

**From:** [Sunset Advisory Commission](#)  
**To:** [Brittany Calame](#)  
**Subject:** FW: Public Input Form for Agencies Under Review (Public/After Publication)  
**Date:** Thursday, August 16, 2018 7:50:41 AM

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

From: sunset@sunset.texas.gov <sunset@sunset.texas.gov> On Behalf Of Texas Sunset Commission  
Sent: Wednesday, August 15, 2018 10:11 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: Cyril

Last Name: Mickiewicz

Title:

Organization you are affiliated with:

Email:

City: Houston

State: Texas

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

Dear Sir or Madam,

While I appreciate the purpose of the Sundown Act and understand the need to limit redundancy and/or waste in State government, I am writing this letter to urge the Sundown Advisory Commission to reconsider its opinion of the Texas Board of Professional Geoscientists (TBPG).

Since 1991, I have been working in Texas in various environmental roles: analytical chemist, environmental consultant, and for an oil & gas exploration firm. From 2000-2013, I prepared investigation/remediation reports for review by the Texas Commission on Environmental Quality (TCEQ, both Voluntary Cleanup Program [VCP] and the Corrective Action Program) and the Railroad Commission of Texas. Furthermore, I have reviewed numerous reports prepared by peer firms for similar sites. Based on this experience, I believe that the overall quality of reporting and level of care has markedly increased since the passing of the Texas Geoscience Practice Act.

Your report acknowledges that "geoscientists provide valuable assessments and research related to groundwater, subsurface concerns, and other areas."

Components of such assessments and research include highly interpretative techniques such as groundwater flow mapping, cross-sectional analysis, and development of contaminant fate and transport models. The quality of this interpretation is directly dependent upon the geoscientist's experience and ethics. The TBPG was established to verify both experience and ethics as a basis for professional judgment.

The report also correctly states that the TCEQ and Railroad Commission "provide more regular and direct oversight of geoscience work than the board by providing technical reviews of permits applications, monitoring reports, and remediation..." However, the technical reviews of these agencies are based on an inherent assumption that the report preparer is exercising sound professional judgment and accurately representing site conditions. For this reason, the certification of a Texas Professional Geoscientist establishes a benchmark of credibility that would be absent otherwise.

Part of the Sundown Advisory Commission's rationale for the abolishment of the TBPG is the absence of complaints from other agencies and/or complaints "that posed significant harm or risk to the public..." Using the absence of complaints to demonstrate the irrelevance of an organization does not appear to be an appropriate metric. If anything, this would seem to suggest that the TBPG has been successful in its efforts to license individuals who are qualified and responsible.

In summary, I believe the establishment of the TBPG has been very beneficial to the practice and for the general public. The abolition of the TBPG will effectively diminish the significance of the PG license which, in turn, will likely undermine the standards of the profession.

Respectfully,

Cyril Mickiewicz, P.G. #1622

Any Alternative or New Recommendations on This Agency: Do not repeal the Texas Geoscience Practice Act and allow the TBPG to continue.

My Comment Will Be Made Public: I agree