

From: [Sunset Advisory Commission](#)
To: [Brittany Calame](#)
Subject: FW: Public Input Form for Agencies Under Review (Public/After Publication)
Date: Friday, August 10, 2018 3:19:15 PM

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

From: sunset@sunset.texas.gov <sunset@sunset.texas.gov> On Behalf Of Texas Sunset Commission
Sent: Friday, August 10, 2018 3:13 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: David

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Title: Senior Geologist

Organization you are affiliated with: Consolidated Consulting Group

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State: Texas

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

Thank you for the opportunity to give my input on the Sunset Report regarding the Texas Board of Professional Geologist. As a licensed geologist with over 30 years of experience, I feel that several of the conclusions issued by the Sunset Commission are erroneous and should be clarified:

1. The report states that professional geoscientists work "provides no measurable impact on public protection". As I am sure you are aware, one of the most important assets for the State of Texas is clean, usable water. As an environmental geologist, I and my colleagues have performed analysis, remediation and closure of thousands of contaminated properties, closed leaking gasoline stations and federally mandated Superfund and Industrial Hazardous Waste site as well as restored groundwater aquifers to allow for usage by the citizens of the state. The practice of geosciences is a specialized field which requires extensive training and experience. Contrary to many people's beliefs, Engineers do not possess this training or education that allows them to successfully perform these types of high end scientific investigations. Millions of dollars have been invested in the State of Texas following cleanup of these sites bringing significant revenue to the State.

2. Prior to the implementation of registration in 2001, many of the duties performed for the TCEQ including design of remediation plans, remediation systems and closure of leaking petroleum storage tanks required sealing by a licensed professional engineer. From my experience, these engineers could be electrical engineers, aerospace engineers or any other PE with no requirements of knowledge of this type of work. The TCEQ now has documented professional geologist with documented experience, appropriate degrees and extensive knowledge to assure this work is done to protect the public. The board would have no access to justify the statement of "no examples or evidence of significant public harm directly attributable to unqualified or unlicensed geoscientists" as there is no documentation of this to review.

3. The only geologist that are unlicensed are the oil industry and academia.

The petroleum geologists are not involved in protecting the public and there is no need to license academia who have no impact on public health. The statement regarding grandfathering of licensees also does not take into account the fact that, in order to grandfather in, a geologist had to provide a minimum of 5 years experience, at least 5 references and prove a solid educational background in the geosciences. These requirements far surpass licensing requirements for a majority of the state licensing programs at that time. This grandfathering period was relatively short and only the most experienced individuals were licensed. As this was 17 years ago, the procedures have been put in place to assure that less experienced geologists will be prepared to meet the same high standard that these individuals were required to meet as well as perform under a mentorship as a Geologist In Training for 5 years. As individuals my age prepare to retire, I think this program is vital to continue the level of experience and expertise necessary to protect our State.

4. The TCEQ and Texas Railroad Commission do not provide direct oversight of many of the programs related to the practice of geosciences in the State.

Many programs are self-implementing including Voluntary Cleanup Program, Industrial/Hazardous Waste, and many TRRC programs including Statewide Rule 8, 20 & 91. Licensed geoscientists work closely with these agencies and I am sure they appreciate working with scientists that have met the same high standard they have to meet (licensed PG required at these agencies).

In conclusion, I think licensing of professional geoscientists is a very important program that provides credibility to a profession that is vital to the protection of the State and our environment. This licensing also provides credibility to the State to demonstrate that Texas is serious about a clean & safe environment. Thanks again for allowing to address this issue.

Any Alternative or New Recommendations on This Agency: From my review of the fiscal issues, licensing fees should cover a majority of the costs of the TBPGE if there was a reduction in the number of employees. As pointed out by the Commission, it appears that enforcement for minor infractions such as insufficient CEUs has occupied an inordinate amount of time and resources.

Streamlining the board may reduce costs. As stated above, don't throw out a valuable program due to an inefficient system.

My Comment Will Be Made Public: I agree