

# Advisory Council on Wells and Borings Meeting

## WELL MANAGEMENT SECTION

**Date** March 5, 2025

**Location** Virtual meeting due to weather conditions

**Attendees** **Virtually:** David Duffey, Tannie Eshenaur, Kelly Gribauval-Hite, David Henrich, Bruce Johnson, David Kill, Richard Lamb, Ed Lenz, Jordan Mayer, Don McKeever, Danny Nubbe, Roger Renner, Mike Steffl, Gabriel Sweet, Steven Traut

**Others Present:** Anita Anderson, Jane de Lambert, Avery Guertin, Dave Hokanson, David Liverseed, Mark Malmanger, Kelly Medellin, Jon Olson, Teresa Purrington, Jenn Weier

**Absent:** Mike Liljegren, Joe Stevens

## Call to Order

David Henrich, Chair, called the meeting to order. Teresa Purrington welcomed Ed Lenz as the new Minnesota Board of Water and Soil Resources (BWSR) representative, replacing Melissa King. Ed Lenz and the council introduced themselves.

## Approval of meeting agenda

Don McKeever made a motion to approve the meeting agenda. David Kill seconded the motion. Motion carries.

## Approval of last meeting minutes

Roger Renner made a motion to accept the Advisory Council minutes from December 3, 2024. Don McKeever seconded the motion. David Henrich asked the council to vote on the motion to approve the minutes with those in favor say “aye” and those opposed say “nay”. Motion carries.

## Old Business

### SharePoint Site

Kelly Medellin reported on the Advisory Council SharePoint site. She stated that moving forward, meeting packets and updates will be sent from the SharePoint site, not by email.

## New Business

## MDH Announcements

### Water Policy/Clean Water Fund updates

Tannie Eshenaur reported on the Minnesota Drinking Water Action Plan. They're close to having a final document and hoping to complete it sometime in March. There will be a news media event and release. MDH has led the facilitation, but it is Minnesota's plan with several agencies represented.

Tannie Eshenaur reported on the Southeast MN Nitrate Response Plan. Originally, it was restricted to certain groups that are considered to be a greater risk of health effects, pregnant people and infants. In December, it was opened to everyone, and they have received over 900 requests for test kits.

Tannie Eshenaur reported on the EPA directive to find private wells and create an updated inventory. They have estimated 12,000 wells in the inventory. They have been able to do some GIS work and have reviewed tax data. She also reported on another directive from EPA, to supply mitigation options. They didn't receive funds through Clean Water Fund, but the MN Department of Agriculture will provide reverse osmosis systems. They have installed 135 point of use reverse osmosis systems so far.

Tannie Eshenaur reported on the Clean Water Fund. She stated that \$6 million will be combined between Southeast MN efforts and statewide private well protection efforts for FY26 and FY27. She encouraged the council to read the Policy Committee's Advanced Drinking Water Protection Policy Statement.

### Rulemaking updates

Avery Guertin reported on rulemaking updates for the Submerged Closed Loop Heat Exchanger (SCLHE) rulemaking. There were no comments or requests for a hearing. The Office of Administrative Hearings approved the proposed rules to proceed towards adoption on February 19, 2025. We anticipate this rule to be adopted within the next month.

Avery Guertin mentioned that when rulemaking for SCLHE was authorized in Minnesota Statutes, we have an option to consider expedited rulemaking after the permanent rules are adopted. Next phase will be to put together an advisory committee that will provide feedback on isolation distances and screen configurations as they relate to SCLHE. There are 16 members on the committee. The first meeting will be on March 20, 2025. Avery Guertin mentioned David Henrich is representing the council on the rulemaking advisory committee.

### Legislative updates

Teresa Purrington reported on 2024 Well Management Section activities, including the number of licensed companies and certified representatives, those that have completed CEUs, the number of inspections, permits and variance requests.

Teresa Purrington reported on legislative bill introductions:

- SF 1769 and HF 1430. Language amends well disclosure notifications, transfers county recorder fee to MDH, and provides MNiT funding to establish a new database.

- HF 1207 affects DWP and WMS. Language includes applying and permitting for EPA Class V injection wells, developing decision support system/cost benefit tool for aquifer storage and recovery, amendment to Minnesota Rules, Chapter 4725, and requires inspection of newly constructed wells.

Teresa Purrington reported on the Gas Technical Advisory Committee. Recommendations were sent to the legislature on January 15, 2025. If recommendations accepted, this would expand WMS authority over prospecting for gas, provide oversight of gas wells, license a person or company, register drilling equipment, and a new regulatory chapter over gas wells. If recommendations not accepted, WMS would only have to modify existing exploration rules by May 19, 2026.

Teresa Purrington reported that the Governor is recommending measured program operating adjustments beginning FY26. She stated that work has largely been driven with geothermal and exploration initiatives. Don McKeever asked why DNR received funds for the helium discovery in 2024, but MDH didn't. Teresa Purrington responded that DNR received funds, but others didn't receive funds, and they were not expected to share funds.

David Henrich stated that across the board fees increase seems inappropriate, as most of the fees comes from private wells. Teresa Purrington responded that if anyone has concerns, they can provide those through the legislature including the chairs of the house and senate. She also stated that she would encourage the MWWA to submit a letter of support for increasing fees.

## Education Topic: PFAS

Jane de Lambert, David Liverseed and Tannie Eshenaur reported on PFAS.

Dave Liverseed, MDH reported on PFAS Education. He stated that the presentation is based on our current understanding, but information is constantly coming in. He specifically focused on private well users and how PFAS moves into drinking water. Human exposure includes fish caught in contaminated water, food grown/raised near contamination, contaminated drinking water and products. He also focused on PFAS in groundwater in the East Metro and stated that state agencies have created a PFAS Blueprint and Monitoring Plan. Health concerns include that PFAS is bioaccumulated in humans and animals. The goal is to reduce exposure as it already is in humans. He reported on Amara's Law, established in 2025, that aims to prevent PFAS use in products and reduce PFAS exposure by prohibiting their use in products sold or distributed in Minnesota. Dave Liverseed opened it up for questions and received many questions from the council.

Jane de Lambert, from MDH Source Water Protection, reported on PFAS Statewide Testing. The goal was to sample all community public water systems by early 2023 and determine if any detections above MDH guidance values. Phase 1 included sampling 100 entry points of community water systems with nearby known sources of detections. Phase 2 was to sample 250 entry points, including vulnerable populations. Phase 3 as to sample all remaining community water systems, around 1000 altogether. From these samples, it was found that 50% of the systems had PFAS, PFBA with highest percentage. One of the outcomes was to create an interactive web dashboard. Next steps include continuing data analysis, assessing variables

around land use and well characteristics, and created a private well sampling program called Drinking Water Ambient Monitoring Program to test throughout the state.

Tannie Eshenaur reported on private wells. There's a clear pathway for private wells linked to environmental investigation through MPCA. She reported on interventions and treatment options, including granulated activated carbon, reverse osmosis, and ion exchange. She communicated to the council that there's a lot of information on their website, including toolkits, and they should refer their customers to the PFAS webpage. She reiterated that MDH does not recommend that every private well be tested, that the science is dynamic and everchanging, and the MPCA is systematically testing private wells where there is evidence of contamination.

## Advice Topic: eLicensing Demo

Kelly Medellin gave an update regarding eLicensing. She reported that the estimated initial launch could be April – May 2025. Notice was sent out to well contractors to collect their email addresses. WMS is currently testing the processes, preparing for data migration, and verifying the user friendliness of the new system. They are also developing a communication plan, guidance, and training.

Kelly Medellin provided a demonstration of how Certified Representatives will be licensed. She encouraged the council to volunteer as a test user, and to notify her if they would like to participate in review of the new eLicensing system.

## Water Service Line council discussion

Teresa Purrington thanked Anita Anderson and Dave Hokanson for joining the meeting from Drinking Water Protection to answer questions.

David Henrich reported on a discussion regarding DLI Water Service Lines. There are dual authorities and dual regulations that cause extra expense and time delays. The council discussed this issue. Steve Traut stated that DLI has inserted themselves into the process and told them that they can't do things they've done in the past. David Henrich stated that many of their services don't happen during business hours, and contractors would like MDH and DLI to know that and have a process in place in these instances. Anita Anderson responded that DWP knows that emergency issues do happen, but with plan review, they usually have someone available to at least have a preliminary phone review to expedite the plan review process. Dave Hokanson responded that MDH recognizes that dual authorities are difficult, but the authorities as written can't be changed unless there's legislation change.

## Council Member Open Forum

The council discussed industry hot topics, including sampling hydrant issue, and 12-inch PVC adaptor couplings.

- David Henrich reported on sampling hydrant issue. Teresa Purrington responded that Well Management is having discussions with Drinking Water Protection. Mike Steffl stated that a

sample faucet must be installed for each public water supply installed. He asked if he'll need to send in two plans.

- Mike Steffl reported on 12-inch PVC adaptor couplings issue. He stated that it doesn't meet code, but there's no other options with PVCs. Mark Malmanger responded that MDH is aware of the issue and that a compression fitting seems to be the only option right now. David Henrich asked if we could move this topic to Old Business for the next meeting. Teresa Purrington responded that we will discuss at the next meeting.

## Next meeting

Date: June 4, 2025

Time: 10:00 am – 2:00 pm

Location: MPCA

## Adjourn

Danny Nubbe moved to end the meeting. Don McKeever seconded the motion. Without objection, the meeting was adjourned.

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