

MINUTES

MAINE WATER WELL COMMISSION

Wednesday, August 11, 2021

Meetings via Zoom – link on webpage, MEDWP.COM → Professionals → Well Drillers Commission

ATTENDEES:

Commission Members:

Dwight Doughty, (Chair)
Hydrogeologist, DOT
Daniel Locke
Hydrogeologist, MGS

William Dawson
Chief Engineer, DWP
Mike Otley
Public Member

Frank Hegarty
Master Well Driller
Glenn Dyer
Master Well Driller

Guests:

Margaret Machaiek
State of Maine, AAG

Ryan Wragg
Complainant

Minutes Prepared By:

Tina Lemieux, Commission Clerk, DWP

PROCEEDINGS: 9:03 AM

Review of Meeting Minutes:

Motion to accept the minutes from July 14, 2021

❖ MOTION: Glenn Dyer 2nd: Daniel Locke VOTE: Unanimous

Exam Applications:

1. DANIEL STINSON_WD02249 – PI-J – APPROVED

Motion to Approve.

❖ MOTION: Frank Hegarty 2nd: Glenn Dyer VOTE: unanimous

2. JESSE GOODWIN_WD00329 – PI-J – APPROVED

Motion to Approve.

❖ MOTION: Glenn Dyer 2nd: Frank Hegarty VOTE: unanimous

Specialty Well Applications – Commission Review:

NONE

Specialty Well Applications – In-House Approval:

1. MCKIM-MCLEOD_SWA
2. NABRESKI-GOODWIN_SWA

Other Business:

1. New Hire: **Alexander Pugh, to take over for Bill Dawson on MWWC**

2. Exams: **Thursday, September 9, 2021 @ 10am** at Key Bank Building, downtown Augusta
 - a. Eligible candidates will be notified by email

3. Question: **Is there an age requirement written into the MWWC Rules and Regulations?**
 - a. Affordable Well Drilling – Heather, Office Clerk, posed the question and it seems that there is no age requirement written into the MWWC rules and regs.
 - b. The State of Maine Department of Labor age requirements for employment.
 - i. https://www.maine.gov/labor/labor_laws/publications/minorsguide.html
 - ii. May be employed for work beginning at age 16-17, and a work permit for minors under the age of 16. – “May work non-hazardous jobs...” ([DOL, 2021](#)).
 - iii. Must be age 18 to be an apprentice due to the hazardous work conditions.
 - c. 7-14-21, tabled for further investigation/research

 - d. 8-11-21, the Commission determined that the MWWC rules and regulations do not have an age requirement for apprentice licensure, but do follow Department of Labor state employment guidelines
 - i. Dwight Doughty will follow-up with Heather at Affordable Well Drilling.

COMPLAINTS:

CLOSED: 8-11-21

HEGARTY-GAP MTN, Ryan Wragg – rcvd 5-12-21

- 5-12-21, Motion to table complaint and exam application until 6-9-21
 - o Locke/Otley – Unanimous; Frank Hegarty, recused from vote
- 6-11-21, Notice of Complaint sent
- 7-14-21, composed list of violations
 - o Driller/helper not licensed, no master on site, no vehicle decals/stickers, no response from Notice of Complaint sent (6-11-21), no report to MGS (Well Log), not licensed for Maine
- 7-14-21, Motion allow Ryan Wragg to sit for exam but hold license until issues resolved
 - Glenn Dyer/Mike Otley – Unanimous, Frank Hegarty recused from vote
- 7-14-21, Motion to assign violations to Ryan Wragg and Gap Mtn Drilling
 - Mike Otley/Glenn Dyer – Unanimous, Frank Hegarty recused from vote
- 8-11-21, Discussed and assigned violations and penalty points
 - o Letter of Violations and penalty point assessed, to be sent

Motion to assess violation points but no monetary value, 12 pts, to Ryan Wragg.

- ❖ **MOTION:** Mike Otley **2nd:** Daniel Locke **VOTE:** unanimous
 - o Frank Hegarty recused from vote

Motion to assess violation points but no monetary value, 12 pts, to Gap Mtn Drilling.

- ❖ **MOTION:** Glenn Dyer **2nd:** Daniel Locke **VOTE:** unanimous
 - o Frank Hegarty recused from vote

COMPLAINTS:**CLOSED: 8-11-21**

ROCK LIBBY: L&L Well Drilling – (654 South Rumford, Rumford, ME 04276)

I. Consent Agreement (I of II) - reviewed and to be voted for approval

6-9-21, Motion for finalizing Commission approval of Consent Agreement I, regarding the 645 South Rumford property.

- ❖ **MOTION:** Frank Hegarty **2nd:** Mike Otley **VOTE:** 3 yea, 3 recused
 - Glenn Dyer, Dwight Doughty, and Daniel Locke recused from vote

DYER-L&L – (654 S), complaint, received 6-23-20

- 6-25-20 – Notice of Complaint, sent to Rock Libby of L&L Well Drilling
- 7-8-20 – Reviewed and discussed complaint.
- 10-14-20 – Discussed and assigned violations and penalties
- 12-3-20 – Notice of Violation/Penalty, sent L&L Well Drilling/Rock Libby

DOUGHTY-L&L – (654 S), complaint, received 6-10-20

- 6-10-20 – Notice of Complaint, sent to Rock Libby of L&L Well Drilling
- 7-8-20 – Reviewed and discussed complaint
- 10-14-20 – Discussed and assigned violations and penalties
- 12-3-20 – Notice of Violation/Penalty, sent L&L Well Drilling/Rock Libby

LOCKE-L&L – (654 S), complaint, received 5-4-20

- 5-7-20 – Notice of Complaint, sent to Rock Libby and Anthony O’Connor
- 6-10-20 – Reviewed and discussed complaint
- 10-14-20 – Discussed and assigned violations and penalties
- 12-3-20 – Notice of Violation/Penalty sent, L&L Well Drilling/Rock Libby

CLOSED: 8-11-21

ROCK LIBBY: L&L Well Drilling – (RTE 108, Rumford, ME 04276)

LOCKE-L&L – (RTE 108), complaint, rcvd 12-9-20

- 12-17-20 – Notice of complaint sent
- Send 3rd Notice of Complaint before next meeting, 2-10-21

CLOSED: 8-11-21

DENSMORE – L&L WELL DRILLING:

II. Consent Agreement (II of II) - reviewed and to be voted for approval

6-9-21, Motion for finalizing Commission approval of Consent Agreement I, regarding the Denmore property in Turner, Maine.

❖ **MOTION**: Mike Otley **2nd**: Frank Hegarty **VOTE**: Unanimous

DENSMORE-L&L – complaint, received 6-3-20

- a. 6-4-20 – Notice of Complaint, sent to Rock Libby of L&L Well Drilling
- b. 6-10-20 – Reviewed and discussed complaint.
- c. 10-14-20 – Discussed and assigned violations and penalties
- d. 12-3-20 – Notice of Violation/Penalty, sent L&L Well Drilling/Rock Libby
- e. 1-13-21 – Moving forward for small claims court

CLOSED: 8-11-21

ANTHONY O’CONNOR:

I. Letter of Revocation – O’Connor

- a. 6-17-21, Notice of Revocation sent

LOCKE-OCONNOR (APPRENTICE) – (RTE 108), complaint, rcvd 12-9-20

- a. 12-17-20 – Notice of complaint sent
- b. 1-27-21 – 3rd Notice of Complaint sent

LOCKE-OCONNOR (APPRENTICE) – (654 S), complaint, received 5-4-20

- a. 11-20-20 – Notice of Complaint, sent to AJ O’Connor
 - o 1st Notice of Complaint, sent same time as L&L WD
- b. 12-9-20 – MWWC accepted complaint against AJ O’Connor
- c. 12-30-20 – 2nd Notice of Complaint, to be sent to AJ O’Connor
- d. 1-27-21 – 3rd Notice of Complaint sent

DYER-OCONNOR (APPRENTICE) – (654 S), complaint, received 6-23-20

- a. 11-20-20 – Notice of Complaint, sent to AJ O’Connor
 - o 1st Notice of Complaint, sent same time as L&L WD
- b. 12-9-20 – MWWC accepted complaint against AJ O’Connor
- c. 12-30-20 – 2nd Notice of Complaint, to be sent to AJ O’Connor
- d. 1-27-21 – 3rd Notice of Complaint sent

Motion to Adjourn.

❖ **MOTION**: Frank Hegarty **2nd**: Mike Otley **VOTE**: Unanimous

ADJOURNMENT:

TIME: **10:01 AM**