

From: [Sunset Advisory Commission](#)
To: [Brittany Calame](#)
Subject: FW: Public Input Form for Agencies Under Review (Public/After Publication)
Date: Tuesday, August 14, 2018 4:17:54 PM

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

From: sunset@sunset.texas.gov <sunset@sunset.texas.gov> On Behalf Of Texas Sunset Commission
Sent: Tuesday, August 14, 2018 2:36 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: Hollis

Last Name: Millard

Title: Program Manager

Organization you are affiliated with: CK Associates

Email:

City: Houston

State: Texas

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

My name is Hollis Millard. I'm an environmental consultant with over 30 years of experience in evaluating the risks posed by polluted sites and contaminated groundwater. I support the licensure of Professional Geoscientists which I believe protects the public interest for the following reasons.

Subsurface migration of contaminated groundwater represents a risk to landowners and water well users and proper evaluation of the associated risks and their management is best addressed by licensed geologic professionals with high standards. A specific example involves the State of Texas Municipal Settings Designation (MSD) program. An MSD is an official designation given to property that certifies that designated groundwater at the property is not used as potable water, and is prohibited from future use as potable water because that groundwater is contaminated in excess of the applicable potable-water protective concentration level. The MSD statute substitutes a municipal ordinance or restrictive covenant in lieu of TCEQ regulations to protect the public against exposure to the contaminated groundwater. The role of the Professional Geoscientist is certify the associated MSD documentation with great focus on the protection of the public with regarding to the stability of contamination plumes. Although professional engineers may also participate in this process and provide their certifications, it is my opinion that subsurface contaminant migration issues are best addressed by geologists with hydrogeologic training.

Since the requirements for P.G. licensure and continuing education began, I have witnessed a substantial improvement in the quality of work performed by geoscientists industry-wide as I have reviewed the work of others. This is in keeping with the fact that 31 states (containing over 75% of the population of the U.S.) regulate the practice of geoscience.

The Sunset Advisory Commission report stated that "direct oversight of geoscientists' work provided by other state

agencies' render the ongoing regulations of geoscientists unnecessary to protect the public." I disagree since I do not believe that the staff of the other agencies (i.e. Texas Commission on Environmental Quality and the Railroad Commission of Texas) are inherently qualified to review all geologic aspects of groundwater contamination risk assessments without proper training. Rather, the regulatory staff members involved need to be properly trained with stringent ongoing education requirement to prepare them to protect the public interest in their regulatory work. The P.G. licensure requirements fulfill this need.

Thank you,
Hollis Millard, P.G.
Risk Assessment & Remediation
Program Manager
CK Associates
Houston, Texas

Any Alternative or New Recommendations on This Agency: I recommend that the current system of licensing Professional Geoscientists remain intact to protect the public.

My Comment Will Be Made Public: I agree