated with the pump. Licensed pump installers have the experience and equipment to inspect all aspects of the pump system and work down-hole on wells which are often hundreds of feet deep, to troubleshoot all potential variables that can impact the function of the water supply such as water level, integrity of the casing and borehole condition.

Diagnosing and installing well pumps includes a significant amount of electrical work that clearly exceeds the scope and the authority of the licensing program for plumbers. The installation of a water well pump includes the insertion of pumps or components of pumps into water and ultimately connecting these items to the electrical and plumbing system of the home. Licensed pump installers have demonstrated they have experience, knowledge and education to safely perform all aspects of this work. The proposed amendment of the definition of "plumbing" would allow licensed plumbers to complete aspects of installing a well pump that involve plumbing, but not allow for a plumber to complete any electrical work. This situation is problematic because some of the first steps in diagnosing potential pump problems are to diagnose electrical issues such as wiring, defective motors, defective switches, and defective capacitors. All aspects of submersible pump installations, which are used in the majority of water wells, require electrical and plumbing work in tandem, and a licensed plumber cannot complete the electrical work. Pump installers also must ensure all work that occurs in the well or pump system is protective of groundwater and drinking water quality. Well seals must be properly maintained and the well and associated pumping system disinfected which requires an assessment of the pH of the water and volume of water in the well and pumping system so the appropriate amount of disinfectant is added to sanitize the water system after work has occurred. The licensing program for pump installers addresses all of these issues while the licensing program for plumbers does not.

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Thank you again for the opportunity to comment on this proposed legislation. If you have questions or need additional information, please contact Rick Schofield, Water Well Board Program Manager (Richard.Schofield@des.nh.gov or 271-1974) or Brandon Kernen (Brandon.Kernen@des.nh.gov or 271-0660).

Sincerely,



Clark B. Freise
Assistant Commissioner

