



# TEXAS BOARD OF PROFESSIONAL GEOSCIENTISTS

## **Board Meeting**

*October 16, 2015, 8:30 a.m.*

William P. Hobby, Jr. Building  
333 Guadalupe Street, Room 102  
Austin, Texas 78701

## **MINUTES**

- A. The regularly scheduled meeting of the Texas Board of Professional Geoscientists was called to order at 8:35 a.m. Roll was called and a quorum was certified. In attendance were TBPG Chairman C. Thomas Hallmark, P.G., PhD, Vice-Chair W. David Prescott, II, P.G., Secretary/Treasurer Becky Johnson, P.G., Joseph P. DeWoody, Kelly Krenz-Doe, P.G., and Christopher Mathewson, P.G., P.E., PhD. Members Charles Knobloch, P.G., JD, and Greg Ulmer, JD, were absent.
- B. Oath of office and swearing in of new Board Members. No action taken.
- C. The minutes from the July 17, 2015 Board Meeting were approved as amended.
- D. Public comment. No comments were given.
- E. Chairman's Report: Chairman Hallmark addressed the issues of staff salaries, and the upcoming ASBOG® annual meeting.
- F. Executive Director's Report: Executive Director Charles Horton reported on state service milestones for agency staff, that TBPG has a new appointments manager at the Governor's office, TBPG's recent requests to other states regarding reciprocity, and the upcoming Sunset Review of TBPG.
- G. Regarding the Railroad Commission of Texas' (RRC) regulation of the disposal of waste fluids from hydraulic fracturing in the subsurface, Ms. Leslie Savage, P.G., representing the RRC, presented information to TBPG regarding the permitting process, monitoring processes, and how the requirement of P.G. licensure relates to these activities.
- H. Reports on recent Committee meetings and activities
  1. The Application Review and Continuing Education Committee Report was given by Committee Chair David Prescott regarding the 10/15/15 meeting. He reported on the Committee's refinement of an Exam Waiver Request Policy for the ASBOG® Practice of Geology exam; he gave an overview of TBPG's recent reciprocity requests; and mentioned the Committee's review of applicable Frequently Asked Questions (FAQs) from the TBPG website.
  2. The Compliance/Enforcement Committee Report was given by Committee Chair Becky Johnson regarding the 10/15/15 meeting. She summarized the discussion regarding the TCEQ's regulation of disposal/injection wells, as presented by Ms. Katherine Nelson, P.G. from TCEQ. She also addressed the Standard Operating Procedures (SOPs), and the Committee's review of applicable FAQs.
  3. The General Issues Committee Report was given by Committee Chair Christopher Mathewson regarding the 10/15/15 meeting. He mentioned the Committee's review of applicable FAQs. The Committee's other items will be covered later.
  4. The Financial Review / Strategic Planning Committee had not met since the last Board Meeting. No report was given.
- I. Staff Reports:

- The Licensing Report, given by Ms. Elsa Paynes, Licensing Coordinator, reviewed current licensing numbers, ASBOG® exam statistics, and the equilibrium number.
  - The Financial Report, given by Ms. Leticia Kappel, Chief Financial Officer, reported on fiscal year end numbers, current revenues, expenditures, and the appropriations request process.
  - The Enforcement Report, given by Mr. T. Wesley McCoy, P.G., Enforcement Coordinator, gave current enforcement numbers, recent Complaint Review Team (CRT) meeting highlights, and recent outreach events.
- J. Request for waiver of the ASBOG® Fundamentals of Geology exam. The Board unanimously granted the waiver of the ASBOG® Fundamentals of Geology Examination for Olusanmi Emmanuel.
  - K. Proposed Agreed Board Order. The Board approved the proposed Agreed Board Order for Complaint Case No. 2015018 by unanimous consent, with Members Mathewson and Johnson being recused.
  - L. Advisory Opinion Request #13, received September 17, 2015, regarding the requirements of firm registration on a firm located in Texas that does not perform geoscience in Texas. The Board approved by unanimous consent the draft Advisory Opinion as edited for posting to the Texas Register for public comment.
  - M. Proposed comment to the United States Environmental Protection Agency (EPA) regarding a draft EPA rule regarding a proposed audit program of the collection of fugitive emissions components at well sites and compressor stations. The TBPG Board approved by unanimous consent the submission of the proposed comment to the US EPA as edited.
  - N. Proposal of new rule, 22 TAC 851.26, regarding agency implementation of revisions to Texas Occupations Code Chapter (TOC) 55, Licensing of Military Service Member, Military Veteran or Military Spouse. The Board proposed new rule 22 TAC 851.26 by unanimous consent for posting to the Texas Register for public comment.
  - O. Proposal of amendment to 22 TAC 851.20 regarding Professional Geoscientist Licensing Requirements and Application Procedure, relating to military service members, military spouses, and military veterans. The Board proposed new rule 22 TAC 851.20 by unanimous consent for posting to the Texas Register for public comment.
  - P. Proposal of amendments to existing rules to clarify the definition and use of terms in TBPG rules, including the terms “Professional Geoscience” and “Professional Geoscience Services” throughout TBPG Rules in 22 TAC Chapters 850 and 851. The Board proposed amendments to 22 TAC 850.62, 851.10, 851.20, 851.23, 851.29, 851.30, 851.101, 851.102, 851.104, 851.105, 851.106, 851.107, 851.108, 851.112, 851.152, 851.153, and 851.157 as presented and by unanimous consent for posting to the Texas Register for public comment.
  - Q. Proposal of amendment to 22 TAC 851.156 Professional Geoscientist Seals and Geoscience Firm Identification. The Board proposed an amendment to 22 TAC 851.156 as edited by unanimous consent for posting to the Texas Register for public comment.
  - R. Consideration of 22 TAC §851.32 regarding reasons a licensee may be considered exempt from the professional development educational requirements. The Board



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proposed an amendment to 22 TAC 851.32 as edited, for posting to the Texas Register for public comment.

- S. TBPG Strategic Plan 2017-2021. Executive Director Charles Horton reviewed the process of the Strategic Plan development and submission for TBPG.
- T. Complaint Standard Operating Procedures (SOP). No action was taken.
- U. The Compliance and Enforcement Committee's recommended "Penalties and Suggested Sanctions" table. Member Johnson reported that the table is still under review.
- V. Report on status of Attorney General Opinion Request regarding whether the TBPG has the authority to accept a license resignation and whether the TBPG may impose conditions on a license resignation. Mr. Horton reported that the request letter is almost complete. Once it has been submitted to the OAG, Mr. Horton will forward a copy of the request to the Board.
- W. Recommendation from the General Issues Committee regarding how license statuses should appear on the online TBPG public license search. The Board approved by unanimous consent that the TBPG show only current licenses in the online license search.
- X. Texas Geophysics Exam (TGE). Mr. Horton mentioned that the exam update is complete.
- Y. The next Board meeting is scheduled on February 5, 2016. Agenda items for the next meeting include consideration of public comments for the items posted in the Texas Register.
- Z. The meeting was adjourned at 12:47 p.m.

A handwritten signature in blue ink that reads "C. Thomas Hallmark".

C. Thomas Hallmark, P.G., PhD  
TBPG Chairman