

Well Driller's Commission Meeting Minutes

Date: Wednesday, December 12, 2012

Location: 286 Water Street, 3rd Floor

Attendees: Joe Gallant, Master Driller, Stanley E. Hillock Well Co
Frank Hegarty, Master Pump Installer, Hegarty Plumbing & Heating, Inc.
Tom Weddle, Hydrogeologist, Maine Geological Survey
Donald Robbins, Certified Geologist, A.E. Hodsdon Consulting Engineers
Paul Gauvreau, Deputy Attorney General – Office of the Attorney General
David Braley, Senior Geologist, Maine CDC and Prevention
Dwight Doughty, Jr. Division Manager, Maine DOT

Invitees: Jamie Bisson, Affordable
Heather Bisson, Affordable

Absent: Ike Goodwin, Master Driller, Goodwin Well & Water Inc.

Minutes prepared by: Doris Poirier, Commission Clerk

AGENDA

1. Review and approve minutes from previous meeting
 2. Discuss old business, complaints, pending matters, responses, and SWA applications
 3. Discuss new business
 4. Public comments (if any) and other items
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PROCEEDINGS:

Donald Robbins - Meeting called to order at 9:10 a.m.

TOPIC: APPROVAL OF NOVEMBER 2012 MINUTES

DISCUSSION: Revisions of the November 2012 minutes provided to Doris.

Motion: Dwight Doughty motioned to accept the revised minutes.

2nd by: Tom Weddle

Vote: Unanimous

Action: Doris to make revisions.

Follow-up: Revised copy to be sent to Commission Members.

TOPIC: OLD BUSINESS – AFFORDABLE VS. ANOYMOUS

Donald Robbins distributed a copy of a letter sent to the Commission, dated Dec 10, 2012, written by Cynthia J. Austin, regarding her experience with Jamie Bisson of Affordable Well Drilling.

DISCUSSION: The discussion revolved around Guidelines; Violations; Points – on file for 3 years; Administrative Fair Hearing; Disposal Area vs. Disposal Field and Stone Bed vs. Stone Area.

(400.5 Setback reduction notification forms: The well driller is required to submit a complete Setback Reduction Notification Form to the Commission, on a form provided by the Commission, for all wells drilled less than 100 feet from a disposal field, or 60 feet from a septic tank, holding tank, or lift station, or 300 feet from a disposal field designed for 2,000 gpd or more. The well driller shall indicate on the form which situation(s) described in Section 400.2. resulted in the reduced setback, or indicate the date Specialty Well approval as described in Section 400.7 was granted by the Commission. The well driller will also include the setbacks achieved, a description of the construction details of the completed well, including the depth of casing seal below ground, the length of any liners and the depth of any liner seals below ground. The form, signed and dated by the property owner and well driller, shall be submitted to the

Commission no later than thirty (30) days from the completion of the well. If the Commission reviews the setback reduction notification form and finds the reduction not acceptable, the Commission may order corrective measures to be taken.)

Motion: David Braley moved to not access point(s) for 400.5

2ND By: Frank Hegarty

Vote: Unanimous

Action: No action.

Follow-up: None required.

DISCUSSION: Regarding 400.3, David Braley suggested reducing the points assigned from 5 to 3 points. (400.3 Reduction in minimum setback distances between bedrock water supply wells and disposal

fields: The well driller, after consultation with the property owner or customer, may determine that it is not practical to maintain the minimum setback distances from disposal fields as specified in Section 400.2. In these instances, the minimum setback distance for bedrock water supply wells may be reduced, depending upon the amount of casing or liner seal installed below ground level, as provided in Table 400.1 for the following reasons:

the size of the property is not sufficient to allow for the required setback; or
sufficient setbacks from other potential sources of contamination cannot be met; or
excessive slopes prohibit access; or

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the location of permanent structures would result in unreasonable impacts or damage to the structures; or
the location of lakes, ponds, streams or wetlands prohibits meeting the required setback; or
the presence of bedrock at or within three vertical feet the surface would result in unreasonable trenching requirements.

In these cases a bedrock well must be installed and the setback reductions set forth in Table 400.1, shall be used. In addition, a Setback Reduction Notification Form as described in Section 400.5 must be completed. All other reasons for reducing the setback from a bedrock well to a disposal field shall require a Specialty Well application approved by the Commission prior to drilling. In no case shall the minimum setback be reduced to less than 60 feet from disposal fields designed for less than 2,000 gpd, or 180 feet in the case of wells with sewage systems designed for 2000 gpd (gallons per day) or more, without written approval of a Specialty Well application as described in Section 400.7 by the Commission.)

Motion: Dwight Doughty motioned to waive all the points relating to 400.3

2nd By: Frank Hegarty

Vote: Unanimous

Action: No action.

Follow-up: None required.

DISCUSSION: Regarding 401.5.8 (401.5.8 "Jaswell" type seals installed on liners: When "Jaswell" type seal tips are installed on liners, they shall be water-tight and leak-free.)

Motion: Dwight Doughty motioned to access 5 points for this violation.

2nd By: David Braley

Vote: 5 votes in favor of the points / 1 no vote – Tom Weddle.

Action: David Braley recommended closing the matter – 5 points accessed for the violation with no fine imposed.

Follow-up: None required – Case closed.

TOPIC: OLD COMPLAINTS – DUPUIS VS. HILLOCK

DISCUSSION: Joe Gallant recused himself. This complaint was previously accepted by the Commission for review. At the time of the complaint, it was determined to send David Philbrook out to inspect. David Braley distributed a copy of an e-mail received by Mr. Dupuis withdrawing the complaint. The inspection was never performed.

Motion: David Braley moved to close the complaint based on the information received from the homeowner.

2ND By: Dwight Doughty

Vote: Unanimous with Joe Gallant recusing himself.

Action: In the future, Doris to e-mail complaints to David Philbrook.

Follow-up: Doris to follow-up with David Philbrook as part of the 'new' formal complaint procedure.

TOPIC: COMPLAINT PROCEDURE

DISCUSSION: The conversation revolved around developing a formal complaint procedure. A complaint form and violation form to be instituted as part of the formal complaint procedure. The Commission reviewed a draft complaint log matrix created by Doris – additional revisions to be included in the form.

Follow-up: January 2013 Commission Meeting.

TOPIC: SPECIALTY WELL APPLICATIONS (SWP) – LORD / BLEDSOE

DISCUSSION: Follow-up on the November 14, 2012 discussion regarding Lord / Bledsoe SWA.

MOTION: David Braley motioned to amend his prior November motion to include “that the driller is to install casing and/or liner and seals to just above the first fresh water fracture”.

2ND By: Dwight Doughty

Vote: Unanimous

Action: No action at this time.

Follow-up: None needed.

TOPIC: DEP’S NON-COMPLIANCE RESPONSE GUIDANCE

DISCUSSION: David Braley distributed a copy of the Department of Environmental Protection’s (DEP) non-compliance guidance for review – copy attached.

Action: Commission members to review and provide feedback at the next meeting.

Follow-up: January 2013 Commission Meeting.

TOPIC: PUBLIC COMMENTS: None

TOPIC: OTHER ITEMS

- Reminder to Commission members to contact Doris to request parking passes in advance.
- Please e-mail Doris at doris.poirier@maine.gov if you need a Travel Expense Voucher sent to you electronically.
- Best wishes to Paul Gauvreau, AAG who will be retiring at the end of December, 2012.

MEETING ADJOURNED: 11:10 a.m.