

## **WATER WELL STANDARDS & CONTRACTORS' LICENSING BOARD OUTLINE**

### **June 21, 2019**

Tonny Beck, Chairman, called the meeting to order at 1:13 p.m. with roll call. The meeting was held at the Grand Weaver Hotel – Falls City, Nebraska. Copies of the agenda were mailed to board members and other interested parties prior to the meeting. The meeting was advertised in the Public Meeting Calendar on the Nebraska.gov website. The Open Meetings Act was posted at the front entrance of the room.

#### **Item 1. Roll Call:**

##### **PRESENT:**

Tonny Beck	Sue Lackey
Cody Christensen	David Miesbach
Mike Thompson	Scott Grosch
Lynn Webster	Dave Hansen
Chin Chew (alternate)	

**ABSENT:** Brian Whitesel and Sue Dempsey

**ALTERNATE:** Chin Chew DHHS for Sue Dempsey

**OTHERS:** Jason Orton, Lee Orton, Pam Miller, Dan Egeland, Becky Schuerman

#### **Item 2. Adoption of Agenda**

Mike Thompson moved that the agenda be adopted. Lynn Webster seconded the motion.  
Roll call vote: 9 Yes 0 No 0 Abstain

#### **Item 3. Consideration of Minutes of Board Meeting – April 10, 2019**

It was noted, in the Program Report, that Dick Grosch should be corrected to Scott Grosch as a Task Force Member. Changes will be made to the minutes as noted.

Sue Lackey moved that the minutes be adopted after noted change is made. Dave Hansen seconded the motion. Roll call vote: 9 Yes 0 No 0 Abstain

#### **PROCTOR NOMINATIONS:**

Nancy Mann-DEQ

Dave Miesbach made the motion to approve Nancy Mann as webinar proctor. Lynn Webster seconded the motion. Roll call vote: 9 Yes 0 No 0 Abstain

## **Item 5. Continuing Education Requests**

**#1 – National Drilling Association 2019 Convention, Herdon, VA by National Drilling Association** will be held September 27, 2019; Becky McWilliams

Requests: 6.5 hrs.

Recommended: 5.5

**#2 – 31<sup>st</sup> Annual Environmental and Ground Water Quality Conference, Pierre, SD by SD Dept. of Environmental & Natural Resources** was held March 12-13, 2019; Jerald Zutz

Requests: 7 hrs.

Recommended: 4

**#3 – 29<sup>th</sup> Annual Customer Appreciation Day, St Cloud, MN by Preferred Pump and Equipment** was held March 8, 2019; Steven Johnson

Requests: 6 hrs.

Recommended: 6

**#4 – NE GW Monitoring Council, Lincoln, NE by NDEQ (webinar)** was held April 23, 2019; David Miesbach-Proctored by David Miesbach

Requests: 1 hr.

Recommended: 1

**#5 – Open House/Dealer Appreciation Day, Omaha, NE by Hydro Pump Company** was held April 11, 2019; Andy Kettelhut

Requests: 6 hrs.

Recommended: 6

**#6 – Exploring the Margins of the High Plains Aquifer, Northwest, NE by Nebraska Geological Society** will be held on October 19-22, 2019; Colleen Steele

Requests: 16 hrs.

Recommended: 16

Dave Miesbach made the motion to approve CEUs. Dave Hansen seconded the motion.  
Roll call vote: 9 Yes 0 No 0 Abstain

## **Item 6. Program Report**

Dave Miesbach presented the program report, noting that DHHS's website is now linked with DEQ. All Water Well Standards links and look ups previously found on the DHHS website are redirected to the DEQ webpage when selected by the public. Jason Orton shared an additional option. The Nebraska Well Drillers Association Website, under the useful links page, has the

DEQ logo that will take users directly to the Well Drillers information currently found on DEQ's webpage. Starting July 1, 2019, DEQ's name will change to the Nebraska Department of Environment and Energy (NDEE). DEQ's website will reflect this change and be redesigned.

Mr. Miesbach stated that the nitrate brochure has been updated and is on the DEQ website. Free testing is no longer available. Contractors were notified of the new brochure through a mailing sent out the first week in June. Also in June, all licensees were sent a letter from the inspection staff providing guidance and responsibilities for the program.

Mr. Miesbach shared that at a recent workshop, he was showing the NRDs how to take water levels. Several NRD's shared that they are using the tube contractors are installing in the gravel pack to test water levels. It appears some contractors are installing a tube in the gravel pack that goes to the water table. The Board agreed that this practice is not allowed. A letter will be generated to all NRD's to no longer use this method of testing.

Mr. Miesbach shared that Dan Egeland, field inspector, is working on pre-notifications for the Fallbrook project. A geothermal system is being installed that may require a test hole since it is in the Dakota and may contain salt water. Both Dave and Dan are working to make sure that if salt water is there, it is identified so the system can be designed properly.

Mr. Miesbach shared that Credentialing is requesting a more uniform conviction guideline for programs. An example was shared with the Board. After review, Lynn Webster made a motion to draft the conviction guidelines for uniformity. Scott Grosch seconded the motion. Roll call vote: 9 Yes 0 No 0 Abstain. The draft of these guidelines will be presented at the next Board meeting.

Mr. Miesbach stated that the NET Grant has gone away as of June 30, 2019 because the program was unable to match funds to finish sites. Abandoning of some of these sites will be funded by DEQ.

The **Program report** will resume after Legislative and Agency reports.

#### **Item 7. Legislative Report:**

- Name change for DEQ passed.
- Senator Groehne's bill to separate water use from land ownership is still in committee.
- Several Bills will carry over to next year.

#### **Item 8. Agency Reports**

##### **A. Department of Natural Resources – Mike Thompson**

- Regional reports were handed out.

- Water Well Registration program is continuing to work with Nebraska Interactive to make continuous improvements to the program. The difficulty is getting Licensure databases synched up with what the contractors need on their communications channel for doing online work. The program is working with Nebraska Interactive to have logins with the ability to select the licensee who is actually onsite or overseeing the site and also to have a license number associated with the work. This will help with the accuracy of records and also help inspectors to see patterns, provide training opportunities and track down multiple locations and offices. Mr. Thompson will be providing the Board with more specific details, based on feedback from industry, in the future.
- The Department has 2 major contested cases that are ongoing.
- The Department had a hearing in May on the City of Auburn's application for induced groundwater recharge for its municipal wells.

#### **B. UNL – Conservation & Survey – Sue Lackey**

- Drilling at Lewis and Clark, Lower Platte South.
- Drilling is backed up about 3 weeks.
- A study is underway in Missouri on glacial till and glacial stages. While drilling, samples are being taken and sent to Missouri to help with this study. After the study is completed information will be shared with the University.

#### **C. Department of Environmental Quality – Dave Miesbach**

- Mr. Miesbach stated that DEQ is into spill season again. DEQ's website provides locations of spills by counties. By using the interactive map, records portion, you can see where these spills are located. Searching by county is the only way to find surface spills.

#### **D. HHS – Division of Public Health – Chin Chew**

- Manganese in ground water is currently not regulated. EPA has established manganese at secondary limits. Research has indicated that manganese could be a neurotoxin. The Department has established a policy for public water systems to do a public notification if their manganese levels go above 300 mg/l.

#### **E. Natural Resources Districts – Lynn Webster**

- Flooding continues in the east.
- Flood control structures in some areas are down, everything is full.
- There has been lots of recharge to aquifers

**Item 9. Public Comment**

Becky Schuerman, from the Eastern Nebraska Research and Extension Center Metro Extension District, provided business cards to the Board members. Ms. Schuerman replaces Meghan Sittler in the Domestic Water and Wastewater Program with UNL.

Break taken 2:34-2:48 p.m.

**Item 6. Program Report-continued**

All state regulations are to be evaluated through the Governor's initiative on regulation change. Proposed changes are due to the Governor's office by July 1, 2019. Mr. Miesbach presented proposed changes to Title 178; Chapters 10, 11, 12, and 13 for review and discussion.

- All duplications will now only be referenced in Statute.
- 10-005.09-Eligibility for Examination.
- 11-003.01-Schedule of Fees.
- New definitions are being added.
- 12-003.01C-Separation distances.
- 12-012-Water Well Decommissioning.
- Guidance document to be created in the future.

All proposed changes will go out to public notice and well drillers will have the opportunity to comment.

**Item 10. Adjourn**

Sue Lackey made the motion to adjourn the meeting at 4:36 p.m. and was seconded by Lynn Webster. Roll call vote: 9 Yes 0 No 0 Abstain



**Mike Thompson, Board Secretary**



**Date**