



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

August 13, 2020

The New Hampshire Water Well Board will hold a meeting on Thursday August 13, 2020 at 9:30 a.m. Due to the State of Emergency declared by the Governor as a result of the COVID-19 pandemic and in accordance with the Governor's Emergency Order #12 pursuant to Executive Order 2020-04, the Board met electronically via GoToMeeting. There was no physical location to observe and listen contemporaneously to this meeting, which was authorized pursuant to the Governor's Emergency Order. All members of the Water Well Board had the ability to communicate contemporaneously during the meeting and the public had access to contemporaneously listen and, if necessary, participate in this meeting through a phone line or website viewing.

Present were: Kelly Dobrowolski, Chair

Board Members: Scott Costa, Bart Cushing, Peter Caswell, Steve Lamb, Rick Chormann and  
Rene Pelletier

DES Staff: Abigail Fopiano

*Ms. Dobrowolski brought the Board meeting to order at 9:33 A.M.*

### **Approval of Minutes**

The Board reviewed the Minutes for the June 11, 2020 Board meeting. Mr. Cushing motioned to approve the June 11, 2020 Water Well Board Minutes. Mr. Costa seconded the motion and the Board voted unanimously (Peter Caswell abstained) to accept the June 11, 2020, Board meeting minutes.

### **New License Applications**

One new license application was presented to the Board. Matt Beam is seeking domestic pump installers license under a new company, Matt Beam Plumbing and Heating LLC. Following review of the application, Mr. Cushing motioned to allow the applicant to sit for the exam. Mr. Costa seconded the motion. The Board voted unanimously to approve the applicant to sit for the exam(s).

The Board reviewed an application previously submitted and denied. Steve Fournier is seeking domestic and industrial pump installers license under an existing company, Hampstead Area Water Company. Mr. Fournier's application was previously denied to due inability to provide evidence of proper work experience. The Board reviewed supplemental information on work experience for Mr. Fournier and discussed the experience presented. Following review of the application, Mr. Costa motioned to allow the applicant to sit for the exam. Mr. Caswell seconded the motion. The Board

voted 4-1 to approve the applicant to sit for the exam(s). At the time of the vote, two Board members were not available.

### **Probation Report**

Ms. Fopiano reported that four licensees, Tri-State Drilling & Boring (License #1762), Wash Well Company (License #1464), T&K Drilling (License #1516), and GeoSearch (License #1782) are considered in compliance with the terms of their probation.

The probation period for Tri-State Drilling and Boring is complete on June 13, 2020. The Board agreed to send Tri-State Drilling and Boring a letter noting the probation period is complete.

The Board discussed a complaint against Bob Tupper concerning the installation of a well on a lot where the septic system approval did not allow for a well. Ms. Fopiano told the Board that in a conversation with Mr. Tupper he noted he did not review the septic plan and was unaware of the approval restriction for a well. Following Board discussion, the Board opted to send Mr. Tupper and The Wash Well Company a letter reminding him of the rules regarding abiding by septic system approvals.

### **2020-2021 License Renewal Update**

Ms. Fopiano presented a list of approximately 74 licensees who had not yet renewed their water well contractor or pump installer license. Ms. Fopiano expressed that the list was long due to providing the option to renew online or mail in form this year, and due to the COVID-19 extension of the pump installer continuing education hours. It was not known if all licensees understood the changes. The Board decided to wait to review the non-renewed licenses until the October 2020 Board meeting.

Ms. Fopiano presented NH Governor Sununu's Exhibit O to Emergency Order #29, extending the 2019-2020 pump installer 2-hour continuing education requirement to June 30, 2021. This order states that those licensees that were unable to obtain the required 2 hours of continuing education for 2019-2020 are to obtain 2 additional hours during the 2020-2021 renewal year, and therefore submit 4 hours of education as part of the 2021-2022 license renewal which is due June 30, 2021.

*Mr. Brandon Kernen, Administrator, NH DES DWGB stood in for Mr. Pelletier at 10:00 A.M.*

### **Annual Well Reporting Summary**

In the June 11, 2020 Board meeting, Ms. Fopiano presented a summary, organized by water well contractor license number, of the number of well reports submitted to DES 2019. The Board reviewed this summary and requested Ms. Fopiano prepare letters to 5 licensees who reported less well completion reports in 2019 as compared to previous years. These letters were sent out on June 17, 2020. Four of the five licensees responded to the letter. The Board agreed the four respondents were in compliance with the rules. The Board requested Ms. Fopiano reach out to the unresponsive licensees by phone and provide an update at the October Board meeting.

**DES Enforcement Report**

Ms. Emily Jones of DES presented a brief summary 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 status of correspondence in currently active cases.

**New Business****Drought Management**

Ms. Fopiano provided an update to the current drought status for NH. The NH Drought Management Team (DMT) has been meeting to discuss the drought conditions and impacts on NH. Tom O'Donovan, NH DES Water Division Director is the Chair of the DMT. Mr. O'Donovan requested Ms. Fopiano query the Board to determine how the drought has impacted the industry to date and the concept of developing a Wells Advisory, Wells Warning, Well Watch labeling system for use in public outreach during drought years. Mr. Cushing, Mr. Costa, and Mr. Caswell spoke of a number of bedrock wells that they are working on where the static water levels have dropped. Mr. Cushing noted they have deepened more wells this spring than in previous years. Mr. Caswell noted they have worked on more than half a dozen wells where the water level has dropped hundreds of feet. Ms. Dobrowolski noted that perhaps efforts to address drought impacts shall be directed to areas with known issues, rather than a broad look over the state. Ms. Fopiano noted NH DES has an online survey attempting to collect data as the drought occurs and asked the Board if this is a tool the industry may be interested in using. Ms. Dobrowolski noted to put a write-up in the Newsletter requesting the industries input on the drought. Ms. Dobrowolski noted that she has not seen a change in static water levels in the sand and gravel aquifers. Mr. Chormann noted that the Geological Survey is working to analyze historical water level data for drought years to determine any trends.

**2020-2021 Board Priorities**

The Board reviewed a list, and was requested to add to the list, of potential Board priorities over the next couple years. Ms. Dobrowolski, Mr. Cushing, Mr. Costa and Mr. Caswell all agreed that the Board shall continue to focus on collaborating with NH DES subsurface systems regulations to find clarity and consistency in the well site location rules. Ms. Dobrowolski and Mr. Costa noted that the well location on septic plan is not well thought out and creates a hardship on the owner and driller to install. Often the well is at the water's edge; the only way to install a well is to barge in a drill rig. In many cases the well location is not easily accessible, access is blocked by buildings, rock walls, it is on a steep slope, next to wetlands, etc. In some cases, the septic approved well location challenges the We 600 rules. The Board acknowledged that well is the most important part of land development.

The Board agreed a priority is to continue working to have a water treatment to water testing aspect of residential wells a part of the Water Well Board rules. It was discussed that HB667 is still in the legislature for review. However, due to COVID-19 the legislature is not currently reviewing proposed legislation. Mr. Dobrowolski noted that if there was a water treatment certification initiative, combining that into the 2025 rules update would be beneficial.

Mr. Cushing noted there should remain a focus on updating factsheets and relevant information to the public. Mr. Costa requested that there be focus on the well setback and special methods of construction requirements, specifically a way to help explain to process to homeowners and make sure all drillers are knowledgeable of the rules.

Mr. Cushing, Mr. Costa and Mr. Caswell did not agree the Board should work towards defining a state required minimum well yield, however, the guideline in place shall remain. They agreed the best course of action is for the Town's to take action through ordinances, if interested. Ms. Fopiano asked the Board if there should be focus to ensure all wells, whether drinking water, irrigation or geothermal, follow the well setback and special method of construction requirements. Mr. Costa believed they should.

#### 2020-2021 Board Membership

The Board reviewed the membership schedule, Mr. Costa and Mr. Cushing has requested to the Governor to sit for a second term. Mr. Caswell and Ms. Dobrowolski were noted to be at the end of their second term and therefore not eligible to sit on the Board, however, Mr. Caswell believe there may be confusion with the schedule and that he may only be in his first term even though he has sat for more than three years. The time prior to the first term does not count as a full term. Ms. Dobrowolski's term history is similar. Ms. Fopiano is to reach out to the Governors appointment to determine the terms for each. The Board discussed tabling the vote for the new Chair until the October meeting when the appointments were confirmed. Mr. Cushing motioned to extent the election vote until the October meeting, Mr. Caswell second the motion. The Board vote unanimously to vote for Chair in October and not the current meeting.

#### 2021 Meeting and Exam Schedule

Given that the Board membership is undetermined, the Board decide to wait to review the proposed meeting dates until the October meeting.

*Mr. Cushing motioned to adjourn the meeting. Mr. Costa seconded the motion, the Board unanimously voted to adjourn at 11:55 P.M.*



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Rene Pelletier, Water Well Board Secretary