

# MGWA Annual Meeting Slated Jan.12

The Annual Meeting for the Maine Ground Water Association will be held Saturday, January 12, 2013 at the Best Western Plus on Main St in Waterville.

The agenda for the meeting has been set as follows:

**8 to 9 a.m.** Coffee and Muffins

**9 a.m.** Speaker: Tim Doyle from Maine Motor Transport will speak on the changes that will be taking effect on CD Licenses. Everyone who has a CD License should have received a notice on changes that will be taking effect in 2014.

**Annual Business Meeting** with election of officers will follow: The following are being nominated:

**President** – Jim Innis

**Vice President** – Joe Gallant

**Treasurer** – Open

**Secretary** – Pat Pratt

**Two Year Directors** – Susan Smith, Frank Hegarty and Mark Taplin

The position of Treasurer is still open, anyone interested in the position please contact Jim Innis 942-5646 or Ted McLeod at 848-5520.

The nominations will remain open until they are closed on the floor of the meeting.

**Please Note - There will be no luncheon this year, but the restaurant will be open.**

This newsletter is funded by the Maine Groundwater Association through member dues and advertising. Any member of the Association wishing to receive a newsletter may contact the president or treasurer of the Association listed on the front of the newsletter.



## Maine Groundwater Newsletter "Keeping you in the Flow"

### Officers:

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622-4018  
VP: Jim Innis  
942-5646  
Treasurer: Ike Goodwin:  
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Secretary: Pat Pratt:  
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Past President: Ted  
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### Directors

**Term expiring 2012:**  
Susan Smith - 839-3293  
Joe Gallant - 839-3030  
Mark Taplin - 374-5447

**Term expiring 2013:**  
Harry Hanscom  
825-4983  
Tom Mason - 695-2493  
Mark Weeks - 465-3753

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MGWA newsletter, Dec. 2012 Edition



Pat and Susan Smith with Pat and Rodney Pratt at the National Expo delegates meeting representing the MGWA.

### Mark Your Calendars

Here are the dates which have been set for various meetings. MGWA Director's are usually the second Monday of each month. They are at The Grand Hotel, 375 Main St. (Exit 130 off Rte.95), Waterville.

The Commission will be meeting on Jan. 9 and Feb. 13. These meetings are held at 286 Water Street, Key Bank Plaza, in Augusta.

The Annual MGWA meeting will be held Saturday, Jan. 12.

Find us on the Web at [mainegroundwater.org](http://mainegroundwater.org)

For questions on Commission business call Dave Braley at 207-441-5324

To send information for this newsletter or to make inquiries: Contact Ike or Jody Goodwin: Call - 225-3370, Fax - 224-7174, Email to [jodyike@megalink.net](mailto:jodyike@megalink.net)

Find Us on the Web at  
[www.mainegroundwater.org](http://www.mainegroundwater.org)

Mark Your Calendars!  
MGWA Annual Meeting  
Saturday, Jan. 12

Maine Groundwater Assoc.  
280 Litchfield Road  
Bowdoin, Maine 04287

# Annual National Expo in Las Vegas Doesn't Hold Many Surprises

The National Ground Water Association Delegates Meeting was held on December 6, 2012 at the Las Vegas Convention Center in Las Vegas, Nevada.

Maine Delegates attending were Susan Smith, Patrick Smith, Rodney Pratt and Pat Pratt. There were no big changes to be voted on at the meeting this year.

The new President of the National Ground Water Association is Daniel T. Meyer, Gregg Drilling and Testing, Inc, Signal Hill, California. He was presented the gravel to begin his term as President.

Elected to the Board of Directors were David Henrich from Minnesota and Jeffrey W. Williams from Vermont.

There were numerous workshops to attend and the exhibit hall held many supplier's and manufacturer's products.



Tina and Danny Woodward of Bowie Bros. Well Drilling on the Exhibit floor at the National Ground Water Expo.

## Notice to Advertisers

We want to remind our advertisers that your ad buy for the newsletter runs out with this issue.

Renewal information will be sent to each of you from the Association.

Please take note that some changes are being made and the newsletter will be going to four issues each year instead of the current six.





Each of those issues will be timed to highlight upcoming events such as the annual Spring Demo and to provide coverage of events after they occur. They will also include the regular business of MGWA Director's minutes as well as all Maine Water Well Commission business.

We appreciate your support of the Association and wanted to let you know about these changes. The notices that you receive will also include pricing information for the various sizes of ads.

The next newsletter will be in March, so your camera ready ads will need to be sent to jodyike@megalink.net or mailed to Jody Goodwin, 52 Abenaki Way, Turner, ME 04282 no later than March 1.

Again, we do appreciate your support of this newsletter and do encourage our readers to support the businesses that support us!

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## November Commission, continued from page 9

This will make identification easier when reviewing the record of future meetings. No further action at this time.

### Dupuis vs. Hillock Well Drilling Co.

**Discussion:** (Joe Gallant recused himself from the discussion.) David Braley stated that Mr. Dupuis thinks that the yield of the well is exactly what was coming out of fractures that were cased off. Frank Hegarty stated that the driller said he would fix the problem.

**Motion:** By David Braley to send David Philbrook to inspect the casing and casing seal for the well, but the inspection does not have to go beyond 45 feet, which is bottom of drive shoe.

2nd By: Tom Weddle

**Vote:** 5-1 (Dwight Doughty – no vote)

**Action:** Send David Philbrook to inspect.

**Follow-up:** At the December meeting.

**Public Comments:** None

Meeting Adjourned: Ike Goodwin motioned to adjourn at 11:30 a.m. David Braley 2nd the motion.

## Commission Meeting Dates for 2013

Commission Meetings are held the second Wednesday of each month. All are subject to change.

**January 9th**

**February 13th**

**March 13th**

**April 10th**

**May 8th**

**June 12th**

**July 10th**

**August 14th**

**September 11th**

**October 9th**

**November 13th**

**December 11th**



Maine Delegate Rodney Pratt left, along with Delegates Pat Pratt and Pat Smith, right, visit with Gerry Parker of Northeast Drill Supply in Las Vegas on the floor of the Exhibit Hall at the Las Vegas Convention Center during the National Expo at the beginning of December.

Susan Smith Photo



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# MGWA Director's Minutes for November

Maine Ground Water Association  
 Director's Meeting  
 November 12, 2012  
 Best Western Plus  
 Waterville, ME

The meeting was called to order at 6:22 pm by President Ted Rolfe with the following present: Rodney Pratt, Susan Smith, Joe Gallant, Judy Hanscom, Harry Hanscom, Ike Goodwin, Jim Innis, Mark Taplin, Ronnie Taplin, Mark Weeks, Ted McLeod and Pat Pratt.

A motion made by Susan Smith and seconded by Ted McLeod to approve the June 11, 2012 Director's Minutes and was unanimously approved.

A motion was made to approve the Treasurer's Report of November 12, 2012 by Ted McLeod and seconded by Joe Gallant and was unanimously approved.

**Membership applications:** None

**Legislative Committee:** The Maine Water Well Commission has appointed Frank Haggerty to replace Ed Bowie on the Commission. A new clerk has been hired for the commission. The Specialty Well policy is pretty much all set and Ted Rolfe will review for next meeting.

**Educational Committee:** Safety meeting went well with CMP, there was a lot of material reviewed.

**Web Site:** Susan Smith has been updating the site and will update any information anyone wants on their listing on the web site.

**Old Business:** None

**New Business:** MGWA received a check for \$3,000.00 from NEWWA which was part of the profit from the 2012 Spring Expo. Please see Director's on page 5

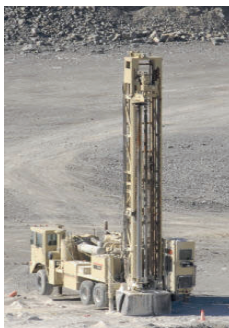
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# Commission Minutes for November, 2012

Date: Wednesday, November 14, 2012

**Attendees:** Joe Gallant, Master Driller, Stanley E. Hillock Well Co; Frank Hegarty, Master Pump Installer, Hegarty Plumbing & Heating, Inc.; Ike Goodwin, Master Driller, Goodwin Well & Water Inc.; Tom Weddle, Hydrogeologist, Maine Geological Survey; Donald Robbins, Certified Geologist, A.E. Hodsdon Consulting Engineers; Paul Gauvreau, Deputy Attorney General – Office of the Attorney General; David Braley, Senior Geologist, Maine CDC and Prevention; and Dwight Doughty, Jr. Division Manager, Maine DOT.  
 Minutes prepared by: Doris Poirier, Commission Clerk

**Proceedings:** Donald Robbins - Meeting called to order at 9:10 a.m. Brian Dupuis was not at the meeting.

**Approval of October Minutes:** Paul Gauvreau indicated that in the October minutes, the name should appear as Austins not Austin's.  
 Motion: Ike Goodwin moved to accept the October minutes with the revisions provided.  
 2nd by: Frank Hearty. Vote: Unanimous.  
 Action: Doris to update and finalize October minutes.

### Current Complaints:

#### Affordable vs. Anonymus

**Discussion:** Lack of candor on the driller's part resulted in –

- Extending the investigation and requiring an additional site inspection which increased costs incurred by the Board. If the driller had notified the Commission in December that the property owner was in Florida for the winter, and that they couldn't complete corrective action until spring, the Commission would have, as a matter of practice, extended the deadline as required.
- The discussion revolving around expenses, fees, violations, fines, suspension, and the point system.
- Paul Gauvreau providing the Commission with

a copy of 'Guidelines for Fines, Suspensions and Revocation Hearings'.

#### Violations found:

- 400.5 – failure to submit the paperwork and failure to meet set-back standards = 1 pt.
- 400.3 – failure to install proper amount of casing = 5 pts.
- 401.5.8 – On October 2, 2012, the violation of the Jaswell type seals installed on the liner was not water tight or leak-free = 5 pts.

**Motion:** Ike Goodwin moved to table any further action, violations, points, or other penalties until the December meeting in order to make certain that Affordable Well Drilling is notified.  
 2ND By: Frank Hegarty. Vote: Unanimous.

**Action:** David Braley to mail a letter to Affordable regarding the 3 violations, points and penalties. David to provide a copy of DEP's policy on complaints and penalties at the next meeting.  
 Follow-up: At the December meeting.

#### Specialty Well Applications:

**Discussion 1:** David Braley stated that "with the recent change in support staff, we need to remember in include in-house Specialty Well Applications, perhaps in the form of a list". No further action at this time.

**Discussion 2:** David Braley stated that one SWA was received from Lord/Bledose. The issue is salt water. He is to drill to the first fresh water fracture. He is proposing a liner, seal and cement instead of additional casing. (Action will not be taken by the driller until the spring time.)

**Motion:** Ike Goodwin moved to approve.

2nd By: N/A

**Vote:** Unanimous

**Action:** David Braley to send out approval letter.

#### Motion Procedures:

Discussion: Paul Gauvreau and David Braley suggested that Donald Robbins state, for the record, the names of individuals making the motion. Please see Commission on page 10

## October Commission, continued from page 7

commented that a low yield of water is not a violation of the rules. "There is no guarantee on the amount of water." Mr. Fortin believed that his complaint was also a 'Code of Ethics' complaint. Mr. Fortin tried to compare his issue with the prior complaint issue. Again, the Commission stated that the Rules require drillers to exclude surface and near surface waters from entering a well and that no violation had occurred in the rules and with regards to ethics.

**Commission Action:** The Commission reviewed the complaint and determined that no violation of the rules had occurred.

Ike Goodwin motioned that there was no violation, 2nd the motion. The motion passed unanimously.

### New Complaints:

**Dupuis vs. Hillock Well Drilling Co.** –The complaint was received via e-mail. A response was sent to Mr. Dupuis and the well driller by David Braley, seeking additional information and notifying both parties that this complaint would be discussed by the Commission at the next meeting in October. Mr. Dupuis did not attend.

Joseph Gallant was 'fact witness' and recused himself from actively participating in the Commission's consideration of this complaint. The Commission briefly discussed the e-mail complaint.

Joseph Gallant informed the Commission that the homeowner installed the pump himself and that the well is located in a farm field. There was not enough information in the complaint to determine whether the well was for human consumption or for agricultural uses. David Braley reminded the Commission that it does not regulate agricultural wells, only drinking water wells.

Donald Robbins recommended sending David Philbrook out to inspect the well. Ike motioned to authorize staff to determine the purpose of the well. If the purpose of the well falls within the DWP's jurisdiction, then follow up is needed, if within agriculture's jurisdiction, then no further action on our part. David 2nd the motion. The

vote was unanimous with Joseph Gallant and Frank Hegarty abstaining.

**Mark Murray vs. Pine State Services** - Frank Hegarty recused himself from the discussion. Donald Robbins summarized the e-mailed complaint. The customer indicated that they had 'water pressure' problems and contacted Pine State Services. The Commission was not certain if Pine State Services was a plumbing service or a well drilling / pump installer service. If a plumbing service, then this Commission does not have jurisdiction.

Paul Gauvreau inquired as to whether or not Pine State Services had engaged in any activities that they were not licensed for. Ike Goodwin stated that licensed master plumbers are approved by statute to install pumps. He also indicated that we cannot do anything at this time until we know which license they hold and whether to refer the customer to the Plumbers Examining Board, if the complaint should remain with the Commission, or if no license, then to the Attorney General's Office for practicing without a license. David Braley confirmed that Pine State Services was not a licensed pump installation company.

Ike Goodwin motioned that the complaint be referred to the Plumbers Examining Board. David Braley 2nd the motion and the motion passed unanimously.

### Specialty Well Application(s):

Donald Robbins discussed a specialty well application from **Rolfe's Well Drilling**. The well will be 52 feet from the owner's disposal field, and 38 feet from the owner's tank. All others are more than 100 feet away.

Ike Goodwin motioned to approve the application with 100' of casing. Frank 2nd the motion. Motion passed unanimously.

### New Business: None

Meeting Adjourned at 12:20 p.m.

## Director's Minutes,

continued from page 4

President Rolfe appointed Ted McLeod and Jim Innis to the Nominating Committee. 3-Two-Year Director's positions will be open and Ike Goodwin is not running for re-election for Treasurer. Nominations will remain open until voting time.

Annual meeting is January 12, 2013, at the Best Western Plus, Waterville, Me, 8 to 9 a.m. for coffee; 9 to 10 a.m., Speaker Tim Doyle from Maine Motor Transport.

The meeting will follow the speaker. There will be no lunch served.

A motion by Ted McLeod and seconded by Jim Innis to change the Newsletter from 6 issues a year to 4 issues was unanimously approved. A Thank You note was received for flowers for Gary Brackett.

Motion to adjourn by Mark Weeks and seconded by Ted McLeod at 7:39 was unanimously approved

mainegroundwater.org

The MGWA has moved into cyberspace and some of you have not moved with them.

According to Director Susan Smith, who has undertaken the challenge of getting the MGWA on the Internet, she is still missing the company information for a number of MGWA members.

This is the perfect opportunity to get your business out there to the general public - some of whom may be looking to get a well drilled.

It has become common knowledge that a large portion of the population now does most of their business "Online." They look for businesses, research them and contact them all online.

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# Water Well Commission Minutes for October

Minutes of October 10, 2012 Meeting

**Members Present:** Donald Robbins, Chairman; Tom Weddle, MGS; Joseph Gallant, driller; Dwight Doughty, DOT; Ike Goodwin, driller; David Braley, DHHS; and Frank Hegarty.

**Others Present:** Paul Gauvreau, AAG; James Bisson, well driller; Mr. & Mrs. Austin, Tom Mason, well driller, William Fortin, Dennis Fortin and Doris Poirier, board clerk.

**Call to Order:** The meeting was called to order at 9:10 a.m.

**Approval of September meeting minutes:** Dwight motioned to approve the minutes. Tom 2nd the motion. Passed unanimously.

## Pending Complaints:

**Complaint received from:** Anonymous  
**Owner:** Mr. & Mrs. Austin.

**Allegation:** Well drilled does not meet the minimum requirement of no closer than 100 feet to the leach field.

**Well Drilling Company:** Affordable Well Drilling  
**Responsible Master Driller:** James Bisson.

## Commission Discussion:

The Commission, the Austins, and Mr. James Bisson, the well driller, discussed the construction of the liner and seal(s) in the well on the Austin's property. The Austin's provided the Commission with pictures showing the installation of the liner with top and bottom seals attached as evidence that the well was properly constructed as ordered by the Commission in November of 2011. Mr. Bisson stated that his company had only been to the site once to install the liner and seals. His office manager's written response to the Commission confirming the installation was dated January 17, 2012 and satisfied the 60-day time limit for corrective action required by Maine statute. The Commission's independent inspector performed a video inspection of the well in June of 2012 which showed water flowing over the top of the

liner, indicating either a leaking seal or that no top seal had been installed.

The inspector returned to do another inspection in August of 2012 to confirm the top seal was in place and found that no water was flowing over the top of the liner. The Commission failed to see the joints inside the liner that showed that a top seal was in fact in place during a review of the video in September. During the October commission meeting, Mr. Bisson pointed out the location and joints indicating the top seal during a second review of the video.

Several Commission members questioned the Austin's and Mr. Bisson regarding the stated timeline regarding the corrective action. After much discussion Mr. Braley questioned the honesty and completeness of the information that had been presented to the Commission. Affordable Well Drilling had notified the Commission in writing that the liner and seal had been installed prior to January 17, 2012. When questioned by the Commission's clerk concerning a top seal, Affordable Well Drilling amended its written submittal to include a top seal, stating that the first notification was in error.

The Austin's claimed to have been on site during the installation of the seals and provided the pictures as evidence to the commissioners. The pictures clearly showed the liner and top and bottom seals being installed by individuals in summer cloths, with leaves on the trees, no snow on the ground, and no ice on the lake. It appeared, from the photos, the work was occurring in warm weather, not January in Maine. In addition, Mr. Braley noted that the Austin's had clearly stated they live in Florida for the winter. Therefore, the Austin's could not have been present during a January installation. The information being provided by the Austin's and Mr. Bisson did not appear to be truthful or accurate.

Mr. Braley advised the parties that this matter would be much easier for all concerned to resolve if the truth was presented to the Commission. The Austin's requested a five-minute recess to talk

Please see **October** on page 7

# October Commission, continued from page 6

with Mr. Bisson. When the Austin's and Mr. Bisson returned from the hallway, Mr. Bisson admitted that he had in fact returned to the site after the June inspection and placed a new top seal on the liner to replace a leaking seal. He did not clarify the actual date of installation of the original liner and seals beyond stating several times during discussions that it occurred sometime in the spring, which was well after the required deadline for completion of corrective action and contradicted the written notice provided to the Commission in January.

**Commission Action:** Ike Goodwin moved, "Let the record show that this finding of fact included an acknowledgement that Mr. James Bisson provided additional information while reviewing the video – Mr. Bisson pointed out the joint between the seal and the top liner. The Commission acknowledges that yes, they do see evidence that the top seal was installed, and confirmed on the second inspection.

Ike Goodwin motioned the original finding of fact be modified based on the additional information provided. In addition, Mr. David Braley stated that the new top seal is found to not be leaking based on findings of the second inspection and that the well is now properly constructed. Mr. Joe Gallant 2nd the motion. Motion was approved unanimously.

Ike Goodwin raised the issue of ethics. The Commission expects every licensed driller to be open, honest, and fully cooperative. The Commission was not properly informed regarding the actions of the driller, and false or misleading information was provided. The Commission noted on the record to Mr. James Bisson that during the consideration of any future complaints, the Commission expects full cooperation. No further warning will be granted. With regards to ethics the discussion revolved around the Code of Ethics (Chapter 3, 300.3.2, 300.3.3 and 300.3.4). David Braley stated that in all future interactions, the Commission expects total honesty, and open communication. This matter could have been resolved

months ago had the driller and property owners been open and honest when communicating with the Commission. Frank Hegarty requested that the minutes reflect what happened today and that we move forward.

Mrs. Austin stated that "the Board needs to handle the complaint process differently." She also mentioned a delay in communication due to mailing issues. The Austin's own more than one home and Mrs. Austin indicated her correct mailing address to the Commission clerk.

Paul Gauvreau recommended the Commission review its complaint notification procedures. In addition, Mr. Gauvreau indicated that for future practice, the Commission routinely obtains from the contractor/well-driller/pump installer the appropriate contact information of the property owner.

## Pending Complaints:

**Complaint received from:** William Fortin vs. Moosehead Water Wells, LLC.

**Allegation:** Low Yield - GPM

**Well Drilling Company:** Moosehead Water Wells, LLC.

**Responsible Master Driller:** Tom Mason

**Commission Discussion:** Mr. Fortin described the well construction that had occurred, including the driller "casing off" shallow fractures that may have increased the well yield. Several Commission members commented that the rules encourage drillers to exclude water from shallow fractures to prevent surface or near surface water from entering the well. These fractures have a high likelihood of being contaminated with bacteria and viruses found at the surface. Mr. Frank Hegarty inquired regarding the purpose of the well. Mr. Fortin stated that he currently had 5 camps and would like to increase the number from 5 to 10 camps in the future. Mr. David Braley noted that 10 camps at 2.5 individuals per camp would be a regulated Public Water System.

Ike Goodwin

Please see **Oct. Commission** on page 8