

MAINE WATER WELL COMMISSION

Minutes of April 11, 2012 Meeting

Members Present:

Don Robbins, Chairman
Tom Weddle, MGS
Joseph Gallant, Driller
Dwight Doughty, DOT
Ike Goodwin, Driller
Ed Bowie, Driller
David Braley, DHHS

Others Present:

Jessica Bishop, Board Clerk
Paul Gauvreau, AAG

Call to Order:

The meeting was called to order at 9:07 A.M.

Approval of March 14, 2012 meeting minutes:

Dwight Doughty motions to approve the March 14, 2012 minutes as amended. Tom Weddle 2nd the motion. Commission unanimously approves. Ike Goodwin abstained from the vote as he was not at the previous meeting.

Pending Complaints:

Complaint received from: Ron Poulin

Allegation: Ferrous smell, very low pH and poor water quality.

Well Drilling Company: James Philbrick Well Drilling

Responsible Master Driller: James Philbrick

Commission Action:

Dwight Doughty motions to have the board clerk contact James Philbrick to see the status of the corrective action. Tom Weddle 2nd the motion. 5 yas, 2 nays. Passed.

Ike Goodwin motions that the Commission write to James Philbrick that his license and company license is suspended until: 1. corrective action is completed or 2, he can demonstrate to the commission that it was impractical to access the site. At which point the suspension would be lifted until 14 days after the site

is accessible. If corrective action is not completed within that time, the licenses would be suspended. Ed Bowie 2nd the motion. Passed unanimously.

Complaint received from: Anonymous

Owner is Cynthia Austin.

Allegation: Well Drilled does not meet the minimum requirement of no closer than 100 feet to the leach field.

Well Drilling Company: Affordable Well Drilling

Responsible Master Driller: James Bisson

Commission Action:

Ed Bowie makes a motion that a report is received from the inspector, David Philbrook, that summarizes the events to date. David Braley 2nd the motion. Passed unanimously.

Ed Bowie motions that Paul Gauvreau drafts a letter to the Austins' asking for permission to access the property and to receive a response within 14 days of receipt of the letter and that if access is further denied the Commission gives Paul Gauvreau the authority to get an administrative search warrant. David Braley 2nd the motion. Passed unanimously.

New Complaints:

Complaint received from: Kimberly Jordan & Barbara Hutchinson

Allegation: Paid for a well and have not been told gpm and did not have a contract. Do not have useable volume of water.

Well Drilling Company: P.L. Jones & Son

Responsible Master Driller: Wendell Jones

Commission action:

The Commission received and reviewed a written response from P.L. Jones & Son as part of the fact finding process.

Finding of Facts:

1. No written contract used.

2. There was no discussion of a guarantee of a minimum flow rate and no documentation of the risks of the well not having water
3. Complaint was filed within the two year time frame
4. There was a verbal agreement with a family member of the owner of a fixed price up to 300 feet and then a unit price after 300 feet. Then there was an agreement upon a price for hydro-fracturing. Not clear who exactly authorized the work done.

Ike Goodwin moves that the Commission approves the finding of facts. Ed Bowie 2nd the motion. Passed unanimously.

Ike Goodwin moves that there was no evidence to support any specific violation of the well driller rules. Ed Bowie 2nd the motion. Passed unanimously.

Ed Bowie motions that the matter be referred to the office of the Attorney General for their review of the situation as a violation of the Maine Unfair Trade Practices Act because there was no contract. A written contract must be used when home improvement work is over \$3,000 in cost. Tom Weddle 2nd the motion. Passed unanimously.

Specialty Well Applications:

Larry Hunter- Bowie Bros., proposed well to be no closer than 45 feet from the leach field and 15 feet from the tank on property and 63 feet from the other tank on property. Proposed well to be located no closer than 80 feet from the neighbor's leach field and 60 feet from the neighbor's tank.

Ed Bowie was present for questions only.

Ike Goodwin moves that the specialty well application from Bowie Bros. be approved with 120 feet of casing. Dwight Doughty 2nd the motion. Passed unanimously. Ed Bowie abstained from the vote.

Wilfred Deane- Rolfe's Well Drilling., Proposed well to be located no closer than 61 feet from the leach field and 31 feet from the septic tank on property and no closer than 61 feet from neighbor's leach field and 61 feet from neighbor's tank.

Ed Bowie motions to approve the specialty well application from Rolfe's Well Drilling with 90 feet of casing. David Braley 2nd the motion. Passed unanimously.

Specialty Well Applications done "in House"

None

Exams requested:

None

Examinations Passed:

None

New Business:

Maine Ground Water Association- The Specialty Well Matrix is still pending. This will make it clearer for how much casing is needed for each distance from leach fields and tanks.

Geothermal:

Well Drillers will also need to take the open loop endorsement pump installer's exam to install pumps into an open loop geothermal system.

Master Plumbers may put in a pump into an open loop geothermal system without becoming pump installers with an endorsement as Master Plumbers are exempt from having to be licenses as a Pump Installer.

Meeting Dates for 2012

January 11, 2012	July 11, 2012
February 8, 2012	August 8, 2012
March 14, 2012	September 12, 2012
April 11, 2012	October 10, 2012
May 9, 2012	November 14, 2012
June 13, 2012	December 12, 2012

Subject to change.

The next Well Drillers Meeting will be: **Wednesday, May 9, 2012 at 9:00, Key Bank, 286 Water Street, Augusta ME.**

Meeting Adjourned 12:10 P.M.