

**COMMITTEE ON PROFESSIONAL LICENSURE
HOUSE OF REPRESENTATIVES
COMMONWEALTH OF PENNSYLVANIA
Public Hearing on House Bill 997
May 7, 2014
TESTIMONY OF THE
PENNSYLVANIA COUNCIL OF PROFESSIONAL GEOLOGISTS
JIM LAREGINA, P.G.,
MEMBER, BOARD OF DIRECTORS AND PAST PRESIDENT**

My name is Jim LaRegina, P.G. I am a Pennsylvania-licensed professional geologist, am a member of the Board of Directors of the Pennsylvania Council of Professional Geologists (“PCPG”) and am a past President of the organization. I am here with Mark Ios, P.G., also a Pennsylvania-licensed professional geologist, a colleague and fellow PCPG Board Director.

The Pennsylvania Council of Professional Geologists (PCPG) is a diverse group of over 450 licensed geologists and professional environmental scientists who advocate the use of sound science in the: (a) responsible exploration and development of natural resources; (b) formulation of public policy; (c) protection of human health and the environment; (d) establishment and evaluation of environmental regulatory programs; and (e) the dissemination of accurate information. Mark and I are here today on behalf of PCPG to express PCPG’s concern for House Bill 997 (Petri-R, Cohen-R and Miller-R). The views Mark and I express today are in our capacity as members of the Board of Directors of PCPG and are not those of our employers.

When someone learns that I am a geologist, their reaction is typically, “*Oh, you study rocks.*” While that’s partly true; geology is fully defined as the study of the earth. Some geologists are *very deep* thinkers and study the earth’s core and how continental plates move. Others are *not so deep* thinkers and study where and how oil and gas and mineral resources are found. Still others like me are *shallow* thinkers with a focus on the earth’s surface and near surface. Yes we study the bedrock beneath our feet and the bedrock outcrops and road cuts that one can see, but we also study the soils that are derived from weathered bedrock and river sediments and glacial deposits. We also study the groundwater that is found in soil and bedrock.

Bedrock, soil and groundwater are inter-related components of the natural world. When we are done *thinking* about our particular domains, as Professional Geologists we *apply* our knowledge and experience to meet the needs of society. Those needs include a range of professional services: groundwater and mineral resource development, waste management facility siting and contaminated soil and ground water cleanups to name a few. To design a solution or to meet a resource need by considering only the “rocks” ignores the needs of our clients and ignores sound science.

To qualify for a P.G. license, one must start with 24 college credits of geology, not including environmental or soils courses although many like myself round out their geology degree with these types of courses. Conversely, soil scientists wishing to be registered under the proposed amendment to the Engineer, Land Surveyor and Geologist Registration Law require just 15 college credits in soils. They may, but are not required to take some geology courses.

While PCPG is supportive of the soil scientist’s desire to seek professional licensure and registration under House Bill 997, we as a group have serious concerns regarding the scope and breadth of the definition of the “practice of soil science” as defined in House Bill 997. Many of the specific types of services listed in the current definition are types of services currently and traditionally provided by qualified Professional Geologists. To the extent that the definition of “practice of soil science” in House Bill 997 overlaps with services traditionally and currently performed by Professional Geologists, PCPG is deeply concerned that should House Bill 997 become law without amendment, Professional Geologists will be prohibited from providing those services on a going forward basis, even though they are qualified to provide those services and have been providing those services based on their professional qualification, background, education, training and experience for decades. Accordingly, PCPG cannot support, and strenuously objects to, any amendment of the Engineer, Land Surveyor and Geologist Registration Law that would have the effect of reducing or limiting the types of services traditionally within the scope of the practice of geology.

To some it might sound like PCPG is “laying the groundwork” and “digging in” to protect its “turf” against professional soil scientist registration. The opposite is true with one

very important reservation. PCPG supports the intent of House Bill 997 to provide for the registration and licensure of soil scientists, but is deeply concerned with the wording that addresses the scope of soil science practice. As noted above, the current definition overlaps with many of the services now provided by Professional Geologists. By specifically enumerating a list of services purported to be within the scope of the practice of soil science, House Bill 997 could be interpreted to remove those services from the purview of licensed Professional Geologists and that result would be unacceptable.

For the Committee's consideration, PCPG has a few general comments on the proposed text of House Bill 997, which comments are included as Attachment "A" to this testimony. Additionally, PCPG thanks the Committee for considering PCPG's testimony and comments on House Bill 997.

If you have any questions concerning any of the above or need any additional information, please do not hesitate to contact me.

Respectfully Submitted,

Pennsylvania Council of Professional Geologists

A handwritten signature in black ink, appearing to read "Jim LaRegina". The signature is fluid and cursive, with a large loop at the end.

Jim LaRegina, P.G.

Director

Attachment “A”

PCPG Comments on House Bill 997

1. As noted in its testimony, the definition of the “practice of soil science” in Section 2, subparagraph u is overly broad and could be read to remove certain services traditionally provided by Professional Geologists and place them solely with the scope of the practice of soil science. Accordingly, PCPG recommends that Section 2, subparagraph u be modified to read, in its entirety:

“Practice of Soil Science” means any service or work, the adequate performance of which requires education in the physical, chemical and biological sciences, as well as soil science; training and experience in the application of special knowledge of these sciences to the use and management of soils by accepted principles and methods; and investigation, evaluation and consultation in which the performance is related to the public welfare by safeguarding life, health, property and the environment. Practice of soil science includes, but is not limited to, investigating and evaluating the interaction between water, soil, nutrients, plants and other living organisms that are used to prepare soil scientists’ reports. The term shall not include the practice of engineering, land surveying, geology or landscape architecture for which separate licensure is required.

2. House Bill 997 should be amended to revise Section 2, subparagraph (n) of the existing Act to include the following sentence at the end of the subparagraph: “The ‘Practice of Geology’ shall not preclude the practice of the sciences which shall include but not be limited to: soil science, physics and chemistry.”
3. Section 3 of House Bill 997 should be amended to reflect that while some of the services provided by Professional Geologists and soil scientists may overlap, Professional Geologists shall not be prohibited from providing professional services which may overlap with soil scientists and the practice of soil science. At a minimum, Section 3 should include a provision providing that “Nothing herein shall be construed to limit the scope of the practice of geology as defined in this Act and individuals licensed as professional geologists may

perform soil science work which is part of, and/or incidental to, geology work without being licensed as a professional soil scientist.”