

# MINUTES

## MAINE WATER WELL COMMISSION

Wednesday, May 10, 2023

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Meeting – HYBRID (In-Person/Zoom)  
18 Elkins Lane, Rm 109, Harlow Bldg., Augusta, ME

### ATTENDEES:

#### Commission Members:

Dwight Doughty, (Chair)  
Hydrogeologist, DOT  
Alex Pugh,  
Hydrogeologist, DWP  
Ryan Gordon  
Hydrogeologist, MGS

Mike Otle  
Public Member  
Frank Hegarty  
Master Well Driller

Jesse Goodwin  
Master Well Driller  
Glenn Dyer  
Master Well Driller

#### Guests:

None

#### Minutes Prepared By:

Tina Lemieux, Commission Clerk, DWP

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### PROCEEDINGS: 9:16 am

#### Review of Meeting Minutes:

Motion to accept the minutes from Wednesday, April 12, 2023

❖ MOTION: Glenn Dyer      2<sup>nd</sup>: Jesse Goodwin      VOTE: Unanimous

#### Exam Applications:

1. BENJAMIN HAWES – (PI-J), (effective date, 4-20-2022) - APPROVED
2. FRANKLIN DALY – (WD-J, PI-J), (effective date, 4-20-2022) - APPROVED

Motion to approve the two exam candidates.

❖ MOTION: Frank Hegarty      2<sup>nd</sup>: Glenn Dyer      VOTE: Unanimous

#### Specialty Well Applications – Commission Review:

1. NONE

#### Specialty Well Applications – In-House Approval:

1. NONE

#### Other Business:

1. EXAMS: Tuesday, June 13, 2023 @ 10am at Key Bank Building, downtown Augusta
  - a. Eligible candidates will be notified by email

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**OPEN COMPLAINTS:**

**TUFTS - A-Z WATER SYSTEMS – complaint, rcvd 9-13-22 – OPEN (9-14-22)**

- 5-10-23, Motion made to assess violations, points, and fines. Violations letter to be sent.

\*Violations Assessed:

- **400.2.1 (1 pt.)**, Wells intended to serve Public Water Supplies, as defined in Chapter 1 of these rules, must be approved in writing by the Department of Health and Human Services prior to being drilled and shall be constructed with a setback from disposal fields or other potential sources of contamination as required by the Department of Health and Human Services, Drinking Water Program.

- **400.1.3 (1 pt.)**, The minimum setbacks provided for in this Chapter cannot be reduced for gravel wells without a specialty well application as provided for in Section 400.7 having been approved by the Commission prior to drilling.

Motion to assess violations, points of violations, and associated fines for A-Z Water Systems Inc.

- ❖ **MOTION:** Alex Pugh      **2<sup>nd</sup>:** Ryan Gordon      **VOTE:** 6 yea / 1 recused
  - Frank Hegarty - recused

**TUFTS (2) - LEVESQUE WELL DRILLING - complaint rcvd 2-21-23 – OPEN (3-8-23)**

- 5-10-23, Motion made to assess violations, points, and fines. Violations letter to be sent.

\*Violations Assessed:

- **400.2.1 (1 pt.)**, Wells intended to serve Public Water Supplies, as defined in Chapter 1 of these rules, must be approved in writing by the Department of Health and Human Services prior to being drilled and shall be constructed with a setback from disposal fields or other potential sources of contamination as required by the Department of Health and Human Services, Drinking Water Program.

- **400.1.3 (1 pt.)**, The minimum setbacks provided for in this Chapter cannot be reduced for gravel wells without a specialty well application as provided for in Section 400.7 having been approved by the Commission prior to drilling.

Motion to assess violations, points of violations, and associated fines for Affordable Well Drilling Inc.

- ❖ **MOTION:** Mike Otley      **2<sup>nd</sup>:** Glenn Dyer      **VOTE:** 6 yea / 1 recused
  - Frank Hegarty - recused

**\*\*HANSCOM WD-CARMEL WD – complaint, rcvd 11-01-21 – OPEN\*\***

- a. 5-11-22,
  - o Motion to table issues until all 4 – quarterly samples are taken. \*(2022-2023, Spring/Fall)  
*Hegarty/Locke – Unanimous*
  - o Motion to turn over alleged SWA forgery issue to Margaret Machaiek, AAG office  
*Dyer/Goodwin – Unanimous*
  - o Motion to table complaint until next meeting (6-8-22).  
*Otley/Dyer - Unanimous*
- b. 6-8-22,
  - o Water well was difficult to assess, decided to have Carmel WD take periodic samples, over the course of 1-2 years
  - o Waiting upon sampling compliance, Spring/Fall 2022, (June 20, 2022)
  - o Karl Rudnicki is appealing the MWWC decision; issue is tabled until compliance is met
- c. 9-13-22, \*Follow-up Conducted: Karl Rudnicki and Alex Pugh; continuous
- d. 2-14-23, received lab report for Carmel Well Drilling - from Clear Water Lab
  - o Waiting for Spring 2023, for next lab report(s)
- e. **5-10-23, Alex Pugh, to do follow-up with Carmel Well Drilling for Spring sampling**

\*\*\*\*\* To be Continued \*\*\*\*\*

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**FAIR HEARINGS:** *\*\* (Fair Hearings: waiting settlement and meeting(s) dates, times, and place.)*

**HINTON- (1)AFFORDABLE & (2)A-Z WATER – complaint, rcvd 11-03-21 – OPEN**

- a. 4-13-22, Violations assessed for A-Z Water Systems and Affordable Well Drilling
- b. 5-5-22, Violation Letters sent to A-Z and Affordable
- c. 5-11-22, A-Z Appeal Response letter
- d. 5-23-22, Affordable Appeal Response letter
- e. 6-8-22, Pending Fair Hearing scheduling (date and time), (MOU, FHRF)
- f. 10-19-22, **Hinton - A-Z, Settlement Proposal received**

**JONES- A-Z WATER – complaint, rcvd 10-19-21 – OPEN**

- a. 6-8-22, Violations assessed for A-Z Water Systems
- b. 7-1-22, Violation letter sent to A-Z
- c. 7-12-22, A-Z Appeal Response, received
- d. 7-13-22, Fair Hearing to be scheduled after paperwork submitted, (MOU, FHRF)
- e. 10-19-22, **Jones - A-Z, Settlement Proposal received**

**\*\*NEXT MEETINGS\*\***

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**MONTHLY MEETING:**

**Wednesday, June 14, 2023, at 9am – (In-Person/Zoom)**

Location: 18 Elkins Lane, Room 109, Harlow Building, Augusta, ME

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**ADJOURNMENT:**

**TIME: 10:50 am**

Motion to Adjourn.

❖ **MOTION**: Glenn Dyer

**2<sup>nd</sup>**: Mike Otley

**VOTE**: Unanimous