

From: [Sunset Advisory Commission](#)
To: [Brittany Calame](#)
Subject: FW: Public Input Form for Agencies Under Review (Public/After Publication)
Date: Wednesday, August 15, 2018 7:59:20 AM

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

From: sunset@sunset.texas.gov <sunset@sunset.texas.gov> On Behalf Of Texas Sunset Commission
Sent: Wednesday, August 15, 2018 6:49 AM
To: Sunset Advisory Commission <Sunset@sunset.texas.gov>
Subject: Public Input Form for Agencies Under Review (Public/After Publication)

Agency: TEXAS

First Name: Cynthia

Last Name: Spurr

Title:

Organization you are affiliated with: Search

Email:

City: Austin

State: Texas

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

I oppose the Texas Sunset Advisory Commission Staff Report's recommendation that the Texas Board of Professional Geoscientists be abolished and the requirement that geoscientists be licensed also be abolished.

One of the purposes of having a professional geoscientist (PG) seal documents is to show that PG is assuming the liability for that work. Both TRC and TCEQ have gone to great lengths to avoid any liability for geoscientific work approved by these agencies. There have been attempts to hold these agencies liable, but they have repeatedly fought to hold the position that they are not responsible for the deficiency of work presented to them.

The Sunset Commission report, on page 15, states that the Texas Railroad Commission (TRC) and the Texas Commission on Environmental Quality (TCEQ) oversee the quality of geoscientific work submitted to them, and take the role of ensuring the correction of deficient geoscientific work. In this one page, the Sunset Commission has decimated those defenses TRC and TCEQ have used to sidestep liability.

If the Sunset Commission is correct that TRC and TCEQ oversee and correct geoscientific work submitted to them, these agencies are vulnerable to lawsuits for deficient geoscientific work approved by them. In some instances, such as monitor wells screened in the wrong interval, this could correspond to a few tens of thousands of dollars. In other instances, such as a failed deep disposal well, this could correspond to several tens of millions of dollars.

If, on the other hand, TRC and TCEQ are correct in their assertions that they are not liable for deficiencies in geoscientific work they approve, then the Sunset Commission's statements on page 15 are false, and these agencies do not, in fact, ensure the quality of geoscientific work.

The Sunset Commission's report shows a superficial understanding of PG licensing and the report's recommendations should be discarded.

Any Alternative or New Recommendations on This Agency: The Texas Board of Professional Geoscientists should not be abolished and geoscientists should be licensed in order to maintain the liability that the state will not assume and to protect the land and it's inhabitants.

My Comment Will Be Made Public: I agree