

**From:** [Sunset Advisory Commission](#)  
**To:** [Brittany Calame](#)  
**Subject:** FW: Public Input Form for Agencies Under Review (Public/After Publication)  
**Date:** Thursday, August 16, 2018 3:04:37 PM

---

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

From: sunset@sunset.texas.gov <sunset@sunset.texas.gov> On Behalf Of Texas Sunset Commission  
Sent: Thursday, August 16, 2018 2:48 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: Laurel

Last Name: Galm

Title: GIT

Organization you are affiliated with: Edwards Aquifer Authority

Email:

City: San Antonio

State: Texas

Your Comments About the Staff Report, Including Recommendations Supported or Opposed:

The Texas Board of Professional Geoscientists (TBPG) is vital to upholding ethical and professional standards within the geoscientist community. The Sunset Advisory Commission (SAC) identified issues with the TBPG and recommends abolition of the TBPG in its Sunset Advisory Commission Staff Report – Texas Board of Professional Geoscientists. I believe that many of the issues identified by the SAC are capable of resolution, and other conclusions warrant further examination rather than abolition of the TBPG.

One of the findings reported by the SAC was that “public protection [was] not the primary reason to initiate regulation” when the TBPG was created.

If public protection was not the primary reason to establish the TBPG in 2001, it should be the primary importance of the TBPG now. I’ve had the benefit in having worked for both private and governmental sectors involved with geoscience and observed how issues related to the geology can affect human and environmental health. While working in the private sector, I observed how groundwater contamination impacts the environment and human health, and how often the public is not aware of the impact until a subsurface investigation was initiated by a licensed Professional Geoscientist (PG). A geoscientist’s knowledge is necessary to identify and abate groundwater contamination. But why is a licensed geoscientist needed to perform this work? A licensed geoscientist is verified to have the geoscience knowledge and experience to perform the investigation, reporting, and abatement of the contaminated groundwater effectively and ethically, and is able to defend their actions taken to protect the public and environment. The PG license is not only important in demonstrate the ethical obligation to the public to protect their health and the environment, but also demonstrates to the client that PG is capable of aiding them effectively with their knowledge of geoscience in accordance with governmental regulations.

One of the statements made in the SAC report is that governmental agencies such as the Texas Commission on Environmental Quality (TCEQ) already evaluate much of the regulated geoscience work submitted, so why should licensed PGs be required to perform the work? Here’s an example. A large gas station buys out a mom-and-pop gas

station that has been in operation since the 1970s. The underground storage tanks storing fuel are removed during demolition of the old to allow for a new fuel system to be installed. During the removal, a contractor performing the tank removal observes a large amount of gasoline impacted soil in the tank hold. The tank has been leaking for an unknown amount of time. A residential well is located 0.25 mile from the release, and the groundwater contains concentrations of benzene harmful to human health. The water well user is unaware of their impacted drinking water. Does this contractor have the necessary knowledge to perform the appropriate reporting to the TCEQ, to investigate the release, and abate the release in a timely manner to prevent further impact to humans and the environment? The TCEQ can depend on the licensed professional geologist to perform the work needed, because when the professional geoscientist performs that work and stamps that report, they are putting their name and job on the line to say, "I've performed this work in accordance with accepted professional and ethical standards."

The SAC reported that 78% of licensed PGs were grandfathered by the TPBG and were not required to take the National Association of State Boards of Geology (ASBOG) exam. Perhaps the TBPG should've implemented additional requirements of those PGs to demonstrate that they are competent in geoscience work. Although the grandfathered PGs did not take the ASBOG exam, they are still subject to performing geoscience work under the professional standards and ethics required by the TBPG. This is an example of an issue where instead of abolishing the TBPG, actions should be taken to resolve any discrepancies between those who did not take the ASBOG and those who did take the ASBOG.

In response to the SAC finding there to be a lack of complaints to the TBPG and TBPG investigations that resulted in enforcement, I believe the lack of complaints may be due to a variety of things. These include the general public's lack of geoscience knowledge, the check/balance system of PG work, the low number of practicing geoscientists, and the time scale of geologic processes. Much of the public is not educated in earth science, and therefore are not aware of what geoscientists do in their community. If they are not aware of how an issue is related to geology, how can they report a complaint to the TBPG? In addition, the work performed that does require a PG license is often reviewed by a PG at a governmental agency, which encourages sound geoscience work and results in less complaints. The fact that the community of licensed geoscientists is small, it's not a surprise that there are a lot of complaints just by observing that there are not many geoscientists.

Lastly, many of the impacts to public health involving geoscience work do not happen overnight, as geologic processes can be slow. An example of this is contaminated groundwater, where illness can occur after long-term exposure.

In closing, I believe that abolishing the TBPG is not a sensible solution to the issues observed by the SAC, and that the TBPG is necessary to uphold professional geoscience practices and protect public health. As an analogy: low crime in an area doesn't negate the need of policemen to uphold the law and protect the public.

Any Alternative or New Recommendations on This Agency: Let's have an open discussion on what actions should occur to improve the TBPG and resolve any issues, instead of abolishing the TBPG.

My Comment Will Be Made Public: I agree