

# **ADVISORY COUNCIL ON WELLS AND BORINGS**

**Retirement Systems Building  
60 Empire Drive, St. Paul, Minnesota 55103  
Board Room 117**

**Wednesday, September 7, 2022, Meeting Minutes**

## **Members Present**

David Duffey  
Daniel Gibbs  
Bruce Johnson  
David Kill  
Melissa King  
Troy Kuck  
Richard Lamb  
Jordan Mayer  
Roger Renner  
Michael Steffl  
Joseph Stevens  
Mark Thein  
Steven Traut

## **Others Present**

Kara Dennis  
Tannie Eshenaur  
Corrie Floyd  
Avery Guertin  
Bruce Kleven  
David Schulenberg  
Frieda vonQualen

## **Members Absent**

Daniel England  
Kelly Gribauval-Hite  
Michael Liljegren  
Steve Robertson

### **1. CALL TO ORDER**

The meeting was called to order at 10:01 a.m. by the Chairman of the Council, Roger Renner.

### **2. REVIEW AND APPROVAL OF September 7, 2022, MEETING AGENDA**

The meeting agenda was approved as proposed.

### **3. REVIEW AND APPROVAL OF June 1, 2022, MEETING MINUTES**

Mark Thein made a motion to approve the meeting minutes. Troy Kuck seconded the motion and the minutes were approved.

#### **4. ANNOUNCEMENTS AND UPDATES**

##### **Welcoming New Members and Staff – Kara Dennis (Minnesota Department of Health [MDH] Well Management Section)**

Kara Dennis welcomed Melissa King to the Advisory council as the new representative from the Board of Water and Soil Resources. Teresa Purrington (not present) was introduced as Interim Section Manager to the MDH Well Management Section. Kiel Jenkin (not present) was introduced as a new hydrologist with the section. He will be working as an inspector out of the MDH St. Cloud District Office.

##### **2023 Continuing Education – Kara Dennis (MDH Well Management Section)**

Kara Dennis provided an update on continuing education preparations. MDH-presented virtual learning is scheduled to be published on the MDH Learning Center around October 2022. The Advisory Council will have an opportunity to review the virtual presentations before they are published. Licensed Advisory Council members can count this review time towards their CEU requirements for 2023 license renewal.

MDH requested the Advisory Council's advice on potential barriers for the industry if learning opportunities are offered both in-person and/or online. The Advisory Council recommended that MDH explain what is required for continuing education and how it can be obtained. The Advisory Council suggested using a QR code for attendees of in-person events to access continuing education in the MDH Learning Center.

##### **Water Policy Center – Tannie Eshenaur and Frieda vonQualen (MDH Water Policy Center)**

Tannie Eshenaur provided an update on Clean Water Fund budget proposals for State Fiscal Years 2024 and 2025. Tannie discussed sources of PFAS and how laboratory analytical capabilities have increased. MDH anticipates testing of every community drinking water supply by this year, ahead of schedule. Currently, there is one laboratory in Minnesota with the ability to sample for PFAS from private water wells. MDH is not recommending private well sampling unless there is a known contaminant nearby. Advisory Council members requested the URL to the MDH PFAS Dashboard. Tannie also discussed MDH's goal to increase public communications about cyanazine.

Frieda vonQualen introduced a map and directory showing all Minnesota accredited laboratories. MDH requested feedback from the Advisory Council on this resource.

##### **Type II Portland-Limestone Cement Rulemaking– Avery Guertin (MDH Well Management Section)**

Avery Guertin provided updates on the Type II Portland-Limestone Cement rulemaking project. Request for Comments ended on July 20, 2022. Well Management has drafted the proposed rule language and Statement of Need and Reasonableness (SONAR) which is being finalized by MDH legal department. The next step will be to publish the notice the intent to adopt. It is anticipated this rulemaking project will be complete by early 2023.

**Enforcement Updates- Avery Guertin (MDH Well Management Section)**

Avery Guertin presented the ten most cited violations of Minnesota Rules, chapters 4725 and 4727 from 2021 enforcement cases. MDH requested input from the Advisory Council on what enforcement measures and processes would be helpful to communicate to industry to increase compliance with law.

**5. FACILITATED STRATEGIC PLANNING – Corrie Floyd (MDH Well Management Section)**

MDH provides regulatory oversight of wells and borings in accordance with Minnesota Statutes, chapter 103I and Minnesota Rules, chapters 4725 and 4727. The purpose of the Advisory Council on Wells and Borings is to advise MDH on technical matters related to the construction, repair, and sealing of wells and borings and the licensure of well and boring contractors. The Advisory Council brainstormed ideas for projects or topics that they would like to discuss and provide input on that are under MDH jurisdiction.

Michael Steffl recommended, and the Advisory Council agreed, discussing plumbing license requirements for licensed well drillers. This license type is not regulated by MDH. The Advisory Council recommended hosting a discussion with a representative from Department of Labor and Industry on this topic during the next Advisory Council meeting.

**6. OPEN FORUM**

Public guests were invited to speak to the Advisory Council during 5-minute timeslots. David Schulenberg (Minnesota Water Well Association Executive Director) discussed the correction order appeal process.

The Advisory Council recommended that MDH review the correction order appeal process and present information during the next meeting.

Bruce Kleven (Attorney and Lobbyist) discussed legislative process and the role of statutes and rules.

**7. ADJOURN**

Joseph Stevens made a motion to adjourn. Mark Thein seconded that motion. The meeting was concluded at 3 p.m. by the Chairman of the Council, Roger Renner.

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