24th Annual AIPG Meeting, Lexington, Kentucky, October 13 thru October 17, 1987

The Professional Geologist in the Practice of Environmental and Engineering Geology

Don’t forget to make concrete plans to attend AIPG’s Annual Convention in Lexington, Kentucky. As outlined in prior issues of TPG we have a very interesting and enjoyable program lined up for you and your spouse.

Final registration forms will be distributed in July 1987. Save your change and be ready to come join us!

Further announcements will be made concerning the exact costs of the tours, dinners, etc.

Our convention chairman is Larry Rhodes, telephone 606-278-9465 and housing questions should be directed to Paul Howell, telephone 606-233-2754.

MONTHLY SEISMIC CREW COUNT LOWEST SINCE 1939

According to the Society of Exploration Geophysicists, the number of seismic land crews and marine vessels searching for oil and gas in the U.S. and U.S. waters decreased by nine crews in February of 1987. The nine-crew decrease marks the largest monthly decrease since July, 1986 and the total number of seismic crews is the lowest since 1939.

HISTORY OF SEISMIC EXPLORATION IN THE UNITED STATES

(Seismic crews searching for oil & gas.)

1 Data prior to 1932 unavailable.
2 Separate data for marine vessels unavailable prior to 1965.
Aapg's Hydrology/Waste Management Booklet Ready

Aapg has received numerous requests for information on the new booklet "The Outlook for Employment in Hydrology and Hazardous Waste Management," following a news story in the March EXPLORER.

The 85-page booklet, compiled by the Aapg Ad Hoc Committee chaired by Robert R. Jordan, includes information on job contacts, advice on resume preparation, correlative jargon, a partial list of hydrology training programs and a job-skill matrix.

Persons interested in obtaining this booklet should send $10 to the Aapg Orders Department, Aapg Headquarters, P.O. Box 979, Tulsa, Okla. 74101. Oklahoma residents must add 6 1/4 percent sales tax.

ALASKA MINING CASE

Sierra Club v. Penfold. Deciding the second issue in this case, the United States District Court in Anchorage denied the Sierra Club's motion for summary judgment, ruling that there is no significant federal action in permitting small mining operations (five acres or less) on federal lands. Consequently, environmental assessments under the National Environmental Policy Act are not required for small operations. The court had previously ruled that larger operations (over five acres) were free of this lawsuit because Sierra Club failed to challenge administratively the government's action approving larger mining operations. The suit, which was filed by the Sierra Club against the Bureau of Land Management (BLM), is an effort by the Sierra Club to stop mining on 80 million acres of land in Alaska, nearly 85% of all mining in Alaska.

Because of the adverse national impact if the Sierra Club is successful and because mining is of considerable importance to Alaska's economy, PLF is representing two intervening parties, the Miners Advocacy Council and the Alaska Miners Association, opposing the Sierra Club and supporting BLM. The lawsuit attacks the existence of all mining operations on public lands even though most create no substantial environmental disturbances. The Sierra Club also alleged that environmental assessments must be prepared for all operations, large and small, and that ones that have been prepared were inadequate. They demanded a total shutdown of all mining until more detailed assessments are made. The two rulings represent significant favorable results in trial court proceedings to date.

(From Pacific Legal Foundation, April 1987)

Trying to Get a Grip on Those Elusive Business-Driving Tax Deductions

These days, for those who use a car for business, there doesn't ever seem to come a time when somebody says, "Now for the good news." The unhappy saga began more than a year ago, when the IRS started enforcing strict record-keeping requirements for personal use of business equipment such as automobiles. Many firms, to avoid paper work, simply turned over company cars to the employees who used them. The value of full-time use of the car was charged off as compensation to the employees, who then had to assume record-keeping responsibility and claim a deduction on personal income tax returns for the value of that portion of the car's use that was for business.

All things considered, it was usually a satisfactory arrangement for all concerned—but no longer.

Now that an individual's miscellaneous deductions, which include employee automobile expenses, are limited to amounts in excess of 2 percent of adjusted gross income, much of the deduction is lost.

Tough on Employees

Employees therefore may be expected to urge employers to take back responsibility for keeping the records on their vehicles and reporting as employee income only the value of personal use. The employer, of course, can deduct the full amount of business driving expenses.

Where it is the employee who owns the car used in business, solutions are not so easy to find. Consider some of the setbacks that individual car owners have encountered lately:

- The deduction for interest on a car loan is being phased out (although the part allocated to business usage can be added to the basis and depreciated). After 1990 the personal interest deduction will be gone.

- The investment tax credit is already gone.

- Ditto the deduction for sales taxes paid although, again, a percentage attributable to business use can be added to the base.

- Unless a car is used more than 50 percent for business, certain deductions, such as depreciation, are not allowed at all.

- Where depreciation can be claimed, it has been extended—from three years to five. Also, there now is something called the "half-year convention." This means you can depreciate only half of the first year the car is put into service; depreciation of the other half of that year must be put off until the car is sold or otherwise disposed of.

- If it's a "luxury" model, costing more than $12,800, only $9,110 of it can be depreciated over the first three years and a maximum of $1,475 per year thereafter—even less if the car is not used 100 percent for business. This means that in many cases the car will never be fully depreciated.
Costs Go on Climbing

Meanwhile, for a business driver trying to simplify his or her life by taking the standard mileage tax deduction, that remains at 21 cents per mile, despite the fact that, according to the annual study by the Hertz Rent-a-Car people, the cost of owning and operating most cars keeps on climbing. In 1986, Hertz reports, although auto loans and gasoline were less expensive, higher prices for cars, as well as for maintenance, repairs, insurance and fees, made the actual costs per mile of driving a new car:

<table>
<thead>
<tr>
<th>Car Type</th>
<th>Cost (cents)</th>
</tr>
</thead>
<tbody>
<tr>
<td>For compacts</td>
<td>48.5</td>
</tr>
<tr>
<td>For midsize cars</td>
<td>56.13</td>
</tr>
<tr>
<td>For standard cars</td>
<td>69.68</td>
</tr>
</tbody>
</table>

For cars other than the latest models, reduce the figures by 40 percent.

How About Leasing?

The decision to lease instead of buying a car to be used in business may—but only may—solve some of these problems. As with ownership, the portion of lease payments attributable to business driving is deductible only to the extent that miscellaneous deductions exceed 2 percent of the taxpayer’s adjusted gross income.

Also, the loss of the investment tax credit and other tax breaks has caused many leasing companies to charge higher fees.

And a person who leases a car must add an “inclusion amount” to his or her gross income each year to cover the indirect benefit of the vehicle’s depreciation. The IRS issues tables showing the inclusion amounts to be taken.

If a car lease includes an option to buy the vehicle at the end of the lease period for less than fair-market value, the IRS will interpret it as a sales contract and tax it accordingly. In addition, such an “open-end” lease could prompt the IRS to examine your return carefully.

The lease-or-buy decision is one that, now more than ever, should not be made without a thorough analysis of all the costs and benefits involved. A CPA should be able to advise you on tax consequences.

(From CPA Client Bulletin, May 1987)

Religion and Road Construction

The controversy centers around the construction by the United States Forest Service of the last eight-mile segment of a forest road designed to connect the small communities of Gasquet and Orleans in northern California. The road will provide new employment and economical timber harvesting in Del Norte County and was originally planned to offset the hardship created by the Redwood Region National Park. The road has been bitterly opposed for years by a group of activists who wish the area placed in de facto wilderness. Those opponents brought this lawsuit against the Forest Service, arguing that the construction would disturb the forest “solitude” necessary for the practice of certain religious ceremonies by local Indians. The argument prevailed before the trial court and the Ninth Circuit Court of Appeals despite the provision by the Forest Service to set aside buffer zones and other protections for high country solitude. The courts ruled that no road could ever be built in the entire region without infringing upon the free exercise of religion.

Census Numbers

Could you use easy-to-find facts on population and housing, health and vital statistics, income and earnings, education, the labor force, federal programs, and business for every state in the nation? Fifty federal and private agencies have contributed to a single source for such statistics: the 1986 State and Metropolitan Area Data Book, published by the Commerce Department’s Census Bureau.

Last published in 1982, the popular compendium offers 1,873 new and updated items for states (many with earlier data for comparison), 298 facts on each metropolitan area and 86 items on metro area central cities. Here’s an example of the kind of state-level information the book presents: largest city, number of millionaires, state tax rates and revenues, major crops and minerals, retail trade, energy prices, cable TV households, and more.


SPECIAL TEXAS PROSECUTOR AIDS INDUSTRY

This article is condensed from the original which appeared in the Petroleum Industry Security Council “Security Report” January 1986. AIPG Texas-Section recommends that information in this condensed version be fully investigated before any action is taken based on this article.

Call 1-800-OIL-COPS, Boyd Burdette, executive director, for update information.

For the past 3 years Texas has had an advantage over other states in petroleum-industry-related theft prosecutions. In 1983 Texas Attorney General Jim Mattox created a special oilfield theft position to assist in local prosecutions. Mattox staffed the position by transferring Assistant Attorney General Dan Mills to the new position. This resulted in many successful prosecutions.

Under Texas law, the attorney general can only become involved in local criminal prosecutions at the request of the local prosecutor, and they usually are happy to have the assistance.

Since Mills began prosecuting crude oil thieves, he has obtained over 30 convictions and recovered some $104,000 in restitution. The state has also received over $56,000 in fines. Mills has sixteen indictments pending against individuals accused of stealing over $830,000 collectively. In addition to prosecuting the oilfield theft cases, Mills has continually provided much advice and assistance to investigators in cases that were eventually tried by local prosecutors.

Mills originally had an auditor/investigator assigned to help him with the follow-up investigations and prosecutions, but that position has been vacant since early fall 1985.

During the last session of the legislature, funding was cut for the energy section where the oilfield theft unit is based, thus making it very difficult to fill the vacant position.

To try and resolve some problems the Texas legislature passed a law that allows a trial court to order a convicted felon to reimburse law enforcement agencies for investigative expenses connected to his conviction.

(From Texas Section Newsletter)
AMERICAN INSTITUTE OF PROFESSIONAL GEOLOGISTS  
BALANCE SHEET  
DECEMBER 31, 1986  

**ASSETS**

<table>
<thead>
<tr>
<th>CURRENT ASSETS:</th>
<th></th>
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</thead>
<tbody>
<tr>
<td>Cash in Checking Accounts</td>
<td>$ 1,646</td>
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<tr>
<td>Silverado Prime Money Fund</td>
<td>143,593</td>
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<tr>
<td>Certificates of Deposits</td>
<td>100,000</td>
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<tr>
<td>Accounts Receivable</td>
<td>1,206</td>
</tr>
<tr>
<td>Inventory: Insignia</td>
<td>$ 11,209</td>
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<tr>
<td>Inventory: Publications</td>
<td>16,609</td>
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<tr>
<td>Inventory: Supplies/Printing</td>
<td>23,286</td>
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<tr>
<td>Prepaid Expenses &amp; Deposits</td>
<td>51,104</td>
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<td><strong>TOTAL CURRENT ASSETS</strong></td>
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<tr>
<th>FURNITURE &amp; EQUIPMENT:</th>
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<tbody>
<tr>
<td>Furniture and Equipment</td>
<td>78,902</td>
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<td>Leasehold Improvements</td>
<td>4,318</td>
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<tr>
<td><strong>TOTAL FURNITURE &amp; EQUIPMENT</strong></td>
<td>83,220</td>
</tr>
<tr>
<td>Less: Accumulated Depreciation</td>
<td>(48,323)</td>
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<tr>
<td><strong>NET FURNITURE &amp; EQUIPMENT</strong></td>
<td>34,897</td>
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<tr>
<td><strong>TOTAL ASSETS</strong></td>
<td>342,649</td>
</tr>
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**LIABILITIES & FUND BALANCE**

<table>
<thead>
<tr>
<th>CURRENT LIABILITIES:</th>
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<tbody>
<tr>
<td>Accounts Payable</td>
<td>$ 2,173</td>
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<tr>
<td>Payroll Taxes Payable</td>
<td>528</td>
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<tr>
<td>Section Dues Payable</td>
<td>25,177</td>
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<tr>
<td>Suspense Dues—Applicants</td>
<td>11,030</td>
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<tr>
<td>Dues Received in Advance</td>
<td>231,209</td>
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<tr>
<td><strong>TOTAL CURRENT LIABILITIES</strong></td>
<td>270,117</td>
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<table>
<thead>
<tr>
<th>LONG-TERM LIABILITIES:</th>
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<tbody>
<tr>
<td>Section Dues Payable</td>
<td>$ 609</td>
</tr>
<tr>
<td>Dues Received in Advance</td>
<td>5,591</td>
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<tr>
<td><strong>TOTAL LONG-TERM LIABILITIES</strong></td>
<td>6,200</td>
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<td><strong>TOTAL LIABILITIES</strong></td>
<td>276,317</td>
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<table>
<thead>
<tr>
<th>FUND BALANCE:</th>
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<tbody>
<tr>
<td>Members' Equity</td>
<td>69,901</td>
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<tr>
<td>Excess (Deficiency) of Income over Expense</td>
<td>(3,569)</td>
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<tr>
<td><strong>FUND BALANCE - END OF PERIOD</strong></td>
<td>66,332</td>
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<tr>
<td><strong>TOTAL LIABILITIES &amp; FUND BALANCE</strong></td>
<td>342,649</td>
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### GENERAL INCOME:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
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<tbody>
<tr>
<td>Dues</td>
<td>$319,332</td>
</tr>
<tr>
<td>Reinstatement/Late Payment Fees</td>
<td>4,666</td>
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<tr>
<td>Application Fees</td>
<td>5,780</td>
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<tr>
<td>Interest Income</td>
<td>15,438</td>
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<tr>
<td>Miscellaneous Income</td>
<td>263</td>
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<tr>
<td><strong>TOTAL GENERAL INCOME</strong></td>
<td><strong>345,479</strong></td>
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### SPECIAL SERVICES INCOME:

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<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Insignia Income</td>
<td>6,717</td>
</tr>
<tr>
<td>Sales of Publications</td>
<td>9,033</td>
</tr>
<tr>
<td>Meetings Income</td>
<td>280</td>
</tr>
<tr>
<td><strong>TOTAL SPECIAL SERVICES INCOME</strong></td>
<td><strong>16,030</strong></td>
</tr>
<tr>
<td><strong>TOTAL INCOME</strong></td>
<td><strong>361,509</strong></td>
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### HUMAN RESOURCES EXPENSE:

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<thead>
<tr>
<th>Description</th>
<th>Amount</th>
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</thead>
<tbody>
<tr>
<td>Salaries</td>
<td>70,967</td>
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<tr>
<td>Payroll Taxes</td>
<td>5,194</td>
</tr>
<tr>
<td>Temporary Help</td>
<td>3,638</td>
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<tr>
<td>Retirement Fund</td>
<td>7,862</td>
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<tr>
<td>Employee Group Insurance</td>
<td>1,556</td>
</tr>
<tr>
<td>Washington Representation</td>
<td>8,500</td>
</tr>
<tr>
<td><strong>TOTAL HUMAN RESOURCES EXPENSE</strong></td>
<td><strong>97,717</strong></td>
</tr>
</tbody>
</table>

### GENERAL OPERATIONS EXPENSE:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rent/Utilities</td>
<td>$23,176</td>
</tr>
<tr>
<td>Office Supplies/Printing</td>
<td>16,555</td>
</tr>
<tr>
<td>Postage/Shipping</td>
<td>25,866</td>
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<tr>
<td>Telephone</td>
<td>5,051</td>
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<tr>
<td>Travel &amp; Meetings</td>
<td>31,432</td>
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<tr>
<td>AGI Assessment/Contribution</td>
<td>8,294</td>
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<tr>
<td>Audit/Accounting</td>
<td>8,455</td>
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<tr>
<td>Legal</td>
<td>1,134</td>
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<tr>
<td>Business Insurance</td>
<td>3,209</td>
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<tr>
<td>Depreciation</td>
<td>14,603</td>
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<tr>
<td>Newsletter (TPG)</td>
<td>43,354</td>
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<td>Membership Directory</td>
<td>14,305</td>
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<tr>
<td>Publications</td>
<td>26,260</td>
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<tr>
<td>Membership Promotion</td>
<td>5,967</td>
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<tr>
<td>Public Relations</td>
<td>10,167</td>
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<tr>
<td>Educational Affairs</td>
<td>2,752</td>
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<tr>
<td>County/Local Taxes</td>
<td>1,564</td>
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<tr>
<td>Equipment Service</td>
<td>5,056</td>
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<tr>
<td>Miscellaneous Expense</td>
<td>3,507</td>
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<tr>
<td><strong>TOTAL GENERAL OPERATIONS EXPENSE</strong></td>
<td><strong>$250,707</strong></td>
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</table>

### SPECIAL SERVICES EXPENSE:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Insignia Expense</td>
<td>7,403</td>
</tr>
<tr>
<td>Publications Expense</td>
<td>8,546</td>
</tr>
<tr>
<td>Meetings Expense</td>
<td>705</td>
</tr>
<tr>
<td><strong>TOTAL SPECIAL SERVICES EXPENSE</strong></td>
<td><strong>16,654</strong></td>
</tr>
<tr>
<td><strong>TOTAL EXPENSE</strong></td>
<td><strong>365,078</strong></td>
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<tr>
<td><strong>EXCESS (DEFICIENCY) OF INCOME OVER EXPENSE</strong></td>
<td><strong>$ (3,569)</strong></td>
</tr>
</tbody>
</table>
Federal Legislative and Regulatory Issues Reviewed

by Russ Wayland
AIPG Washington Representative

- **Regulations being planned or drafted.** All federal agencies have again announced the regulatory drafting that they have in mind or in process. The current semiannual unified agenda appears in the two volumes of the Federal Register of 4-27-87. Each item is identified by a unique number, making it easy to find it in the register. A selection of items follows:
  - **Forest Service.** #128—Proposal to amend 35CFR228, Subpart C, to make more mineral deposits disposable as "common varieties" rather than locatable under the mining laws. #130—Proposal to initiate regulations governing the Forest Service response to proposals received from Interior (BLM) for the issuance of mineral leases, prospecting permits and leases, and for the approval of operating plans. Currently the absence of such regulations results in inconsistent and untimely responses to Interior. #132—Proposal to revise the 1974 regulations 36CFR228, Subpart A, concerning locatable minerals to take into account changes required by the Wilderness Act and recent court decisions. #141—The language on "palaeontological resources" is being separated from archaeological resources so that the requirements for permits is being limited specifically to quarrying for fossils and for commercial activities.
  - **National Oceanic and Atmospheric Administration.** #s 262, 263, 264, 265, 268, and 269—Proposed regulations are in process for each of four national marine sanctuaries and two proposed sanctuaries.
  - **National Park Service.** #1123—Proposal to update and clarify its regulations on mining in the parks (36CFR9A).
  - **Bureau of Indian Affairs.** #s 1172 and 1201—Changes in the leasing of Osage Reservation lands for oil and gas and for mining are being considered.
  - **Minerals Management Service.** #s 1233, 1234 and 1235—Evaluation of oil, gas, and coal for royalty purposes from federal and Indian leases. #s 1239 and 1241—Revision of timeframes for data and information to be made available to the public. #s 1240, 1244, and 1245—Prospecting, leasing, and production of minerals other than oil, gas and sulphur on the Outer Continental Shelf.
  - **Office of Surface Mining, Reclamation and Enforcement.** #1263—To clarify the rule on areas unsuitable for mining with respect to the surface impacts of underground mining. #s 1273, 1275 and 1286—Regulations on "lands unsuitable" and on "prime farm land" are to be changed as a result of a court order.
  - **Bureau of Land Management.** #1315—Revision of land classification regulations, including providing a new protest system for use in connection with land classification decisions. #s 1321 and 1323—Procedural changes resulting from exploration activities for oil and gas under 43CFR3100 and 3200. #1333—Rules relating to the 20 coal unsuitability criteria and their applicability during the land use planning process are being changed as a result of a study by the Office of Technology Assessment (OTA) on environmental issues. #1334—Coal preference-right lease applications are to be processed under new rules (43CFR3430) to comply with a court order. #1337—Regulations under the mining law (43CFR3700 and 3800) are to be combined and clarified. #1341—The rules on paleontology (43CFR8270) are to be revised to provide procedures for the management of paleontological specimens located on the public lands.
  - **Environmental Protection Agency.** #2743—EPA is developing best available technology (BAT) and new source performance standards (NSPS) for mines and mills that beneficiate gold ores by gravity separation methods, thereby targeting placer mining wastewater. The statutory deadline for the regulations is 10-30-87. #s 2777 and 2793—EPA is planning to handle the restriction of deepwell injection of hazardous wastes as a negotiated rulemaking. #2794—Wastes from exploration and production of crude oil, natural gas and geothermal energy are under study by EPA. A report to Congress is due in August 1987, preceded by public hearings. #2796—EPA plans to develop regulations on the treatment and disposal of hazardous waste constituents in soil and debris. #2802—New rules will establish requirements for mandatory inspections of treatment, storage and disposal facilities for hazardous waste. #s 2807 and 2812—Revised rules on ground water monitoring at hazardous waste facilities will be in place by August 1987. #2808—Location standards for hazardous waste facilities currently include floodplain and seismic restrictions. Additional standards are under consideration.
  - **Federal Emergency Management Agency.** #2966—The policy guidance and delegation of authorities to maximize domestic energy supplies under the Defense Production Act is to be reviewed (44CFR330). #2968—The general policies for strategic and critical materials stockpiling are to be reviewed (44CFR328). #2972—The national security policy governing the training and utilization of scientific and engineering manpower is to be reviewed (44CFR324).
  - **National Science Foundation.** #3153—NSF now proposes to issue rules on its policies and procedures if an allegation of fraud or other misconduct is made concerning an NSF-supported grant, cooperative agreement or fellowship.
  - **Nuclear Regulatory Commission.** #3892—The NRC staff intends to use the process of negotiated rulemaking to develop a proposed rule that would require the DOE license application and all supporting records related to the licensing of a geologic repository for high-level waste to be provided in a standardized electronic format. All parties submitting data would have access to the data base.

National Critical Materials Council. The council, consisting of Hodel (Interior), Martin (Energy), and Moore (Council of Economic Advisers), is collecting data on copper, aluminum, cobalt, chromium, ferro-silicon, titanium and germanium. It will also look at cross-cutting issues such as environmental regulations, access to federal lands, and our reliance on offshore mineral supplies. The National Defense Stockpile, now managed by the Federal Emergency Management Agency, will be watched closely. The importance of access to South African minerals is also recognized by the council through its participation in an inter-agency group headed by the State Department. Other materials of growing concern to the council include gallium, fiber optics, and advanced composites and ceramics. The council's central theme is national security.
Facilitating access to science and technology. The president's Executive Order 12591 of 4-10-87 requires federal agencies to facilitate collaboration with the private sector in order to assist in the transfer of technology to the market place. Several departments, including Commerce and Energy, are directed to select one or more of their laboratories to participate in the Technology Share Program. Oversight is by the Office of Science and Technology Policy in the White House. 52FR13414

Congressional fun and games over the National Park Service. The House Interior Appropriations Committee has language in the draft FY1987 supplemental appropriations bill that would stop the pay of the Assistant Secretary for Fish, Wildlife and Parks unless he reverses some recent changes in the NPS administration. The committee staff says that he ignored reprogramming rules that require Interior to get Appropriations Committee approval before making major changes in the Park Service administrative structure. So much for the "executive branch" of government.

Federal groundwater programs. Comprehensive legislation appears to be stalled because it crosses too many political and ideological lines, such as land use, pollution control, and water supply. Striking the right balance between federal intervention and state rights won't be easy. Senator Durenberger conducted seven hearings in the last Congress but was unable to move any legislation out of his panel. Senator Moynihan's current bill, S.20, at least keeps the issues on the table. The House Interior Committee has H.R.791 in markup—a revised bill that would expand USGS groundwater research activities and information dissemination without restricting EPA authority or responsibilities. The political problem is multiplied by overlapping jurisdictions of two Senate committees and four House committees. The EPA administrator now thinks that legislation would promote consistency among the states in managing ground water, but no bills have been submitted or endorsed by the administration. (Lawrence Mosher, in National Journal for 4-25-87).

Advisory Committee and Water Data for Public Use. The broadly-based ACWDPU will meet 5-19 to 21-87 in Charlottesville, VA, in conjunction with its federal counterpart, the Interagency Advisory Committee on Water Data (IACWD). The agenda includes the status of the nation's water quality information activities, and ways of improving such information. The meeting, chaired by the USGS, is open to the public. A report summarizing the meeting should be available in late June. 52FR13881

List of Corps of Engineers water management projects. The CE has updated Appendix E of 33CFR222. It gives summary statistical information on the some 570 major projects it owns and operates that have a special operating plan for performing water control regulation management activities. 52FR15804-15817

Radon cleanup. Despite administration opposition, the Senate Subcommittee on Environmental Protection approved 10-0 a bill (S.744) authorizing $10 million annually for a federal grant and EPA technical aid program to help states get rid of radon in homes and schools. The federal share would be 75 percent. A clearinghouse for radon information and training seminars for state and local officials would be authorized. The House companion bill is H.R.1697.

Definition of "high-level radioactive waste." The Nuclear Regulatory Commission has extended to 6-29-97 the comment period on its intention to amend the definition. 52FR5992 and 16403

Revising the Hazard Ranking System. As required by the Superfund Amendments and Reauthorization Act of 1986 (SARA), the EPA is considering changing the criteria whereby it adds sites to the CERCLA National Priorities List. Among the possible changes would be taking ground water flow direction into account; currently the system takes into account only the existing use made of ground water drawn from within three miles of a site. 52FR11513-11517

Extremely Hazardous Substances List. Final rules are available at 52FR13378-13410, as required by SARA. They revise the threshold planning quantities and the emergency planning and release reporting requirements. About 5.6 million facilities will need to become familiar with these regulations and to make a compliance determination.

Double liners and leachate collection systems. Since proposing hazardous waste management regulations on this subject on 3-28-86, EPA has gathered more performance data and has drafted two guidance documents. The documents are available for public comment until 6-1-87. 52FR12566-12575

Underground storage tanks—technical requirements. Proposed EPA rules on this subject are available for comment until 6-16-87. They would establish requirements for leak detection, leak prevention, financial responsibility, and corrective action for all underground storage tanks containing regulated substances, including petroleum. Hearings are scheduled for Washington DC, 5-28-87; for Dallas, Texas, 6-1-87 and San Francisco, California, 6-4-87. 52FR12662-12864 (202 pages!)

Underground injection control program on Indian lands. EPA has promulgated a clarified final rule (52FR17680). It now proposes to extend the Federal Underground Injection Control (UIC) program to most Indian lands not currently regulated under the authority of the Safe Drinking Water Act amendments of 1986 (52FR17684-17693 and 17696-17706). Comments on the two proposed rules are due 6-25-87 and 7-10-87 respectively.

Delaware River Basin commission ground water. By public notice dated 5-7-87, the Commission invites comments on 12 applications it has received, including three for renewal of groundwater withdrawal projects totalling 26 million gallons per month, and two applications for new withdrawals totalling 153 million gallons per month. Details are available from P.O. Box 7360, West Trenton, New Jersey 08628.

Procedures for the segregation and opening of public lands. Final rules by BLM revise the regulations in 43CFR2091 to place in one location the regulations that cover all forms of segregation of public lands, as well as the procedure under which these lands are opened to the operation of the public land laws and the mineral laws. 52FR12171-12178

Arctic National Wildlife Refuge oil and gas. Interior has available its report to Congress concerning future management. It incorporates a final legislative EIS. Public comments may be submitted at any time and will be forwarded to the appropriate congressional committee. 52FR12980. House Interior's Water and Power Subcommittee is already holding hearings, and Senate Energy hearings are scheduled for June dates. Other Senate and House committees will surely get into the act. Alaska's senators and congressman favor opening up the whole coastal plain to drilling. The state of Alaska agrees, except for specified caribou calving grounds needing more study. Senator Bennett Johnston of the Senate Energy and Natural Resources Committee favors leasing, but Congressman Morris Udall of House Interior opposes it. Incidentally, Interior's report notes that the caribou herd near Prudhoe Bay has tripled in size since oil and gas development began there 15 years ago.
Interchange of BLM and Forest Service lands. The administration has resubmitted to Congress its legislative proposal to interchange about 25 million acres. Time had run out before the last Congress could consider it.

A tough anti-leasing bill. H.R.933 (Miller, D-CA) would require BLM and the Forest Service to examine the environmental impact of oil and gas activities before making a decision to lease; would require competitive leasing, would raise rents and royalties; would prohibit new leasing in wilderness study areas, and would increase bonds to assure reclamation of drill sites. House Interior’s Subcommittee on Mining and Natural Resources plans hearings in June.

Federal surface coal mining programs. For the ten states that have elected not to supervise their coal operations (if any) under the Surface Mining Control and Reclamation Act of 1977, the Office of Surface Mining, Reclamation and Enforcement (OSMRE) has updated its federal program regulations. The states are Georgia, Idaho, Massachusetts, Michigan, North Carolina, Oregon, Rhode Island, South Dakota, Tennessee and Washington. An update to nine parts of 30CFR is provided as 52FR13802-13817.

A renewed national geologic mapping program. USGS wants to reverse the trend of recent decades toward essentially “topical” geologic studies under its Geologic Framework and Synthesis Program, which emphasized isotopic, geochronologic, geophysical and geologic process investigations. These studies will continue, but increased emphasis will now go toward the systematic production of general-purpose geologic quadrangle maps at the 7.5 minute scale. The new quadrangle maps will be grouped to offer solutions to regionally defined scientific problems.

Wilderness study areas (WSAs), Arizona. In the Phoenix area, BLM is finding about 32,000 acres at Mount Wilson, Coyote Mountains, and Baboquivari Peak to be suitable for recommending to Congress for wilderness designation. It also found about 6,400 acres at three other study areas to be unsuitable. 52FR11756

USGS/USBM Mineral Survey Reports on BLM wilderness study areas. These reports are important to ensure consideration of mineral potential when BLM makes its recommendations for suitability or nonsuitability on WSAs for wilderness designation by Congress. Currently the public is invited to submit new information by 8-28-87 on five California reports:

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<tr>
<td>Inyo Mountains</td>
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<tr>
<td>Little Lake Canyon/Owens Peak</td>
<td>1708 B</td>
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<tr>
<td>El Paso Mountains</td>
<td>1708 C</td>
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<tr>
<td>Golden Valley</td>
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<tr>
<td>Palen/McCoy</td>
<td>1710 A</td>
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Protection of OCS proprietary geological information. The Minerals Management Service has issued a final rule that provides additional assurance that the party that incurred the cost to produce geological data will have a reasonable opportunity for exclusive use during a subsequent lease sale. Changes would apply to leases that are in their primary term. Protection is provided until a lease is offered within 50 miles of the well. These changes are particularly pertinent in portions of the OCS where lease sales occur less frequently than every two years. They will encourage early rather than delayed drilling by a lease. 52FR13235

Areas of critical environmental concern. Eleven small areas are proposed in the Burley District of BLM, Idaho. Comments are invited. 52FR13527. In Millard County, Utah, BLM proposes two ACECs plus four other areas for special management. Comments are due about 6-30-87. 52FR15994

Prelease prospecting for offshore minerals other than oil and gas. Hearings are scheduled for 6-4-87 in Portland, Oregon; for 6-9-87 in New Orleans, Louisiana; and for 6-11-87 in Raleigh, North Carolina, on the proposed rule published 3-26-87 (52FR9758) by MMS. Persons wishing to testify on the proposed regulations should contact MMS by 5-29-87. Written comments are due 6-24-87. 52FR15963

Hawaii/Johnston Island marine mineral lease sale hearings. Hearings on the draft EIS on the cobalt-rich manganese crusts (see 52FR9958) are now scheduled for Honolulu 5-27-87; for Hilo 5-28-87; and for Kona 5-29-87. 52FR17341

Environmental Impact Statements (EISs):

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<td>Lower Gila South WSA, AZ</td>
<td>6-8-87</td>
<td>17462 &amp; 17484</td>
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<td>Safford WSA, AZ</td>
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BLM District Advisory Council meetings:

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<td>Idaho Falls, ID, on 6-25-87</td>
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<td>Lewiston, MT, on 6-9-87</td>
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Top Execs Highly Organized? It Ain’t Necessarily So

Pick up any of the scores (hundreds?) of how-to-achieve-success books published each year and you are likely to be told that executives who make it are highly organized, carefully budget their time and keep their attention sharply focused on the main goals at all times.

Is that you? If not, don’t be too disappointed; you are not alone. According to John P. Kotter of the Harvard Business School, quoted in the February issue of Small Business Report, many leading executives are not that type at all. Close observation of the daily activities of 15 successful top managers convinced Kotter that most of them are seat-of-the-pants operators. They appear to be very casual about allotting their time, with no advance scheduling, spend a lot of time discussing topics not on any agenda and place heavy reliance on common sense.

Kotter found the successful subjects of his survey to be quite reactive. As problems arose they asked questions, made analytical judgments, and then offered their suggestions. Sometimes they issued peremptory directives, says Kotter, but usually they merely suggested a course of action, gaining cooperation through persuasion.

Otherwise, Kotter’s assessment of the dominant characteristics of the 15 winners found them intelligent, ambitious, optimistic, in control of their emotions, and calm and positive during crises.

There, that’s more like you, isn’t it?

(From CPA Client Bulletin, May 1987)
Dear Mr. Tannehill:

In the March 1987 edition of the Professional Geologists (Vol. 24, No. 3), an article on page 2 notes that the AIPG is developing a new booklet on professional ethics. The article welcomed any ideas that may be considered for incorporation in the booklet.

One issue that I see as a troubling trend in our profession, particularly in the consulting field, is that of providing strictly factual information with little assessment, judgment, or interpretation of the significance of that information. This issue is more of "sin of omission" rather than blatantly unethical behavior. I view this trend of reporting little beyond the obvious (i.e., Conclusion—Monitoring Well 35A contains 1,1,2-trichloroethene) as disturbing and frustrating. Often, there is no interpretation of the relation of data points to each other, no determination of physical processes affecting the data (i.e., transport rates in ground water), and no assessment of the significance of the data. This style of reporting only purely factual information is in many cases a legal strategy of not admitting any problems that may create potential liability exposure. Authors often justify this by saying that they want to produce a strictly technical document.

The fear of making any type of potentially damaging admission is understandable in our litigious society and may be unavoidable in some cases. However, limiting the reporting strictly to facts often reduces the professional to simply a generator of data for the lawyers and regulators and minimizes his role, through his experience and expertise, in providing an overall understanding of the situation. This strategy does often impede the exchange of ideas and experiences in assessing and resolving a problem. In some cases I have observed, it has reduced the importance and credibility of the professional in the eyes of a variety of involved parties (i.e., public, regulatory officials, affected parties) and damaged his reputation.

Currently, I work with responsible parties (private companies, individuals, other public agencies, utilities) who are involved in some fashion with an environmental contamination problem. Since the environmental contamination arena is ripe for potential liability exposure, the trend discussed previously in this letter may be most obvious in this problem area.

There are certainly professionals who remain actively involved in providing professional assessments, interpretations, and recommendations and are a credit to the profession. These individuals, in my opinion, are more successful in resolving environmental problems since they can meaningfully contribute their experience and expertise. The working atmosphere with such individuals tends to be much more open, cooperative, productive, and trusting. The alternative approach is more wasteful of time and energies as the various parties argue about basic facts and findings. Beyond the waste of personal resources, the decisions will continue to be made, but based on the assessments and interpretations of individuals outside of the profession (administrators, lawyers, judges), I would argue that these decisions will be of poorer quality.

I strongly believe that in order to effectively and responsibly handle the problems we face as professionals, we must be active, even aggressive, in getting our ideas and beliefs expressed. A more active role enhances the credibility of the individual and the profession and will lead to greater understanding and better solutions. If we, as professionals, resign ourselves to simply being the generators of data, the decisions will continue to be made because they have to be made. But those decisions will have a greater chance of being erroneous, incomplete, or ineffective.

I appreciate this opportunity to express my view. Other representatives from throughout the profession have voiced similar frustrations and concerns. It is not unique to the view from a regulatory agency. Although the strategy of providing the least information possible may not be clearly unethical, I believe it does represent an evasion of the responsibility that we, as professionals, should not avoid.

Michael P. Convery, CPGS-6773

EDITOR'S NOTE: The Executive Director forwarded this letter to me. It is very pertinent to our central purpose and to many recent articles on ethics. I hope we receive more such submissions from our members.

Members in the News

Hugh W. Hardy, CPGS-3178, has relocated from GeoQuest International to Interpretation Consultants, Inc. Mr. Hardy is serving as president of this new Texas corporation and may be contacted at 713-729-9208.

Marion L. "Spike" Maderak, CPGS-6321, has become project chief with the U.S. Geological Survey, Water Resources Division in Cheyenne, Wyoming. Marion was previously a petroleum engineer with Bureau of Land Management, Cheyenne.

Penelope C. Nelson, CPGS-6190, is the new Houston representative for Geomath, Inc. and as such will be marketing geostatistics, geological and mining software for the Lakewood, Colorado, based company. She will provide installation, training and technical support for clients in both Houston and Tulsa.

Last spring Nelson moved Nelson Consulting from Tulsa to 14925-A Memorial Drive, Houston, Texas, (713) 531-9881

IN MEMORIAM . . .

Keith W. Calderwood, CPGS-395, died January 6, 1987. He was a well known petroleum geologist, particularly for his publications on the Cook Inlet Basin. He recently was made an Honorary Member of the Alaska Geological Society.

Fred H. Kiae, Jr., CPGS-75, passed away in New Albany, Ohio. Fred enjoyed a rich career as a consulting geologist and a hydrologist for the U.S.G.S. He was active in many professional societies.
ALASKA

National AIPG President Charles Mankin was the guest speaker at the March meeting. He urged all geologists to become involved in public policy issues related to geotechnical fields, saying that our expertise is badly needed. His talk was well received by the audience. (The attendance of 43 individuals may have been an all-time high for an Alaska Section meeting.)

Prior to the talk, President Bill Slater read letters he had received from state Senators Jack Coghlin and Jan Faiks in response to our letters. He also reported that Governor Cowper has withdrawn the executive order which would have merged the Division of Mining with the DGGS.

Two Alaskan Section members have agreed to serve on national AIPG committees. Bill Slater will be on the Membership Committee, and Ross Schaff has been asked to serve on the State Affairs and Registration Committee. It is encouraging to see Alaskan representation at the national level, and we appreciate Ross and Bill’s willingness to serve on these committees.

KANSAS

“Gems and Minerals of the Bible” was the program at the Kansas Section meeting held in Wichita on Friday, May 8. Larry Skelton, manager of the Wichita office of the Kansas Geological Survey, was the featured speaker.

LEE GERHART TO KANSAS GEOLOGICAL SURVEY

Bill Hambleton’s shoes have been comfortably filled at the Kansas Geological Survey by Lee Gerhart, Ph.D., who came to Kansas from Colorado School of Mines. Lee was state geologist and director of the North Dakota Geological Survey until 1981, at which time he moved to Denver to consult in oil and gas. Later he joined the faculty at Colorado School of Mines. Dr. Gerhart has been an active AIPG member and we welcome him to Kansas.

EXCELLENT JOINT MEETING

Kansas and Oklahoma Sections of AIPG met at Marland Estate in Ponca City, Oklahoma, on April 3 & 4 for the first joint meeting. About seventy persons attended, with most of the group from Oklahoma. Those who could not attend missed a well-planned and organized session with speakers and panels on many current topics ranging from securities laws and professional liability, to computer use by geologists, to future opportunities for geologists. The panel on “The Public View of the Professional Geologist” was particularly enlightening. Professional papers on regional geological problems and new technologies were also presented.

Members and guests enjoyed getting better acquainted and sharing in the concerns of our profession. Most of the participants visited the Marland mansion for a taste of the opulence early oil barons enjoyed—and learned of the tragic losses they sustained as a result of certain business practices. Not much has changed in that regard over the past 90 years.

At the luncheon, several special awards were given to deserving persons for long and distinguished service to geology, to earth science teaching, and for years of active participation in the Oklahoma Section. All awards were made as a part of the Oklahoma Section annual business meeting.

A special thanks to Oklahoma Section President Jim Irwin, his staff, and the meeting arrangements committee for an excellent gathering and program. It is regrettable that only three AIPG members from Kansas were able to attend.

“GEOLOGISTS HAVE NO PUBLIC IMAGE”

(William J. Gilliland)

The meeting at Ponca City with the Oklahoma Section was very good. It was a chance to meet with our counterparts in Oklahoma, enjoy a good time together, and learn more about how our profession is viewed by others.

A statement by AIPG national President Charlie Mankin, in the afternoon panel discussion was very much to the point “Geologists have no public image.” In the minds of the American public, the geologist does not exist. You might think that “Dallas”, the TV show, would at least give us a bad image. However, they do not show anyone as a geologist be he hero or heel. They talk about geology reports, but show little evidence that reports are used for anything meaningful. On the positive side, the series “Planet Earth” was shown on public television and has helped make a few people aware that the Earth at least exists.

Stan Grant, in an editorial in the March issue of The Professional Geologist, incorrectly attributed to me, calls upon geologists to get involved in political matters. We need to do so. If we do not beat our own drum and make ourselves heard, no one will give a hoot. They will be glad to call upon an engineer, or an environmental scientist, or a lawyer to tell them about the Earth. Why? Because a geologist just doesn’t come to mind, and the others do.

Is it not worth a little time and effort to make the people around us aware that someone (THE GEOLOGIST) is working on problems related to the Earth? We as geologists or earth scientists have the background and training to help solve current and future problems. If we only talk with other geologists and complain about the way our expertise is ignored, we will never change anything.

If we try to educate those around us and get involved with the decision makers, we can change our image. In fact, we can create an image of a profession that cares and wants to help. Some day we might even have our own TV series.

KENTUCKY

FROM THE PRESIDENT. Many thanks to those who have graciously agreed to serve on the various committees, particularly to those serving as chairmen. As a matter of information, current section officers, chairman and committee members for 1987 are the following: President Paul D. Dubois; President-Elect John C. Philley; Vice President Louis R. Ponsetto; Secretary/Treasurer Paul Howell; Newsletter Editor John C. Philley; Screening Board—James K. Vincent, Chm., Wallace W. Hagan, Gregory W. Hartsoough; Legislation/Regulation Committee—Ronald W. Yost, Chm., Michael Sanders, Mickey Hancock; Membership Committee—Edward N. Wilson—Eastern Kentucky, David A. Williams—Western Kentucky; Program Committee—Lou Ponsetto, Chm.
One of my goals for this year is to compile a directory for the Kentucky Section using data from national headquarters to facilitate this endeavor. Currently, it seems many geologists are relocating, so please be sure to contact the section secretary (Paul Howell) as well as national headquarters in the event your address and phone number change.

Although times have been better in many fields of geology, there remains a need to seek new members to join our organization. I wish to encourage all section members to make a diligent effort to solicit those whom they personally know who qualify for membership. While we do have a membership committee, we can make their job easier by getting involved—there is no substitute for the direct personal touch.

October is quickly approaching and we all need to begin shaping personal plans to attend the national meeting in Lexington. Larry Rhodes, general chairman for this meeting, and those working with him will have spent two years planning by the time the meeting occurs. On behalf of the section, I express our thanks to this committee. I don’t know of any better way to show our appreciation and support for their efforts than to make sure the meeting is well attended by those of us in Kentucky. (Editor’s note: There is a revised schedule for the meeting elsewhere in this issue.)

Recently, I have been in touch with the Executive Committee as well as Wallace Hagan and Bill MacQuown regarding the registration bill. Based on input from Wally and Bill as well as reaction from the Executive Committee, it seems there is a consensus to forego an effort to gain passage of a registration bill during the 1988 general assembly. There are numerous reasons why it would be more practical to await the 1990 session, but briefly: we have lost some of our past support through the election process; our attention is somewhat divided currently with the national meeting approaching; and the economic climate in many phases of geology is currently necessitating concentrated energy just to manage our own individual businesses.

We have already seen that we cannot win a monetary battle to push for registration. We more likely need a “grass roots” approach whereby we can gain more “friends” among the legislators and the engineers. This doesn’t necessarily take a lot of money (which we don’t have) but it does take time. 1990 really isn’t very far off. We applaud the outstanding efforts of Wallace Hagan and Bill MacQuown, but the time is now right perhaps to re-think our approach.

Earth Scientist Ph.D.’s in Energy Sector

Nearly 45,000 employed doctoral scientists and engineers were involved either fully or part-time in energy-related activities in 1985—up 7.3% over 1981, according to “Manpower Assessment Brief”, published by the U.S. Department of Energy. Growth of energy-related Ph.D.’s working in the life sciences was dramatic—more than doubling over the four-year period. Other highlights from the brief include the following:

- Although only 11% of the total 398,400 employed doctoral scientists and engineers worked in energy-related activities, this number included 29% of total doctoral engineers and over 49% of total doctoral earth scientists.

(From Manpower Comments, March 1987)

NEW MEMBERS

MARCH, 1987*

BARKER, Henry B., CPGS 7275, Tampa, FL
CASTREY, Gregory A., CPGS 7276, Rock Island, IL
CLOSS, L. Graham, CPGS 7288, Lakewold, CO
GOWAN, Samuel, CPGS 7284, Clifton Park, NY
GROFF, Donald W., CPGS 7277, Brookfield Center, CT
GROSS, James T., CPGS 7289, Tempe, AZ
LIDSTONE, Christopher D., CPGS 7285, Fort Collins, CO
LUNDY, Don A., CPGS 7286, Greensboro, MD
McDANIEL, Randall E., CPGS 7278, Birmingham, AL
OELOWO, Babatunde A., CPGS 7274, Missouri City, TX
PODSEN, Donald W., CPGS 7279, Merrimac, MA
PONTORIERO, Pasquale, CPGS 7280, West Concord, MA
RICE, Thomas E., CPGS 7281, Amherst, MA
SOLOMON, Hayden S., CPGS 7273, Schenectady, NY
STONE, Timothy S., CPGS 7282, Somerset, NJ
THIEDE, David S., CPGS 7290, Denver, CO
THOMAS, Gerald M., CPGS 7283, Missoula, MT
WATY, Laura L., CPGS 7291, Denver, CO
WURTH, Michael D., CPGS 7287, Richmond, CT
ZEPPIERI, James B., CPGS 7292, Manchester, NH

APRIL, 1987

FAVERO, David M., CPGS 7301, Glen Ellyn, IL
GOLDMAN, Robert D., CPGS 7293, New York City, NY
HAMILTON, Lisa A., CPGS 7294, Walnut Creek, CA
HUTSON, Mark A., CPGS 7302, Littleton, CO
JONES, Kenneth C., CPGS 7296, Tampa, FL
LARSEN, Roland M., CPGS 7297, Reston, VA
MERIN, Ira S., CPGS 7298, Fairfax, VA
MURRAY, Gene L., CPGS 7300, Lincoln, NE
PARKISON, Gary, CPGS 7299, Tucson, AZ
SMITH, Rheta J., CPGS 7294, Independence, MO

*These names were not furnished to the editor in time to include in the April issue of TPG. We apologize for the delay on these announcements.

NEW ASSOCIATES

MARCH, 1987*

BYRNE, Thomas R., A356, Fayetteville, NY
DE ALBUQUERQUE, John S., A362, Pompano Beach, FL
GELTING, John R., A357, Manchester, CT
JONES, Glenda B., A363, Orlando, FL
LE FEVER, Stephen B., A360, Albany, NY
LOYD, J, Michael, A358, Augusta, GA
SHOPE, Steven B., A361, Bedford, NH
VANNOTE, Douglas H., A359, Atlanta, GA
WENRICK, Peggy J., A364, Tucson, AZ

APRIL, 1987—(NONE)

*These names were not furnished to the editor in time to include in the April issue of TPG. We apologize for the delay on these announcements.
APPLICATIONS RECEIVED

Applicants for certification must meet AIPG’s standards as set forth in its Constitution on education, experience and competence and personal integrity, and for associate status, the same except for experience. If any member has any factual information as to any applicant’s qualifications in regard to these standards, whether that information might be positive or negative, please mail that information to Headquarters within thirty (30) days. This information will be circulated only so far as necessary to process and make decisions on the applications.

APPLICATIONS RECEIVED—MARCH, 1987**


*MAITICK, Julie L., 16231 Northdale Oaks Dr., Tampa, FL 33618. Sponsors: John Hawley, Fred M. Phillips, Daniel B. Stephens.


PETTA, Timothy J., 16134 Ridge Park Dr., Houston, TX 77095. Sponsors: Stephanie V. Vrabar, William A. Huckabay, Lee C. Gerhard, David T. Daniel, John C. Gries.

REGAN, Peter T., 1300 Sharon Rd., Knoxville, TN 37919. Sponsors: John M. Wilson, Don Byerly, Robert J. Fickies, Robert J. LaFleur, Gerald F. Greiner.

REID, Jeffrey C., P.O. Box 27687, Raleigh, NC 27611. Sponsors: Allistair Turner, Marcus Milling, Ben H. Parker Jr., G. O. Allard, B. Campbell.


SIPPERLY, David W., RD 1, Box 480D, Greenfield Center, NY 12833. Sponsors: D. Theodore Clark, John R. Hellert, George M. Banino, Marcus E. Milling, Don E. Daugherty.


SPETSERIA, Jerry J., 1903 Hillbrook Dr., Houston, TX 77070. Sponsors: Dewitt Van Siclen, J. Byron Moore, Karen Lukebe, Don Keith, Rod Ramsey.

*STONE, Michael D., 14065 E. Stanford Cir. #202, Aurora, CO 80015. Sponsors: Robert L. Maury, Michael Ryan, Gary Witt.


WILSON, Thomas M., 3322 Halfpeny St., Corpus Christi, TX 78414. Sponsors: V. Steve Reed, Charles Welby, Victor V. Cavaroc, Alan Schmidt, Thomas Carothers.


APPLICATIONS RECEIVED—APRIL, 1987

*BALEN, Michael D., S. R. Box 8848, Indian, AK 99540. Sponsors: Paul Metz, Roger Burggraf, Jeffrey Burton.


DILLINBERGER, Douglas S., 3884 South Urravan Street, Aurora, CO 80013. Sponsors: Charles E. Wier, Donald C. Haney, Kenneth E. Kolm, Donald W. Neal, John A. Sullija.


*GLENN, Sidney E., 7A Dundee Qt. #207, Paltine, IL 60074. Sponsors: Tim Doohranda, Wayne Pette, Jim Richards.

Finding Cash For Your Business

If your business is on the verge of a big growth spurt, you'll probably need new cash to finance it. There are various ways to raise the necessary dollars, including vendor credit, loans, venture capital and initial public offerings. But choosing one will require some study.

Good sources of down-to-earth advice about financing business start-ups and expansions include two guides from Price Waterhouse: Planning Your Business and Financing Your Business. A third guide which explains initial public offerings is due this spring. You can get the guides at any Price Waterhouse office for $5 each.

For those who want to attract venture capital, the membership directory of the National Association of Small Business Investment Companies is a good guide to venture capital firms. Each company in the NASBIC directory indicates its loan or investment limits, its policy concerning loans and equity interest deals, and industry preferences. For a copy, send $1 and a self-addressed, stamped, business-size envelope to the NASBIC, 1156 15th St., N.W., Suite 1101, Washington, D.C. 20005.

The Venture Capital Hotline is a national computer data base of venture capital firms. For $35 you can get a data base search for potential funding sources matched to five key characteristics of your venture. The number of the hotline is 800-237-2380 (in California, 800-252-2380).

Says hotline owner Lance J. Strauss, "Success in raising venture capital depends on several factors: You must have a business with a well-defined market, high profitability and the potential for regional and national expansion. You must be able to demonstrate that you and your managers have the right stuff to successfully operate this expanding business. And this must be expressed in a succinct business plan—the real key to attracting venture capital."

Nuclear Regulatory Commission

Low-level Radioactive Waste. NRC is asking for public comments on a draft guide and a value/impact statement which is being developed to provide guidance on conducting a site screening investigation for disposal sites for low-level radioactive waste. Requests for a single copy should be made in writing to: U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Technical Information and Document Control (refer to WM 408-4, Guidance for Selecting Sites for Near-Surface Disposal of Low-level Radioactive Waste).

How to Kill a Deduction: Put the Spotlight on It

Several national magazines recently carried spreads of color pictures showing gorgeous yachts of various kinds—ocean sailors, power boats—all big beauties costing hundreds of thousands of dollars each. The accompanying text described the boats as prime tax shelters under the 1986 tax reform act. As the articles accurately reported, mortgage interest on boats that are livable (equipped with heads, galleys and bunks) can be tax deductible; such boats can be treated for tax purposes as first or second homes.

The article no doubt caused a lot of readers to think about investing in boats, or even going into the business of selling them. With other consumer interest deductions drying up, the writeups made boat ownership look like a real bonanza.

(Continued on next page)
As anyone who has been in tax practice for long can testify, however, any time a great deal of attention is given to a particularly attractive tax break that appears to be available only to the favored few, you can be pretty sure it won’t be available for long. Congress or the IRS will almost certainly move to close it off.

And that is what is happening already with regard to yachts. Legislation has been introduced that would deny boat owners the first-or-second-home mortgage-interest deduction. Senator John Danforth (R-MO), who came up with one of the first such bills, emphasized the "unfairness" of giving boat owners the deduction while denying it to students and families paying medical and other types of bills.

A lot of Americans who live aboard houseboats, barges and unpretentious yachts will deny that it is unfair for them to get the deduction. And even folks who use their boats only on weekends and vacations might ask what the difference is between their "second homes" and other families' ski chalets, lakeside cottages or recreational vehicles.

The difference is that it's the boats that have been getting all the publicity.

(From CPA Client Bulletin, May 1987)

SUPREME COURT UPHOLDS PENNSYLVANIA LAW REVOKING MINERAL SUPPORT RIGHTS

Keystone Bituminous Coal Association v. De Benedictus.
The United States Supreme Court in a five-to-four decision ruled against miners' rights in this case. The Keystone Bituminous Coal Association brought suit to invalidate a recent Pennsylvania statute which attempts to deal with the problem of subsidence due to coal mining. The statute extinguishes certain previously recognized property rights known as "support rights." These rights allowed the owner of a mineral estate to remove minerals, including coal, without regard to subsidence damage which might be caused by mining. Support rights were acquired by contractual arrangements. Typically there were waivers of damages claims resulting from coal removal. Pennsylvania's new statute requires mine operators, regardless of their ownership of support rights, to prevent subsidence. PLF filed an amicus curiae brief with the Court supporting the coal association's position and arguing that the statute unfairly imposes all of the burdens, but none of the benefits, on mineral estate owners who have already paid for the right to extract minerals pursuant to their mineral rights holding. The majority of the Court disagreed, ruling that a support right is not a separate segment of property for taking law purposes since the support right constitutes only one part of a mine operator's bundle of property rights.

The four-justice minority opinion disputed the majority opinion that a support right was not a separate right. The minority pointed out that enforcement of the Pennsylvania law will require mining operators to leave 27 million tons of coal in place, coal which they hold the right to mine. Thus, the minority said, the law destroys this right to mine every bit as much as if the government itself had proceeded to mine the coal for its own use.

(From Pacific Legal Foundation, April 1987)

Underground Storage Tanks

The Environmental Protection Agency has proposed regulations that would require owners and operators of the nation's 1.4 million underground storage tanks (containing petroleum products or certain "hazardous" chemicals) to monitor tanks for leaks, notify appropriate authorities and clean up contamination of the environment resulting from leaks.

The plan would require that all underground tanks be upgraded or replaced within ten years by ones that are corrosion resistant; existing tanks must meet leak-detection standards within three or five years; leaking tanks can be repaired only once; faulty piping must be replaced, not repaired, and all tanks must be equipped with devices that prevent spills and overfills, such as overfill alarms. In addition, new tanks storing toxic chemicals would need to have secondary containment, either through interior concrete vaults or impenetrable liners around the tank.

Petroleum tank owners or operators must report a leak or spill to their state regulatory authorities within 24 hours. Chemical tank owners or operators must report all leaks in accordance with certain superfund requirements. In cases where long-term action is required to clean up contamination in the soil and ground water, the cleanup must be completed to meet standards set by the EPA or states with approved programs. States are encouraged to manage and enforce the federal program, with EPA approval and oversight. The proposal requires owners to demonstrate that they are financially capable of cleaning up leaks from their tanks, and compensating third parties for injuries to human health and the environment. Insurance coverage of $1 million would be required for owners of between one and twelve tanks.

The proposal also establishes tank closure and record keeping requirements, fines for violations, and compliance costs. The deadline for public comments on the proposed rules is June 16, 1987. Public hearings will be held in Washington, D.C., Dallas, and San Francisco. Final regulations are expected to become effective in late 1988.

(From ASME Federal Report, April 1987)

ANNUAL MEETING LEXINGTON, KY! OCTOBER 13-17

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EDITOR
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Geoscience Department
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Platteville, WI 53818
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1987 DIRECTORY UPDATE

AIPG's 1987 Membership Directory has passed the final stages of editing. Modifications of the desktop publishing system at AIPG Headquarters may delay final corrections and therefore final distribution. We hope to distribute the directory in July.