

MINUTES

MAINE WATER WELL COMMISSION

Wednesday, August 9, 2023

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Meeting – HYBRID (In-Person/Zoom)  
18 Elkins Lane, Rm 109, Harlow Bldg., Augusta, ME

### ATTENDEES:

#### Commission Members:

Dwight Doughty, (Chair)  
Hydrogeologist, DOT  
Alex Pugh,  
Hydrogeologist, DWP

Ryan Gordon  
Hydrogeologist, MGS

Mike Otley  
Public Member  
Frank Hegarty  
Master Well Driller

#### (ZOOM) Guests:

Margaret Machaiek  
AAG

#### Minutes Prepared By:

Tina Lemieux, Commission Clerk, DWP

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PROCEEDINGS: 9:09 am

Review of Meeting Minutes:

Motion to accept the minutes from Wednesday, June 14, 2023, Monthly Meeting

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

Exam Applications:

1. JACK TOBIN_WD02257 – WD-J - APPROVED

Specialty Well Applications – Commission Review:

1. NONE

Specialty Well Applications – In-House Approval:

1. BUSWELL-LORD_SWA
2. SEAN M SULLIVAN & BRIAN T SULLIVAN-GOODWIN_SWA
3. MACDONALD-MARQUIS W&P LLC_SWA
4. RE-ISSUE: PAYSON-RUDNICKI_SWA

Other Business:

1. EXAMS: Tuesday, September 5, 2023 @ 10am at Key Bank Building, downtown Augusta
 - a. Eligible candidates will be notified by email
2. VOTE: Activity – Meeting Conflict in September
 - a. MWWC September meeting date changed: **Tuesday, September 19, 2023, at 9 am**

OPEN COMPLAINTS:

DWP (Tufts) - A-Z WATER SYSTEMS – complaint, rcvd 9-13-22 – OPEN (9-14-22)

- 5-10-23, Motion to assess violations, points, and associated fines for A-Z Water Systems Inc.
 - o *Alex Pugh/Ryan Gordon – 6 yea/1 recused *(Frank Hegarty)*
- 6-7-23, Notice of Violations, sent
- 6-14-23, Motion to table complaint until next meeting July 2023
 - o *Frank Hegarty/Mike Otley – Unanimous*
- 6-29-23, Response Email, A-Z Water Systems – **appealing decision**
- 7-12-23, Future headings for complaints use program/business title and contact representative in parentheses. *(copies of response letters available at the next meeting)
- 8-9-23, A-Z Water System will be appealing the complaint

DWP (Tufts) (2) - LEVESQUE WELL DRILLING - complaint rcvd 2-21-23 – CLOSED (8-9-23)

- 5-10-23, Motion to assess violations, points, and associated fines for Affordable Well Drilling Inc.
 - o *Mike Otley/Glenn Dyer – 6 yea/1 recused *(Frank Hegarty)*
- 6-7-23, Notice of Violations, sent
- 6-14-23, Motion to table complaint until next meeting July 2023
 - o *Frank Hegarty/Mike Otley – Unanimous*
- 6-21-23, Response Letter, Levesque Well Drilling – **finest paid, \$1000.00.**
- 7-12-23, Future headings for complaints use program/business title and contact representative in parentheses. *(copies of response letters available at the next meeting)
- 8-9-23 – fines paid; complaint CLOSED

****HANSCOM WD-CARMEL WD – complaint, rcvd 11-09-21 – OPEN****

- 11-10-21, complaint accepted
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- 06-14-23, *Follow-up; Dwight Doughty to contact Carmel Well Drilling.
- 06-14-23, Motion to table complaint until next meeting July 2023
 - o *Frank Hegarty/Mike Otley - Unanimous*
- 7-12-23,
Motion to 1) get spring sample, 2) void or deny SWA, 3) send letter: in violation of agreement and violation points will be discussed at next meeting.
- ❖ **MOTION:** Frank Hegarty **2nd:** Mike Otley **VOTE:** Unanimous

RECEIVED: after meeting

- 7-14-23, Lab Report, received by FAX, (collected, 6-20-23)
- 7-17-23, email received from Alex Pugh - no letter sent to Carl Rudnicki and Carmel WD
- 8-9-23, Alex Pugh - will contact Carl Rudnicki in September about the remaining lab to be taken for September 2023

****NEXT MEETINGS****

FAIR HEARINGS:

HINTON- (1)AFFORDABLE & (2)A-Z WATER – complaint, rcvd 11-03-21 – OPEN

- a. 4-13-22, Violations assessed for A-Z Water Systems and Affordable Well Drilling
- b. 5-5-22, Violation Letters sent to A-Z and Affordable
- c. 5-11-22, A-Z Appeal Response letter
- d. 5-23-22, Affordable Appeal Response letter
- e. 6-8-22, Pending Fair Hearing scheduling (date and time), (MOU, FHRF)
- f. 10-19-22, **Hinton - A-Z, Settlement Proposal received** – pending approval

JONES- A-Z WATER – complaint, rcvd 10-19-21 – OPEN

- a. 6-8-22, Violations assessed for A-Z Water Systems
- b. 7-1-22, Violation letter sent to A-Z
- c. 7-12-22, A-Z Appeal Response, received
- d. 7-13-22, Fair Hearing to be scheduled after paperwork submitted, (MOU, FHRF)
- e. 10-19-22, **Jones - A-Z, Settlement Proposal received** – pending approval

8-9-23 – MWWC Meeting

- e. 7-28-23, Response Letter, Hinton/Jones - A-Z Water Systems
 - paid \$3000 fines
 - required 3 online classes through NGWA Learning Center and complete by **9-17-23**

MONTHLY MEETING:

Tuesday, September 19, 2023, at 9am – (In-Person/Zoom)

Location: 18 Elkins Lane, Room 109, Harlow Building, Augusta, ME

ADJOURNMENT:

TIME: 9:35 am

Motion to Adjourn.

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