



## **TEXAS BOARD OF PROFESSIONAL GEOSCIENTISTS**

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November 30, 2010

Sunset Advisory Commission  
P.O. Box 13066  
Austin, Texas 78711-3066

RE: Sunset Review of the Texas Commission on Environmental Quality

Dear Sunset Advisory Commission Members,

Thank you for the opportunity to comment on the Sunset Advisory Commission Staff Report on the Texas Commission on Environmental Quality (TCEQ). I commend the Sunset staff for their diligent work and thorough review of the functions of the TCEQ, and as Chairman of the Texas Board of Professional Geoscientists (TBPG), respectfully offer the following comments.

### **Recommendation 1.1**

*Continue the Texas Commission on Environmental Quality for 12 years.*

The TBPG supports recommendation 1.1, for the continuation of the TCEQ. The TCEQ routinely reviews, commissions, and authorizes work in the geoscience fields that have long-term consequences on the environment and economy of Texas as well as the health, safety, and welfare of its citizens.

The TBPG recognizes that the competent public practice of geoscience is a vital element in the success of the TCEQ's various oversight activities. The TBPG suggests that a position of Chief Geoscientist be established at the TCEQ, with the responsibilities of ensuring that Professional Geoscientist licensure is consistently required by the TCEQ in accordance with the Texas Geoscience Practice Act.

### **Recommendation 4.1 – 4.4 (Issue 4, in general)**

*Recommendations related to increasing TCEQ's enforcement effectiveness.*

The TBPG is in general agreement with increasing the effectiveness of TCEQ's enforcement efforts.

Many of the responsibilities overseen by the TCEQ rely on the subsurface soil and groundwater assessments and analyses provided by Professional Geoscientists regulated by the TBPG. Historically, TCEQ staff had not routinely referred geoscience related concerns to the TBPG. In the past 6 months additional cooperation has occurred and the TBPG has worked with the TCEQ to help identify substandard geoscience work products submitted to the TCEQ. We commend TCEQ management for its active support and coordination with the TBPG on developing an effective process of referring future cases to the TBPG for enforcement consideration, and offer our continued support.

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The TBPG notes that when licensure is actively used as a quality control measure for the public practice of geoscience, the geoscience work products submitted are more accurate and protective of the public. Projects that work from a sound scientific base are more effective and less costly in the long run to all involved parties.

There are a number of state licensing boards that regulate activities to protect the environment for the general health, safety and well being of our citizens. Exchange of information between agencies would provide these licensing agencies the tools needed to achieve the shared goals while limiting costs to the state. Therefore, the TBPG recommends that when regulatory agencies such as TCEQ audits, inspects, and reviews documents that reveal information that indicates that a licensed entity or person may have committed a violation, the regulatory agency forward such relevant information to the pertinent licensing board.

Thank you for the opportunity to provide comment.

Sincerely,

A handwritten signature in black ink, appearing to read 'Barbara Roeling', written in a cursive style.

Barbara Roeling, P.G. No. 50  
Chairman  
Texas Board of Professional Geoscientists