

# **ADVISORY COUNCIL ON WELLS AND BORINGS**

## **Virtual Meeting**

**Wednesday, December 16, 2020, Meeting Minutes**

### **Members Present**

Daniel England  
David Kill  
Jordan Mayer  
Roger Renner  
Mark Thein  
Bruce Johnson  
Annie Felix-Gerth  
David Duffey  
Kelly Gribauval-Hite  
Daniel Gibbs  
Michael Liljegren  
Richard Lamb

### **Others Present**

Dave Schulenberg  
Kara Dennis  
Justine Greene  
Jennifer Weier  
Sue Lang

### **Members Absent**

Chris Elvrum  
Joseph Stevens  
Troy Kuck

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

The meeting was called to order at 9 a.m. by the Chairman of the Council, Roger Renner.

#### **2. REVIEW AND APPROVAL OF December 16, 2020, MEETING AGENDA**

The agenda was approved with the suggestion to possibly move the Introduction to Temporary Program Manager – Justine Greene to later in the meeting.

#### **3. REVIEW AND APPROVAL OF March 4, 2020, MEETING AGENDA**

Mark Thein made a motion to approve the meeting minutes. Kelly Gribauval-Hite seconded that motion. The meeting minutes were approved with no suggested additions.

#### **4. INTRODUCTION TO OUR TEMPORARY PROGRAM MANAGER – JUSTINE GREENE**

Justine Greene is supporting the Well Management Section while Chris Elvrum is reassigned to COVID-19 response work. She has been serving as the program manager since September 2020. She has worked at the Minnesota Department of Health (MDH) for thirteen years. She started as an asbestos inspector, and for the past five years she has been managing the Laboratory Accreditation Program and working on quality improvement for the Environmental Health Division.

#### **5. WELL MANAGEMENT SECTION UPDATES – Jennifer Weier**

##### **Well Management Staffing and COVID-19 Response**

The Commissioner of MDH has said that COVID-19 response work is an agency priority, and approximately 70 percent of staff have been reassigned to response work. This has affected Well Management Section staff; many have been reassigned either full time or part time. This includes Chris Elvrum and Kara Dennis, who has most of her time reassigned to response work. The Well

Management Section has also lost several staff members since the beginning of the pandemic due to retirements, resignations and moving to new positions, but the State of Minnesota also has a hiring freeze. We were able to get an exemption to fill two open positions, the Operations Unit Supervisor role, and the Hydrologist 3 – Variance Coordinator role. These two positions are currently open and will be through the end of December. The tentative end of the COVID-19 reassignments is the end of June 2021, but hopefully some reassigned Well Management Section staff can return to their normal work in late January if case numbers go down. We apologize for any delay in response, but there are a lot of calls coming into MDH due to COVID-19. We are hoping to get back to more normal operations in mid-2021.

### **Bored Geothermal Heat Exchanger Rulemaking Update and Timeline**

The new rules were posted for a 60-day public comment period over the summer, and there were several comments from the Geothermal Heat Pump industry. Our responses to these comments are currently in legal review. We have completed the Governor's Final Rule Form, and our legal team is reviewing that as well. That form then gets sent over to the Governor's Office, and hopefully that will occur in the next week or two. This is the final notice to the Governor of the proposed rules, and his office has seven days to respond. If the Governor's Office accepts our proposal, we then send all the rule documentation to the Office of Administrative Hearings by January 31, 2021. Once we receive approval from the Administrative Law Judge, the order to adopt the new rules will be published in the State Register. Five days after that publication the new rules go into effect. We are hoping to have the new rules published by the end of the first quarter of 2021. We will also be working on communication materials for these new rules that will hopefully go out around the same time that the new rules go into effect. Roger Renner also encouraged providing education and outreach concerning the new rules and possibly collaborating with the Minnesota Water Well Association.

### **Environmental Well Rulemaking Update and Timeline**

There is a draft of the new Environmental Well rules that has been shared internally, but we have not had time or the staffing capacity to move that to the next step during this pandemic. We also decided internally to pause the environmental rule writing process until the new Bored Geothermal Heat Exchanger rules were published.

## **6. CONTINUING EDUCATION FOR LICENSED WELL CONTRACTORS – Kara Dennis**

### **Overview and Feedback for 2020 Online CEU Program**

Due to the COVID-19 pandemic, the Well Management Section had to cancel presentations at pump schools and the spring/fall videoconferences. The MDH-sponsored continuing education hours will be provided online in the MDH Learning Center for 2021 license renewal. Other virtual CEU options are listed on the MDH website.

### **Continuing Education Program and Potential Topics for 2021**

Due to the pandemic, the MDH-sponsored continuing education will also be provided online using the MDH Learning Center for 2022 license renewal. The proposed topics include Well Management Update, overview of online resources, overview and background on PFAS, record completion and submittal, water appropriation and water law.

**7. MANAGED AQUIFER RECHARGE (MAR) – David Kill**

The Northeast Metro Area Water Management Group are interested in the possibility of installing recharge wells to help dilute PFAS in groundwater in the East Metro. There are other potential benefits of recharge wells considering the high groundwater use in the metro area. MAR is occurring in other parts of the USA and internationally, but [Minnesota Rules, part 4725.2050](https://www.revisor.mn.gov/rules/4725.2050/) ([www.revisor.mn.gov/rules/4725.2050/](https://www.revisor.mn.gov/rules/4725.2050/)) prohibit injection into a well or boring. Dave Schulenberg presented some information about Project 1007 in the East Metro area concerning removing PFAS contamination in groundwater through a series of extraction and injection wells. Injection wells can be permitted through the variance process.

**8. ADVISORY COUNCIL VACANCIES – Jennifer Weier**

There are currently three vacancies on the Advisory Council, two well contractor seats and one elevator boring contractor seat. Anyone who is interested can apply on the Secretary of State website under Boards and Commissions. Dave Schulenberg suggested better clarifying the requirements to serve on the Advisory Council. Section of new council members is based off meeting Minnesota Statutes requirements.

**9. ADJOURN**

The meeting was concluded at 10:22 a.m. by the Chairman of the Council, Roger Renner.