



Missouri  
Department of  
Natural Resources

**MINUTES OF THE  
WELL INSTALLATION BOARD MEETING  
Missouri Geological Survey  
Missouri Department of Transportation  
Southeast District Office,  
2675 N Main Street, Sikeston, Mo.**

**August 22, 2014**

The regular meeting of the Well Installation Board was held August 22, 2014, at the Missouri Department of Transportation, Southeast District Office, 2675 North Main Street, Sikeston, Mo. A quorum being present, Mr. Danny Flynn, Chairman, called the meeting to order at 10 a.m.

**Board Members Present:** Mr. Robert Broz; Mr. Danny Flynn; Mr. Robert Lawrence; Mr. Fred Schoen; Ms. Sharlene Morgan; Mr. Joe Gillman

**Board Members Present via Conference Call:** Ms. Annetta St. Clair

**Board Members Absent:** None

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

**Staff Present:** Mr. Jerry Prewett; Ms. Carey Bridges; Mr. Kyle Rollins; Ms. Christy Miner; Ms. Sheri Fry

**Guests Present:** Ms. Carol Eighmey, Petroleum Storage Tank Insurance Fund (PSTIF); Ms. Beth Marsala and Brad Hoyt, Missouri Water Well Association (MWWA); Mr. Lindell Lindsey, A&M Pump Inc. and MWWA; Mr. Joe Parsons and Mr. Charles High, EarthLinked Technologies; Ms. Jennifer Pellet, DNR's Soil and Water Conservation Program

**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 May 2, 2014, Meeting**

The Chairman asked if there were any corrections to the minutes from the May 2, 2014, meeting. Mr. Broz offered a motion to accept the minutes. Mr. Schoen seconded the motion. Motion carried.

## **Program Updates**

The Chairman recognized Ms. Bridges, Program Director, who updated the Board on the following items: the recent legislative session – Senate Bill (SB) 968 did not pass, SB 507 and 667 did not pass, House Bill (HB) 1872 did not pass, HB 1946 did not pass; current updates and future efforts for online services; new design of rules in development webpage and information regarding a joint meeting being held between the Clean Water Commission and Safe Drinking Water Commission on October 1<sup>st</sup> in Jefferson City. Ms. Morgan requested the meeting location and agenda be sent to the Board.

## **Section Updates**

The Chairman recognized Mr. Rollins, Section Chief, who updated the Board on personnel changes, new section brochures, and the last mailing of rule books to contractors. Mr. Rollins gave an update on quarterly activities to include: 31 variances issued for plugging, 19 variances issued for construction items, 11 variances issued for set-back distances, 64 casing points issued, staff received over 1800 incoming calls, 792 incoming email and processed over 263 sunshine requests. Mr. Rollins also provided information on educational presentations made by Section staff during the last quarter. Mr. Rollins also updated the Board on FY14 year-end activities.

## **Permit Petitions**

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

## **Rule Update**

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

### 10 CSR 23-3.110 Well Plugging

A consensus of recent the stakeholder meetings was presented. Staff are working on finalizing the draft rule language and drafting the Regulatory Impact Report.

### 10 CSR 23-1.075 Disciplinary Actions and Appeals Procedures

The appeals rule is in the department's legal office for review.

### 10 CSR 23-Chapter 3 Well Construction Code

Staff are currently working on drafting proposed language and plan to conduct stakeholder meetings at the end of this year or beginning of next year in regard to this chapter.

### Definitions, 10 CSR 23-1.030 Types of Wells, 10 CSR 23-1.040 Modification by the Division

Definitions rule is also in the department's legal office for review.

### **Annual Fee Structure Update**

The Chairman recognized Mr. Rollins who updated the Board on the status of the Groundwater Protection Fund. Staff recommended the Groundwater Protection Fund fees remain at the current level for Fiscal Year 2015. Mr. Broz made a motion to move forward with staff's recommendation. Mr. Schoen 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; Mr. Gillman, yes. Motion carried.

### **DX Geexchange Heat Pump Systems**

The Chairman recognized Mr. Charles High with EarthLinked Technologies who gave a presentation on DX Geexchange Heat Pump Systems. Mr. Broz questioned staff regarding the Missouri Well Construction Rules which prohibit the installation of these systems after January 2015. Mr. Rollins replied that contractors would have to submit the required variance request to install these systems after January 1, 2015, and at that time staff would review the request on a case-by-case basis.

### **Cost Share Program**

The Chairman recognized Ms. Jennifer Pellet from the Soil and Water Conservation Program who gave a presentation on the Cost Share Program available to landowners who may have abandoned wells on their property.

### **Integrated Data System**

The Chairman recognized Mr. Jerry Prewett who updated the Board on the Department's Integrated Data System.

### **Missouri Water Well Association**

The Chairman recognized Mr. Lindell Lindsey, Missouri Water Well Association, who gave a presentation on Integrated Data Funding in House Bill 2006 and requested the Board consider sending a letter to the Department Director regarding this matter. Chair Flynn requested staff send the funding breakdown to the Board.

### **Other Business**

None.

### **Public Comment and Correspondence**

None.

### **Future Meetings**

The Board approved holding an open session meeting at 10 a.m. February 24, 2015, in conjunction with the Missouri Water Well Association Convention with the location to be determined. The motion was made by Mr. Schoen and seconded by Mr. Lawrence. Motion carried. Discussion was made on the expense of holding board meetings in Rolla in comparison to other areas of the state.

### **Roll Call Vote For Next Closed Session**

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

### **Adjournment of Meeting**

Mr. Schoen moved to adjourn the meeting. Ms. Morgan seconded the motion. Motion carried. Meeting adjourned at 11:55 a.m.

*Minutes taken at the Well Installation Board meetings are not verbatim records of the meeting. Consequently, the minutes are not intended to be and are not a word-for-word transcription.*