



TEXAS BOARD OF PROFESSIONAL GEOSCIENTISTS

General Issues Committee Meeting

333 Guadalupe
William P. Hobby Building
Tower II, Room 500, Austin, Texas

July 29, 2011; 1:30 p.m.

Meeting Minutes

- A. The meeting was called to order at 1:40 p.m.
- B. Roll was called and a quorum was certified. Members present were Kelly Krenz-Doe, P.G., Charles Knobloch, P.G., J.D., and Judy A. Reeves, PhD, P.G.
- C. Present at the meeting were Mr. Matthew Cowan, P.G., representing Texas Association of Professional Geoscientists (TAPG) and the Houston Geological Society (HGS); and Mr. Kevin Almaguer, representing Earth Solutions, Inc., present regarding agenda item E, the Advisory Opinion Request AOR #5 (2011). No comments were given at this time.
- D. The minutes from General Issues Committee on May 19, 2011 were approved as written.
- E. Regarding the public comments on Advisory Opinion Request AOR #5 (2011), the Committee reviewed public comments on AOR #5 on whether Registered Corrective Action Specialist firms must be registered as a Geoscience Firm, and have a P.G. on staff. The Committee decided to recommend to the full Board to adopt AOR #5 as posted to the Texas Register with the exception of removing the last sentence.
- F. Regarding the Oil and Gas workgroup's proposed rule changes, the Committee decided to recommend to the full Board that the Board approve posting the proposed new rule changes to the Texas Register as proposed rule changes and new rule sections.
- G. Regarding a possible Board initiated Advisory Opinion on the question of whether any or all geoscientific work that is conducted through an academic institution, non-profit research institution, or for-profit organization automatically qualifies as 'geoscientific research' for the purposes of the exemption in Texas Occupations Code §1002.252(4), the Committee decided to post a draft opinion for public comment on the Texas Register.
- H. Regarding the item on "whether e-mails should be provided for review on the TBPG website," the Committee clarified the topic as, "exploration of methods of Board Member communication through electronic or other media that is permissible under the Texas Open Meeting Act." The topic was tabled for further information development before being taken up by the Committee.
- I. Regarding possible criminal background checks on applicants for licensure, the Committee decided to recommend that the Application Review / Continuing Education Committee and agency staff continue the current process of relying on the self-reporting of criminal history by applicants. It is understood that the current process requires: 1) applicants to self-report past convictions and any pending criminal charges; 2) applicants to provide documentation of the final disposition of convictions and the status of pending charges; and 3) review by the agency staff and/or the Application Review / Continuing Education Committee as specified by the rules of the Board, Texas Administrative Code §851.108. Rule changes were

recommended to adhere to Chapter 53 of the Texas Occupations Code, rather than reiterate the requirements of Chapter 53 in TBPG rules. This recommendation was to be referred to the Application Review Committee.

- J. Regarding possible action on P.G. licensee “equilibrium number” as an internal measurement (# of new licensees per year x 40 years = equilibrium number), the Committee noted the validity of the “equilibrium number” and decided to direct agency staff to include the “equilibrium number” calculation when determining the number of licensees in the future planning process and reporting to the full Board.
- K. Regarding the duty to self-report--evaluation of regulations / description on documents sent to licensees, the Committee took no formal action. The Committee decided to place the topic on the agenda for the next General Issues Committee meeting and conduct a thorough review of the routine communications that are sent to licensees when new licenses are issued and in the renewal process to determine what additional message(s), if any, would be appropriate to include with these communications.
- L. Regarding training for Board members on Robert’s Rules of Order, the Committee decided to recommend to the full Board that the agency set up a training session for all Board Members.
- M. Regarding possible permissive practice regulations for house foundation design development based on soil borings or geotechnical investigations and interpretation, the Committee took no formal action. The Committee agreed to add the topic to the next Committee meeting agenda.
- N. Regarding review of current industry practices and regulations related to underground waste injection disposal and underground natural gas sequestration, the Committee took no formal action. The Committee noted the importance of evaluating the rules involved in these activities and identifying the geologic portions of the application, monitoring, and post injection portions of the rules. The Committee agreed to add this topic to the next Committee meeting agenda.
- O. Regarding whether the PG license number must be included on business cards, the Committee decided to recommend certain changes to §851.104 to the full Board for approval for posting to the Texas Register as proposed rule changes. The changes are proposed to clarify the existing rule.
- P. The next Committee Meeting was not scheduled; however, the Committee would like to meet before the next Board Meeting scheduled for January 27, 2012.
- Q. The meeting was adjourned at 4:45pm.