



Missouri
Department of
Natural Resources

**MINUTES OF THE
WELL INSTALLATION BOARD MEETING
Missouri Geological Survey
Mozarkite Conference Room
111 Fairgrounds Road, Rolla, Mo.
May 2, 2014**

The regular meeting of the Well Installation Board was held May 2, 2014, at the Missouri Geological Survey, Mozarkite Conference Room, 111 Fairgrounds Road, Rolla, Mo. A quorum being present, Mr. Danny Flynn, Chairman, called the meeting to order at 10:05 a.m.

Board Members Present: Mr. Robert Broz; Mr. Danny Flynn; Mr. Robert Lawrence; Mr. Fred Schoen; Ms. Sharlene Morgan; Ms. Annetta St. Clair

Board Members Present via Conference Call: None.

Board Members Absent: Mr. Joe Gillman

Legal Counsel: Mr. Jacob Westen, Assistant Attorney General; Ms. Julia Katich, Department of Natural Resources (DNR) General Counsel's Office

Staff Present: Ms. Carey Bridges, Mr. Kyle Rollins, Ms. Connie Edwards, Ms. Sheri Fry, Ms. Christy Miner, Ms. Marissa Spencer, Mr. Scott Kaden

Guests Present: Ms. Kaley Erwin and Ms. Carol Eighmey, Petroleum Storage Tank Insurance Fund (PSTIF); Ms. Beth Marsala, Missouri Water Well Association (MWWA); Mr. Lindell Lindsey, A&M Pump Inc. and MWWA; Mr. St. Clair

Introduction

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

Minutes of the February 24, 2014, Meeting

The Chairman asked if there were any corrections to the minutes from the February 24, 2014, meeting. Ms. St. Clair offered a motion to accept the minutes. Mr. Broz seconded the motion. Motion carried.

Program Updates

The Chairman recognized Ms. Bridges, Program Director, who updated the Board on the following items: oil and gas rule updates; legislative activities; funding for an integrated data system for DNR and current and planned online services. Mr. Flynn requested a percentage of usage for the well drilling industry and fund impact versus other programs involved in regard to HB 2006. Ms. Bridges also gave a demonstration of Geosciences Technical Resource Assessment Tool (GeoSTRAT).

Section Updates

The Chairman recognized Mr. Rollins, Section Chief, who introduced Marissa Spencer, who was recently hired as a Senior Office Support Assistant in the Processing Unit. Mr. Rollins gave an update on quarterly activities to include: 33 variances granted, received 1,545 telephone calls and 93 Sunshine requests, 44 people renewed their permits online, staff gave two educational presentations, administered testing for nine individuals in Cape Girardeau, 800+ mailing of rule books with letter to contractors explaining where to locate rules online and held five stakeholder meetings to seek input regarding possible rule development.

Permit Petitions

The Chairman recognized Ms. Fry who stated no permit petitions were received.

Rulemaking

The Chairman recognized Ms. Julia Katich, who gave a presentation on the rulemaking process.

Rule Update

The Chairman recognized Mr. Rollins who updated the Board on the status of the following rulemakings:

Rulemaking Strategy – tentative schedule

Request to Begin Rulemaking

10 CSR 23-1.010, 1.040, 1.060, 1.080, 1.130, 1.140, 1.155, 1.160.

10 CSR 23-3.030, 3.040, 3.050, 3.060, 3.070, 3.080, 3.090, 3.100, 3.110

10 CSR 23-4.060

10 CSR 23-6.010, 6.020, 6.030, 6.040, 6.050, 6.060

Mr. Lawrence made a motion for staff to begin the rulemaking process on these rules.

Ms. Morgan seconded the motion. A roll call vote was taken as follows: Mr. Broz, yes; Mr. Lawrence, yes; Ms. St. Clair, yes; Mr. Schoen, yes; Ms. Morgan, yes. Motion carried.

Rule Update Continued

Appeals Hearing Amendment 10 CSR 23-1.075 – Staff received no comments on this rule during the inter-agency review. Staff requested the Board voted to approve the Finding of Necessity for this rule as it is necessary to carry out the Board’s rulemaking authority and proceed with filing the proposed amendment with the Secretary of State’s Office. Mr. Broz made the motion and Ms. St Clair seconded the motion. A roll call vote was taken as follows: Mr. Broz, yes; Mr. Lawrence, yes; Ms. St. Clair, yes; Mr. Schoen, yes; Ms. Morgan, yes. Motion carried.

Missouri Water Well Association Comments

Mr. Lindsey stated the Association’s comments on rulemaking will be made known during stakeholder meetings. The Association requested that their comment period remain a standing agenda item on the Board meeting agendas. Mr. Schoen made a motion to leave the Missouri Water Well Association on the agenda for comments at all meetings. Mr. Lawrence seconded the motion. Motion carried.

Other Business

Ms. Morgan noted the date set for the August meeting will not work for her. Ms. St. Clair made a motion to move the August meeting from the 8th to Friday, August 22nd, to be held at 10 a.m. Mr. Schoen seconded the motion. Motion carried. The meeting will be held at the Missouri Department of Transportation, Southeast District Office in Sikeston, Mo.

Public Comment and Correspondence

Ms. Carol Eighmey commended staff for progress made in the past two to three years to enhance communications and expressed appreciation of allowing others to speak in regard to agenda items. Ms. Eighmey suggested Mr. Westen or Ms. Bridges speak to Mr. David Lamb, with the Hazardous Waste Commission, in regard to final rule making language.

Future Meetings

The Board approved holding an open session meeting at 10 a.m. November 21, 2014, in Rolla. The motion was made by Mr. Schoen and seconded by Ms. St. Clair. Motion carried.

Roll Call Vote For Next Closed Session

Mr. Schoen moved that the Well Installation Board meet in closed session 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’s attorney. The motion was seconded by Mr. Broz. A roll call vote was taken as follows: Mr. Broz, yes; Mr. Lawrence, yes; Ms. St. Clair, yes; Mr. Schoen, yes; Ms. Morgan, yes. Motion carried.

Adjournment of Meeting

Mr. Schoen moved to adjourn the meeting. Ms. St. Clair seconded the motion. Motion carried. Meeting adjourned at 11:38 a.m.