

Well Driller's Meeting & Fair Hearing

Date: Wednesday, January 14, 2015

Location: 286 Water Street, 3rd Floor

Attendees: Commission Members:
Dwight Doughty, Jr. Hydrogeologist, Maine DOT
Joe Gallant, Master Driller
Frank Hegarty, Master Pump Installer
Ike Goodwin, Master Driller
Daniel Locke, Hydrogeologist, Maine Geological Survey
David Braley, Sr. Geologist, MeCDC
Mike Otley, Public Member
Legal Counsel: Deanna White, AAG;
Hearings Officer, Mark Randlett, AAG
Guest: Danny Woodsome, Woodsome WDC

Minutes prepared by: Doris Labranche, Commission Clerk

PROCEEDINGS:

Dwight Doughty - Meeting called to order at 9:0 a.m.
Welcome: Mike Otley! Mike is replacing Don Robbins.

TOPIC: October & November 2014

Motion: Frank motioned to review. David Braley and Don Robbins recused themselves from the discussion.

Discussion – transcript style vs. bulleted style. Future minutes shall be brief and bulleted style.

Motion: Frank moved to approve the October & November minutes as is.

2nd by: Joe.

Vote: Unanimous to approve.

TOPIC: Exam Applications

The following individuals were approved to sit for exams:

BOURQUE, David – PI-M

BOWLEY, Bret – WD-M

TOPIC: Specialty Well Applications

Approved: Peter Oakes, Ace Well Service, Inc. / Mr. John Cusick, Homeowner

TOPIC: Other Business

Licensees who want to become 'active' after being 'in-active' (i.e. not working for several years), must still pay past year(s) licensing fees. For future discussion – licensee status types.

TOPIC: Complaints

1. Merle 'Sam' Dunham vs. Anonymous:

David Braley provided an update. No additional action required based on lack of information provided. The Commission voted to approve the following Finding of Facts:

Finding of Facts:

- Anonymous complaint stated location of system was 'obvious'.
- Mr. Dunham stated that he drilled a well in Bucksport.
- What appears to be 'obvious' is in fact a 'pad'.
- Set back distances meet or exceed set back requirements.
- No apparent violation.

2. Ace Well Service – Mr. Peter Oakes vs. Mr. Forrest Peaslee

Motion: Ike moved to accept the complaint.

2nd by: Joe.

Vote: Unanimous to accept the complaint.

Discussion: 300.3.5 relating to ethics, and 300.1 relating to no contract.

Motion: Ike moved to find a violation of 300.1 due to no written contract as required by State law.

2nd by: David.

Discussion: additional discussion; based on the 1st attempt, the driller should have addressed the issue more fully with the homeowner.

Finding of Facts:

- Verbal agreement to drill and install pump with no provision for unit prices or additional fixed price for casing or any drilling beyond certain distances.
- Ace installed pump system the day after the well was drilled.
- Obstruction occurred at 85'.
- Pump set above obstruction and hooked up.
- Homeowner had substantial problems with sediment.
- Ace returned and found pump stuck in well but was not able to remove it.
- Ace re-installed pump to a depth of 10' below liner.
- Customer continued to experience problems.
- Attempt made to pull pump out from inside liner but could not.
- Ace refused to accept any further responsibility.

Motion: Ike moved to find the above finding of facts.

2nd by: Mike.

Vote: 7-0 in favor of findings.

Chapter 3, Section 300-3-5

Motion: Joe moved to find violation

2nd by: Frank

No additional discussion.

Vote: 4-3 relating to ethical violation; Mike, David, and Ike voted against.

3. Mr. Nick Gray vs. Woodsome WDC

Motion: Frank moved to table complaint

2nd by: Ike.

Vote: 7-0 in favor to table until next meeting.

TOPIC: Fair Hearing

A Fair Hearing, regarding Danny Woodsome of Woodsome Well Drilling Co., was conducted by Mr. Mark Randlett, AAG, Office of the Attorney General.

Mr. Randlett, AAG, will provide a Decision and Order on the Fair Hearing at the next Commission meeting scheduled for Wednesday, February 11, 2015.