

From: [Sunset Advisory Commission](#)
To: [Brittany Calame](#)
Subject: FW: Public Input Form for Agencies Under Review (Public/After Publication)
Date: Thursday, August 16, 2018 10:47:46 AM

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

From: sunset@sunset.texas.gov <sunset@sunset.texas.gov> On Behalf Of Texas Sunset Commission
Sent: Thursday, August 16, 2018 10:33 AM
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: Aubrey

Last Name: Waddail

Title: Environmental Remediation PM

Organization you are affiliated with:

Email:

City: Houston

State: Texas

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

I'm a hydrogeologist by education who has represented the industry as an environmental professional for almost 20 years evaluating subsurface soil and groundwater risks to human health and the environment. I followed the agency established process and obtained my Texas Professional Geoscientist (PG) license in 2006 after passage of the ASBOG exam and approximately 6 years of working under the mentorship of a Geoscientist and have continued to conduct or oversee relevant geoscience work for the past 12 years. I value both the technical and ethical standard the TBPG holds its licensed geoscientists to, whether I am conducting or directing the work as an industry representative, and therefore support the continued licensure of PGs which I believe ensures qualified professionals are overseeing the work that ultimately protects human health and the environment.

My main reasons to support the continuation of the TBPG are below:

- PGs are certified to have the appropriate education and experience which provides them the technical expertise needed to evaluate complex, multi-media contaminant transport issues related to contaminated soil, groundwater protectiveness, or vapor intrusion. Understanding the risk profiles and contaminant transport in the subsurface makes the PG the right professional to implement mitigations such as State of Texas Municipal Settings Designation (MSD) and establishment of Plume Management Zones (PMZs). The PG license ensures an appropriately qualified and accountable professional with a sound experience and understanding of subjects such as hydrogeology and contaminant transport is influencing decisions that involve protection of human health and the environment.

- Common nationwide practice 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 "the board grandfathered about 78 percent of current licensees

into the profession without licensees passing the rigorous exam requirements to obtain a license, undermining the promise of competence that typically comes from licensing agencies." While this may have been the case 15 years ago, current trends suggest the workforce is turning over with many retirees being replaced by new professionals. As such this percentage will decrease over time as the case for grandfathering becomes irrelevant.

-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 have personally observed that the staff of the other agencies (i.e. Texas Commission on Environmental Quality and the Railroad Commission of Texas) have large case loads and may rely on the expertise of PGs in these subjects since their own background and experience may not best support the evaluation of these types of subsurface risks. Therefore the regulators may not have the bandwidth or expertise to review all geologic aspects of subsurface risk assessment and remediation and rely on the PG licensure to ensure the decisions are based on ethical, accountable, and technically sound professional judgement and experience.

Any Alternative or New Recommendations on This Agency: Keep the TBPG in place and off-set costs by establishing more stringent enforcement requirements and focus on more relevant and impactful issues such as how PGs oversee work they are certifying.

My Comment Will Be Made Public: I agree