

**Well Driller's Meeting**  
**Date: Wednesday, August 10, 2016**  
**Location: MGS 17 Elkins Lane, Augusta, ME**

**Attendees:**    Commission Members:  
Dwight Doughty, Commission Chair  
Daniel Locke, Hydrogeologist, Maine Geological Survey  
David Braley, Hydrogeologist, MeCDC  
Mike Otley, Public Member  
Joe Gallant, Master Well Driller  
Ike Goodwin, Master Well Driller  
Frank Hegarty, Master Pump Installer  
Julia Kimball, Commission Clerk  
Legal Counsel, Deanna White, AAG

Guests:  
David Philbrick- Independent Inspector  
Amber Whittaker- Maine Geological Survey

**Minutes prepared by:** Julia Kimball

**PROCEEDINGS:**

Dwight Doughty - Meeting called to order at 9:09 a.m.

**TOPIC: July 2016 Meeting**

Motion: Mike motioned to approve the June minutes. Dan 2<sup>nd</sup>  
Vote: Unanimous to approve.

**TOPIC: Specialty Well Applications**

A Specialty Well application was brought before the Commission by Goodwin Well and Water Inc. for 53 Kansas Shore Road, Bridgton, ME 04009. 120 ft from onsite leach field, 100 + ft from onsite tank. No closer than 65 ft from 1<sup>st</sup> neighbor's leach field. No closer than 60 ft from 1<sup>st</sup> neighbor's tank. No closer than 80 ft from 2<sup>nd</sup> neighbor's leach. No closer than 60 ft from 2<sup>nd</sup> neighbor's tank. This Specialty Well required full Commission approval as the reason for the well location selection was not one of the reasons listed in the Rules. The location was selected to avoid known weathered bedrock.

**Motion:** David motioned to approve. Frank 2<sup>nd</sup>.  
**Vote:** Unanimous to approve. (Ike recused himself from voting due to personal involvement).

## **TOPIC: Other Business**

David provided a summary of DEP's authorities regarding open loop geothermal well return water. Joe provided the Commission members with materials from a study by ANCI and CSA. Discussions of this issue continue.

MGS has been working with a prototype for online well log card service to provide Drillers with the option of filing well log cards online instead of the traditional paper method.

Frank discussed licensing regulations with Secretary of State in regards to out of state companies receiving licenses. Frank reports paperwork must be filed with Secretary of State for out of state companies to receive a well drilling or pump installer company license. More investigation will be done into this matter.

## **TOPIC: Complaints:**

### **Tracy Sargent vs. John Perry of Clearwater Well Drilling.**

David Philbrick presented the Commission with an inspection report and video of the replacement well that Mr. Perry drilled to as corrective action to address insufficient yield in the original well. Video shows that the well is properly constructed. The report showed that the yield was measured at .035 gallons per minute. The replacement well is 25 feet from old well.

The Commission discussed the facts of this complaint. The facts to date include:

1. The Commission received a complaint from the Sargent's. The Commission accepted the complaint and requested additional information from Mr. Perry including a contract for the well. No contract was provided.
2. Mr. Perry drilled the well and a separate company installed the pump system.
3. Water tests submitted with the complaint showed the presence of E. coli bacteria. The Commission determined that the potential for a significant threat to public health existed. The Commission immediately ordered that the well be inspected.
4. Commission's independent inspector determined that the casing seal was leaking and allowing surface or near surface water to enter the well.
5. The Commission ordered corrective action to repair leaking casing seal.
6. The driller was in Florida for the winter, he hired another drilling company to install a liner and top and bottom seals in the well to isolate the leaking casing seal and prevent the entrance of surface water.
7. The Commission ordered a follow-up inspection to verify that corrective action was completed successfully.
8. Corrective action was inspected and found to be properly installed. The follow-up inspection was completed on February 2, 2016.
9. The follow-up inspection found that the well had a very low recovery rate after the surface water was excluded. Because no contract was used by the driller the Commission

invoked the authority found in the Rules to require a minimum flow rate for the well, the measured yield was determined to be insufficient.

10. The Commission received on March 9, 2016, written communication from Mr. Perry stating that he would drill a replacement well instead of attempting to improve the yield of the initial well.
11. Mr. Perry and complainant agreed to continue to work to resolve the yield issue without direct Commission involvement.
12. Mr. Perry installed replacement well.
13. Commission ordered the inspection of replacement well. The inspection demonstrated that the well was properly constructed. The well recovery rate was measured at .035 gallons per minute. Mr. Perry had stated that there was ½ gallon per minute yield. Because no contract was used the recovery rate standards for recommend yield will be use as enforceable standards. A 425 foot deep well requires a recovery rate of at least .5 gallons per minute

**Motion:** Ike motions to approve the finding of facts, David 2<sup>nd</sup>.

Vote: Unanimous to approve.

The Commission discussed and determined violations:

A violation of **401.5** "*Casing extension into bedrock: It shall be the responsibility of the Water Well Contractor to install a sufficient length of well casing into bedrock, and to affect a proper seal in order to prevent surface water and shallow ground water from transmitting gravel, sand, silt, clay, and coliform bacteria into the wellbore at the bottom of the casing or anywhere along the length of the casing. The below requirements shall not preclude the use of additional protective measures if approved by the Commission.*" was found to have been committed regarding the construction of the first well.

**Motion:** Ike motions to find violation of 401.5 for the first well. David 2<sup>nd</sup>.

Discussion- None

Vote: Unanimous to approve.

A violation was assessed based on a violation of **300.1 General:** "*All work shall be performed in accordance with State and local regulations, and shall be performed with the customer's best interest as a primary goal.*" State law requires that all home repair and improvement projects of \$3000 or more require the use of a written contract that meets minimum standards established by the Secretary of State's office.

**Motion:** Ike motions to find violation of 300.1 for lack of a use of contract. Mike 2<sup>nd</sup>.

Vote: Unanimous to approve.

**Motion:** Joe motions to choose to invoke use of 207.1 "**207.1 Contracts and complaints:** *In the absence of a written agreement, whose terms satisfactorily address water quality or water quantity, the Commission may apply any of the recommended practices established in these rules as the standard upon which to evaluate a complaint against a driller or pump installer related to the drilling of a water well or installation of a water pump.*" Ike 2<sup>nd</sup>.

Vote: Unanimous to approve.

**Motion:** David motions to find that the original well after the completion of corrective action to repair a leaking casing seal had a recovery rate determined by the Commission's inspector of .13 gallons per minute. A recovery rate of at least 1.5 gallons per minute is required for a 285 foot deep well per Table 407.1.

Ike 2<sup>nd</sup>.

Vote: Unanimous to approve.

**Motion:** David motioned that using the authority of 207.1 for the Commission to determine an enforceable minimum recovery rate when no contact is utilized that both wells combined have a recovery rate of .165 which fails to satisfy the recovery rates found in Table 407.1:

**Table 407.1**

Recommended minimum recovery rates

Well Depth (Feet)	Recovery rates (GPM)
75	5
110	4
160	3
250	2
320	1
420	1/2

Frank 2<sup>nd</sup>.

Vote: Unanimous to approve

**Motion:** Frank motions to order Mr. Perry to perform corrective action by providing a well or wells that meet or exceed the standards of Table 407.1 at no cost to the complainant and proved written confirmation to the Commission by September 9, 2016. David 2<sup>nd</sup>.

Vote: Unanimous to approved.

**Patricia Jandreau vs John Perry, Clear Water Well Drilling**

The standard letter(s) will be sent to Mr. Perry and Ms. Jandreau Towle requesting additional information regarding this complaint.

**Nancy Johnson vs Dan Woodsome, Woodsome Well Drilling**

Ms. Johnson filed a complaint against Dan Woodsome, Woodsome Well Drilling, for lack of documentation for services provided (no contract or invoice was given to Ms. Johnson). Ms. Johnson has tried many times to contact Mr. Woodsome to come back to her property and repair her holding tank which is leaking and investigate water pressure issues. Mr. Woodsome said he would come assess the situation. When Mr. Woodsome arrived to fix the issues Ms. Johnson says the mesh was torn out of the sink faucet. Since Mr. Woodsome's second visit to Ms.

Johnson he has failed to return calls and has not come back to fix said issues. The Commission will send the standard letter(s) to Mr. Woodsome and Ms. Johnson requesting additional information regarding this complaint.

12:10: David motioned to adjourn, 2<sup>nd</sup> by Mike, approved unanimously

**Next Meeting: September 14, 2016 MGS 17 Elkins Lane, Augusta, Maine 9:00 A.M.**