



State of New Hampshire
WATER WELL BOARD



Kelly M. Dobrowolski, *Pump Installer, Chair*
Peter W. Caswell, C.W.D. - P.I., *Water Well Contractor*
Scott Costa, C.W.D. - P.I., *Water Well Contractor*
Abigail Fopiano, P.G., *Staff*

Bart Cushing, *Technical Driller*
Rene Pelletier, P.G., *Dept. of Environmental Services*
Frederick H. Chormann, Jr., P.G., *State Geologist*
Steve Lamb, P.G., *Public Member*

Final

NH WATER WELL BOARD MINUTES

October 24, 2019

A meeting of the New Hampshire Water Well Board ("Board") was held on October 24, 2019, in the Department of Environmental Services (DES) Building in rooms 112 & 113, 29 Hazen Drive, Concord, NH 03301.

Present were: Kelly Dobrowolski, Chair
Board Members: Scott Costa, Bart Cushing, Steve Lamb, Rick Chormann, and Peter Caswell
Sarah Pillsbury (NHDES) was standing in for Rene Pelletier
DES Staff: Abigail Fopiano

Ms. Dobrowolski brought the Board meeting to order at 9:48 A.M.

Approval of Minutes

The Board reviewed the Minutes for the August 29, 2019 Board meeting. Ms. Dobrowolski noted a edit that shall be made. Mr. Cushing motioned to approve the August 29, 2019 Water Well Board Minutes. Mr. Costa seconded the motion and the Board unanimously voted to accept the August 29, 2019, Board meeting minutes with edits.

DES Enforcement Report

Ms. Emily Jones presented a report for the Board on the enforcement actions initiated by DES for violations of RSA 482-B and the rules of the Board, We 100 – 1000. The report included an overview of the violations, DES actions and the current status of the specific cases handled over the last year.

New License Applications

There were no new license applications to review. Ms. Fopiano reported that Scott Roth passed the examinations and is now a licensed industrial pump installer, dug well water well contractor, and rotary water well contractor. Scott Roth is now listed as the Qualified Individual for Roth Artesian Well Company LLC (License #20).

Probation Report

Ms. Fopiano reported that three licensees, Lucy Faxon (License #1768), Tri-State Drilling & Boring (License #1762), and Wash Well Company (License #1464) are considered in compliance with the terms of their probation. Roth Artesian Well Company (License #20) has not submitted a report since March

2019, Ms. Fopiano noted a reminder had been made to Roth Artesian Well Company in early August to submit any outstanding reports. Charles Roth, the qualified individual for Roth Artesian wells passed away in September 2019. Scott Roth, his son, was licensed in September and has been assigned the qualified individual for the company (License #20).

Ms. Fopiano reported that two new licensees were put under probation since the last Board meeting, T&K Drilling (License #1516) and GeoSearch (License #1782). Both are considered in compliance with their probation, and are required to submit information by November 4, 2019. The Board noted if a licensee does not meet the conditions of the Board's Order and Decision on their respective license, an Administrative Hearing shall be scheduled.

Old Business

Revisit Geothermal Rules

At the August 29, 2019 Board meeting, Ms. Fopiano noted that NH DES was seeking the Board's opinion of moving forward to finalize rules under RSA 485:3 related to geothermal systems. In the August discussion, the Board determined there was no need for the rules as advancements and changes in the geothermal industry has corrected issues of the past. Since that discussion, NHDES has opted to move forward with adopting rules, as there could be changes in the industry in the future and being proactive in the rulemaking would be beneficial. Mr. Cushing requested that members of the Board and the industry be involved or allowed to comment on the drafting the rules. It is anticipated that the rules previously drafted would be updated. Ms. Pillsbury noted that a meeting to discuss the rules with the Board could be a valuable and can occur.

Current Status of HB 667

The Board discussed the current status of HB667; proposed legislation relative to private well testing. There has been a legislative sub-committee in place to work through drafting an updated proposal for the bill. Ultimately, the sub-committee would like to see a drafted proposal that all parties (Water Well Association, DES, Builders Association and Realtors Association) agree to. It is anticipated that this will occur. Currently, all parties agree to a proposal that has two parts: (1) the RSA that details written components of real estate Purchase and Sales (P&S) agreements will be updated with language that highlights common contaminants in well water, the recommendation to test and treat for it; and (2) RSA 482-B for the Water Well Board will require that the licensed pump installer, at the time of the pump installation on a new well, is responsible for having a water quality analyzed and results provided to the well owner. The Board discussed the updates. Mr. Cushing requested that the language for new well sampling not include "free of sediment", but rather "free of visible sediment", as some wells may never clear of all sediment and turbidity. The Board noted that the P&S portion should include all water sources, whether a private well or public water system. Ms. Pillsbury noted that the intent is for private wells as public wells fall under separate regulations. The Board agreed the proposed language for HB667 was good.

Water Treatment Certification

Ms. Dobrowolski provided an update on discussions regarding water treatment certification/licensing with the NH Water Well Association and the Mechanical Board. At this time, the Mechanical Board intends to bring more attention to the existing voluntary water treatment certification program. Future conversations about this topic are on hold, additional updates will be provided when available. Mr. Cushing recommended that if rules are written they allude to choosing treatment and installing equipment based on manufacturers specifications rather than writing methodologies and requirements. This will allow for changes in the industry and technology within the industry to be reflected in the rules without the need for many rule changes. The Board agreed to this sentiment, however, understand there is no law (RSA) requiring rules that covering this topic at this time.

New Business

The Board discussed the certain types of work and when a pump installer of water well contractor license is required. Ms. Fopiano note a concern of unlicensed contractors chlorinating wells. The Board agreed the Water Well Board rules do not have authority over chlorinating wells – a person does not need to be licensed to chlorinate a well. The Board discussed and agreed that there are not many actively licensed dug well water well contractors to perform work on dug wells, if work needs to be performed on a dug well and a person with the specially dug well license cannot be found, another licensed water well contractor that has worked on those systems shall be deemed suitable. Finally, the board discussed companies that perform well inspections (surveys), the Board agreed that as long as they are not changing the pump system or well they do not need a license.

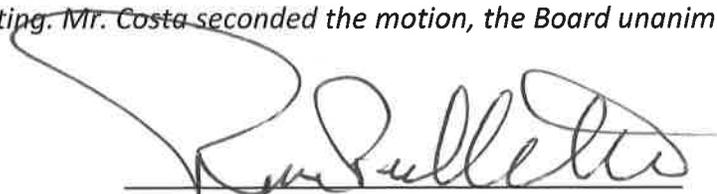
The Board reviewed an analysis of the responses to the survey sent with the 2019-2020 License renewal forms. One-hundred and seven (107) responses were received back from the over 300 licensees. Ms. Fopiano provided a synopsis of the responses.

Mr. Cushing motioned to go into a non-public meeting. Mr. Caswell seconded the motion, the Board unanimously voted to go into a non-public meeting at 11:46 P.M.

Mr. Chormann motioned to come out of a non-public meeting. Mr. Caswell seconded the motion, the Board unanimously voted to come out of a non-public meeting at 1:07 P.M.

Mr. Chormann motioned to seal the minutes of the non-public meeting. Mr. Caswell seconded the motion, the Board unanimously voted to seal the minutes of the non-public meeting.

Mr. Cushing motioned to adjourn the meeting. Mr. Costa seconded the motion, the Board unanimously voted to adjourn at 1:10 P.M.



Rene Pelletier
Water Well Board Secretary