

From: [Sunset Advisory Commission](#)
To: [Brittany Calame](#)
Subject: FW: Public Input Form for Agencies Under Review (Public/After Publication)
Date: Friday, August 3, 2018 10:31:57 AM

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From: sunset@sunset.texas.gov <sunset@sunset.texas.gov> On Behalf Of Texas Sunset Commission
Sent: Friday, August 3, 2018 10:20 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: Scott

Last Name: Williams

Title: Principal Geoscientist

Organization you are affiliated with: CFCS, LP

Email:

City: Decatur

State: Texas

Your Comments About the Staff Report, Including Recommendations Supported or

Opposed: I strongly disagree with the premise that State regulation of geoscience is unnecessary to protect the public. A good example are the thousands of Phase II subsurface investigations conducted throughout the state each year that are not overseen by the TCEQ or RRC. If a developer wants to put a restaurant in on a contaminated property, the only profession qualified to complete the investigation is a PG. Otherwise, anyone who doesn't necessarily have the experience could give the site a clean bill of health based upon an inadequate assessment and in 6 months you have human exposure to vapors coming through the slab of the newest local Bar-B-Que joint in town. There are far more Phase II reports completed everyday than new UST releases. Therefore, on this point alone it appears the Advisory Commission may be ill informed on the daily practices of a PG. Additionally, to be frank there is a significant amount of staff turnover at the TCEQ and RRC. I have been working in this state for 25 years and it is not uncommon to have 2-3 different TCEQ case coordinators on a LPST case before it gets closure. The one constant is the licensed PG who has been through the numerous rule changes and has the field experience to ensure the site is closed only when there is not a threat to human health or the environment.

Yes, there is a CAPM license but it is not base on a college degree in the geosciences like the PG. Therefore, I would argue that abolishing the PG would lead to a potential for unqualified professionals to have direct charge over the thousands of open LPST cases in the state. It's not easy to learn how to draw a complex groundwater gradient and complete a soil boring log if you have never had a class in hydrogeology. I also strongly diasagree with the premise that because 78% of current licensees in the profession did not pass the rigorous exam requirements to obtain a license then they are somehow not qualified. Again, this goes back to education and experience in the geoscience field which requires knowledge in environmental science, biology, toxicity, cartography, soil sciences, hydrogeology, chemistry, etc. Most of which is not covered or just touched upon in the ASBOG test. A hard rock PG is not necessarily the best environmental contaminant investigator just like a a [professional geoscientist with environmental remediation training should not be logging oil/gas production well installations. The Texas PG is unique and tailored towards and area of study that is nothing but focused on the protection of the public. This is a concept that those who do not see the daily tasks of a geoscientist can easily miss. I also take issue with the premise that because the board has never seen a complaint that posed significant harm or risk to the public that it is somehow

irrelevant. Perhaps a lack of violations points to the effectiveness of the board of only licensing individuals with a high moral character. The argument that a board should be discontinued on this basis is not common sense. If you want complaints and an increased risk to public health then by all means dissolved the board that has ensured there aren't any; and, then allow unqualified individuals to make decisions on public health and safety. Finally, the Advisory Commission anticipates a loss of approximately \$234,000 a year to the general revenue fund. While this might not seem like a large amount in the grand budget scheme, it is still a significant and necessary revenue stream. Again, it makes no sense to eliminate a Board/Profession that job 1 is protection of human health and at the same time lose this revenue to the state. As an individual PG, owner of a licensed PG firm and taxpayer I have more than happy to pay the fees associated with maintaining this licensure.

Any Alternative or New Recommendations on This Agency:

1) I would like to see a more proactive PG board working with the TCEQ and RRC to ensure the quality of work submitted to those agencies. A suggestion would be a random audit of a certain number of reports per month by a PG task force to ensure the correct application of the rules.

2) I would like to see more oversight by the state (either TBPG or TCEQ) on work conducted on Phase II investigations conducted on property transactions.

3) I would recommend that all members of the Sunset Advisory Commission spend at least one day of field time with a Professional Geoscientist, see what we do, see what we see and then think about the conclusions of your report.

My Comment Will Be Made Public: I agree