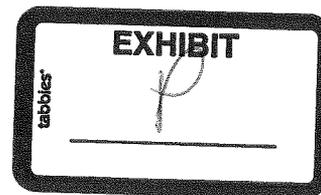


CHEROKEE

EXPLOSIVES, INC.
DRILLING AND BLASTING

April 22, 2008

Mr. Jerry Farrell, Jr.
Commissioner
Department of Consumer Protection
Room 103
State Office Building
165 Capitol Avenue
Hartford, CT 06106



Re: Regulations Concerning Well Drilling

Dear Mr. Farrell:

This letter is to address the proposed changes and amendments to the regulations concerning water wells and geothermal installations. I would like to address the issues concerning borehole drilling.

I am the President of Cherokee Explosives, Inc., a drilling and blasting company founded in 1982 and located in Plainville, Connecticut. Prior to that I was employed by a DuPont Explosives distributor since 1971, thus I have over 37 years experience in the drilling and blasting industry.

Specifically, the proposed draft modifications I would like to address are:

Sec. 25-128-39a Geoexchange bore holes

Requirement of four (4) inch minimum diameter borehole. We are associated with a DX Geothermal system installation process that utilizes a three (3) inch diameter bore hole and have recently installed four systems using this method and all are found to be both cost effective for the consumer and efficient for the heat transfer as designed. To mandate a minimum four (4) inch diameter bore hole is neither cost effective nor necessary to adequately attain the purpose for which it is intended.

Sec. 25-128-42. Drilling, general

This section addresses water well drilling, but should be amended to include a subsection that specifically allows for any size bore hole which will suit the method and technology being used for each particular installation. Water well drillers typically drill a six (6) inch diameter hole three to five hundred feet deep. Most DX geothermal systems typically require a three (3) inch diameter hole, forty to seventy feet deep. As noted these are two entirely different approaches, thus should be treated as two separate applications.

Sec. 25-128-48a. Annular space

This section addresses annular space with a direct correlation between space and diameter. Water well drilling systems employ a six (6) inch diameter bore hole, thus the need to fill the annular space to effectively insure proper conductivity and heat transfer. As stated with a smaller diameter, significantly more cost effective method of drilling, the annular space can be effectively filled with a watered in dry mason sand thus more efficient and affordable.

I would like to address multiple sections regarding licensing and insurance requirements:

Sec. 25-128-54. Maintenance and repair of wells, Geoexchange bore holes and pumping equipment

This section in part states that “all maintenance, repair, hydrofracturing, developing and replacement work shall be done only by a registered well driller, or licensed plumber or electrician acting within the scope of the person’s license, as provided by [Section] section 25-129 of the General Statutes[, and Articles 5 and 6 of the regulations].”

Cherokee Explosives or like drilling contractors should be permitted to repair (re-drill) bore holes should a problem be found in the testing process. Further discussion regarding drilling and licensing to follow.

Sec. 25-128-58d Contractor-limited to Geoexchange bore hole drillingW-7

This entire section pertains to the practices and applications of water well drilling. As a driller of geothermal bore holes, our expertise is not in the “installation, repair and maintenance of pumps, pump motors, pump piping, valves, wiring, electric controls and tanks.” We are not looking to assume any of the duties associated with water well installations. All of the above items have absolutely nothing to do with the actual drilling of geothermal bore holes.

Sec. 25-128-60d. Driller limited to Geoexchange bore hole drilling W-8

Sec. 25-128-60e. Apprentice Driller

Including these **NEW** amendments to the regulations pertaining to the drilling of geothermal bore holes would exclude all or most of the extremely competent drillers and drilling companies looking to give the consumers of Connecticut a cost effective alternative to the ever rising costs of fossil fuel heating systems. These sections were probably written and overwhelmingly endorsed by the well drillers as to exclude any and all competition, thus effectively giving them a monopoly on geothermal bore hole drilling. In Connecticut you need a license to operate a crane, but not an excavator, backhoe or bulldozer. This is accepted and the job classifications remain distinct. These are all entirely separate operations within the construction industry. Geothermal bore hole drilling is really no different in fact than drilling on a construction project or at a quarry (i.e. Tilcon, Galasso, Suzio) to produce concrete, asphalt and stone products where

we drill on a daily basis with bore holes of 2 inch to 4 inch in diameter at depths from 8 feet to 100 feet.

In regard to the insurance requirements, the regulations provide liability coverage for bodily injury of at least \$100,000 per person with an aggregate of at least \$300,000 and for property damage of at least \$50,000 per accident with an aggregate of at least \$100,000. I carry a liability coverage of \$1,000,000 with an aggregate of \$2,000,000 and property of \$2,000,000 with a \$4,000,000 excess umbrella. Are the present insurance requirements sufficient as written or should they be amended?

In conclusion, with the amendments pertaining to drilling and licensing as written, they will leave the well drilling association with a monopoly on the drilling applications. It will prohibit qualified, knowledgeable contract drilling companies the opportunity to work in this field. It seems logical that the costs of mobilization, drilling a 6 inch diameter borehole and grouting to the depths as needed far surpass those which we propose to the consumers of Connecticut. Geothermal heating and cooling systems are the way of the future and I would like to continue to be a very significant part of the process of extending this alternative energy source to the people of Connecticut and beyond.

Respectfully submitted,
CHEROKEE EXPLOSIVES, INC.



J. Robert Britton III
President

