



Missouri  
Department of  
Natural Resources

**Missouri Well Installation Board Meeting  
September 25, 2012  
Missouri Department of Transportation  
Northeast District  
1711 Highway 61 South  
Hannibal, Mo.**

**Open Session**

The regular meeting of the Well Installation Board was held September 25, 2012, at the Missouri Department of Transportation, Northeast District, 1711 Highway 61 South, Hannibal. A quorum being present, Mr. Danny Flynn, Chairman, called the meeting to order at 10 a.m.

**Board Members Present:** Mr. Danny Flynn, Chairman, Mr. Fred Schoen, Vice Chairman, Mr. Jerry Prewett (on behalf of Joe Gillman) and Mr. Robert Broz.

**Board Members Participating via Conference Call:** Mr. Robert Lawrence.

**Board Members Absent:** Ms. Sharlene Morgan and Ms. Annetta St. Clair.

**Legal Counsel via Conference Call:** Mr. Don Willoh, Assistant Attorney General.

**Guests Present:** Brad Hoyt, Missouri Water Well Association (MWWA) and Kaly Erwin, Petroleum Storage Tank Insurance Fund (PSTIF).

**DNR Staff Present:** Carey Bridges, Kyle Rollins, Sheri Fry, Connie Edwards, Hylan Beydler, Scott Kaden, Anne Keller and William Frazier.

**Introduction**

Mr. Danny Flynn, Board Chairman, welcomed everyone to the meeting and introduced himself. He asked Board members to introduce themselves, followed by staff and the audience.

**Minutes of the May 11, 2012, Board Meeting**

The Chairman asked if there were any corrections to the minutes from the May 11, 2012, meeting. Mr. Broz moved to accept the minutes. Mr. Prewett seconded the motion. Motion carried.

## **Minutes of the July 31, 2012, Board Meeting (held via conference call)**

The Chairman asked if there were any corrections to the minutes from the July 31, 2012, meeting. Mr. Broz noted one correction to the minutes. Mr. Lawrence moved to accept the minutes as corrected. Mr. Schoen seconded the motion. Motion carried.

### **Program and Section Update**

The Chairman recognized Ms. Bridges who informed the Board that Mr. Kyle Rollins was selected as the new Wellhead Protection Section chief and officially began his new position August 13, 2012. Mr. Chris Thiltgen, former unit chief of the Investigation and Remediation Unit, resigned in June 2012. The department is in the process of filling this vacancy and expects to fill the vacancy prior to the next board meeting.

Ms. Bridges gave a brief description about state of emergency Executive Orders 12-07, 12-08 and 12-09 issued by the Governor in regard to the drought relief effort. She also provided information about Wellhead staff's participation, along with other department staff, in this effort. As of Friday, September 21, 2012, Wellhead staff received 2,616 inquiries and 1,022 cost share water well certification forms.

As of August 31, 2012, the Groundwater Protection Fund balance was \$519,914. Ms. Bridges gave updates about the following: second quarter variances; purchase of bond logger; online pre-notification form; staff participation in the Missouri Rural Water Association conference; along with a brief presentation about the Well Information Management System (WIMS) which is now available online.

The Chairman commended staff about their performance during the state of emergency drought relief effort.

### **Permit Appeals**

The Chairman recognized Ms. Fry who informed the Board there were no appeals.

### **Rule Update**

The Chairman recognized Ms. Fry who updated the Board about the status of the following proposed rule changes:

Appeals Hearing Rulemaking – Ms. Fry provided an overview about the rule content. Mr. Broz moved to approve staff's recommendation that the Finding of Necessity is necessary to carry out the Board's rulemaking authority and that the department proceed by filing the proposed amendments with the Missouri Secretary of State. Mr. Schoen seconded the motion. Motion carried.

Heat Pump Construction Rule – Due to staff vacancies and drought assistance efforts, staff (with approval from management), decided to postpone stakeholder meetings until the Investigation and Remediation Unit chief position is filled.

Continuing Education Rulemaking – Staff received approval from the department to begin this rulemaking. The next step will be to hold stakeholder meetings, which have been suspended due to drought assistance efforts and staff vacancies.

### **Public Well Licensure**

The Chairman recognized Mr. Kaden and Ms. Keller, with the department's Water Resources Center, who provided an overview and presentation about current certification procedures and the permitting process relating to public water wells. Presently, any contractor with a water well permit may drill a public well without additional permitting requirements as long as they verify that they are knowledgeable with public well construction. Following discussion, Mr. Kaden asked the Board to direct Wellhead staff to begin the rulemaking process to amend current permitting rules requiring drillers to obtain a public water supply restriction on their water well permit. Mr. Flynn moved to direct staff to initiate rulemaking to add requirements for public well drilling permits. Mr. Schoen seconded the motion. After additional discussion, including confirmation with Wellhead staff that they are in support of this change, the motion carried.

### **Missouri Water Well Association Comments**

The Chairman recognized Mr. Hoyt who had one question regarding where staff is in the rulemaking process for the continuing education rulemaking, which was addressed in the rule updates discussion. Mr. Hoyt also noted that the Missouri Water Well Association convention will be held Feb. 18-20, 2013, at the Country Club Hotel and Spa in Lake Ozark.

### **Other Business**

None.

### **Public Comments and Concerns**

None.

### **Future Meetings**

The Board approved holding an open session meeting at 10 a.m. Monday, Feb. 18, 2013, in conjunction with the Missouri Water Well Association convention at the Country Club Hotel and Spa in Lake Ozark. The motion was made by Mr. Lawrence and seconded by Mr. Broz. Motion carried with a unanimous voice vote.

Mr. Schoen made a motion that the Well Installation Board meet in closed session at 9:30 a.m. at the next regular board meeting for the purpose of discussing matters protected from disclosure by law as provided for in Section 610.021, RSMo., including but not limited to: legal actions, pending litigation, and attorney-client privileged matters with the board attorney. The motion was seconded by Mr. Broz. A roll call vote was taken as follows: Mr. Broz, yes; Mr. Prewett, yes; Mr. Lawrence, yes; Mr. Schoen, yes; Mr. Flynn, yes. Motion carried.

### **Adjournment**

Mr. Schoen moved to adjourn the meeting. Mr. Prewett seconded the motion. Motion carried. Meeting adjourned at 11:03 a.m.