

Water Well Drillers Advisory Council Meeting

Compliance Staff Report

July 17, 2017

Update on Meetings attended:

Since the last council meeting, program staff have attended five (5) Texas Groundwater Protection Committee quarterly meetings and seven (7) subcommittee meetings.

Program Manager David Gunn, Business Occupations Section Manager Lee Parham and Director of Compliance George Ferrie, met with Texas Commission on Environmental Quality (TCEQ) Water Treatment Specialist Program Director Jaya Zyman, and Manager Linda Saladino, of the TCEQ Occupational Licensing to define functions for each licensing program's licensees. TCEQ staff stated they had received a complaint against a licensed Pump Installer for installing water softeners. Therefore, TCEQ contacted the Program to meet and set guidelines for each program's licensee's functions. After numerous email discussions and five (5) meetings with TCEQ staff, TDLR staff and licensee's representatives, it was decided that the Water Treatment Specialist Program licensing and standards only applies to Public and Private Water Systems, and does not apply to private water wells.

Update on continuing education course and training provided:

Since the last council meeting, program staff have presented 24 Continuing Education courses on the program's laws and rules, trained staff from 15 Groundwater Conservation Districts (GCDs) on the program's well inspection procedures, and attended three (3) GCDs Board meetings.

Adam Foster, Hydrologist, attended 2 Texas Well Owner Network (TWON) training events. One was in Henderson and one was in College Station. During these training events, he trained public attendees and GCD staff on water wells basics and the program's laws and rules.

Update on Field Activities:

Program staff have conducted 40 Consumer Complaints Investigations, 784 Compliance Inspections, 105 Leads Investigations and Investigated 121 Abandoned Wells complaints, for a total 1050 investigations and inspections over the last 2 fiscal years. While in the field, program staff also visited with 74 licensees and General Managers of 35 GCDs.

Program Manager David Gunn has issued 152 variances. 60 variances were issued in Fiscal Year 2016, and 92 have been issued in fiscal year 2017.

**WATER WELL DRILLERS ADVISORY COUNCIL
JULY 17, 2017**

RECENT ACCOMPLISHMENTS AND CURRENT PROJECTS

Relocation Update

The Education and Examination Division is now located at the North Campus, Suite 105W.

Legislative Updates

In 2015, Governor Abbott signed into law, Senate Bill 202 that transferred 13 new health services programs from DSHS to TDLR. The Education and Examination Division is responsible for overseeing the pre-licensure education, the continuing education, the examination requirements, and an inspection component for schools.

Phase I - Effective October 1, 2016

- Athletic Trainers
- Dietitians
- Dyslexia Therapists and Practitioners
- Hearing Instrument Fitters and Dispensers
- Midwives
- Orthotists and Prosthetists
- Speech-Language pathologists and Audiologist

Phase II - Effective November 1, 2017:

- Code Enforcement Officers
- Laser Hair Removal
- Massage Therapy
- Mold Assessors and Remediators
- Offender Education Providers
- Sanitarians

Education and School Services – Accreditation & Certification

Continuing Education Course Completion Record Fees

CE Completion Fees Totals Invoiced for fiscal year	\$1,178,910.00
Total Payments Received for fiscal year	\$1,049,545.00
Current Balance Due (as of May 31, 2017)	\$ 129,365.00

New Technology

The Education and Examination Division has begun utilizing TouchPoint for emails. TouchPoint allows us to track the number of e-mails being received and answered. The goal is to be able to report work staff has accomplished. As we continue to grow as a model agency our workload and performance numbers will increase. The use of TouchPoint is a step to utilizing the effectiveness of innovation.

Total E-Mail Answered by Staff
(as of May 31, 2017)

MONTH	FY2017	FY 2016	FY 2015
September	1,158	1,389	
October	1,263	1,060	
November	744	996	
December	653	760	
January	955	1,060	
February	974	1,047	
March	1,463	994	
April	981	966	
May	1,140	1,061	
TOTAL	9,331	9,333	0

PERSONNEL UPDATES



Ruby A. Ockletree



Frances Mendieta



Shanisty Villanueva



Roy Cantu

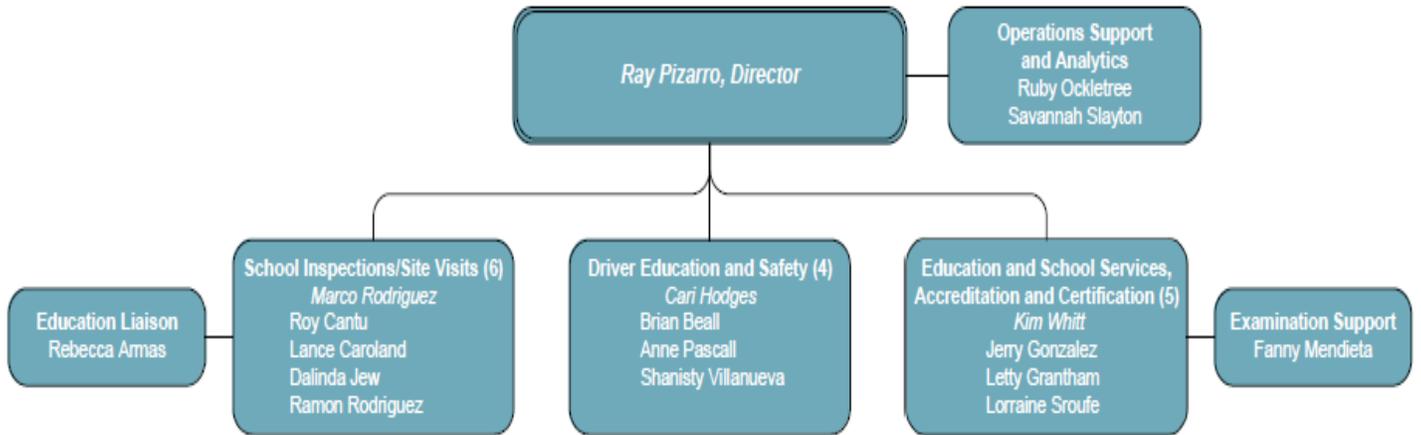


Lance Caroland



Jerry Gonzalez

EDUCATION AND EXAMINATION DIVISION CHART



EDUCATION AND EXAMINATION STATISTICS AND TRENDS

WATER WELL DRILLERS & PUMP INSTALLERS EXAMINATION STATISTICS (AS OF MAY 31, 2017)

FY 2017	SEP	OCT	NOV	Q1	DEC	JAN	FEB	Q2	MAR	APR	MAY	Q3	JUN	JUL	AUG	Q4	TOT
PASS	30	25	24	79	17	21	12	50	37	43	42	122	0	0	0	0	251
FAIL	29	22	17	68	7	14	25	46	28	14	28	70	0	0	0	0	184
TOTAL	59	57	41	147	24	35	37	96	65	57	70	192	0	0	0	0	435
RATE	50.8%	53.2%	58.5%	53.7%	70.8%	60.0%	32.4%	52.1%	56.9%	75.4%	60.0%	63.5%	0.0%	0.0%	0.0%	0.0%	57.7%
FY 2016	SEP	OCT	NOV	Q1	DEC	JAN	FEB	Q2	MAR	APR	MAY	Q3	JUN	JUL	AUG	Q4	TOT
PASS	19	22	13	54	33	30	36	99	28	22	39	89	54	27	34	115	357
FAIL	14	31	8	53	12	16	21	49	21	11	17	49	38	24	28	90	241
TOTAL	33	53	21	107	45	46	57	148	49	33	56	138	92	51	62	205	598
RATE	57.6%	41.5%	61.9%	50.5%	73.3%	65.2%	63.2%	66.9%	57.1%	66.7%	69.6%	64.5%	58.7%	52.9%	54.8%	56.1%	59.7%
FY 2015	SEP	OCT	NOV	Q1	DEC	JAN	FEB	Q2	MAR	APR	MAY	Q3	JUN	JUL	AUG	Q4	TOT
PASS	33	31	35	99	23	48	25	96	33	21	39	93	31	33	17	81	369
FAIL	28	28	33	89	14	17	19	50	25	19	17	61	23	17	12	52	252
TOTAL	61	59	68	188	37	65	44	146	58	40	56	154	54	50	29	133	621
RATE	54.1%	52.5%	51.5%	52.7%	62.2%	73.8%	56.8%	65.8%	56.9%	52.5%	69.6%	60.4%	57.4%	66.0%	58.6%	60.9%	59.4%

**EXAMINATION STATISTICS BY LICENSE TYPE
(AS OF MAY 31, 2017)**

SEPTEMBER - - OCTOBER - NOVEMBER 1 ST QUARTER					DECEMBER - - JANUARY - - FEBRUARY 2 ND QUARTER				
LICENSE TYPE	PASS	FAIL	TOT	RATE	LICENSE TYPE	PASS	FAIL	TOT	RATE
GENERAL WELL DRILLER	16	10	26	61.54%	GENERAL WELL DRILLER	10	2	12	83.33%
WATER WELL DRILLER	11	15	26	42.31%	WATER WELL DRILLER	5	21	26	19.23%
CLOSED LOOP GEOTHERMAL	1	0	1	100.00%	CLOSED LOOP GEOTHERMAL	0	0	0	0.00%
MONITOR WELL DRILLER	6	15	21	28.57%	MONITOR WELL DRILLER	1	3	4	25.00%
DEWATERING WELL DRILLER	0	0	0	0.00%	DEWATERING WELL DRILLER	0	0	0	0.00%
INJECTION WELL DRILLER	0	0	0	0.00%	INJECTION WELL DRILLER	0	0	0	0.00%
GENERAL PUMP	12	4	16	75.00%	GENERAL PUMP	10	5	15	66.67%
SINGLE PHASE PUMP	12	8	20	60.00%	SINGLE PHASE PUMP	11	4	15	73.33%
THREE PHASE PUMP	8	7	15	53.33%	THREE PHASE PUMP	7	3	10	70.00%
LINE SHAFT TURBINE PUMP	6	5	11	54.55%	LINE SHAFT TURBINE PUMP	2	6	8	25.00%
WINDMILLS, HAND & PUMP JACK	7	4	11	63.64%	WINDMILLS, HAND & PUMP JACK	4	2	6	66.67%
TOTAL (ALL)	79	68	147	53.74%	TOTAL (ALL)	50	46	96	52.08%
MARCH - - APRIL - - MAY 3 RD QUARTER					JUNE - - JULY - - AUGUST 4 TH QUARTER				
LICENSE TYPE	PASS	FAIL	TOT	RATE	LICENSE TYPE	PASS	FAIL	TOT	RATE
GENERAL WELL DRILLER	18	13	31	58.05%	GENERAL WELL DRILLER	0	0	0	0.00%
WATER WELL DRILLER	16	23	39	41.03%	WATER WELL DRILLER	0	0	0	0.00%
CLOSED LOOP GEOTHERMAL	3	1	4	75.00%	CLOSED LOOP GEOTHERMAL	0	0	0	0.00%
MONITOR WELL DRILLER	8	4	12	66.67%	MONITOR WELL DRILLER	0	0	0	0.00%
DEWATERING WELL DRILLER	1	0	1	100.00%	DEWATERING WELL DRILLER	0	0	0	0.00%
INJECTION WELL DRILLER	1	2	3	33.33%	INJECTION WELL DRILLER	0	0	0	0.00%
GENERAL PUMP	25	4	29	86.21%	GENERAL PUMP	0	0	0	0.00%
SINGLE PHASE PUMP	21	13	34	61.76%	SINGLE PHASE PUMP	0	0	0	0.00%
THREE PHASE PUMP	15	4	19	78.95%	THREE PHASE PUMP	0	0	0	0.00%
LINE SHAFT TURBINE PUMP	7	4	11	63.64%	LINE SHAFT TURBINE PUMP	0	0	0	0.00%
WINDMILLS, HAND & PUMP JACK	7	2	9	77.78%	WINDMILLS, HAND & PUMP JACK	0	0	0	0.00%
TOTAL (ALL)	122	70	192	63.54%	TOTAL (ALL)	0	0	0	0.00%

WATER WELL DRILLERS & PUMP INSTALLERS
CONTINUING EDUCATION COURSE, PROVIDER, AND CURRICULUM STATISTICS
(AS OF MAY 31, 2017)

2017	SEP	OCT	NOV	Q1	DEC	JAN	FEB	Q2	MAR	APR	MAY	Q3	JUN	JUL	AUG	Q4	TOT
COURSE APPROVALS ISSUED	9	0	1	10	1	2	2	5	3	10	9	22	0	0	0	0	37
TOTAL COURSES (END OF MONTH)	87	85	81	81	78	70	71	71	66	70	67	67	0	0	0	0	67
2016	SEP	OCT	NOV	Q1	DEC	JAN	FEB	Q2	MAR	APR	MAY	Q3	JUN	JUL	AUG	Q4	TOT
COURSE APPROVALS ISSUED	3	2	10	15	8	2	1	11	18	1	26	45	1	7	2	10	81
TOTAL COURSES (END OF MONTH)	81	81	86	86	90	84	82	82	88	83	103	103	81	83	81	81	81
2015	SEP	OCT	NOV	Q1	DEC	JAN	FEB	Q2	MAR	APR	MAY	Q3	JUN	JUL	AUG	Q4	TOT
COURSE APPROVALS ISSUED	9	2	1	12	8	2	1	11	19	1	27	47	3	1	4	8	78
TOTAL COURSES (END OF MONTH)	80	81	75	75	78	74	75	75	88	82	102	102	81	75	78	78	78

TEXAS WATER WELL DRILLERS ADVISORY COUNCIL

Enforcement Division Staff Report July 17, 2017

Case Highlights

- On March 1, an agreed order was entered against Floyd Garrison in case number WWD20160004134 assessing an administrative penalty of \$1,300 for failure to properly seal the annular space of a water well, submitting an inaccurate well report to the Department, and failing to include the Department's contact information as required on all proposals and invoices.
- On April 7, an agreed order was entered against Jere Alan Pritchett in case number WWD20170004254 assessing an administrative penalty of \$750 for failing to properly provide for the surface completion of a water well as the surface slab extended laterally only 19 inches in all directions instead of the required 24 inches.
- On April 28, an agreed order was entered against Dean Tinnin in case number WWD20170010619 assessing an administrative penalty of \$1,125 for failing to file, for three completed wells, a Texas Well Report within 60 days from the date each well was completed.
- On May 17, an agreed order was entered against Paul Kevin Langdon in case number WWD20160026029 assessing an administrative penalty of \$4,000 for offering to act as a pump installer without a license, and submitting a fraudulent renewal application to the Department under the name of a deceased person.

Key Statistics for Fiscal Year 2017

Shown below are key statistics for the Water Well Drillers and Pump Installers program and for all TDLR programs combined through May of Fiscal Year 2017.

<u>Statistic</u>	<u>WWD</u>	<u>TDLR</u>
• Number of cases opened:	60	9,549
• Number of cases resolved:	59	9,197
• Number of Agreed Orders:	9	1,803
• Total amount of penalties assessed:	\$16,050	\$4,150,354
• Total amount of penalties collected:	\$8,900	\$1,947,552

Key Statistics for Fiscal Year 2016

Shown below are key statistics for the Water Well Drillers and Pump Installers program and for all TDLR programs combined for Fiscal Year 2016.

<u>Statistic</u>	<u>WWD</u>	<u>TDLR</u>
• Number of cases opened:	67	11,305
• Number of cases resolved:	99	12,314
• Number of Agreed Orders:	21	2,391
• Total amount of penalties assessed:	\$85,875	\$5,743,465
• Total amount of penalties collected:	\$20,475	\$2,749,020

**WATER WELL DRILLER AND PUMP INSTALLER LICENSING REPORT
ADVISORY BOARD MEETING
July 17, 2017**

Water Well Driller and Pump Installer

	TOTAL FY 13	TOTAL FY 14	TOTAL FY 15	TOTAL FY 16	3rd Quarter FY 17
New Licenses Issued	67	92	73	79	87
Renewed Licenses Issued	1,418	1,510	1,573	1,591	1,063
Total Population	1,685	1,729	1,768	1,770	1,782

Water Well Driller and Pump Installer Apprentice

	TOTAL FY 13	TOTAL FY 14	TOTAL FY 15	TOTAL FY 16	3rd Quarter FY 17
New Licenses Issued	33	N/A	N/A	244	194
Renewed Licenses Issued	108	N/A	N/A	N/A	33
Total Population	912	N/A	N/A	242	434

Note: Effective November 1, 2012 the department stopped issuing apprentice registrations due to a lack of authority in the law.

TDLR began accepting apprentice applications May 2, 2016.