



State of New Hampshire
WATER WELL BOARD



David R. Hunt, *Water Well Contractor, Chairman*
Peter W. Caswell, C.W.D. - P.I., *Water Well Contractor*
Kelly M. Dobrowolski, *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*

Final

NH WATER WELL BOARD MINUTES

February 22, 2017

A meeting of the New Hampshire Water Well Board (“Board”) was held on February 22, 2017, in the Department of Environmental Services Building in rooms 112 & 113, 29 Hazen Drive, Concord, NH 03301.

Present were: David Hunt, Chairman
Rene Pelletier, Secretary
Board Members: Peter Caswell, Kelly Dobrowolski, Frederick Chormann, Steve Garside and Steve Guercia
NHDES Staff: Richard Schofield and Andrew Koff

Mr. Hunt brought the meeting to order at 10:12 A.M.

Approval of Minutes:

Upon motion by Mr. Guercia and seconded by Ms. Dobrowolski, the Board unanimously voted to accept the minutes of the December 22, 2016 and January 13, 2017 meeting as printed.

Licensing:

The Board considered a renewal for a pump installer’s license for Mr. Justin Benes with Lakes Region Water Company. References were not required with his application since he was previously licensed. Mr. Benes will have to retake the exam. Upon motion by Mr. Guercia and seconded by Mr. Garside, the Board unanimously voted to approve the application for well pump installer license by Mr. Benes.

Well Completion Reports:

Probation Report

The Board reviewed the probation report provided by Mr. Schofield for well completion reports received by the four licensees on probation for the period from October 1, 2016 to December 31, 2016.

Lucy Faxon submitted 51 reports via email after the January 10, 2017 deadline. Ms. Faxon’s email on February 23, 2017 indicated that she attempted to submit the reports on January 2, 2017, but the email failed to deliver. The Board reviewed the email correspondence and discussed the situation. Upon motion by Mr. Caswell and seconded by Mr. Garside, the Board unanimously voted to conduct a hearing to consider whether Lucy Faxon’s license should not be suspend or revoked.

Per the conditions of the probation, Judd Goodwin Well Company failed to submit notice that he did not drill any wells during the fourth quarter of 2016. The Board asked Mr. Schofield to contact Judd Goodwin to confirm that he did not drill any wells in New Hampshire during the fourth quarter of 2016. *Post meeting note. Following the meeting staff identified 9 well completion reports in the state database submitted by Mr. Goodwin for wells constructed during the reporting period.*

Legislation:

Mr. Hunt discussed the hearing he attended with Mr. Schofield, Brandon Kernen, and Mr. Pelletier on February 21, 2017 on House Bill 298. At the hearing, Mr. Hunt presented testimony about the proposed changes to the definition of "Plumbing." Mr. Hunt reported that the sponsor of the bill proposed an amendment to remove the proposed change in the definition of plumbing.

DES Enforcement Report:

Ms. Leah McKenna presented a report for the Board of enforcement actions initiated by DES for violations of RSA 482-B and the rules of the Board, We 100 - 1000. The report included a general overview of the violations, DES actions, and current status of specific cases handled mostly over the last two years. The Board discussed adopting rules that would require licensed water well contractors to retain copies of each well completion report for a certain time period during the next round of rulemaking.

Old Business:**Administrative Rules**

Mr. Schofield discussed the process for publishing the newly adopted rules that are effective March 1, 2017. Legislative Services will create the certified copy of the rules that includes all of the source notes. The Board will not be able to publish the new rule book until after the certified copy of the rules are complete. The rules have been posted to the DES website and are available to the public. Mr. Schofield discussed a recently drafted PowerPoint presentation about the new rules. The Board discussed the new rules and issues related to the implementing them.

The Board discussed the rule 602.25(e) about wells constructed in unconsolidated materials. There was concern about the phrase "produce a volume of clear water" since many sand and gravel wells can have color due to iron. The Board agreed to amend the language in this rule during the next round of rulemaking.

Mr. Schofield is going to send out an email notice to all licensees about the new rules and follow up with presentations. The Board discussed possible in-person meetings to educate drillers on the new rules.

New Business:

The Board discussed requiring all licensees that are either an LLC or Corporation to be required to provide proof of registration with the secretary of state's office with the license renewal application, if they are the responsible party for that company. Upon Motion by Mr. Guercia, and seconded by Mr. Caswell, the Board voted unanimously that licensed individuals for a Corporation or LLC provide a copy of that company's registration with the secretary of state with their renewal application. Mr. Schofield will amend the application form to include this change.

Mr. Chormann requested the Board provide support in regards to an Environmentalist I position that he requested as part of the next bi-annual budget. The position will perform data entry and quality control on the well completion record database. The quality of the database has declined in recent years due to a lack of resources. The Board discussed ways to advocate for the position with the legislative budget

committee. Many groups benefit from the well database and the Board would like to get those groups to help advocate for the creation of this position. The Board agreed that Mr. Schofield will draft a letter on behalf of the Board in support of funding the new position.

Mr. Schofield announced the Attorney General's annual Administrative Law Training on Friday March 31, 2017 at 98 Smokey Bear Blvd, Concord, NH. Mr. Schofield encouraged the Board members to attend.

Elections

Ms. Dobrowolski nominated Mr. Hunt for chairman, and Mr. Chormann seconded the nomination. The Board unanimously voted to elect Mr. Hunt for Chairman, and Mr. Pelletier for Secretary.

The meeting was adjourned at 12:50 P.M.

Rene Pelletier
Water Well Board Secretary