



# **TEXAS BOARD OF PROFESSIONAL GEOSCIENTISTS**

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## **Compliance and Enforcement Committee Meeting Minutes**

October 28, 2010 Meeting  
1000 Louisiana, Suite 2000  
Houston, Texas 77002

- A.** The Compliance and Enforcement Committee (CE) meeting was called to order at 1:00 PM, roll was called and a CE quorum was established. Members present were Glenn Lowenstein, PG, Committee Chair, Dr. Thomas Hallmark, PG, Y. Lynn Clark, PG, Kelly Krenz-Doe, PG, Michael Hess, Executive Director, Charles Horton, Deputy Executive Director, George Dunfield, Professional Standards Unit Chief, and Molly Roman, Operations Manager.
- B.** The minutes from the August 12, 2010 CE meeting were approved as written.
- C.** Public comment: Matthew Cowan, PG, representing the Texas Association of Professional Geoscientists (TAPG) and Henry Wise, Co-Chair of the TAPG Government Affairs Committee were present. Mr. Cowan stated his concern that Phase I Environmental Site Assessment reports are currently completed by unqualified individuals making geoscience interpretations and conclusions in what appear at first to be routine document compilation and processing reports.
- D.** The Complaint Review Team met on September 23, 2010 with action on two cases:
  - 1. A Notice of Violation (NOV) with a \$250 administrative penalty was recommended for Capitol Environmental Inc. for failing to comply with TAC §851.152(g).
  - 2. A second case was closed with a Warning Letter.
  - 3. The TBPG Attorney General's representative is working on revised the NOV language.
- E.** Enforcement program progress report on new initiatives:
  - 1. Effective outreach began in late summer 2010 and resulted in collaborative agreements with various state agencies such as TCEQ and various county and city jurisdictions.
  - 2. "Guidance for Use and Application of Professional Geoscientist Seals" was reviewed and updated.
  - 3. Licensed professionals from the Federal government may be considered for volunteer work.
  - 4. Review of the Corrective Action Specialist list resulted in one possible unlicensed practice lead.
- F.** A draft matrix, is being considered by the oil and gas workgroup (in concurrent meeting); CE recommended that it, once finalized, be used as working policy document (subject to revision) for enforcement staff.

- G.** Aspects of Phase I Environmental Site Assessments including interpretive geoscience were determined to be the professional practice requiring licensure in accordance with the Federal Code of Regulations.
- H.** CE members were encouraged to conduct outreach at colleges and universities to discuss licensure requirements and the Geoscientist-in-Training program.
- I.** Evaluation of TBPG enforcement program efforts.
- J.** No assignments at this time.
- K.** The next CE meeting to be scheduled after the first of the year. The CE Committee adjourned at 3:17 PM