

Well Driller's Meeting Minutes
Date: Wednesday, August 13, 2014
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
Glenn Angell, State Site Evaluator (sitting in for David Braley)
Don Robbins, Certified Geologist, Public Member
Absent: Tom Weddle, Hydrogeologist, Maine Geological Survey; and David Braley, Sr. Geologist, MeCDC
Legal Counsel:
Deanna White, Assistant Attorney General – Office of the Attorney General

Minutes prepared by: Doris Labranche, Commission Clerk

PROCEEDINGS:

Dwight Doughty - Meeting called to order at 9:05 a.m.

TOPIC: APPROVAL OF JULY 2014 MINUTES

DISCUSSION: The July minutes were reviewed and approved.

TOPIC: Complaint received from Melissa Hackett of Bowdoinham, ME / Carl Levesque of A-Z Water Systems, Gray, ME.

DISCUSSION: Doris informed the Commission that on 08-05-2014, David Philbrook obtained a TSFHA water test from the Hackett residence. Per David Philbrook's e-mail "The test was taken with her treatment system on bypass".

Per Dwight Doughty, according to the MOA between DWP and DOT, David Braley has the authority to send David Philbrook out to perform Commission activities. Dwight is David Philbrook's supervisor relating to DOT activities.

Glenn Angell, will follow up with David Braley on resending David Philbrook out for a re- inspection of the well casing, to inspect the pump, and to take a water sample.

Doris reminded the Commission that a letter needs to be sent to Carl Levesque, A-Z Water Systems regarding the need of employees to maintain current licenses. It was also noted at the July meeting, that should this happen again, the Commission will pursue enforcement action.

TOPIC: Specialty Well Applications (SWP) ‘After the Fact’

Albert & Kathleen Cintavey – Weeks & Sons Well Drilling Co.

DISCUSSION: Per Mark Weeks “While in the process of drilling the well, Weeks & Sons encountered 30+ gpm of water at 140’ in gravel. Due to the size of the property and proximity to the lake we are not able to contain that amount of water. Since the well is 83’ from the septic field, I am requesting a specialty well permit.” Mr. Weeks noted that he drilled through 10’ of gravel on the surface, then 10-60’ was blue clay, 60-130’ was sand, and from 130-140’ was gravel. It is a gravel well so it is coming in at 140’, the point where he encountered the water influx. It is an open-end casing.

Motion: Ike moved to approve the SWA, with 140’ of casing, open-bore hole. Based on the geological profile, and the depth of casing, the SWA is approved. Proposed well is to be located no closer than 83’ from the onsite leach field and 61’ from the onsite tank. No closer than 100’ from the 1st neighbor’s leach field and 60’ from the neighbor’s tank, and no closer than 100’ from the 2nd neighbor’s leach field and 60’ from the neighbor’s tank, and 50’ from the other neighbor’s well. Proposed well is to have a minimum of 140’ of 6” steel casing.

2nd by: Joe

Vote: Unanimous to approve.

Action: Doris to proceed with standard operating procedures including Well Variance Deed Covenant, and other standard supporting documentation regarding the SWA.

Judith Brann – Haskell’s Well Drilling Co.

DISCUSSION: The SWA was reviewed and approved.

Motion: Don moved to approve the SWA following the Commission’s matrix. Proposed well is to be located no closer than 100’ from the onsite leach field and 27’ from the onsite tank, no closer than 77’ from the neighbor’s leach field. Proposed well is to have a minimum of 120’ of 6” steel casing sealed into bedrock, or as an alternative, a minimum of 20’ of 6” steel casing shall be sealed into the bedrock with a solid 4” liner installer with top and bottom Jaswell type seals with bottom seal a minimum of 100’ below grade and top seal up inside 6” steel well casing. Bottom and top seals shall be water tight.

2nd by: Frank.

Vote: Unanimous to approve.

Action: Doris to proceed with standard operating procedures including Well Variance Deed Covenant, and other standard supporting documentation regarding the SWA.

TOPIC: Complaint received from Ms. Deborah Meehan of Denmark, ME – Woodsome Well Drilling Co.

DISCUSSION: Doris informed the Commission that on 08-12-2014, Ms. Meehan sent an e-mail stating all issues with Woodsome Well Drilling Co has been resolved.

TOPIC: Complaint received from Mrs. Allisa Brunner of Berwick, ME – Woodsome Well Drilling Co.

DISCUSSION: Doris informed the Commission that on 08-08-2014, Ms. Brunner sent an e-mail stating that the “Water is now drinkable and sediment seems to be better....I think we can close the case.”

TOPIC: Danny Woodsome of Woodsome Well Drilling Co.

DISCUSSION: The discussion revolved around Danny Woodsome’s failure to respond, and failure to provide requested information regarding several complaints made, in particular, the Brunner and Meehan complaints, listed above.

The Commission identified 5 violations. Points were assigned for each violation, in accordance with the Commission’s Guidelines.

The following 5 violations were identified against Danny Woodsome (the individual, not the company at this time):

- 200.1 – relating to operating without a license
(x 2 offenses; Brunner)
- 900.1 – relating to failure to respond to the commission
(x 2 offenses, 1 for Brunner and 1 for Meehan)
- 300.3.4 – relating to the issuance of false statement(s) or false information
(x 1 offense, Brunner)

1. **Motion:** Relating to the Meehan complaint, 900.1; Don moved to find in violation.
2nd by: Frank
Vote: Unanimous to approve the motion.
2. **Motion:** Relating to the Brunner complaint, 900.1; Don moved to find in violation.
2nd by: Joe
Vote: Unanimous to approve the motion.
3. **Motion:** Relating to the Brunner complaint, 200.1; Ike moved to find in violation.
(Well Drilling activity.)
2nd by: Don
Vote: Unanimous to approve the motion.
4. **Motion:** Relating to the Brunner complaint, 200.1; Don moved to find in violation.
(Pump Installation activity.)
Vote: Unanimous to approve the motion.

5. **Motion:** Relating to the Brunner complaint, 300.3.4; Don moved to find in violation (the need to assess the violation and then separate motion on points).
2nd by: Joe
Vote: Unanimous to approve the motion.
6. **Motion:** Ike moved to assess 5 points each, for the violation of 200.1 of the rules.
2nd by: Joe
Vote: Unanimous to approve the motion.
7. **Motion:** Ike moved to assess 5 points each, for the violation of 900.1 of the rules.
2nd by: Don
Vote: Unanimous to approve the motion.
8. **Motion:** Ike moved to assess 5 points, for the violation of 300.3.4 of the rules.
2nd by: Joe
Vote: Unanimous to approve the motion.
9. **Motion:** Don moved that we find, that the violations which accumulate to 25 points, as approved, is \$200 per violation points, which accumulates to a \$5,000.00 fine.
2nd by: Ike.
Vote: Unanimous to approve the violation point value and fine of \$5,000.00
10. **Motion:** Frank moved that, based on the amount of points issued against Danny Woodsome, that his licenses are suspended for 30 days per point guidelines.
2nd by: Joe
Vote: Unanimous to suspend.
11. **Motion:** Frank motion to send notification to Danny Woodsome and give him 8 days to apply for appeal, if no appeal, then his license is suspended for 30 days.
2nd by: Don
Vote: Unanimous to send notification.

Additional Discussion:

- A letter will be sent to Mr. Woodsome informing him of the findings, of the actions taken today, and of the possibility of additional violations, fines, suspensions and/ or revocation of licenses.
- Deanna White stated that these actions will go into effect **IF** Mr. Woodsome does not request a Fair Hearing.
- At the next meeting, a vote will be taken on implementation **IF** Mr. Woodsome does not appeal.
- Future discussion: Woodsome Company license, and/or additional violations.

TOPIC: Plumbing Board and Electrical Board

Don Robbins to provide an update of his discussion with both boards at the next meeting.

TOPIC: Complaint Intake Form

Tabled until the next meeting.

TOPIC: Future Discussion

Ike - Systems compliance.

MEETING ADJOURNED: 11:00 a.m.