

WATER WELL STANDARDS & CONTRACTORS’ LICENSING BOARD MEETING
February 12, 2024

Tonny Beck, Chairman, called the meeting to order at 1:06 p.m. with roll call. The meeting was held at the Crown Plaza, 707 West Talmadge St, RM Bronze #4, Kearney, NE. Copies of the agenda were emailed to board members and other interested parties prior to the meeting. The meeting was advertised on the Public Notice page of the Nebraska Department of Environment and Energy’s website. The Open Meetings Act was posted at the front entrance of the room.

Item 1. Roll Call

PRESENT:	Tonny Beck	Sue Lackey
	Mike Thompson	Lynn Webster
	Daniel Mackin	Brian Whitesel
	Scott Grosch	Cody Christensen
	Laura Johnson	Russ Fosler

ABSENT:
OTHERS: Lee Orton, Dan Egeland, Tim Sizer, Becky Schuerman, Mark Graf, Jeremy Bower, Scott Snell, Dave Miesbach, Tom Downey, and Pam Miller.

Item 2. Adoption of Agenda

Ms. Lackey moved to adopt the agenda. Mr. Fosler seconded the motion. Voting yes: Beck, Thompson, Mackin, Johnson, Fosler, Christensen, Whitesel, Grosch, Lackey, Webster. Voting no: none. Abstain: none. Motion carried.

Item 3. Consideration of Minutes of Board Meeting – November 8, 2023

Mr. Whitesel moved to adopt the minutes. Mr. Mackin seconded the motion. Voting yes: Beck, Thompson, Mackin, Johnson, Fosler, Christensen, Whitesel, Grosch, Lackey, Webster. Voting no: none. Abstain: none. Motion carried.

Item 4. Continuing Education Requests

1- NRD Annual Conference, Kearney, NE, by NARD, was held on September 25-26, 2023; Jennifer Swanson

Requests: 7 hrs. Recommended: 7

2- KGWA Annual Convention, Mulvane, KS, by NARD, was held on January 18-19, 2024; Dave Schulenberg

Requests: 17 hrs. Recommended: 13 available hrs. max 8hrs. allowed

3- Water Programs Update, Central City, NE, by NARD, was held on February 6-2024; Marcia Lee

Requests: 4 hrs.

Recommended: 3.5

4- 2024 Thein Well In-House Training, Spicer, MN, by Thein Well Co will be held February 20, 2024; Michael Thein

Requests: 9.5 hr.

Recommended: 9.5

Mr. Thompson, CEU Committee Chair, submitted the recommendations for board approval of CEU hours as stated. Voting yes: Beck, Thompson, Mackin, Johnson, Fosler, Christensen, Whitesel, Grosch, Lackey, Webster. Voting no: none. Abstain: none. Motion carried.

Item 5. Program Report

Mr. Miesbach presented the program report that was included in the Board Packet. It outlined the declaratory orders/pre-notifications, violations, licensure information and testing information.

- Review of program report.
- Legal is reviewing the regulations. Set up of subcommittees may be able to take place at next board meeting.
- The Budget report was reviewed. A more detailed formatting of the expenses will be presented at the next meeting.

Item 6. Legislative Report

The legislature is currently half-way through the session.

Item 7. Agency Reports

A. UNL – Conservation & Survey – Sue Lackey

- Restructured/new CSD position advertised: Geological Research Specialist – to support Statemap work.
- Marxsen is scheduling 2024 test-hole drilling projects and working on completing, as access allows, coring projects before crops are planted.
- Lower Big Blue NRD 2023 AEM Flight report came out at the end of January, Nemaha NRD 2023 AEM report is coming out next (maybe March)
- Lower Platte South NRD hydrogeologic assessment map book and LeapFrog deliverable came out in January also (final datasets not received yet)
- ENWRA Recharge Project - focus area work
- CSD cooperative agreements: maybe add the WalkTEM pricing in for NRDs (we got about 3 to 5 soundings done in a day last fall - worked well filling in around 2016 AEM line data with onsite boreholes to compare.
- Work continues on improving/updating the GeoCloud.

- Aaron Young will have the WL change maps done and available at the CSD Booth.

B. Department of Natural Resources – Mike Thompson

- Handouts of registration statistical reports were reviewed by the Board.
- NDEE's RO rebate program has created higher numbers of domestic well registrations with the department for the year.
- New hire, Jeremy Bower, with the registration team, was introduced. He will be involved with the conference presentation on well registrations, webpage and helpful hints from DNR.
- A flyer for the DNR's interactive site was shared providing help with determining well location for registrations filed by the public.

C. Dept. of Environment and Energy – Laura Johnson

- An update to the nitrate testing was shared. 3500 kits have been requested and 1688 have been returned. Presentations on the nitrate study have been done at several conferences. The Interim report is under review, once the final report is completed internally, it will go out to the public for comments.
- The RO rebate program has been extended through the end of September 2024
- Requests for nitrate sample kits has been extended to March 1, 2024
- EPA put out the protocol for nitrate/nitrite IRIS assessments. This is how they determine the need to reassess the mcl. Conclusion of the document was they have enough data and studies to include a cancer risk over the lifetime. Action expected to take place in the next few years. The last update was made in 1991.
- EPA region 5 got a petition from residents in MN to utilize section 1431 authority of the Safe Drinking Water Act to put MN on notice for the state and local authorities failing to protect the public from nitrate in private domestic wells. This requires testing of private wells and to provide alternate water if levels come back over the Safe Drinking Water Act limits. This was done in isolation without EPA HQ or other regions involvement.
- PFAS study continues. Second round of public water system sampling is taking place.

D. Natural Resources Districts – Lynn Webster

- Static water levels are completed
- Upcoming chemigation
- Tree planting for the NRD's is upcoming
- Getting ready for summer field work

E. HHS – Division of Public Health – Russ Fosler

- The large number of requests for sample nitrate kits has kept the lab very busy.
- A study is going on in North Platte to close the Postal facility. This will create a real problem for sampling if the facility closes. Late delivery of samples will not allow them to be tested.

Item 8. Public Comment

None

Item 9: Closed Session

At 2:24 pm Mr. Fosler made the motion to go into closed session. Mr. Grosch seconded the motion Voting yes: Beck, Thompson, Christensen, Whitesel, Fosler, Mackin, Johnson, Grosch, Lackey, Webster. Voting no: none. Abstain: none. Motion carried.

At 2:38 pm Mr. Webster made the motion to come out of closed session. Ms. Johnson seconded the motion. Voting yes: Beck, Thompson, Christensen, Whitesel, Fosler, Mackin, Johnson, Grosch, Lackey, Webster. Voting no: none. Abstain: none. Motion carried.

Mr. Fosler made the motion to approve a hardship license effective February 12, 2024. The temporary license will remain in effect until April 17, 2024, with the stipulation that the applicant will be required to pass the required exams in that timeframe. Mr. Grosch seconded the motion. Voting yes: Beck, Thompson, Christensen, Whitesel, Fosler, Mackin, Johnson, Grosch, Lackey, Webster. Voting no: none. Abstain: none. Motion carried.

Item 10. Adjourn

Mr. Christensen moved to adjourn the meeting at 2:40 p.m.



March 25, 2024

Mike Thompson, Board Secretary

Date