

MINUTES

STATE BOARD OF EXAMINING WATER WELL DRILLING CONTRACTORS AND WATER WELL PUMP INSTALLATION CONTRACTORS

September 1, 2021

10:00 A.M.

PARTICIPATING BOARD MEMBERS:

Jerry Hunt, Chairman

John Midkiff

Michelle Christopher

Aaron Wilson

Lily Barkau

Lisa Lindemann

ABSENT BOARD MEMBERS

Wes Moody

MEMBERS OF THE PUBLIC

Tim Millikin, V.P. Wyoming Groundwater Association Board

PARTICIPATING PROFESSIONAL STAFF:

Darren Cook, Assistant Attorney General

Kristin Baker, Chief Fiscal Officer State Engineer's Office

Jimmy Gordon, Executive Director, WWCB

CALL TO ORDER:

Chairman Hunt called the State Board of Examining Water Well Drilling Contractors and Water Well Pump Installation Contractors (WWCB) meeting to order at 10:00 a.m.

REVIEW & APPROVE AGENDA

The Board reviewed and approved the meeting agenda as circulated. John Midkiff made a motion to approve the agenda. Michelle Christopher seconded the motion. Motion carried.

REVIEW AND APPROVE MINUTES:

The Boards reviewed and approved the April 9, 2021 meeting minutes as circulated. John Midkiff made a motion to approve the minutes. Michelle Christopher seconded the motion. Motion carried.

OLD BUSINESS:

SEO Groundwater Revenue- Lisa Lindemann informed the Board that there had been no further discussion within the SEO or the Legislature to increase the fee structure within the SEO. She did not see it happening anytime in the near future.

NEW BUSINESS:

Ratification of New Licenses

Michelle Christopher made a motion to approve the Ratification of Gary Naill license # 01WD 138 and Nicholas Moreno license # ALWDPI001. John Midkiff seconded the motion. Motion carried

State Engineer's Office Fiscal Manager Update

Kristin Baker informed the Board that the budget overall was in good standing. Revenue from Groundwater fees was up, due to the increase in new Groundwater permits being processed. She made herself available for any questions, which the Board members had none.

Executive Director Update

Director Gordon provided the Board with an update of his office since the April 9th meeting. There have been 4 new license exams to 2 applicants. All of which were taken at the Engineer's Office in Cheyenne with the help of Lisa Lindemann and her staff. He had issued 2 new licenses, 1 Well Driller, and 1 Well Driller & Pump Installer (dual license). One license holder is a Wyoming resident, and the other is a resident of Alabama. He informed the Board that the current years License renewals are only 33, the lowest of the three year cycle of licenses. Finally he summarized other activities he had taken part in, including presenting to the Wyoming Association of Rural Water Systems and also participated in a "roundtable" Q & A at their convention discussing water well permitting and construction. The focus of the discussion was on public water supply wells, there is some confusion on the standards of the SEO/EPA & DEQ as they apply to PWS wells. The question was posed by the Association as to what the licensing Board can do to help educate Water Well Contractors on the additional requirements that come with PWS wells. Director Gordon stated he planned on mentioning PWS wells and the "extra" requirements at his presentation at the WGWA convention in January. Finally he mentioned he was scheduled to present at the Wyoming Water Quality and Pollution Control Association in October 2021.

Wyoming Groundwater Association

Tim Millikin, Vice President WGWA appeared before the Board to discuss items his association had identified as possible concerns for Contractors.

-Unlicensed Contractors performing work on/in water wells.

Mr. Millikin asked if the licensing board was actively taking steps to address any contractor who is performing work on water wells without the proper license. Director Gordon responded that he does contact and inform anyone working without the proper license of the requirement to hold a license from the Licensing Board. It appeared to be a bigger issue on the pump installation/service side. Most commonly it involves plumbers installing or servicing well pumps when they are on site installing or servicing plumbing components.

-Notice of Intent Requirement.

Mr. Millikin asked the Board why the 5 day Notice of Intent to Drill was still being required to be submitted when the Board did not employ an inspector. His understanding was the notice of intent was being submitted so inspectors could know where and when work was being done and could show up to inspect the work. He mentioned the added time and effort that the notice places on contractors, and asked if the requirement could be removed. The Board members discussed the origin of the requirement, and asked Director Gordon if he is still receiving Notices. He informed the board that he is the recipient of the notices and that they come to him in various

forms, thru email, fax and even text or call-in. He also mentioned that over the past 12 month period he had received a notice of intent on roughly 61% of all wells completed. He explained that this included wells that were being brought into a permitted status or wells that had been completed in many cases 20 years ago and were never permitted. These are being permitted now when land changes hands and the well is found to be un-permitted. So the actual percentage of notices given would be higher than the 61% reported. He also mentioned that he did conduct site visits with contractors and used the notice of intents to help him plan his travel across the state. Chairman Hunt understood the extra time argument from Mr. Millikin, and even agreed that it could add up to a significant investment for any contractor drilling several wells per week. He did however express his support for the notice of intent requirement, and pointed out that while the Board does not currently employ contract inspectors, it could in the future. If the notice of intent requirement was removed, he felt it could be hard to implement it again should an inspector be hired in the future. The Board members agreed to add the notice of intent requirement to the agenda for the next meeting, and asked Darren Cook to research the Board's legal steps in regards to removing the requirement if they choose to do so in the future.

Water Well Minimum Construction Standards-

Mr. Millikin expressed frustration with the State Engineer's Water Well Minimum Construction Standards, and its "one size fits all" approach to all corners and geographic areas of the state. He mentioned that the Engineer's office has been talking about updating or changing the standards for years now, and asked if it was ever going to happen? Lisa Lindemann addressed Mr. Millikin's question and pointed out that the Construction Standards had been updated in 2011, and many changes were made with input from water well contractors at that time. She also advised that any contractor who feels it is necessary to deviate away from the standards can obtain a Request for Variance from the SEO. In her opinion any hurdle that could be faced in the state of Wyoming when it came to water well construction could be addressed with a variance request, and that her office was working through them and approving them the same day in most all occasions. She did not dismiss the possibility of changes being made to the construction standards, but did not see it happening in the near future.

Miscellaneous

Next Meeting

The next meeting will take place January 11th 2022 at 1:00pm at the Ramkota Hotel in Casper, the afternoon before the Wyoming Groundwater Association Convention.

ADJOURNMENT:

Chairman Hunt adjourned the meeting at 11:15 am.