

WATER WELL STANDARDS & CONTRACTORS' LICENSING BOARD MEETING

August 16, 2023

Tonny Beck, Chairman, called the meeting to order at 10:04 a.m. with roll call. The meeting was held at the Nebraska Department of Environment and Energy, 245 Fallbrook Blvd, Rm 031, Lincoln, NE. Copies of the agenda were emailed to board members and other interested parties prior to the meeting. The meeting was advertised on the Water Well Standards and Contractor's Licensing Board webpage on the Nebraska Department of Environment and Energy's 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	Daniel Mackin
Russ Fosler	Mike Thompson
Scott Grosch	Lynn Webster
Laura Johnson	Brian Whitesel

ABSENT: None

OTHERS: Jason Orton, Lee Orton, Dan Egeland, Mark Graf, Dave Miesbach and Pam Miller.

Item 2. Adoption of Agenda

Ms. Johnson moved to adopt the agenda. Ms. Lackey seconded the motion. Voting yes: Beck, Christensen, Fosler, Grosch, Johnson, Lackey, Mackin, Thompson, Webster, Whitesel. Voting no: none. Abstain: none. Motion carried.

Item 3. Consideration of Minutes of Board Meeting – June 6, 2023

Mr. Fosler moved to adopt the minutes. Mr. Thompson seconded the motion. Voting yes: Fosler, Grosch, Johnson, Lackey, Mackin, Thompson, Webster, Beck. Voting no: none. Abstain: Christensen, Whitesel. Motion carried.

Agenda was altered in error with Item 5 discussed prior to Item 4.

Item 5. Policy P-8 review

Discussion was held on the rounding policy for continuing education requests. A proposed draft was reviewed. It was determined that the policy should remain as written with a sentence at the end of the current policy to be added, to include break guidelines.

Mr. Grosch made the motion to amend Policy P-8 to read in its entirety: It shall be the policy of the Licensing Board that when reviewing continuing education applications that,

at the discretion of the Board, continuing education hours will be rounded up or down to the nearest 0.5 hours. Breaks during educational sessions must be clearly identified and will not receive any credit hours. Mr. Thompson seconded the motion. Voting yes: Beck, Christensen, Fosler, Grosch, Johnson, Lackey, Mackin, Thompson, Webster, Whitesel. Voting no: none. Abstain: none. Motion carried.

Item 4. Continuing Education Requests

1-Urban Geology in Omaha, NE area, Omaha, NE, by Nebraska Geological Society, was held May 6, 2023; Doug Hallum

Requests: 6 hrs.

Recommended: 6 hrs.

The provider must provide to the Department the content covered in more detail for each stop on the agenda, before the 6 hours will be awarded.

2- South Atlantic Jubilee, Myrtle Beach, SC, by South Atlantic Well Drillers Jubilee, was held July 29-31, 2023; Debra Kelly

Requests: 25.5 hrs.

Recommended: 11.5 hrs.

3-Shallow Exploration Drillers Clinic, Butte, MT, by SEDC was held May 2-3, 2023; Matt Marxsen

Requests: 12 hr.

Recommended: 5 hrs.

4-Safety Electrical Training, York, NE, by NARD was held May 15, 2023; Jennifer Swanson

Requests: 2 hr.

Recommended: 2 hrs.

5-Safety Electrical Training, Valentine, NE, by NARD was held May 17, 2023; Jennifer Swanson

Requests: 2 hr.

Recommended: 2 hrs.

6-Safety Electrical Training, Sidney, NE, by NARD was held May 22, 2023; Jennifer Swanson

Requests: 2 hr.

Recommended: 2 hrs.

7-Safety Electrical Training, Norfolk, NE, by NARD was held May 24, 2023; Jennifer Swanson

Requests: 2 hr.

Recommended: 2 hrs.

8-Safety Electrical Training, Holdrege, NE, by NARD was held June 8, 2023; Jennifer Swanson

Requests: 2 hr.

Recommended: 2 hrs.

9-2023 Fall Water Conference, Omaha, NE, by Nebraska Water Center will be held October 3 and 4, 2023; Ann Briggs

Requests: 14.5 hrs.

Recommended: 7 hrs.

Attendance sheets or certificates must show each session the attendee attended.

Mr. Thompson, CEU Committee Chair, submitted the recommendations for board approval of CEU hours as stated. Voting yes: Beck, Christensen, Fosler, Grosch, Johnson, Lackey, Mackin, Thompson, Webster, Whitesel. Voting no: none. Abstain: none. Motion carried.

Item 7. Program Report

Mr. Miesbach presented the program report that was included in the Board Packet. It outlined the declaratory orders/pre-notifications, violations, licensure information and testing information.

- Review of the program report.
- Mr. Sizer is out overseeing a new injection well
- NRD technician tutorial, a sub-committee has been formed. The committee is working with UNL to create an online tutorial for the NRGWT Training and online exams for the NRDs. The committee is hoping to have the tutorial available for board review in the spring of 2024. Tutorials for well drillers may be considered in the future.
- Budget/monies available for more public issues to be addressed, such as coliform.
- Currently the program is not charging for exams. It was suggested that allowing applicants to retest at no cost, is costing the department. Applicants have no reason to study when they can take the test as many times as needed with no price tag. A suggestion was made that the program look at charging a non-refundable fee for all exams taken when new regs are passed.
- LPS projects are ongoing. The area inspector is spending a lot of time helping with the various projects.

Item 8. Legislative Report

- Mr. Orton shared that the committee is working on an itemized budget for funding to be proposed in the next legislative session. The committee needs an easily understandable budget. The State Association Board will retain the lobbying firm to keep the bill alive and introduced next session. General funds have been given for the next 2 years to fund the WWS program.
- Mr. Orton would like to see an update on the State Capital building project. He suggested coordinating a tour for the board in the future. He stated that Nebraska will be the 3rd State Capital in the nation to be geothermal.

Item 9. Agency Reports

A. UNL – Conservation & Survey – Sue Lackey

- Working on a guidebook.

B. HHS – Division of Public Health – Russ Fosler

- Mr. Fosler shared that DHHS will not be able to conduct investigations for the WWS program because the program is no longer under the UCA. Complaints will be forwarded to the Program.

C. Natural Resources Districts – Lynn Webster

- Busy doing static water levels and summer projects.

D. Dept. of Environment and Energy – Laura Johnson

- We have drafted a nitrate study statement that is consistent, so everyone is hearing the same message. The study is looking at areas of known and potential nitrate contamination to drinking water sources and providing short and long term solutions to provide for safe drinking water.
- A lot of new faces in the Agency and in the Groundwater Section. New SWP and WHP Coordinators have been hired.
- Working on the annual report for the state fiscal year.
- Gearing up for both annual reports and conferences including preparing presentations. Promotion material has been purchased for booths, along with a spinning wheel for the public to interact with the agency.
- NDEE in coordination with DHHS is working to update the current manual process for ordering lab kits for PWSs. LIMS software will help automate processing, which will save staff time by about 200 hours a year and help eliminate human error.
- Currently finishing up a CDC project. NDEE is sharing data with DHHS from the State drinking water information system data (SDWIS), DHHS will then provide aggregate assessments of this data to the CDC for a national health tracking dashboard.

E. Department of Natural Resources – Mike Thompson

- Handouts of registration statistical reports were reviewed by the Board.
- Well spacing issues have come up near irrigation wells recently.
- Additional monies are having to be collected from well registrations for test holes that have been turned into irrigation wells due to timing issues with owners.

- Well registrations are getting caught up with those contractors who were in arrears in timely filing registration forms.
- DNR has been modernizing the search data export capabilities one program at a time. In the last few months, Surface Water and Well search interfaces have been completed. A demo will take place after the meeting for those who would like to see the new formatting.
- Perkins Canal project is progressing-a new flyer is available from DNR.

Item 10. Public Comment

None

Item 11: Closed Session

None

Item 12. Adjourn

Ms. Lackey moved to adjourn the meeting at 11:23 a.m.

Mike Thompson

August 29, 2023

Mike Thompson, Board Secretary

Date