

# ADVISORY COUNCIL ON WELLS AND BORINGS

Retirement Systems Building

60 Empire Drive. St. Paul, Minnesota 55103

Board Room 117

Wednesday, March 6, 2019, Meeting Minutes

## Members Present

David Duffey  
Chris Elvrum  
Daniel England  
Daniel Gibbs  
Dennis Koepp  
Michael Liljegren  
Mark Thein  
Joseph Stevens  
David Kill  
Troy Kuck  
Jordan Mayer

## Members Absent

Annie Felix-Gerth  
Brian Stangret  
Bruce Johnson  
Haden Shipman  
Richard Lamb  
Kelly Gibauval-Hite  
Roger Renner

## Others Present

Kara Dennis  
Alex Martell  
Bruce Bloomgren

### 1. DISCUSSION ABOUT COUNCIL CHAIR

The Chair, Danny Nubbe, and Vice Chair, David Henrich, both had their terms ended at the beginning of 2019. Daniel England proposed that the Advisory Council waits to select a new chair and vice chair until the June meeting when more members are present. Chris Elvrum will lead today's meeting in lieu of a missing chair/vice chair.

### 2. CALL TO ORDER

Chris Elvrum called the meeting to order at 10:05 a.m.

### 3. INTRODUCTION OF NEW ADVISORY COUNCIL MEMBERS

Chris Elvrum introduced the new Advisory Council members, Joseph Stevens, Roger Renner, and Kelly Gibauval-Hite. Joseph Stevens was the only new Advisory Council member who was able to attend. Dan Gibbs and Dan England were also reappointed and were in attendance.

### 4. REVIEW AND APPROVAL OF DECEMBER 11, 2018, MEETING MINUTES

David Kill made a motion to approve the minutes of the December 11, 2018, meeting minutes with the correction of removing Roy Forsstrom from the Members Present section. The motion was seconded and the minutes were approved on a voice vote.

### 5. REVIEW AND APPROVAL OF MARCH 6, 2019, MEETING AGENDA

Mark Thein made a motion to approve the March 6, 2019, meeting agenda with the addition a discussion about council chair and updated items for discussion. The motion was seconded and approved on a voice vote.

**6. EXPENSE ACCOUNTS**

Alex Martell distributed expense report forms and requested that members complete and return them in a timely manner.

**7. ANNOUNCEMENTS**

**Oral Examinations**

The Minnesota Department of Health (MDH) has made a decision to no longer require that a full well contractor applicant pass an oral exam proctored by the Advisory Council before they attain their full well contractor license. A discussion of the Advisory Council's role in contractor licensure is planned for later in the agenda.

**8. UPDATES**

**Bored Geothermal Heat Exchanger (BGHE) Rulemaking Update and Timeline**

The proposed BGHE rules are ready for the Notice of Intent to Adopt, pending MDH legal review. The BGHE rules are close to the top of the list for review, but it has taken time.

**Environmental Well Rule Writing and Updates**

MDH is still working on environmental well rule writing. MDH plans to assemble an advisory committee to discuss proposed rules prior to the first public comment period. MDH is going to consider some rule changes to accommodate pourable grout in shallow geotechnical borings. Denny Koepp suggested referring to the grouting rules in Wisconsin for reference.

**Legislative Updates**

**Environmental Well Bill**

A bill which is nearly the same language as last year would change the name of temporary environmental wells to temporary borings and exempt those temporary borings less than 25 feet from the notification and fees. The proposers were also interested in allowing bentonite chips and cuttings to seal shallow temporary borings. MDH agreed to consider this in the current environmental rule revision.

Advisory Council members said that there are other applications, such as difficult to access well sealing projects, which would benefit from the use of bentonite chips. Joe Stevens suggested that a manufacturer should come and speak at the Advisory Council about bentonite chips or the Nebraska grout studies. MDH will contact grout manufacturers about a presentation at the June meeting.

**Proposed Exploratory Boring Bill**

A bill that was proposed last year was introduced again and would allow exploratory borings located on a site map to only require a single notification fee.

**Licensing and Credentialing System (LCS) PROJECT**

A new LCS platform is being developed. MDH hired an external contractor to help build the e-Licensing software. Chris Elvrum said that he is still unsure of the timeline. Some members of the Advisory Council mentioned their frustration that the e-Wells system never ended up working. LCS has a good chance of success, given that it is an agency level implementation project.

## 9. ITEMS FOR DISCUSSION

### **GPS and T/R/S Well Location in MWI/CWI**

Joe Stevens brought up the concern that many of the wells that he has constructed in the past few years are still showing up as unverified in MWI/CWI. Bruce Bloomgren said that there is a limit in staff time and resources. MWI/CWI requires T/R/S location information, but having GPS measurements included on well records might help MGS staff. Members of the Advisory Council raised the concern that some contractors might not know how to accurately take GPS measurements. Olmsted County has documented all the wells in their county, and St. Louis County may be working on a similar project. The suggestion was made to find a way for counties and contractors to collect well location data for MGS. There was a suggestion that accurately locating a well be included in MDH continuing education for well contractors.

### **Council Role in Licensing**

Chris Elvrum reiterated that even though MDH will no longer require oral exams, MDH wants to continue having the Advisory Council involved in well contractor licensing in some way. The Advisory Council discussed the perspective that other states look to Minnesota for the high standards for licensed well contractors, but the oral exam can be subjective depending on who is issuing the exam. Multiple Advisory Council members agreed that the written test should be updated. Dan England and Mike Liljegren recommended a blanket requirement that the first five-ten wells constructed under a new license be inspected by MDH staff. Joe Stevens advocated the importance of learning from other well contractors. David Kill has worked on the National Ground Water Association (NGWA) exam, and some states use the NGWA exam for contractor licensing. Could MDH consider adopting the NGWA exam as a part of licensing? Chris Elvrum and Alex Martell will outline the license requirements for different types of well contractors and consider ways to involve the Advisory Council in updating the test and the examination process before the next meeting.

### **Full Length Grout**

Before the discussion of full length grouting, Chris Elvrum mentioned that Emily Berquist (MDH) had put together a dataset that compares nitrate levels in all wells verses newer wells constructed in southeastern Minnesota. The findings of this data comparison is that the newer wells have significantly less nitrate than the older wells. These findings indicate that the well code works at protecting wells from surface contamination in southern Minnesota.

MDH is still considering requiring full length grouting of drinking water wells. Concerns were raised about full length grouting making it difficult to allow natural collapse and development. The Advisory Council discussed whether rule writing can include grouting from the point of natural collapse and how geology could be incorporated in rule writing.

## 10. ADJOURN

Mark Thein made a motion to adjourn, which was seconded and the meeting was adjourned at 1:45 p.m.