Registration?
A Need for Accommodation

Sam R. Evans, President

The April issue of TPG announced that I would focus on the difficult issue of registration and its possible solutions. The issue is challenging and the solution lies in working together with understanding and cooperation.

"AIPG stands for registration of geologists"; "AIPG does not support its sections in getting registration". These two quotes paraphrase what I have heard from many members and even non-members. Both viewpoints have an essence of truth. The founding of AIPG was in part due to the hope of heading off licensing of geologists by states. Therefore, the real position of AIPG has always been that certification by peers is preferred to any other form of regulation. This is also in accord with my personal belief. But we must also exist in a real world. Presently 14 states have some form of licensing in place and a recent poll by the AIPG State Affairs and Registration Committee shows that seven additional states will join their ranks within a short time. Therefore, AIPG certification has not pre-empted state registration laws.

A particularly strong voice has been raised against registration by geologists in the petroleum and mineral industries. Mineral and fossil fuel deposits are no respects of political boundaries and therefore those geologists who must work large territories that cut across state lines are understandably upset by the prospect of any statutes which would impose difficulty in developing mineral resources. Their ability to practice freely obviously favors the economic well-being of the public. On the other hand, geologists who work in the environmental applications (including hydrology, engineering geology and waste disposal) must practice under close scrutiny of local, state and federal agencies. Their ability to practice is critical to the health and well-being of the public because there is no person more fit to perform environmental geology than an experienced and degreed geologist. Yet, the ability of these geologists to practice geology has been threatened in several states by the engineering profession that, if unopposed, will use its own statutory registration to legislate geologists from practicing geology and replace geologists with professionals with poor qualifications in the earth sciences. The recent proclamation by the engineers in Kentucky which has had ample discussion in TPG (see p. 10-12 of this issue) should alert geologists everywhere to the magnitude of the danger. KSPE/CEC has proclaimed that surface investigations actually are within the province of engineering. Note that the word is "investigation", not "design". If accepted, such "investigation" could include any type of exploration or development activity. The only defense geologists in such states may have is to enlighten legislators and strive to procure registration that keeps those unqualified by training in geology from usurping its practice.

I do not advocate that AIPG take the lead in getting registration/licensing in all states. Some states (See "Wisconsin Strengthens Standards" pg. 13 in this issue) have enough knowledge about geologists to have already passed some statutes to insure that geological work is done by geologists, not by engineers, geographers or surveyors. In other states where registration is likely, AIPG should be ready to help to formulate good laws that do not needlessly inhibit the practice of geology in exploration and development. If a state registration law is going to be written, AIPG should be available to help formulate the requirements, write the exams and become instrumental in drafting sensible, uniform laws that geologists can live with. In advocating this, AIPG has not taken a stance of "Pro-Registration" but instead one of control that can only come from a national professional organization. My challenge to this membership is to accommodate one another and solve problems which do not have simple solutions. We must work together as professionals to advance the recognition that geologists are the only ones qualified to practice geology.

Awards Nominations Due

Don't forget to get in your nominations for the annual awards to be presented at the national meeting in Tulsa on September 28-30, 1988. Read about the available awards in your new directory and get your nominations to Jack Taylor, CPG 237, chairman of the Honors and Awards Committee. Be sure to furnish support data on any nomination. The president of AIPG also makes awards in the form of Presidential Certificates of Merit. President Sam Evans will welcome your nominations for these.

Committee Members, Get Active!

Reports have been received from several chairman that they send out information to committee members, ask for a reply, and get zero response. Hey!! Your input is wanted, needed and expected. The committees of this institute are few and are functional bodies. Please help out; we are all depending on you these next six months.
State Geologist of Ohio Position Available

Dennis Hull (CPG 6073), Head of the Regional Geology Section, of the Ohio Division of Geological Survey of the Ohio Department of Natural Resources has been appointed to the position of Acting Chief until the search for a new State Geologist is completed. The Division of Geological Survey invites applications from qualified individuals for the position of State Geologist and Chief of the Division of Geological Survey. Applicants should be geoscientists with demonstrated research, leadership, and administrative capabilities.

ODNR recently announced the retirement of Horace R. Collins as State Geologist and Division Chief. Mr. Collins was employed by the Ohio Division of Geological Survey for 30 years, 20 years of which were spent as State Geologist. His retirement became effective April 29, 1988. The Division of Geological Survey is a research and public-service oriented agency with approximately 65 full-time employees. The division has an ongoing statewide county geological mapping program, an active core-drilling program, geochemistry, and sedimentology laboratories, and other research equipment and capabilities. Responsibilities of the division include all nonregulatory aspects of Ohio's geology and mineral resources.

Interested applicants must complete a Department of Natural Resources Application for Employment which can be obtained by calling or writing Bob Van Horn (CPG 4630) at the Division of Geological Survey, 4383 Fountain Square, Columbus, Ohio 43224; telephone (614) 265-6576. Applications must be received no later than June 27, 1988.

Directory Is Out! Check Your Listing
Edward B. Nuhler, CPG 2808

The 1988 Membership Directory Edition of TPG was recently shipped to all members in late April. Please check your listing for correct address, employer, and specialty code. The information in the directory comes directly off the membership data base kept on the computer at headquarters. This means that if your listing appears wrong in the directory, it likely appears wrong in every aspect associated with your name, including mailing labels through which you receive TPG and other announcements. The information comes largely from applicants' membership renewal cards but I noticed in the 1986 directory that some errors had remained unchanged for over three years. Transcription errors from your renewals can also occur and once the error enters the computer, it is impossible for either the office staff or the editor to detect an error in spelling of a name or company in a specialty code. The only way the quality of the institute files can be enhanced is for you to phone or write to headquarters and supply them with the correct information. Although finding a typo in your name or that of your company is frustrating, please be kind to the headquarters staff when you contact them. They are doing their best and really want to serve you well. I would like to have a good clean data base available for the next editor, so please do phone in your changes. Space permitting, we will print an addendum to the directory in a summer issue of TPG and include the corrections.

April Executive Meeting in Washington Is A Full One

The April meeting in Washington was productive and meaningful and attended by a number of section presidents. Saturday night of April 16, a cocktail session with hors d'oeuvres allowed attendants, committee members, and speakers of the governmental affairs conference to meet informally. On Sunday the committee met continuously for nearly 14 hours. Alan Stover, who is an attorney and a member of the American Institute of Architects, reported on his review of the AIPG Constitution and Bylaws and summarized the history of litigation that has affected organizations with similar purposes to AIPG. His recommendations regarding our Constitution and Bylaws meshed well with those of an AIPG Committee chaired by John Dragonetti, CPG 2779. A more complete analyses of these results will be reported in TPG in the near future. Expect to vote on a number of changes in the Constitution and Bylaws near the end of this year.

Decision was made to retain the AIPG Charter in the state of Colorado rather that to move the incorporation to Delaware as was discussed in 1987 Executive Committee meetings. Reports were received from several committees and the officers. These will be detailed pending approval of minutes at the July meeting in Arvada.

An unusual number of "problem applicants" were dealt with and required considerable time of the Executive Committee. This is a concern because a number of important decisions regarding the institute need to be made in a limited amount of time (usually one day). Dealing with "problem applicants" whose applications should have been better screened at the section level causes serious problems for the institute because the time spent in reviewing these prevents the Executive Committee from dealing completely with very important national issues. Section screening boards can help by making certain that all applicants have the minimum education and experience criteria as mandated by the Bylaws. If an applicant does not meet these criteria, the file should not end up as a "problem applicant" to be dealt with at the national level. Instead, the applicant should be told to reapply when his education and/or experience permit him or her to qualify for certification.
Guerry Newton, the AIPG Washington Representative, organized one of the most successful AIPG Governmental Affairs Conferences ever held. Speakers from the April 18 conference include Dr. William Bagby of the United States Geological Survey (USGS), Keith Knoblock of the American Mining Congress (AMC), T S Ary (yes, the name is T S - no initials and no periods), the newly appointed head of the U.S. Bureau of Mines (USBM), Ernest K. Lehmann of Ernest K. Lehmann and Associates, and Representative James Oberstar (D) of Minnesota. All presentations given were outstanding. Very brief summaries of the talks are provided below. The conference is on videotape and copies are now available from AIPG headquarters.

Dr. Bagby began the program by noting the role of the USGS is the area of strategic minerals. After providing an overview of those minerals which are of particular importance to domestic industry and national defense, Bagby explained how the Office of Mineral Resources of the USGS has been compiling a data base that includes the setting and characteristics of known deposits. From that data base, models are constructed that should prove useful in delineating tracts favorable for mineral exploration. Several models based upon producing ore bodies from several foreign countries were shown by Dr. Bagby, and these models were followed with illustrations of areas within the continental U.S. that provide geological terrain similar to the terrain of the models. Deposits associated with rifting in Africa may have analogues in the Triassic rift basins of the eastern U.S. and in the old Mid-continent rift areas within northern Wisconsin. Bagby noted that ophiolites were discovered for the first time in northern Wisconsin by USGS workers.

Keith Knoblock of the American Mining Congress began with words of praise for Russ Wayland, AIPG’s recently-retired Washington representative, for producing the “Federal Legislative and Regulatory Issues Reviewed” column in TPG and he encouraged all AIPG members to get personally involved with the issue of critical minerals through their representatives. He then proceeded to describe the current domestic mining industry as emerging from one of its worst recessions as a leaner but tougher and more competitive industry. The change has resulted from restructuring and investments in technology to increase efficiency.

Keith Knoblock of the American Mining Congress (AMC) confers with Wally Stewart of Wyoming who is also AIPG Advisory Board member on the 1988 AIPG Executive Committee.

Knoblock’s address then got specifically to the relationship of critical minerals to political decisions. Imports of critical minerals from the Soviet Union have increased, largely because of the results of the Anti-Apartheid Act in 1986. Reliance on unreliable foreign sources has been exacerbated by a number of factors, including the lack of a stable domestic minerals policy and withdrawal of hundreds of millions of acres of public land from minerals exploration and development. One latter example included withdrawal of lands in southern California which hold the most promising source of rare earth elements in the nation. Knoblock noted that an excessive number of agencies are involved with management and regulation of minerals and the resulting complexity has led to poor communication between agencies and has practically eliminated meaningful communication to high levels of government. A wildly fluctuating set of goals for management of the national defense stockpile has also been detrimental to good management of the nation’s critical minerals. The stockpile has been utilized for purposes other than national defense to control market prices and to help balance the budget. Positions for management of the stockpile have been unfilled for extended periods of time and those who finally were

Dr. William Bagby of the United States Geological Survey enjoys coffee and a chat with John Galey, Jr., AIPG treasurer at the luncheon at the Governmental Affairs Conference.
appointed resigned in frustration. Knoblock then made a series of recommendations for changes in policy in managing public lands, in regulating mining, in managing trade, in stabilizing minerals through the International Monetary Fund, in modifying tax reform, in stabilizing some basic industries that draw upon mineral resources and in developing seabed minerals.

T S Ary, newly appointed Director of the United States Bureau of Mines (USBM) then addressed the role of the bureau in the domestic minerals industry. Ary had been in office as the director only a few weeks but described the directions which he believes will permit the bureau to contribute to a healthy mineral industry.

The USBM intends to take a more active role in cooperative efforts with the USGS, particularly in the models program described by Bagby. The Bureau of Mines can follow up on the geological studies with economic assessments and research in extraction methods. The USBM will also be working more closely with the Environmental Protection Agency at the grass-roots level through an environmental technical group, a concept that has already been well received. The bureau already presently has exciting and productive research programs in advanced materials, in substitute materials and in mine reclamation. Greater efforts will be made by the bureau to reach out to lay people and to be vocal in addressing issues of importance to the minerals industry, particularly in the area of withdrawal of public lands.

Ernie Lehmann of Lehmann Associates noted the relationship of AIPG to the minerals industry and stated that no organization is more qualified than AIPG to address the issue of strategic minerals. He then proceeded to give formal definition of the terms "strategic" and "critical" in regard to minerals.

The United States is becoming increasingly dependent on foreign markets despite a wide variety of minerals within its borders. The diversity of supply is decreasing and Cu and Zn may be on their way to becoming critical minerals. Lehmann then discussed why certain minerals eventually appear on the critical list and some steps that can be taken to decrease the potentially disruptive effects of a shortage in one or more critical minerals. A complete transcription of Ernest Lehmann’s address will appear in the June issue of TPG.

A panel discussion followed the presentations of the speakers who were, from left to right, Ernest K. Lehmann, of Ernest Lehmann & Associates; William Bagby, U.S. Geological Survey; Keith Knoblock, American Mining Congress; and T S Ary, Director of the U.S. Bureau of Mines.
The final speaker of the day was Congressman James L. Oberstar (D) from Minnesota. Oberstar was co-author on federal legislation in 1981 to implement an effective minerals management policy in the U.S. About 60 attendants at the luncheon gathering heard his comments on the importance of the role of the federal government in creating a reliable source of strategic minerals. Oberstar is no stranger to negative effects suffered from the decline of domestic mining. His 8th Congressional District of northeast Minnesota includes the iron ranges where curtailed production has caused extreme hardship. He is therefore very sensitive to the issue of strategic minerals. Oberstar noted that one of the great needs of the nation is an effective national minerals policy.

In closing, Oberstar reminded attendants to get involved as individuals and requested that AIPG direct particular concerns to his office. His mailing address is: Congressman James L. Oberstar, House Office Buidling, 2351 RHOB, Washington, DC 20515.

Guerry is still receiving accolades from attendants on the 1988 governmental affairs conference and they are well deserved.

The concluding event of the Washington Conference was the presentation of an AIPG mug to Congressman Oberstar by Elisabeth G. Newton, AIPG Washington Representative and conference organizer.

AIPG Computer Information System Down

Carol Beckett, AIPG Administrative Manager, announced that the dial-in Computer Information System at headquarters will be temporarily shut down. This results from a present need to redesign the system and make greater use of the computer facilities at headquarters.

WRITE IT RIGHT

The Peon Complex
By Hugh Hay-Roe

Never assume that your own conclusions and recommendations are of no interest to management. Unless they are truly minor, they belong at the beginning of a memo, report or letter.

A frequently unrecognized problem in on-the-job writing is what we call "the peon complex." The term was coined by people in Murray Associates' technical writing classes who say things like:

"No way I'm going to push my preference on this! I'm just a peon around here."

"They don't need recommendations from me. I'm just paid to lay out the facts."

"My boss doesn't want a peon's opinion in this memo; I've been on the job less than a year."

Why is this a problem in writing? Because it induces writers to do an incomplete job. When the peon complex gets in the way, writers fail to finish the assignment.

Unfortunately -- let's admit it -- there are some bosses who do reinforce the "peon" image that subordinates may have of themselves. But this is not true of the majority, especially now. Drastic staff cutbacks have made the boss more dependent than ever on staff members who can be relied on to complete the project.

A division in one large company even went so far as to spell it out for the peons, under the heading of Finished Staff Assignments.

- "A staff assignment is not finished until the problem has been studied and a solution presented in such form that all your supervisor need do is indicate his approval or disapproval of the recommended action..."

- It is your job to advise management what to do, not to ask them what to do. Supervisors need answers, not questions...

- The concept of finished staff assignments does not preclude rough drafts...but they must not be used as an excuse for shifting the burden of formulating action to the next higher level. Nor should the draft be given to your supervisor as an editing task for him...

- This approach may mean more work for you, but it gives more freedom to your supervisor. This is as it should be."

Initiative backed by clear thinking is appreciated almost everywhere. If you have been withholding your recommendations because of a peon complex, it's time to try a change. Put your principal recommendations at the beginning of your memo, report or letter and then support them scientifically with your conclusions. Most readers will be grateful.

"Write It Right" featuring Hugh Hay-Roe appears in TPG courtesy of the Texas Section.
Scientific and engineering resources depleted

The vitality of science and engineering expertise in the United States is being drained. The number of young people obtaining scientific and engineering educations is shrinking, according to the National Science Foundation. Constraints to federal appropriations are impeding efforts to reverse this trend. According to Erich Bloch, Director of the NSF, these two trends bode ill for efforts to rebuild U.S. competitiveness in the world marketplace. An irony of the current situation is that the participation of Americans in science and engineering has been declining in the face of growing demand. The demand has been met entirely by foreign students, who now earn more than one-fifth of all doctorates, one-third of the mathematics doctorates and more than half of the engineering doctorates awarded each year in the U.S.

Bloch said that the NSF hopes to maintain the high priority of programs to encourage more young people to enter the sciences and engineering, particularly women and minorities. Bloch stated, “Our motive is pragmatism as much as altruism — the need to develop all our human resources.” “We have not made the point as well as we should have and we have not convinced the public and their representatives in Congress,”

Bloch said, “that science and engineering research and education are investments in the future with a high payoff for society as a whole rather than discretionary spending that can be postponed in bad times and increased in good.”

Oil and gas resource estimates cut by 40%

New studies by the USGS reduce resource estimates for undiscovered oil and gas by 40%, according to recent unpublished reports. The results of the study were outlined at a recent McKelvey Conference. The DOI has withheld the full report to allow a careful review of the methodology, according to newspaper accounts. The general industry response has been that the new estimates are not realistic and are overly conservative. Although the details of the methodology have not been released at this time, there is a strong impression that when those details are known, the controversy will remain.

DOE, Pentagon claim immunity from EPA Regs

The Energy and Defense Departments operate hundreds of labs and testing facilities that dispose of radioactive and hazardous waste material. However, the two departments claim legal immunity from EPA compliance regulations concerning clean-up and disposal.

There are several bills in Congress at present which would require federal facilities to comply with the Resource Conservation and Recovery Act (RCRA) regulating the storage, handling and disposal of toxic waste. The Defense Department has estimated the cost of cleanup on its facilities at 100 billion dollars. The Justice Department considers the RCRA violations at federal facilities as “interagency disputes” to be resolved by the President and that EPA has no power to force cleanups or seek court orders.

Both DOE and DOD have been cited with irreparable contamination of groundwater through improper disposal of waste and toxic materials.

Of sixteen DOE and DOD facilities cited by EPA in 1984 for RCRA violations, only four have agreed to correct the deficiencies.

Caves on public land to be protected

Legislation has been introduced in both the House (HR 1975) and Senate (S-927) to make protection of caves on public lands a national policy. Both Forest Service and DOI would be required to issue regulations on preservation and management of caves that would be considered in land-use plans. The bills also allow the withholding of locality data. Caves in National Parks and Wildlife areas would continue to be managed under existing regulations.

Panther protection

S-90 proposes to add 146,000 acres to the Big Cypress National Preserve, Florida. The proposed acreage is the habitat of the very rare and endangered Florida panther. Current property owners will retain, however, mineral and oil and gas rights. (A panther at the drill site does not equal “a tiger in your tank.”)

Exploration delayed—Bristol Bay area, Alaska

The DOI has been enjoined from opening the bids from its Sale 92. The bids have been held unopened for 26 months.
although companies have been permitted to withdraw bids if desired. At issue are unresolved native claims to undefined amounts of seabed and waters in the Bristol Bay area. The area involves 900 blocks encompassing about 5.6 million acres. The 1987 resource estimates are 280 million barrels of oil and 2.1 trillion cubic feet of natural gas. The MMS has indicated a probability recovery of economic quantities of hydrocarbons as 20%. The court’s decision is being deferred pending a decision on a similar case in the Navarin Basin and Norton Sound areas of the Bering Sea.

Natural gas studies
The DOE has initiated 3 concurrent studies on natural gas to provide what is anticipated will be a comprehensive examination of the feasibility to displace imported oil. The 3 studies are i) a Resource Base Study chaired by William Fisher; 2) a Market Assessment Study chaired by Charles Teelaw; and an alternative fuel study chaired by Vito Stagliano.

The Texas Land Commission, American Gas Association and Sierra Club were joint sponsors of a symposium to promote natural gas as a fuel.

Two congressional bills have been introduced to encourage natural gas utilization; S-1894 (Mitchell-D. Maine) and HR 3054 (Waxman-D. Calif.).

NRC questions sufficiency of geologic data at Yucca Mt., Nevada
The NRC has criticized a DOE plan to determine the suitability of Yucca Mt., Nevada, as a site for a high level nuclear waste repository. The criticism focuses on insufficient data and analysis of volcanic and tectonic activity that could affect safe long term storage of the waste. The possibility of ground water contamination was also cited as not being adequately examined. The NRC stated that the DOE plan did not consider a wide enough range of possible geological factors that could affect storage and that the plan did not demonstrate a thorough understanding of site conditions.

Test for BLM O&G leasing program
The “new” leasing program was tested in a sale in March in Montana. There were 100 bids for 534 parcels. The highest bid was $90/acre, the next highest bid was $53/acre. Sixty-one parcels received bids of $2-5/acre; 2 parcels—$50/acre. Eighty per cent of the parcels received a “no bid.” Congressional observers and the GAO attended the sale.

Seabed disposal of high level waste program
DOE has under development a program for research on seabed disposal of high level waste. The program entitled Subseabed Disposal Research is located in the Office of Energy Research. An acting director is to be named soon.

Expansion of wilderness in Montana
Plans are underway to introduce legislation to designate 1.3 million acres of Forest Service land in Montana as Wilderness; an additional 2 million acres would be precluded from multiple-use.

The area encompasses the Laramide Overthrust trend which has an estimated resource potential of 8.6 trillion cubic feet gas and 473 million barrels of oil.

Oil and gas leasing Teton-Bridger Study Area
The Forest Service has announced plans to prepare as EIS with draft issuance March 1, 1989.
For contributions/comments contact Al Koschmann, Forest Engineer, Bridger-Teton National Forest, Box 1888, Jackson, Wyoming 83001 — telephone (307) 733-2752 53FR57, p. 9674.

**SCHEDULE**

**“Silver to Gold”**

Where we have been, where we are,
and where we are going in the next 25 years as a profession,
a science and as an organization.

Twenty-fifth (Silver Anniversary) Annual Meeting American Institute of Professional Geologists

**September 27-30, October 1, 1988**
Sheraton Kensington Hotel
Tulsa, Oklahoma

**TUESDAY, SEPTEMBER 27**

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<td>3:00-6:00</td>
<td>Registration for Professionals</td>
<td>Main Lobby</td>
<td>$90.00</td>
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<td>(Registration after September 1, 1988)</td>
<td>TBA</td>
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<tr>
<td>1:00-5:00</td>
<td>Professional (consultants)</td>
<td>Main Lobby</td>
<td>TBA</td>
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<td>8:00-5:00</td>
<td>1988 Advisory Board Meeting</td>
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<td>8:45-9:45</td>
<td>Coffee Break</td>
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<td>9:45-10:00</td>
<td>1989 Advisory Board Meeting</td>
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<td>10:00-11:00</td>
<td>1988 Executive Committee</td>
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<td>12:15-1:15</td>
<td>Luncheon</td>
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<td>1:30-4:30</td>
<td>1988 Executive Committee Meeting</td>
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<td>5:30-7:30</td>
<td>Complimentary Ice Breaker for Registered Professionals and Registered Spouse/Guest</td>
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**WEDNESDAY, SEPTEMBER 28**

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<tr>
<td>8:00-9:00</td>
<td>Breakfast 1988 Executive Committee &amp; Guests</td>
<td>Main Lobby</td>
<td>TBA</td>
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<tr>
<td>11:00-3:00</td>
<td>Shopping Trip to Utica Square</td>
<td>Main Lobby</td>
<td>($10.00 fee based on 20 person minimum)</td>
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<tr>
<td>9:00-4:30</td>
<td>Exhibits and Poster Sessions</td>
<td>Main Lobby</td>
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**THURSDAY, SEPTEMBER 29**

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<td>8:00-9:00</td>
<td>Registration</td>
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<td>TBA</td>
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<tr>
<td>8:00-4:00</td>
<td>Hospitality Room</td>
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<tr>
<td>8:00-9:00</td>
<td>Exhibit</td>
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Continued Next Page
Page 7
9:15-10:20  Technical Session I  TBA
10:20-10:40  Coffee Break  Main Lobby
10:40-11:45  Technical Session II  TBA
12:00-1:15  All Convention Luncheon (included in Professional Registration Fee)  TBA
    Sam R. Evans, Presiding
1:30-2:35  Technical Session III  TBA
2:35-2:55  Coffee Break  Main Lobby
2:55-4:30  Technical Session IV  TBA
5:30-7:00  Social Hour (Cash Bar)  TBA
7:00-9:30  AIPG Annual Awards Banquet ($30 fee)  TBA
    Sam Evans Presiding
    Awards Presentation
    After-dinner Speaker

FRIDAY, SEPTEMBER 30
8:00-12:00  Registration  Main Lobby
     TBA
8:00-12:00  Hospitality  TBA
8:00-9:00  Past Presidents’ Breakfast  TBA
9:00-12:00  AIPG Annual Business Meeting  TBA
12:30-4:30  Tour of Gilcrease Museum of Western Art with a special lunch at Gilcrease and drive-by of Oral Roberts University/City of Faith Medical Center. $20 fee based on a 20 person minimum
1:00-5:00  Writing Workshop by AIPG Editor Ed Nuhfer and spouse Mary P. Dalles, UW-Platteville Dept. of English $20 Fee

SATURDAY, OCTOBER 1
8:00-7:00  Technical Field Trip to the Ouachita Mountain Structural Complex with stops along the way in the gas and coal producing Arkoma Basin. Includes Guidebook with six new papers and cross section approximating route traversed. $50 fee ($65 after September 1, 1988)

TECHNICAL SESSIONS
TECHNICAL SESSION I
Joseph L. Thacker, Jr., CPG 4989, Presiding
9:50  COAL MINING IN THE WESTERN MIDCONTINENT COAL FIELD by Frederick N. Murray, CPG 4755, Consulting Geologist, Tulsa, Oklahoma
10:20  COFFEE BREAK

TECHNICAL SESSION II
Donald P. Moore, CPG 4142, Presiding
10:40  GEOLOGIC SETTING AND NON-FUEL MINERAL RESOURCES OF OKLAHOMA by Kenneth S. Johnson, CPG 2266, Associate Director, Oklahoma Geological Survey, Norman, Oklahoma

11:15  GEOROUTES: THE LEGACY OF THE SCOTS by Nowell Donovan, Texas Christian University, Fort Worth, Texas
12:00  LUNCHEON

TECHNICAL SESSION III
John V. Hogan, CPG 6438, Presiding
1:30  EVERYTHING YOU ALWAYS WANTED TO KNOW ABOUT GROUND WATER by Wayne Pettyjohn, Sun Professor of Hydrogeology and Head of the School of Geology, Oklahoma State University, Stillwater, Oklahoma
2:05  RESEARCH ON MECHANICAL INTEGRITY OF INJECTION WELLS by Jerry Thornhill, Robert S. Kerr Laboratory, Environmental Protection Agency, Ada, Oklahoma

2:35  COFFEE BREAK

TECHNICAL SESSION IV
Robert K. Merrill, CPG 4984, Presiding
2:55  SOLIDIFICATION, ENCAPSULATION AND ONSITE BURIAL OF OILY WASTES by Murray R. McComas, CPG 2440, President M.R. McComas and Assoc., Tulsa, Oklahoma
3:30  OIL & GAS: AN INTERNATIONAL PERSPECTIVE by Peter Wigley, President ERICO Ltd., London, England
4:05  AN OVERVIEW OF NATURAL GAS AND THE UNITED STATES by Peter Conklin, President Philcon Development and President of IPAA, Amarillo, Texas

SILVER ANNIVERSARY MEETING!!

The 1988 National Convention of the AIPG is being hosted this year by the Oklahoma Section. The Convention will be held on September 28 through October 1, 1988. The theme of the meeting is “Silver to Gold”, where we have been, where we are, and where we are going in the next 25 years as a profession, as a science, and as an organization.

The program includes such topics as ground water, deep-well injection of wastes, and on-site solidification and burial of hazardous wastes. Talks will be presented on oil, gas, coal, and other georesources of Oklahoma. Program Chairman Gary Stewart has arranged for a program that will include “Georoots,” a philosophical color-slide trip back to the roots of geology in Scotland and England, with views of the outcrops studied and argued over by Hutton, Murchison, and Sedgwick. This colorful and intellectual program was arranged by Dr. Nowell Donovan. Other possible topics include discussions of our relations and problems with other disciplines, our activities and interactions with governmental entities and agencies, and Oklahoma’s superconducting collider project. A professional workshop is planned for consultants, and Ed Nuhfer, Editor of the The Professional Geologist, will be conducting a writing seminar.

There will be a field trip to the classic Ouachita Mountain Structural Complex, with stops along the way in the gas and coal producing Arkoma Basin. David Wylie is producing a subsurface cross section along the field trip route from McAlester to the Choctaw Fault, and the Oklahoma Geological Survey will be publishing a guidebook for the field trip. The guidebook is expected to present a number of new papers concerning the Arkoma Basin and Ouachita Front.

THE PROFESSIONAL GEOLOGIST
Arrangements are being made with American Airlines for discount air-fares to the convention. Although excellent progress is being made toward the National Convention, additional help is still needed for a variety of jobs. Volunteers are encouraged to contact Jim O'Brien at P.O. Box 916, Mannford, OK 74044, or call at (918) 865-4490.

Undergraduate Geology
In Good Shape at UNC

A two-day site visit by three American Institute of Professional Geologists members earlier in 1987 has resulted in a positive and encouraging evaluation of the geology program at the University of Northern Colorado. The evaluation team consisted of John Rold, Director of the Colorado Geological Survey; John Haun from the Colorado School of Mines; and Richard Davis of the Geotechnical Company of Laramie.

The team concluded that the strengths of the program included the following:
- Strong emphasis on field work
- Emphasis on oral and written reports in classes
- Small class size
- Strong faculty interest in students
- Agreement among faculty as to program goals
- Students feel well prepared for graduate school and entry level professional employment.

A major renovation of the facilities which house the department is planned for the coming year and will address concerns expressed by the team regarding the space which the department occupies. In addition, there is significant hope for additional resources to support the program, in part as a consequence of the positive impact made by the review.

The most important recommendation made by the committee is that the department increase the visibility of, and more aggressively promote what they found to be a good geology program. One consequence of this recommendation is that you can expect to see more UNC faculty and students at RMAG activities.

Overall the AIPG review of the geology program at UNC has had a positive impact and has served to provide an improved basis upon which to plan the continued development of the program. It is likely that most geology programs would benefit from an AIPG review.

I.T. Corporation Announces Position Opening

Lee Nesbit, CPG 4688, has notified this editor that I.T. Corporation is seeking a project manager to supervise work in the area of hydrological modeling and environmental geology, particularly in remedial investigations. The ideal candidate should have an MS in geology, five years of experience, and good interpersonal and communication skills. The candidate need not have a specialty area in the above areas but should have a good general background in the geological sciences and experience. Lee notes that an individual with AIPG certification may be the ideal candidate. If interested, contact Lee Nesbit, I.T. Corporation, C/O LM 165 Field Crest Ave., Edison, NJ 08818. The position will be at a competitive salary and headquartered in Edison, NJ.

MAY 1988

INSTIMATE ALBUN

Edward E. (Bud) Rue, CPG 12

In the May, 1963 issue of Geotimes the results of the founding meeting of the newly organized AGI House of Society Representatives were made known. Warren Beebe, CPG 156, reported the recommendations of the AGI Professional Standards Committee. The gist of the report was that "the committee has studied the whole problem of professionalism for four years—and that in their view this committee could not go any further with their study until AGI reaches a decision as to what course it wants to pursue regarding the whole problem."

The AAPG delegation was instructed to ask for "some concrete proposal for the certification of geologists." So naturally the president of AGI, Hollis Hedberg, CPG 223, appointed a committee to recommend the "course of action that AGI should follow with respect to the certification of geological scientists." The committee was asked to "proceed with vigor" and to have its recommendations ready for the next Board of Directors meeting which was set for May 25, 1963.

The verdict was known almost immediately. However, the official result was not conveyed to us until October. In his letter to the new executive director of AGI, Linn Hoover, CPG 1280, stated that everyone already knew, that: "AGI cannot undertake activities leading to the registration or certification of geologists without endangering its legal status as a non-profit scientific organization."

The members of the AAPG Professional Standards Committee had suspected this for a long time so after the close of the 1963 AAPG Convention I resigned as chairman of that committee and accepted the chairmanship of the Steering Committee to create a purely professional organization representing all branches of the profession. We waited until after the May meeting of the AGI House to gather a group of geologists representing several branches of geology with a wide geographical distribution. As you can well imagine, I was excited by the names of possible members who were asked to serve on that committee. The letters went out in June and July for a meeting to be held on September 15th at Oklahoma City.

But just before our Steering Committee actually met, the incoming president of AAPG, against the cautionary advice of most prestigious members of its own Professional Standards Committee members, decided to start certifying petroleum geologists. They were not the only ones. In March, The Society of Independent Earth Scientists had its inaugural meeting in Houston during that fateful convention of AAPG. Thus the splintering to which Warren Beebe's previous report referred became a big reality.

It was beginning to look like a very sad year for professional geologists and the future AIPG. In addition, 1963 marked the fifth year of a dramatic decrease in the enrollment of junior and senior geology and geophysics majors on our college campuses. The number of these students had literally been cut in half (Geotimes March 1963).

The good news is that at the very young and tender age of 25, AIPG is still the fastest growing national geological organization, boasting more members that any other at the same age. The old and prestigious AASG still only has about 50 members today.
AIPG Responds to KSPE/CEC

KSPE/CEC of Kentucky
Kentucky Engineering Center
Route #3, Democrat Road
Frankfort, Kentucky 40601

Gentlemen:

Based upon the misinformation about geologists that was printed in your brochure, "1988 Legislative Position" distributed by the Kentucky Section of KSPE/CEC, and for the unauthorized use of the name of the American Institute of Professional Geologists (AIPG) in the presentation of your position indicating AIPG's support of such position, the Executive Committee on behalf of the Institute demand a written retraction to the false statements contained therein. We expect to have notice within 30 days that a retraction will be printed and submitted to every recipient of the brochure. We also expect the KSPE/CEC to uphold their own Code of Ethics in the State of Kentucky by taking appropriate action against the specific authors and distributors of the brochure.

We specifically state our objections to your brochure.

KSPE/CEC STATEMENT: "KSPE/CEC of KY has reviewed registration of geologists for several years. Engineering utilizes and encompasses geology and recognizes the need for technical information obtained by geologists working for or with engineers."

AIPG POSITION: Most engineering degrees require no minimum education in geology; neither the EIT nor the PE examinations test the basic areas of geology that are needed for the professional practice of geology. Many registered engineers have no geological training that would qualify them to pass judgment on the geological work done by a professional geologist. AIPG's position is that the only professionally qualified by means of education to practice geology is an individual who has graduated from an accredited university with a minimum of 36 semester hours of geology. In all geological investigations, it is the geologist who should have the independence and primary responsibility for rendering a geological opinion based on geological data.

KSPE/CEC STATEMENT: "The registration of geologists does nothing to protect the public's interest and has several negative impacts, such as: (1) public safety, health and welfare will not be enhanced by statutory licensing of geologists. Giving geologists some of the responsibilities for protecting public safety, health and welfare could actually decrease the protection that the public currently receives under KPS 322. Geologists do not take as many courses in natural or physical sciences and mathematics as engineers, and thus do not have the broad technical background essential to making adequate technical judgments relating to matters involving protection of the public safety, health and welfare."

AIPG POSITION: The public safety, health and welfare are best served by those with the educational training to perform within a specialty area. Investigations within these disciplinary areas are best performed by qualified geologists. Geologists are not paraprofessionals and are not technicians. Professional geologists all hold degrees from accredited universities and most professional practitioners hold MS or Ph.D. degrees. Geologists' education and training in science exceeds in breadth and depth that of most practicing engineers. The science education of engineers usually ends after the introductory level courses in chemistry and physics and many engineers take no courses in biology or geology. KSPE/CEC has ignored the validity of education in geology as a requisite to practice geology or to supervise the geological phases of investigations in the areas of mining, hydrology, waste disposal, reclamation, and subsurface investigation. Because of that, we believe that the KSPE/CEC stated position is detrimental to the public interest.

KSPE/CEC STATEMENT: "(2) KSPE/CEC of KY recognizes that a process of identifying geologists who have reached milestones of technical competence in their field is desirable. This process is presently administered by the American Institute of Professional Geologists which certifies geologists as meeting certain minimum criteria of education and experience. KSPE/CEC of KY sees no need to duplicate or replace this process by statutory licensing."

AIPG POSITION: We believe that certification by peers is preferable to statutory registration. However, should another profession attempt to abuse the ethics of professional practice and conduct by using registration to usurp the practice of geology for the unqualified, then geologists have no recourse other than that of formal recognition through their own statutory registration. We do not oppose registration if this is the only alternative to keeping unqualified persons from practicing geology. The Kentucky Code of Professional Ethics states: "6. The engineer or land surveyor shall perform his services only in areas of his competence." By AIPG standards, an engineer or land surveyor who would attempt to be the primary investigator in the geological phases of investigation in the areas of mining, hydrology, waste disposal, reclamation and subsurface investigations would be violating the provisions of the code. The use of the name AIPG in the brochure is misleading by indicating that AIPG supports the KSPE/CEC position. We unequivocally do not support the KSPE/CEC position. We believe the authors of the brochure have violated the Kentucky Code of Professional Practice and Conduct with regard to Section 2. "The engineer or land surveyor shall issue public statements only in an objective and truthful manner." The statements about geologists in the brochure are neither objective nor truthful.

KSPE/CEC STATEMENT: "(3) From a practical standpoint, the conflict between geologists and engineers cannot be avoided if geologists become licensed to practice independently from engineers. Passage of the bill will generate conflicts of practice and unlawful encroachment into the practice of engineering by geologists. Thus, registration of geologists will create an enforcement problem for the Kentucky Board of Registration for Professional Engineers and Land Surveyors."

AIPG POSITION: KSPE/CEC is creating the conflict (1) by issuing statements that violate the Code of Professional Practice and Conduct; (2) by refusing to recognize the validity of geology as a science and as an established profession; and (3)
by refusing to recognize that the practice of geology requires formal training in geology that is not required for either a degree in engineering or a license to practice engineering. If a Board of Registration for Geologists is created in Kentucky, it will likely cause problems only for those who attempt to practice geology without the necessary qualifications. Causing problems for such unscrupulous individuals parallels the reasoning of the present Code of Professional Practice and Conduct in Kentucky.

KSPE/CEC STATEMENT: "(4) Should a geologist registration bill be enacted, the geologist could, independently of the professional engineer, perform services now defined as engineering. These practices could occur in the areas of mining, mine permitting, toxic and hazardous waste disposal, groundwater use and protection, mined land reclamation, sanitary landfills, surface water quality evaluations, and subsurface investigations."

AIPG POSITION: We are not aware of any accepted definition that defines the entire gamut of "mining, mine permitting, toxic and hazardous waste disposal, groundwater use and protection, mined land reclamation, sanitary landfills, surface water quality evaluation and subsurface investigations" as engineering. In fact, the basic background needed to satisfactorily perform essential services in these areas rests in education and training available primarily in geology departments - in courses engineers seldom take. Any such definition of the above areas as "engineering" could be for the public good only with the qualifications that those who practice in each specialty would (1) acquire the necessary courses in geology that are needed to perform the investigatory phases of each, or, (2) require the services of a certified (or fully qualified registered) geologist to make technical judgments and prepare reports on the geological investigatory phases.

KSPE/CEC STATEMENT: "In summary, the proposed geologist registration bill is an attempt to dilute the public protection currently defined in Kentucky under KRS 322. Geologists currently work under the direction of a registered professional engineer when providing geological data supporting engineering investigation, evaluation, and design or the planning of the use of lands and waters. The current approach provides a high level of protection of the public, and it is believed that this protection would not be enhanced but rather would be jeopardized with the registration of geologists."

AIPG POSITION: We believe that the above statement borders on libel. We know of no geologists who are attempting to subvert protection of the public provided under KRS 322.290. KSPE/CEC ignores the introductory level of science education obtained by most engineers, yet KSPE/CEC proclaims that engineers are competent to supervise highly competent geologists who are much better qualified to perform geological investigations and reach meaningful geological conclusions than are most engineers.

AIPG takes this matter very seriously and expects the written retraction as requested. The citizens of Kentucky can be better served by having the best expertise available in looking out for public health, safety and welfare. A true professional will not present himself or herself as qualified in any field in which he or she is not fully competent.

Sincerely,
Sam R. Evans
President
MAY 1988

Consultants' Column

Donald L. Hook, CPG 2773

What exactly is a geological consultant? I'm not going to tackle that one because probably one's definition is a function of the position from which he/she views the geological workplace.

I believe that most consultants in the petroleum arena are independents who are free to choose their own clients. We became consultants by design, not necessity. We wanted the satisfaction of determining and controlling our destinies, good or bad. We prepared ourselves for service to the public. We developed and honed our expertise while employed by major oil and gas corporations, smaller public corporations, independent operators or consulting firms. Some of us functioned in all these sectors before hanging out our "shingles".

The petroleum consultant is usually an expert in a certain geographical province or an expert in a certain stratigraphic interval within that province. Some have expertise in more than one area. We are specialists in oil and gas exploration and development. Some of us function in highly specialized sub-disciplines of geology; others function in a broader application of geology, geophysics, engineering, law, land and economics to locate and develop feasible prospects.

Professional credentials and recognition are critical to the independent consultant. Although fully qualified many years earlier, I for one, did not seek certification from AIPG until I was ready to become a consultant. I didn't need it. I was employed. My employer's credentials spoke for me even though I contributed to those credentials. But when I became an independent consultant it was I who needed the credentials. I was the principal and it was I who had to compete and go one on one with the registered engineer. It was I who was treated as the step child. AIPG was highly touted and certification seemed appropriate, but it wasn't very effective. My geological testimony in a Texas court of law has little value when countered by a registered engineer even though he has never studied or practiced geology.

If we are educated and trained geological experts, why then do we not enjoy high public esteem? Why do doctors, lawyers, engineers, and CPAs enjoy greater public recognition than geologists? REGISTRATION!

Certainly AIPG certification is important. Certainly our peer screening and approval are more desirable than legislative dicta. But, does the public know it? Has our certification enhanced our status in the community? Does the public know who we are and what we stand for? The Texas Railroad Commission doesn't know and it is right in the middle of the Texas oil patch. A commission spokesman knew nothing of AIPG and said that we maintained a very low profile. How effective have our efforts been? Perhaps a lot like the old Republican Party who told its story only to itself rather than to prospective converts.

Distasteful as it may sound, how about taking a hard realistic look at registration - not to convince ourselves of its philosophical merit, but to determine if it might be the vehicle to bring us our much sought after public recognition? Why must

Continued on Next Page
it always be an either/or contest between certification and registration? Why cannot the two co-exist? Why cannot they complement each other? AIPG does the better job of verifying professional ethics, integrity and conduct. State agencies, on the other hand, do a better job of enforcement since they are backed by legislative authority. Why do we in the oil patch fight registration with such tenacity? Outsiders might just wonder what we are trying to hide. Why not lie back and accept it if it is for us or ignore it if it is not?

Now, I’ve said it. I’ve stirred up the hornet’s nest. I’ve opened the floodgates of controversy. Let me have your thoughts, your criticisms and your opinions. I challenge you to respond. Send your copy to me at 1118 Kirby Building, 1509 Main Street, Dallas, Texas 75201. Copy should be double spaced, preferably typed, and with one inch margins. To be published your copy must be signed. If you wish to remain anonymous, please so indicate, however, you still must sign.

Give me something to edit.

AEG Response to KSPE/CEC

KSPE/CEC of Kentucky
Kentucky Engineering Center
Route 3, Democrat Road
Frankfort, Kentucky 40601

Ladies and Gentlemen:

The KSPE/CEC of Kentucky have recently published a legislative alert on the matter of the registration of geologists in Kentucky. This letter presents the concerns of the Association of Engineering Geologists after our study of your statement. AEG has more than 3,000 members who practice engineering geology worldwide.

The registration of geologists is a fact in fifteen states; specialty certification of engineering geologists is a fact in four states. Based on experience dating back to 1953 in these states, your concerns are unfounded. No horrible incursions into the practice of engineering have been undertaken by geologists, engineers have not lost business as a result of the registration of geologists, and the protection of the public health and safety has been enhanced, not impaired. Certainly, if adverse effects had occurred, as you imagine they will occur in Kentucky, the registration of geologists could not have lasted in the states which adopted it early on, let alone spread to other states.

We submit that the legal recognition of geologists by registration elevates the consciousness of both the engineer and the geologist. It gives the geologist a higher level of goals to aim for in the practice of their profession and thereby increases their expertise when they work with engineers. The engineer will get a better work product from the geologist, who is now dedicated to the same level of professionalism as the engineer, since he/she shares the same legal responsibilities. The truly professional engineer recognizes that knowing when to seek the service of a fully-qualified geologist is an important part of being a professional. The truly professional geologist knows the same thing from the geologic standpoint and is not hesitant to recommend to a client that the services of a professional engineer are required.

It is indeed quite possible and most desirable for engineers and geologists to cooperate professionally and to come to agree-

AIPG Seals and Stamps Need Replacing

As a result of the membership vote in favor of reverting the CPGS designation back to CPG, there no longer exists a CPGS classification within the institute. You will notice that reference to CPGS designation has been dropped in both TPG and in the 1988 national membership directory. Unfortunately, seals and stamps bearing the title “Certified Professional Geological Scientist” likewise can no longer be utilized in conjunction with the name of the AIPG. New seals and stamps may be purchased through headquarters. Self-inking stamps are $25.00 and the seal made with the steel die now costs $30.00. These items are essentially at cost to the institute, with postage and handling included. The AIPG certificate was deemed a record of certification by the institute and need not be replaced. However, members should now use the title CPG rather than CPGS, regardless of the title under which they were certified.

What about the old seals and stamps? Based on the history of title changing, one should archive the old ones “just in case”.

Robert Berg Elected to National Academy of Engineering

A former president of the American Institute of Professional Geologists, Dr. Robert Berg, has been elected to the prestigious National Academy of Engineering.

Election to the academy comes by peer vote and is viewed as the highest professional honor that can be conferred on an individual in engineering or engineering-related field. Berg is one of 85 individuals elected to the academy this year.
WEST VIRGINIA

OPINION QUESTIONNAIRE

One of the "hot" topics for discussion among geologists over the past few years has been the question of registration and certification, and what form of this is best for individuals and the profession as a whole.

The AIGP's State Affairs and Registration Committee requests that you aid in the task of determining the status of state registration or licensing and, more importantly, the opinion of the membership regarding various issues dealing with state registration or licensing and compatibility of such with the certification provided by AIGP.

The institute has been in existence for 25 years and consideration is being given to the next 25 years as where we want to be and what we should be doing. The present policy of the institute is that the institute certification of professional geologists by their peers as to their competence and ethical behavior is to be preferred, and that self-regulation is the most desirable form of certification and regulation of professional practice.

Many states have instituted registration or licensing of geologists since the institute was founded, and many of the institute's members are in some of these programs, either in their own state, or where their own states have no such program, in nearby states. The committee would like to know the members' opinions on several specific questions and any general comments dealing with these matters.

(A questionnaire was attached to the West Virginia second sheet of their newsletter.)

Field Trip

Plans are underway to have a West Virginia Section field trip sometime in May. Tentative plans are for a trip dealing with environmental problems, somewhere in the Charleston area, on a Saturday (if possible), about mid-May. Leave room on your schedule; more information will be forthcoming as soon as plans are firmed up.

WISCONSIN

WISCONSIN STRENGTHENS STANDARDS

Wisconsin has revised its solid waste administrative codes. The new NR 500 series of codes became effective February 6, 1988. One provision of the new codes is that certain reports including groundwater monitoring plans, initial site reports, feasibility reports, plans of operation and in-field conditions reports must be signed by a hydrogeologist.

Effective February 6, 1988, the Department of Natural Resources will not accept for review any report submitted for a proposed or existing landfill where interpretation of geology or hydrogeology is necessary unless the report is signed by a hydrogeologist in accordance with NR 500.05(4), Wis. Adm. Code. NR 500.03(64) and NR 500.31(e)2 define a hydrogeologist as a person who is a graduate of an accredited institution of higher education who has successfully completed 30 semester or 45 quarter hours of course work in geology. At least 6 semester or 9 quarter hours must have been in hydrogeology, geohydrogeology or groundwater geology. The person must also have acquired through education and field experience the ability to direct the drilling of borings and the installation and development of wells, and to evaluate and interpret geologic and hydrogeologic data in accordance with the requirements of chs. NR 508, 510 and 512.

Therefore, hydrogeologists who sign reports which contain interpretation of geology or hydrogeology must certify that they meet the above definition by the following wording: I, hereby certify that I am a hydrogeologist and meet the requirements of NR 500.03(64), Wis. Adm. Code.

The purpose of this new requirement is to help ensure that the interpretation of the geologic and hydrogeologic data in the reports we receive for a landfill is being done by a qualified hydrogeologist. Also, we strongly believe a person has to have an advanced understanding of geology and hydrogeology along with actual field experience to correctly interpret the origin and stratigraphy of the subsurface environment and its physical and chemical characteristics. If you should have any questions about this new requirement, please feel free to call Paul Huebner, CPG 7040, (608) 267-7573.

WYOMING

Governmental Affairs - Roy Guess

A Study of the MMS Transportation Allowance

After several years of study and hearings, the Minerals Management Service in the Department of the Interior has developed some proposed forms (MMS-4109, 4110 and 4295) which allow a deduction of up to 50% of the unit value of oil and gas for transportation costs and 66.67% of the product value for processing gas.

Wyoming Chapter of the AIGP believes that some of the ideas and some of the concepts contained in these proposed forms will be the direct cause of serious problems within the industry, as well as some rather extensive litigation involving a variety of companies and individuals in the energy business.

At the present time, a major oil company is using some of the same ideas and concepts proposed by the MMS to arrive at a highly detrimental conclusion for handling the proceeds from production that has to be processed through a very large gas plant. Enormous quantities of gas are being produced from many wells, then transported to dehydration plants and then transported to a separation plant for "processing". Natural gas (methane), sulphur, CO2 and helium are then sold to many different markets. The company, using some of the proposed MMS ideas, takes the position that the gas at the well or at the lease has no value (since it cannot be sold without processing) and further, the company takes the position that the costs of transporting, processing, etc. are so great that nothing is left for royalty.
payments to states and individuals. This is truly an incredible and unprecedented action by one very large company, in spite of the fact that many other plant facilities have been operating without using such unfair concepts. This example is cited to show the validity of the AIPG concern over the MMS proposal. Admittedly, this whole problem is extremely complicated and not easily understood; however, the AIPG believes that serious shortcomings exist in the following areas in the proposed forms:

I

The forms for non-arm’s length transportation costs contain many items that any accountant could use easily to reach the 50% of unit value deduction, using such MMS suggestions as depreciation, overhead, return on investment, supervision, etc. How could any MMS auditor determine the accuracy of such nebulous figures? Companies have very large differences in their overhead charges and in their depreciation schedules. Normally, fixed rates of return are reserved for utilities or monopolies. While it is no doubt true that the MMS could, if they wished, disapprove the cost figures turned in by any company, it would be virtually impossible for companies and individuals to challenge such overcharges. In some instances, this 50% allowable deduction could cause a company to use a non-arm’s length transportation system instead of a much cheaper existing system just so the costs of the entire system could be charged to the royalty. Even though this certainly is not the intent of the MMS forms, this is likely to be only one of several unfortunate results.

II

Laws defining the point where the value of oil and gas is determined may vary from state to state. The AIPG is concerned that an incentive would be created for some companies to alter, as much as possible, to the point at which the value of oil and gas could be determined, in order to take advantage of the 50% deduction allowance. If gas has no value at the well where it is produced, then it is logical to conclude that oil has no value until it has been through a refinery and is in saleable form. Or, why not move oil or gas across several states to a sales point so the royalty could be charged for the transportation, dehydration and compression costs?

III

The MMS may lend credibility to a new principle called “COST MEETING”. Companies using this principle may take the position that a “market value” for gas is determined by deducting every cost imaginable prior to establishing the value of the product. The MMS forms suggest that such things as depreciation, overhead, so-called manufacturing costs, return on investment, dehydration, plant separation of products, etc. may be deducted from the sales proceeds of the individual products prior to the payment of any royalty. In one case, this principle has already resulted in a total non-payment of royalty. In the future, all lease forms would have to be drastically altered to take the deceptive new ideas into account.

IV

Although this problem exists only on federal leases, most federal units contain state and fee leases as well. Obviously, any MMS actions will cause immediate attempts to apply the same principles to state and fee leases. The courts would be flooded with a variety of cases.

Over a period of many decades, the oil and gas industry has evolved a marketing system that, even though not perfect, was reasonable, fair and equitable and readily understood. Certainly everyone knew that overhead, depreciation, return on investment, supervision, etc. were all involved in the marketing process. But, each individual company took care of these costs in a wide variety of ways. The industry has “posted prices” for oil and, in most cases, for gas as well. There is a relatively simple answer. The Wyoming Legislature should enact the “Oklahoma Solution” (a bill now before their legislature) which clarifies the definition of royalty interest “as being free of all costs, unless otherwise clearly specified in the lease.”

Roy H. Guess, Chairman Governmental Affairs Committee
Wyoming Section, AIPG

Section Editor’s Note: The “Oklahoma Solution” that Roy refers to is a bill pending in the Oklahoma legislature. It states, “Unless expressly provided for by specific language in an oil, gas or oil and gas lease agreement, the terms “royalty” and “excess royalty” shall be non-cost-bearing interests, free of all costs and expenses including but not limited to, operational expenses, fuel expenses, injection costs, cost of processing, cost of transportation, cost of marketing, cost of compression, cost of dehydration, cost of separation of liquids and cost of sale or distribution.” According to Roy, the Montana legislature has already enacted legislation with language similar to that proposed by Oklahoma.

The “Leases Numbered and Gas Royalty Act of 1987” Federal Register, Vol. 53, No. 37, established the guidelines for determining royalty value prices with a final statement that, “Royalty value will be determined considering any MMS approved transportation and processing allowance.”

MEMBERS IN THE NEWS

Dr. Raul A. Deju has joined Thortec International, inc., as chief executive officer of URS Consultants, Inc., the company’s wholly owned, domestic professional services subsidiary. Thortec International is a New York Stock Exchange-listed firm with worldwide operations conducted through a network of more than 50 offices. URS Consultants, Inc. provides overall program/project management, environmental engineering services, hazardous waste studies (RI/FS, feasibility assessments, design, and remediation), groundwater services and a broad range of engineering and architectural design, planning and other services.
This illustration is from an ongoing study of membership which has been undertaken by 1987 AIPG Secretary Stan Johnson. The June issue of TPG will provide further details. This graph shows the birth-year intervals of our membership. Most born in the period 1896-1925 are now retired. Retirees comprise 16% of AIPG membership. An additional 16% (the 1926-1930 birth-year interval) will likely transfer to retired status in a few years. The need to recruit younger members hardly requires further comment.

APPLICATIONS RECEIVED

Applicants for certification must meet AIPG’s standards as set forth in its Constitution on education, experience and competence and personal integrity. 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.


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NEW MEMBERS
(as of April 15, 1988)

ARCHER, Jerry A., CPG 7453, Clinton, TN
IMSE, John P., CPG 7454, Barrington, IL

NEW ASSOCIATES
(as of April 15, 1988)

*FABIAN, Robert S., A395, Lawton, OK
*GLEN, Sidney E., A396, Northbrook, IL
*SCHACKNE, Michael L., A397, Orlando, FL

*Associates accepted if applications were in processing before December 31, 1987.

IN MEMORIAM

Frank J. Bell, 81, CPG 66, died Thursday, February 4, 1988 in Harlingen, Texas.

He joined the Carter Oil Company in 1943 in Carmi, Illinois, where in 1944 he became an independent geologist. In 1957, he joined the faculty of the Department of Geology at Southern Illinois University at Carbondale, remaining there until his retirement in 1972.

The purpose of AIPG is to strengthen the geological sciences as a profession with all reasonable actions, to establish professional qualifications, to certify those qualifications to the public, and to evaluate continuously the ethical conduct of its members. Further, the institute establishes ethical standards to protect the public and geological sciences from nonprofessional practices, monitors governmental and other activities affecting the geological sciences, and communicates with the public.