

From: [Sunset Advisory Commission](#)
To: [Brittany Calame](#)
Subject: FW: Public Input Form for Agencies Under Review (Public/After Publication)
Date: Wednesday, August 15, 2018 5:07:55 PM

-----Original Message-----

From: sunset@sunset.texas.gov <sunset@sunset.texas.gov> On Behalf Of Texas Sunset Commission
Sent: Wednesday, August 15, 2018 5:00 PM
To: Sunset Advisory Commission <Sunset@sunset.texas.gov>
Subject: Public Input Form for Agencies Under Review (Public/After Publication)

Agency: TEXAS BOARD PROFESSIONAL GEOSCIENTISTS TBPG

First Name: Margaret

Last Name: Behnke

Title: Geologist

Organization you are affiliated with: As a license holder

Email: MaggieBehnke@utexas.edu

City: Lakeway

State: Texas

Your Comments About the Staff Report, Including Recommendations Supported or

Opposed: As a Professional Geoscientist (No. 11294) who earned her certification and was not grandfathered in, I am most decidedly opposed to the abolishment of the Texas Board of Professional Geoscientists and the removal of the requirement of licensing geology as a practice in Texas.

Thirty states outside the state of Texas have the requirement of a Professional Geoscientist license. This makes it impossible for Texas geologists to work in these states without getting a license in the state.

If Texas were to remove the requirement for licensure, anyone from any state could claim to be a geologist and work in Texas with no way to hold individuals accountable on whether they are accredited to perform geologic work or not. The most common regulated geologic work in Texas is either related to hazardous materials (contaminated soil, groundwater, or surface water, etc), and karst geology (caves, sinkholes, etc). Clearly certifying the results of sampling water or soil as either hazardous or non-hazardous is directly implicated in protecting the public health. This practice is very Texas-specific since the TCEQ is responsible for all hazardous materials work in the state of Texas, and not the EPA. Additionally, karst geology involves the identification, mapping, and potentially closing of caves and sinkholes.

When these features need to be closed it is due directly to the threat they pose as a point source for pollution into a drinking water aquifer or to stabilize them so that they do not continue to collapse our infrastructure.

Additionally, there is a national standard for All Appropriate Inquiry which is established for hazardous materials work. The easiest and most credible option for qualifying as an environmental professional involves being a current P.E. or P.G. and having only three years of experience. Removing the requirement for a P.G. license in Texas would make it more difficult for individuals with a geology background to qualify as environmental professionals, while continuing to maintain the current requirements for engineers. The final argument for why the board should be maintained is because it is a net profit to the budget for the State of Texas. This program brings in a revenue of \$234,381 per year to the state budget. The state would lose this money if they were to remove the requirement, and additionally, the Sunset Commission did not gather the necessary costs associated with this licensure removal as it relates to both the TCEQ and TxDOT. Both these agencies will incur costs associated with rewriting their regulations with this licensure removal. Not only does the government of the state of Texas lose this money, the

overall economy of the state will as well. I know I will continue to be a licensed professional geoscientist as I am sure will most of the other license holders in the state. However, with the loss of licensure in Texas we will have to become licensed in another state sending the money for licensure out of the economy of the state of Texas.

Any Alternative or New Recommendations on This Agency: Either continue to have the Texas Board of Professional Geoscientists, or have the license requirement moved to be under the purview of the Texas Department of Licensing and Regulation.

My Comment Will Be Made Public: I agree