



✧ RPG News ✧

A Publication of the Mississippi State Board of Registered Professional Geologists

Protecting the Public's Health, Safety, and Welfare

Summer, 2002

Members of the Board: Les Aultman, President (Mining - Mineral Extraction); Charles Swann, Vice President (At Large); David Patrick (Academia); Patricia Phillips (Government); and Winston Russell, (Environmental).

News and Matters of Interest

At its May 21, 2002 board meeting, Mr. Les Aultman was elected as President and Mr. Charles T. Swann was elected as Vice President, both having served in these same capacities during the previous FY of the Board. Their current terms will run from July 1, 2002 through June 30, 2003. Congratulations are in order for both.

The MSBRPG is pleased to announce that the Association of State Boards of Geology (ASBOG) will be holding their 2002 Annual meeting in Biloxi on November 4th through the 9th. Activities include meetings of the ASBOG Executive Committee, the Council of Examiners, a field trip along the Mississippi coast, and its annual business meeting. The current President of ASBOG is none other than Dr. Darrel Schmitz. Dr. Schmitz was an integral participant of the Geological Task Force which was formed to draft and support geologic licensure legislation. Once passed Dr. Schmitz was appointed by the Governor to serve on the first board serving from 1997 until 2001. Dr. Schmitz, while on the first board, held the prominent positions of Vice President and President of that board. Participating in this year's annual meeting will be representatives of some 26 states with geologic licensure laws, the AAPG, AEG, other affiliated organizations and visitor states including those who recently passed licensure laws including Utah and Texas.

Of interest is the following message from Mr. Walter Schmidt, former Chair of the Florida Board of Professional Geologists, which has been brought to our attention. We have included an edited version here for illustrative purposes and commonalities which face similar boards of professional licensure in the U.S. (Modified and reprinted from the September, 1999 Florida Board of Professional Geologists newsletter, with permission from the author - additions in italics)

"The Florida Board held a workshop in 1999 for all interested parties to discuss many re-occurring issues commonly brought before Board Members. Too often these issues have been brought up informally with anecdotal information by word of mouth or phone conversations. This is unfortunate because the Board cannot take any "official" action or establish a position on an issue unless it is put before the Board for official action.

The Professional Geologist community historically has been reluctant to rock-the-boat or to criticize their colleagues, company or agency policies, or to "get involved" outside their day-to-day activities when they see bad geologic practices being done or environmental assessments and mitigation projects being carried out without the benefit of sound geoscience input. Our workshop was designed to offer historical insight from the Board members regarding how many of these issues have been dealt with in the past and to

make suggestions on how to best obtain a solution to several pending questions in the future.

Feedback was submitted from consulting PGs, and managers from several Bureaus and District Offices within the Department of Environmental Protection, from three Water Management Districts, Industry representatives, and the Florida Association of Professional Geologists. I believe the discussion was informative and well received by all in attendance. One comment made that disturbed several Board members was a position taken that because Chapter 492 of the Florida Statutes (the Professional Geology Chapter - *similar to the Mississippi Registered Professional Geologists Practice Act of 1997*) was not referenced in certain agencies rules, then said agency would not require any Professional Geological document submitted to them (for public record) to be signed and sealed by a licensed PG. I find this legal logic to be bureaucratic nonsense. The PG licensing law was passed by the Florida Legislature, *as well as the RPG law passed by the Mississippi Legislature*, to protect the health and welfare of the public by insuring competent geoscientists are involved with appropriate operations and activities, and that these individuals sign and seal their work that is submitted for public record. In my view, saying that law is not for us to enforce so we don't require submittals to be done by this kind of professional with minimum standards to protect the environment, is not getting the job done, as I believe was clearly intended and stated by the Legislature. In fact, I feel it is in violation of the words of the law and the clear intent of the Legislature. The only way issues such as this and others are going to be properly addressed, is for the members of the Professional Geologist community to speak up and voice their objections when they see violations, including bad geology being done and unlicensed activity being carried out. PGs must be involved in supporting the quality of the work their profession carries out, and in policing violations of their practice act. Each and every one of us will be the ultimate benefactor as professionals, as well as the environment in which we all live, and the overall health and welfare of the public. "

Enforcement/Disciplinary Actions

As anticipated, the Board has seen an increase in the numbers of complaints related to the unlicensed public practice of geology. It will be a standing request of you as Registered Professional Geologists, Geologists-In-Training and the Public to report to the Board through formal complaints or verbal notifications if you feel that there is or has been a violation of the RPG Act of 1997.

Remember, you are the eyes and the ears of the Board. If you are aware of any practice violation do not hesitate to either file a complaint (found at the Board's web site or by calling for a copy) or by contacting the Board's Director. The

Board is responsible for these matters and initiates investigations almost immediately once they are received. Remember that the public practice of geology must be done by or under the supervision of a Mississippi Registered Professional Geologist. Please notify the Board of any appearance of or documentable evidence of violations to the RPG Act of 1997.

Congratulations to those who recently passed the ASBOG FG and PG Exams

The following examinees are congratulated on passing the Fundamentals of Geology (FG) exam administered on March 15, 2002:

John E. Allen	Laura B. Barnhart
Nimeesha Bulsarani	Samuel F. Cain
Igor D. Jaramillo	Jessica M. Kneupper
Joseph Z. Maharrey	Misty D. Savell
Larry D. Seal	Lori Seabrook-Connor

Also to be congratulated for their passage of the Practices of Geology exam, also administered on March 15, 2002, are:

Dr. Lisa Rhoades **Mr. Kyle Schmid**

Information: An Update on Salaries

At the request of the Mississippi State Personnel Board as well as in the interests of geologists, the MSBRPG recently completed its salary survey of geologists employed by the private sector and state agencies of the four contiguous states to Mississippi, as well as those employed with federal agencies. The following represents those averaged salaries as computed by this agency. The Geologist-In-Training position requires a degree in geology and passage of the Fundamentals of Geology and the Geologist I (state designation) would possess a minimum of a degree in geology, four (4) years of geologic experience, and registration with the MSBRPG.

The noted salaries are as follows:

Geologist-In-Training:	\$36,432.41
Geologist I:	\$47,554.88

Ethics — the Linchpin of Professional Practice

Charles T. Swann, R.P.G., MSBRPG Vice President

There are many facets to the professional practice of geology with ethics playing an essential part - a part that is often not adequately emphasized because knowledge of and compliance with ethical standards are usually assumed. Legal entanglements resulting from charges of unethical behavior by employees may be a company's first encounter with ethical issues and the damage they can cause to a company's reputation. A strong commitment at the corporate level to ethics education, re-education and enforcement can go far in preventing these embarrassing and costly exercises. A commitment to high ethical standards is of even more importance to the private consultant for whom reputation is a major selling point.

The Board's Rule 3 incorporates some of the basic tenants of ethical conduct expected of the professional geologist. This rule is not all-inclusive and there are ethical issues that are not specifically addressed in Rule 3. Rule 3 applies not only to the Registered Professional Geologist but

to the Geologist-in-Training equally. The decision to follow ethical standards, or not, is a personal decision. When charges of unethical work or behavior are brought before the Board, the accused individual will be asked to explain his or her actions. Knowledge of potentially unethical geological work should be reported to the Board.

Ethical and honest handling of data is an example of ethical issues not specifically dealt with in Rule 3. It is, for example, unethical to knowingly omit data so the reported data better supports your interpretations; it is equally unethical to add fictitious data to better support a conclusion. To knowingly mail or fax false information is not only unethical but could result in charges of mail or wire fraud, respectively.

Your Board is charged with dealing with issues of ethics as they relate to the professional practice of geology and to informing the appropriate Boards or agencies when unethical conduct is discovered in another field. The Board urges all registrants to become familiar with ethics issues and how they have been dealt with. Companies may want to assign an individual the responsibility of reviewing any action that could potentially involve questions of ethics. Ms. Ann Rosecrance, of Core Laboratories, wrote a very informative paper titled "Ethics Standards for Field and Laboratory Organizations" in the proceedings of the 1999 International Petroleum Environmental Conference held in Houston, Texas. I highly recommend this paper and other papers she has written. Remember that a reputation for high ethical standards is difficult to build and protect, but is easily destroyed.

Editor's Note: Rule 3 may be found on the Board's web site near the bottom of the page under Rules of the Board.

Voluntary Continuing Education

The MSBRPG will be offering a one hour presentation (1 PDH) by Dr. Colin Thorne, Professor of Geology from the University of Nottingham, England on September 12, 2002 starting with a brown bag lunch (i.e. bring your own) at 11:30 AM, followed by Dr. Thorne's presentation starting at approximately 12 noon, at the Commission Hearing Room, at the Mississippi Department of Environmental Quality, Jackson, MS. Dr. Thorne's presentation, titled "Yangtze Three Gorges Project: China's Triumph of Folly?" will explore issues related to the construction along the world's third largest watercourse using the largest concrete dam ever constructed. Dr. Thorne's presentation, based on a series of personal visits to China, will examine the project's benefits (flood control, hydropower, navigation, and water supply) and problems (displacement of people, loss of heritage sites, environmental and aesthetic impacts).

Please make plans to attend this presentation which is free to all those who attend. If you have any questions concerning this presentation please contact Ms. Pat Phillips, MSBRPG Board member at 601/961-5213. An e-mail notification will be sent to all who have provided this information to us.

In other news related to continuing education, the MSBRPG has to date held five (5), day-long seminars and a one hour presentation all of which have had excellent attendances. The last seminar on Hydrogeology had roughly 80 participants. The Board will continue to provide leadership in developing and sponsoring these low cost career development/continuing education presentations and seminars.

As new courses/seminars are developed they will be placed on the Board's web site and e-mailings will occur announcing topics, times, and dates when they will be offered. (www.msbrpg.state.ms.us). Other anticipated voluntary course offerings include seminars on geotechnical topics and because of the excellent response which we had with the Geohydrology seminar, it is planned to be scheduled to be offered again next Spring.

If you have a topic for continuing education which you would like to have explored please contact the Board.

Other Item's of Interest

After nearly two years of work, it currently appears that the Mississippi Department of Environmental Quality will be holding a public hearing on the MSBRPG's proposed revisions to the UST regulations. Basically the regulations will now require that both a professional engineer and a professional geologist, both registered in Mississippi, be utilized in UST work. The revised language is similar to that found in the current brownfield regulations.

The Board's Director continues to work with other state agencies in areas related from solid waste rules, regulations, and guidelines as well as those related to ground water. As noted in the article by Dr. Walter Schmidt (page one of this newsletter), it should be clear that even though rules and regulations of regulatory agencies covering areas which involve geologic input may not clearly specify that those activities require an RPG by virtue of the RPG law they must utilize RPGs — **It's the law!**

As noted recognition of the RPG law has been slow but agencies of the state of Mississippi are gradually incorporating requirements that any geologic matters which impact the public's health, safety, and welfare must be performed and signified by a Registered Professional Geologist by their signature and stamp/seal on such geologic or portions of documents dealing with geologic matters. The Director patiently continues with these efforts to provide assistance and encouragement to all those agencies that deal with issues involving geology in their rules and regulations in the protection of the public's health, safety, and welfare.

ASBOG Examinations - An Update

Fall ASBOG exam date is set for October 4, 2002 with August 30, 2002 deadline for payment of exam fees.

Please be aware that you may only take one exam during a scheduled exam offering. In order to take the FG exam, you must have first submitted your application as an enrollee (GIT) and to sit for the PG exam you must have: 1) four years of geological work experience; 2) previously passed the FG exam; and 3) have a complete RPG application on file with the Board. Failure to have the necessary information on file will disallow you from sitting for either exam. If you have any questions contact the Board! If you are taking the FG exam as an "exit" exam with the University of Mississippi, Mississippi State University, the University of Southern Mississippi, or Millsaps College the requirement for the Board's receipt of an application as an enrollee (GIT) is waived.

REMEMBER THE DEADLINE FOR EXAM ORDERS IS AUGUST 30, 2002. Please visit the Board's web site for an exam application or call the Board for additional information.

Board's Web Site

Please visit the Board's web site from time to time. On it you can find items such as Memorandum of Understandings (MOUs); Attorney General and Board Opinions; Board meeting dates, times, and agenda; continuing education information; order forms for stamps/embossers, complaint and exam forms, etc. It also has archived issues of this newsletter - the RPG News, as well as other useful information. The web site address is: www.msbrpg.state.ms.us and the Board's e-mail address is: geology@msbrpg.state.ms.us

Also, the Board's phone number is 601/354-6370; fax 601/354-6032; mailing address: P.O. Box 22742, Jackson, MS 39225-2742; and physical address is: Jackson Enterprise Center, 931 Hwy 80 West, Jackson, MS 39204.

Comity/Reciprocity Agreements

The Board has recently entered into another comity/reciprocity agreement with the state of Arkansas. We now have agreements with Alabama, Georgia, and Arkansas. For reference to the terms and conditions of these agreements please refer to the Board's web site or contact the Board's office.

Rules 4 & 8 Adopted as Modified

On January 22, 2002 the Board held a public hearing for Rules 4 & 8 of the MSBRPG in order to comply with the RPG law and to further clarify the examination procedure. Both rules were adopted by the Board without any public comment or modification. Of importance to our RPGs and GITs is that you must pay your biennial fees in full no less than sixty (60) days after the expiration of your license or enrollment as stated in the RPG law. If not paid by that time your RPG registration will permanently lapse and in order to become registered you must resubmit an application along with required fees, and also successfully pass both the ASBOG FG and PG exams. GITs are also required to resubmit an application and required fees prior to consideration of their enrollment by the Board for re-enrollment.

Registration, enrollment, and other fees may be paid by check, money order, or credit card. American Express (Optima), Visa, MasterCard, and Discover are now accepted. Please contact the Board for details should you wish to pay by credit card.

Second Request - Professional Liability Insurance

At the request of several registrants we are again requesting that if you have an interest in obtaining professional liability insurance please e-mail, call or write the Board indicating your interest.

As previously noted, in order to offer coverage at a predetermined cost there will have to be a minimum number of 100 registrants who decide to participate. At this predetermined number of participants the estimated cost

would be on the order of \$750/year for \$1,000,000 of coverage. So if you have an interest in obtaining some sort of professional liability coverage please simply respond. Remember, we must have a minimum of 100 participants.

Issues or Concerns? Contact the Board!

Should you have concerns, questions, or wish to know about a particular aspect of the functions and work of the Board do not hesitate to contact Rick Ericksen, the Board's director. If the Board does not have a rule or policy in place related to your inquiry we will attempt to develop one or answer your question(s) in a thoughtful and timely fashion. An example of this is in the web page listing under "Board Opinions."

MSBRPG Advisory Committee Updates

The newly elected Chairman of the Board's Advisory Committee is Mr. Jay Ferris (Environmental Management Services), its Vice Chair is Mr. Ken Ruckstuhl (Malcolm Pirnie) and Secretary is Mr. Michael Wright (MDOT). The Advisory Committee is currently working on several issues of importance to the Board and relevant to the general state of the practice of geology in Mississippi. One of the most vital efforts underway is the review and updating of various state regulations and guidance documents to appropriately designate and require a Mississippi Registered Professional Geologist to certify and seal portions of a report that require geological interpretation and specialized knowledge. As the Mississippi RPG Act was

enacted into law subsequent to the creation of many of the regulations governing the areas of geotechnical investigations, environmental investigations, and others, updating these regulations is necessary to clearly specify that a Mississippi RPG is responsible for matters dealing with geology as related to the health and welfare of the state's citizens, just as many other states with geologic licensure/registration laws routinely expect and appreciate.

Other projects the advisory committee has underway include the compilation of pertinent media articles demonstrating the important and perhaps unrecognized role geology plays in the everyday lives of the citizens of Mississippi. The advisory committee is also working to assist the State Board of Tourism to advertise the various geological sights and features of our state in their brochures and other media. The advisory committee is also tasked with assisting the Board in accomplishing the routine RPG notification mailings, newsletter preparation, and other program maintenance items. The RPG advisory committee meets on a regular basis, with the next meeting scheduled for September 3, 2002 at 5:30 P.M. in the Board's Conference Room located in the Jackson Enterprise Center, Jackson, MS. For more information or if you would like to contribute to our efforts, contact Jay Ferris at jferris@env-mgt.com or Rick Ericksen at geology@msbrpg.state.ms.us.

REMEMBER - REPORT VIOLATIONS, IT'S YOUR ETHICAL OBLIGATION



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