



August 20, 2004

Remediation Division Regulatory Notice

Re: Professional Geoscientist Seal

The TCEQ Remediation Division receives reports and technical information daily that contain geoscience services or work. The Texas Professional Geoscience Practice Act (Title 6, Texas Occupations Code, Chapter 1002; Senate Bill 405, 77th Legislature) and the Administrative Rules of the Texas Board of Professional Geoscientists (22 TAC Part 39, Chapter 850 and 851) require that effective September 1, 2003 professional geoscience services or work be provided by or under the direct supervision of a licensed geoscientist, unless exempted under the Act.

Accordingly, beginning September 1, 2004, the Remediation Division will determine if reports and documents containing geoscience services or work are sealed by a licensed geoscientist¹ and notify the submitting party of unsealed work. In October, Division staff will begin **returning** unsealed geoscience reports or documents received on or after October 1, 2004 to the submitting party. The party will need to resubmit the report or document with the required seal.

Eventually all report forms will be re-formatted with a designated place for seals to be affixed. In the interim, if there is not sufficient room on the existing signature page for the name and seal of the professional geoscientist, insert a page for the seal after the report form signature page. Other considerations are discussed below.

Because it is not in the best interest of any party for unsealed work to be returned, the regulated and consulting communities need to be vigilant in ensuring required seals are provided. Anyone with specific questions regarding what constitutes geoscience should contact the Texas Board of Professional Geoscientists (512/936-4400) or refer to their rules.

The following can be used as guidance:

- Table 1 lists the reports the Remediation Division receives that typically contains geoscience² work or services.
- Any other report or correspondences that contains geoscience must be sealed.
- It is sufficient to seal the original title sheet of bound reports, specifications, details, calculations or estimates, and each original sheet of plans or drawings contained within the report regardless of size or binding. The Texas Board of Professional Geoscientists considers this to include cross-sections, maps, and other graphic data such as geologic maps, contoured contaminant plume maps, or other original geoscientific work in graphic form. Each page of a bound report or form does not need to be sealed. Because fold out maps and cross-sections may become separated from a *bound* report, they must be sealed individually.

¹Professional engineers qualified by education, training or experience can seal in lieu of a professional geoscientist when the work or service is both geoscience and engineering and is performed by them or someone under their supervision. For example, evaluation of groundwater capture zones resulting as part of an engineering evaluation of remediation pilot test results would not require a separate geoscientist seal.

²Groundwater flow maps and contoured contaminant distribution maps include geoscience. Reports of concentration data or summaries of remedial progress, for example, do not constitute geoscience.

- If supporting information such as boring logs are submitted independently of a bound report, then a cover letter should be submitted that references the attached information. Placing a seal on the cover letter suffices, although it is recommended by the Board that a note be placed on all boring logs stating something to the effect “These logs should not be used separately from the original report.” Alternatively, each boring log or map, in this example, may be sealed.
- Some reports may contain other non-geoscience work that requires a seal by a professional engineer. Examples include Response Action Plans TCEQ-10326/RAP and Corrective Action Plan Worksheets TCEQ-0707.
- The Texas Board of Professional Geoscientists maintains a website that provides further guidance, such as their list of frequently asked questions (FAQs) [<http://www.tbpg.state.tx.us>].

Table 1. Reports submitted to the Remediation Division that contain geoscience.

| PG Seal Required | May require PG seal depending on content* | Reports* |
|------------------|---|---|
| | | *Some reports listed may require a professional engineer seal. |
| | | PST Program: |
| X | | Assessment Report Form - TCEQ-0562 |
| | X | Release Determination Report Form - TCEQ-0621 |
| X | | Monitoring Event Summary and Status Report Form - TCEQ-0013 |
| | X | Field Activity Report Form - TCEQ-0017 |
| | X | Product Recovery Report Form - TCEQ-0025 |
| | X | Site Closure Request Form - TCEQ-0028 |
| | X | Final Site Closure Report Form - TCEQ-0030 |
| X | | Remedial Technology Screening (RTS) Form - TCEQ-0695 |
| | X | Operation, Monitoring, and Performance Report (OMPR) Form - TCEQ-0696 |
| X | | Corrective Action Plan (CAP) Worksheets - TCEQ-0707 |
| | X | Plan B Risk Assessment Report |
| X | | Annual Groundwater Monitoring Report |
| | | TRRP Reports: |
| X | | Affected Property Assessment Report - 10325/APAR |
| | X | Self-Implementation Notice - 10323/SIN |
| X | | Response Action Plan - 10326/RAP |
| | X | Response Action Effectiveness Report - 10327/RAER |
| | X | Response Action Completion Report - 10328/RACR |
| | X | Post-Response Action Care Report - 10329/PRACR |
| | X | Ecological Risk Assessment Report |
| X | | Groundwater Classification Report |
| | | Dry Cleaner Program: |
| | X | Dry Cleaner Application (pending) |
| | | Innocent Owner/Operator Program: |
| X | | IOP Site Investigation Report |
| | | Superfund Reports: |
| X | | Remedial Investigation Reports |
| | X | Feasibility Study Reports |
| | X | Remedial Design Reports |
| | X | Remedial Action Reports |
| | X | Record of Decision Reports |
| | X | Technical Memorandum |
| | X | Site Conceptual Model |
| | X | Workplans and Sampling Plans |
| | X | Groundwater and O&M Reports |

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| | | Risk Reduction Rule Reports: |
| X | | Standard 3 Remedial Investigation Report |
| X | | RCRA Facility Investigation Reports |
| | X | Baseline Risk Assessment |
| | X | Corrective Measures Study |
| | X | Closure Reports |
| | X | Final Report |
| | | Voluntary Cleanup Program: |
| | X | Monthly Status Report |
| | | General Reports: |
| | X | Phase I Environmental Site Assessment Reports |
| X | | Phase II and III Environmental Site Assessment Reports |
| X | | Work plans that include geoscience |
| X | | Any other document/report that includes geoscience |