AIPG 1991 ANNUAL MEETING
“Energy vs. Environment”

The 1991 Annual Meeting will be held in Gatlinburg, Tennessee, a small mountain resort town located in the foothills of the Great Smoky Mountains.

This east Tennessee setting, known world wide for its exceptional fall colors and natural beauty, is also home to such energy giants as Oak Ridge National Laboratory and the T.V.A. (Tennessee Valley Authority). Your visit to east Tennessee will allow you to view the harsh contrasts and competition between environmental concerns and energy needs.

Program will include:

- Field Trips
  - Energy installations
  - Environmentally Sensitive Sites
  - Appalachian Geology
  - Historic Interests
  - Beautiful Scenery

- Professional Development Seminars

- Technical Sessions
  - Invited Papers
  - Policy Issues
  - Education
  - Professionalism
  - Tutorials

- Open Forum and Panel Discussions on the Future of Professional Geology and AIPG

- Social Activities
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- Awards
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Plan now to attend the annual meeting in Gatlinburg, Tennessee
October 16-19, 1991

Meeting Headquarters will be:
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Gatlinburg, Tennessee

Look for details in subsequent issues of The Professional Geologist
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On Our Cover
The Grand Canyon, Arizona, view southeast from Pt. Sublime (north rim). Photograph taken by William V. Knight.

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 non-professional practices, monitors governmental and other activities affecting the geological sciences, and communicates with the public.

Prepared under the direction of national AIPG Editor Thomas Z. Jones and AIPG Headquarters Publications Specialist Wendy J. Davidson.

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This official publication of AIPG is distributed to the Institute's members throughout the United States, Canada, and abroad.
President's Message

Haydn H. Murray

AIPG has a very full agenda for the remainder of 1991. The largest issue facing us is the Mining Law revision issue. As you are probably aware, two bills have been presented (Senator Bumpers and Rep-resentative Rahall). I have appointed an ad hoc committee to prepare a position paper and to possibly present oral testimony on behalf of AIPG at hearings conducted by the House and Senate subcommittees. The AIPG committee is chaired by Robert S. Friberg. Please contact Steve if you have particular suggestions or wish to have input into the position paper. His address is: P.O. Box 8252, University Station, Reno, Nevada 89507, and telephone is: (702) 345-0408. I personally believe that the 1872 Mining Law is basically good and may need some minor revisions, but not a major overhaul.

The planning for the 1991 annual meeting in Gatlinburg, Tennessee, on October 16-19 is well underway. The theme for the meeting will be “Energy Versus Environment” which should generate considerable interest among our members. Make plans to attend this meeting if you can. Let's go: a record attendance this year. The chairman of this meeting is Larry Weber.

An interesting and informative article entitled “Suspect Minerals and Human Health - A Commentary” by Malcom Ross, President of the American Mineralogical Society, appeared in that organization's newsletter “The Lattice”, Vol. 7, No. 1, February 1991. I highly recommend that you read this article. If this publication is not accessible to you write me and I'll send you a xerox copy.

Thanks to all Members who have agreed to serve on our AIPG standing ad hoc committees. I am very pleased at how easy it is to get our Members involved in the very important committee work which is the lifeblood of AIPG.

1872 Mining Law Under Review...

Representative Nick J. Rahall II (D-WV), Chairman of the House Subcommittee on Mining and Natural Resources, has announced that the subcommittee will hold field hearings on H.R. 918, legislation introduced by Mr. Rahall to replace the 1872 Mining Law. Hearings are scheduled as follows:

- April 12 - Denver, Colorado
- April 13 - Reno, Nevada
- May 9 - Santa Fe, New Mexico
- Date to be established - Missoula, Montana
- May 27 - Alaska

Specific locations for the hearings will be announced by the subcommittee in the near future.

It is extremely important that the mining industry including explorationists be represented in force at these hearings. MEC encourages you as individuals to request time to appear and testify. Your request should be in a letter addressed to the subcommittee as follows:

The Honorable -
Nick J. Rahall II, Chr.
Subcommittee on Mining and Natural Resources
Committee on Interior and Insular Affairs
U.S. House of Representatives
Washington, DC 20515
What Does the AIPG Do For Me?

Lyle Bruce, CPG 7714

Occasionally the question arises, what do I as a geologist get for my AIPG yearly dues? Why is there no scientific journal such as the AAPG Bulletin, GSA Bulletin, or Journal of Geology? The simple answer is that AIPG is not a research organization. It is a professional organization whose purpose “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.” These are very large tasks. They are tasks that are necessary in today’s environment to insure that the geological sciences are recognized as a separate and vital profession in our society. Many professions, such as the engineering, legal, and medical disciplines, have established qualifications which are recognized by the public and by law. Usually these are professions where the public welfare is served by establishing these qualifications. Today, the public welfare is not being served when there is no definition or established qualifications to be a professional geologist. Contrary to public opinion, geologists, for the most part, are not eccentric “rock knockers” whose expertise is only necessary for determining why the dinosaurs died, or what that pretty rock is that Suzi found in the park. Geologists serve vital societal needs, such as finding and evaluating mineral resources, protecting and remediating our groundwater and surface water resources, identifying and evaluating geologic hazards, preserving natural habitats, and teaching the skills necessary to do all of the above.

Many geologists feel threatened by the establishment of qualifications. They shouldn’t. If they have the education, experience, and ethics necessary, geologists have nothing to worry about. They do need to worry about the increasing trend of unqualified people attempting tasks best suited to a geologic professional. Engineers (electrical, chemical, civil, and others), lawyers, politicians, bureaucrats, and real estate developers are making geologic evaluations for which they are not qualified. Investors are making decisions based on reports made by “geologists” and “oil men” who have never had geology 101, and consider everything either “sand” or “shale”. State regulatory commissions are accepting subsurface evaluations from “geologists” with no formal training, and no experience other than leaning on a pickup truck. The public deserves some type of guidance, some protection. The public welfare would be served by, at a minimum, defining what a professional geologist is or by registering as professional geologists those who meet certain qualifications.

Who should write these qualifications? Geology is a broad field with many disciplines that overlap with other fields of study such as engineering, chemistry, biology, physics, and environmental science. AIPG feels that professional geologists should define what a geologist is. Also, professional geologists working in conjunction with other professionals, such as engineers, should, where needed, define qualifications for specific areas of expertise where overlap exists.

What good are definitions and qualifications if they are not a part of public or legal record? What good are these things if they are not a part of public awareness? In general, professional qualifications are regulated by the states. Most of us work in more than one state, and have little enough political influence in the state where we vote. What can we do to promote the welfare of our profession, and our livelihoods? What can we do to protect the integrity of our chosen field, and promote ethical behavior among our peers?... We can come together in a professional organization... AIPG.

AIPG monitors existing and proposed legislation in all fifty of the United States, and in Europe and South America. The organization has been instrumental in establishing reasonable qualifications in some states, and defeating unreasonable or inappropriate rules in others. In some states, such as Indiana, membership in AIPG automatically qualifies one for registration as a professional geologist. AIPG promotes education in geology and earth sciences, and has an established public awareness and education program. Professional geologists also need to be represented in Washington. The Congress, Environmental Protection Agency, Department of the Interior, Department of Energy, Nuclear Regulatory Commission, and the Department of Education, (just to name a few) all occasionally require input from professional geologists if our profession is to remain a viable and contributing arm of the scientific community. I would not be surprised if at some future date the organization becomes the International Institute of Professional Geologists. This may be accelerated by the establishment of the European Economic Community, and the discussions therein concerning defining and qualifying earth scientists.

What does AIPG do for me? It gives me a voice among my peers and then speaks for me with a voice much louder than I alone could have. The world is not perfect. There are places where there are no rules concerning our profession. There are others where existing rules are worse than no rules. If the price of peace is eternal vigilance, so too is the price of maintaining our profession.
Testimony on Oklahoma Senate Bill 31

Charles J. Mankin, Director, Oklahoma Geological Survey, Norman, Oklahoma

Thank you, Mr. Chairman. I am Charles J. Mankin. I am here today to testify in support of Senate Bill 31, the geology definition bill. By way of background, I serve as Director of the Oklahoma Geological Survey and professor of Geology at the University of Oklahoma. I am completing my 32nd year at the University, having served as Director of the School of Geology and Geophysics for 14 of those years. I am now in my 25th year as Director of the Survey, having served in a combined directorship of the School and Survey for 11 years.

Mr. Chairman, the science and profession of geology has been important to the State of Oklahoma throughout its history. The world’s first School of Petroleum Geology was located at O.U. shortly after Statehood. The late Dr. Frank Melton developed the science of photogeology and taught the first courses offered in that subject in the late 1930s. One of the two most important technologies used in petroleum exploration, the reflection seismograph, was developed by the late Dr. Clarence Karcher at O.U.

In recent years Oklahoma State University has developed a very strong and important program in hydrogeology. Water, life’s most essential resource, is being well served by the important teaching and research being conducted in that field at O.S.U.

Thus, the application of the science of geology has been very important in the economic and cultural development of our State. Professional geologists have been instrumental in the discovery of more than 313 billion barrels of crude oil and almost 100 trillion cubic feet of natural gas in Oklahoma since Statehood. They have identified and delineated tens of billions of dollars of coal and non-fuel mineral resources, such as gypsum, glass sand, high-purity limestone, ceramic clay, and sand and gravel. In recent years, work on groundwater development and aquifer protection, and identification and mitigation of natural hazards (such as earthquakes, land subsidence, and radon gas) are making important contributions to economic development and improvements in our quality of life.

You may be wondering, Mr. Chairman, what does this have to do with Senate Bill 31? Because of the successful role that geology has played in the economic development of Oklahoma, its practice is widely recognized in the State. However, not all who profess to practice geology have the academic background and experience to do so. Because the public is generally unaware of the qualifications needed by an individual to perform as a professional geologist, this bill sets forth the minimum qualifications necessary for such practice. Such legislation could be developed in several forms, the same purpose could be achieved either by registration or certification. I favor the definition approach because it does not require the establishment of a registration board, and does not, as a precondition, limit an individual’s right to practice geology. Rather, it sets recognizable standards that are available to anyone who wishes to evaluate the credentials of an individual who offers their services as a professional geologist. State certification is, in my opinion, a weak form of registration, that has few of the advantages of registration and most of the disadvantages.

You may ask, Mr. Chairman, why has this need been identified now when the professional practice of geology has been important in this State since the early 1900s? In earlier years most of the geological activity was confined to petroleum exploration and development. In such circumstances, the professional geologist was dealing, for the most part, with knowledgeable participants in the petroleum industry. As such, it was more of a self-regulating process. However, today the practice of geology is directly affecting a broader segment of the public. Work on siting of landfills, aquifer protection, geotechnical activities related to construction, and mitigation of natural hazards are an increasing part of the professional geologist’s activity. For these reasons, I believe the State has a responsibility to its citizens to provide the guidance as set forth in Senate Bill 31.

Finally, Mr. Chairman, this action is not unique among the states. As noted on the attached “fact sheet”, 20 states already have some form of identification of the professional practice of geology. Of these, 12 have registration laws, 3 use certification, and 5 accomplish the purpose through definition. In addition, 7 states have legislation pending. (The fact sheet notes 6 states, but I was advised recently that Wyoming is considering additional legislation).

Mr. Chairman, based upon the experience of those states with definition bills, I believe that Senate Bill 31 will fulfill a need in our State and will accomplish its intended purpose. I therefore urge its adoption.

Thank you for allowing me to present these views.

Editor’s Note: Senate Bill 31 passed the Senate and was defeated in the House, owing to “unidentified” opposition.
Mining Claim Holding Fee

The 1992 Department of Interior budget, submitted to Congress recently as a part of the President's budget proposal, once again includes the $100 per year payment to the government to replace the annual assessment requirement for unpatented mining claims. The Bureau of Land Management has estimated that this holding fee would generate $97.5 million in fiscal 1992. This amount would be divided with $5 million going to the BLM for administering the fee; $12.3 million to fund operations of BLM's Mining Law administration Program; and the remaining $80.2 million going to the general fund of the U.S. Treasury. This calculation assumes that in 1992, 975,000 of the presently estimated 1.2 million unpatented claims would be maintained; slightly more than 80%. This is the same provision that was included in the budget proposal one year ago that was subsequently defeated during the long budget debates last fall.

MEMBERS IN THE NEWS

Ted H. Eyde, CPG 2512, President of GSA Resources, Inc., Cortaro, Arizona, was installed as President of the Society for Mining, Metallurgy, and Exploration (SME), Inc. during SME's Annual Meeting, February 25-28, 1991, in Denver, Colorado.

Eyde has concentrated on the exploration for and development of specialty industrial minerals through exploration ventures and acquisitions.

B. V. Rao, CPG 7512, an Associate with Geraghty & Miller, Inc., will manage the newly-consolidated offices relocated in Rochelle Park, New Jersey. Dr. Rao was previously the Office Manager at the Hackensack, New Jersey location. With over 20 years of professional and supervisory experience in research, teaching, and consulting of hydrogeology, field geology, geochemistry, water quality, geophysics, and geostatistics, Dr. Rao commented that "environmental problems of today can be solved only by a multi-disciplinary team of professionals working together."

John M. Wilson, CPG 2083, manages the Tampa office of Geraghty & Miller, Inc. During his 30 years of industry and government experience, Mr. Wilson has been responsible for management, technical oversight, and personnel direction on a wide variety of projects. His project experience includes hazardous waste management, mining, environmental impact, and ground-water assessment and rehabilitation projects.

Richard E. Gray, CPG 1257, of GAI Consultants, Inc., Monroeville, Pennsylvania, was recently selected as a 1991 recipient of the ASTM Award of Merit. This award is given to the American Society for Testing and Materials' members who have made an outstanding contribution to the advancement of voluntary standardization. The honorary title of Fellow accompanies the award.

VISITING PROFESSOR - GEOMORPHOLOGY

The University of British Columbia

The Department of Geological Sciences, Geological Engineering Program, at The University of British Columbia invites applications for a one-year appointment as a Visiting Professor. Responsibilities include teaching of undergraduate courses in geomorphology and airphoto interpretation/remote sensing, and interaction with undergraduate and graduate students, particularly those in the Geological Engineering Program. The successful applicant will also have the opportunity to carry on an active research program in their area of expertise while in residence at UBC. Applicants must have a Ph.D. The appointment level is open and will begin September 1, 1991. Salary will be commensurate with experience.

In accordance with Canadian Immigration requirements, priority will be given to Canadian citizens and permanent residents of Canada. UBC Employment Policy encourages qualified women and minority applicants to apply.

Applications including resumes, a statement of research interests, and the names of three referees should be sent to Dr. R. L. Chase, Acting Head, Dept. of Geological Sciences, The University of British Columbia, Vancouver, B.C., V6T 1Z4. Deadline for applications is July 1, 1991.

THE GRADIENT STOPS HERE!


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The Days of Wine & Roses Bush FY-92 Budget Makes Debut

The Administration has submitted its FY-92 budget proposal to congress for consideration. The annual budget submittal ritual is the key administrative event in the federal government year. The Budget represents, of course, the Administration’s aspirations for FY-92, commencing October 1, 1991. This budget version consists of “want and need lists” from all federal agency activities in the Executive Branch. Congressional review of the Bush budget is now underway. For career Fed’s, these are the heady “days of wine & roses” as programs—“their very own—are being justified “on the Hill” for congressional support.

The budget justification process resembles a debutante season. It is the time of the annual round of “coming out” balls and parties for that ever popular dep—“Rosie Scenario”. As always, “Rosie” is escorted to the numerous congressional committee hearings “coming-out parties” by a “significant other”. “Rosie’s” long-time steady is the ever engaging “Space Cadet, 1st Class, Blue Sky”, aka wide-open funding requests. The twosome, “Rosie Scenario” and “Blue Sky” represent the program objectives and supporting funding requests contained in the budget.

All in all, the Administration seems to have given “Geo-stuff” a fair shake for FY-92. Some programs at the Departments of Energy and Interior and the Environmental Protection Agency with geo-emphasis are targeted for increases. Almost any activity that can be tagged “environmental” looks like a winner. Remember, “Rosie” and “Blue” are the offspring of creative and clever parents - federal program managers and administrators talented in “making the system work”.

When the budget “deb season” concludes, the party’s almost over. Congress then provides the Administration with a real “reality” budget. The last ball held during the budget “deb season” is dedicated to the parents of “Rosie Scenario” and “Blue Sky”—the federal agencies. At this last dance, the final tune played, is invariably, “Is that all there is?”? The days of wine and roses are all over—until the next time.

Energy Policy—Hot Item

Energy policy is the current “cause de jour” for the Washington power base. Almost any and all persuasions have surfaced some version of a “national energy policy”. The current distraction about energy policy at this point, is, now too many versions and not always enough substance.

The Administration energy policy has surfaced with a double barrel focus. To boost domestic production by 3.8 million barrels/day and reduce demand by 3.4 million barrels/day by the year 2010. Increased alternate fuel-use, particularly for automobiles, and emphasis on enhanced recover capability are key elements of the strategy. Natural gas also gets a big boost. Detractors consider the Bush plan too weak on conservation measures.

The Senate has weighed in with its own comprehensive energy policy in the form of bill, S.341. The co-sponsors of S.341 are Senator Bennet Johnston (D-LA) and Senator Malcolm Wallop (R-WY). S.341 has several significant facets. One is bipartisan clout. Sen. Johnston is the Chairman, and Sen. Wallop is the ranking minority member of the Senate Energy Committee. This bill also mirrors many aspects of the Bush strategy. A key point of S.341 is the provision to use royalties realized from ANWR exploration to fund conservation initiatives contained in the bill. Detractors of S.341, however, believe the bill to be too weak on auto fuel efficiency requirements. Exploration of ANWR is also a sore subject.

The House of Representatives is generating so many energy related bills that its difficult to keep current. Thus far, clout-masters—Rep. Leon Panetta (D-CA), Chairman, House Budget Committee, and Rep. Philip Sharp (D-IN), Chairman, House energy and power subcommittee have major bills working. Rep. Norman Lent (R-NY) ranking member of the full House Energy and Commerce Committee is also readying an energy bill. These several major versions of energy policy are just beginning to be analyzed. Its safe to conclude that the administration and the congressional versions will eventually be melded into “some attractive & prospectively valuable acreage”. When? Even WAG-methodology can’t provide that estimate. It is useful to keep in mind, however, that 1992 will be an election year.

Fade-Out For FERC???

The Administration has surfaced a proposal that would abolish the Federal Energy Regulatory Commission (FERC) as an independent agency. FERC was established in 1977 as a successor to the Federal Power Commission. FERC is responsible for the regulation of interstate pipelines, hydroelectric installations, and interstate electricity sales. The functions and responsibilities of the five-member commission would be transferred to the Department of Energy (DOE). The proposed move would, according to the White House, “streamline regulation of natural gas and electricity generation. It will be easier to develop natural gas as an important alternative to imported oil.” Legislation necessary to implement the transfer of responsibility to DOE is scheduled to “accompany”, but not be a part of, the legislative package for the National Energy Strategy.

As a legislative initiative, the proposed FERC fade-out faces some tough times sloughing through congress. One major detractor of the proposition is Representative John Dingell (D-MI). Mr. Dingell is Chairman of the House Energy and Commerce Committee; the committee with jurisdiction over the legislative package.

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not slated to share in the "bennies". Save for supervisory expert personnel, the companies for the main part plan to employ Kuwaiti nationals.

**New Mining Law Reform Bill**

As promised, Rep. Nick Joe Rahall (D-WV) has introduced the newest version of his mining law reform bill, H.R. 918. This bill is more encompassing than the version Mr. Rahall proposed last year. H.R. 918 has a provision for citizen lawsuits, and a provision to establish an abandoned mine reclamation fund. This year's bill also eliminates patents; requires annual rental fee up to $5 dollars per acre; subjects claim retention rights to escalating diligence or in lieu payments; and requires land-use plans and plans of operations from BLM, the federal program managing agency.

**Some Real Shaky Evidence**

It is a given that the year 1990 was a time of much activity within the geo-political "fault zones" of the planet Earth. Now, according to data from the U.S. Geological Survey, it appears that the true faults zones of the planet also experienced much activity in 1990. There were 68 significant earthquakes at least 6.5 Richter; eight more than the annual average for the previous decade. In 1990 there were eleven earthquakes of 7.0 Richter or greater. Earthquakes of this magnitude were the most numerous in five years.

**Office of Government Ethics**

Interim rule 5 CFR Parts 2637 & 2641 Post-employment conflict of interest; exemption procedures and agency component designations for the Executive Branch. Effective date: January 1, 1991. Contact: Julia Loring (202/FTS) 523-5757. 56 FR 3961.

**Environmental Protection Agency**

Interim final rule 40 CFR Part 261 Hazardous waste management system; identification and listing of hazardous waste toxicity characteristic; hydrocarbon recovery operations. Effective date: February 1, 1991. Contact: Dave Topping (202) 382-7737. 56 FR 3978.

Notice of alternative method Underground injection control program; approval of oxygen activation method mechanical integrity test for Injection Well Classes I-V. Effective date: March 4, 1991. Contact: Jeffery Smith (202) 382-5586. 56 FR 4063.

Request for comments 40 CFR Ch. 1 Underground Injection Control Class II Wells; intent to form an advisory committee to negotiate amendments to regulations. Contact: Jeffery Smith (202) 382-5586. 56 FR 4957.

Notice of intent to form an advisory committee to negotiate guidelines and proposed regulations implementing clean fuels provisions. Contact: Carol Mennings (313) 666-4575. 56 FR 5168.


The death toll from earthquakes in 1990, was the most significant since 1976. Worldwide, 52,000 deaths were attributed to earthquakes; 50,000 alone in June 1990 from a 7.7 Richter earthquake in western Iran.

**Fore!!! A New Enviro-Concern**

Golf? Yes, Golf! The current craze to play the ancient game of golf is now the latest cause for environmental concern. The popularity for the game is creating a need to develop more and more golf courses. Golf courses not only require considerable acreage, but allow very limited land utilization. Courses are usually developed near water sources, and as pesticides and fertilizers necessary to maintain the courses can pollute and contaminate water supplies. A well maintained eighteen-hole golf course, consumes about 1.5 million gallons of fresh water a day.

This most recent eco-conflict is particularly acute in areas that are already poor in undeveloped land and adequate water supplies needed by growing populations. California and Hawaii, for example, are two states that are experiencing near crises in population growth. They are also experiencing proliferation of much golf-course development. The Mayor of Honolulu and the Governor of Hawaii have offered a real bogy solution. The imposition of a $100 million dollar impact fee to be levied on each new golf course.

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Final rule 48 CFR Part 1537
Acquisition regulation concerning advisory and assistance services. Effective date: March 18, 1991. Contact: Marilyn Torpey (202) 245-3941. 56 FR 5957.


Federal Energy Regulatory Commission


U.S. Forest Service


Department of Energy


Record of Decision: Superconducting Super Collider. Contact: Manger, SSC Project Office, 1801 North Hampton Avenue, DeSoto, Texas 75115. 56 FR 5198.


Department of Housing & Urban Development


General Services Administration

Proposed Rule 41 CFR Part #101-8 Enforcement of non- discrimination on the basis of handicap in federally assisted programs. Contact: Myrtle Cood (202) 501-0702. 56 FR 5380. [Modification Uniform Federal Accessibility Standards (UFAS) requirements for fed. assist. programs]

Department of Interior

Proposed order Oil, gas, and potash leasing and development within the Designated Potash Area of Eddy and Lea counties, N.M. Contact: Donal Ziehl (202) 208-7722. 56 FR 5697.

Notice of availability 43 CFR Part 20 Employee responsibilities and conduct, appendix c. Effective date: December 1, 1991. Contact: Gabriel Paone (202) 208-5918. 56 FR 6991. [Re: DOI positions requiring financial interests disclosure]


National Science Foundation

Proposed rule 45 CFR Part 689 Misconduct in science and engineering. Contact: Monte Fisher (202) 357-9457. 56 FR 5789. [research issues]

Office of Surface Mining Reclamation & Enforcement


Securities and Exchange Commission


Department of Justice

Notice of proposed rulemaking 28 CFR Part 36 Nondiscrimination on the basis of disability by public accommodations and in commercial facilities. Contact: John Wodatch (202) 514-0301. 56 FR 7452.

Proposed rule 28 CFR Part 35 Nondiscrimination on the basis of disability in state and local government services. Contact: John Wodatch (202) 514-0301. 56 FR 8538.

Internal Revenue Service

Notice of proposed rulemaking 26 CFR Part 48 amending the gasohol regulations to modify the tolerance allowed to the 10 percent alcohol requirement and the later blending rule. Contact: Edward Madden (202) 535-9758. 56 FR 7627.

Department of Transportation


U.S. Fish and Wildlife Service

Proposed rule 50 CFR Part 18 Marine mammals; incidental take during specified activities. Contact: Mimi Hogan (907) 786-3599. 56 FR 7645. [Re: oil and gas exploration - Chukchi sea]

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Minerals Management Service


Equal Employment Opportunity Commission


7-11-21 A Losing Combination?

First introduced as S.2061 in the 99th Congress, the infamous California Desert protection Act had its third reincarnation as S.21 in the 102nd Congress. Introduced on behalf of the ailing Senator Alan Cranston (D-CA) by Senate Majority Leader George Mitchell (D-ME) on January 14, this bill is essentially the same as previous attempts to designate 4.5 million acres as wilderness and create a 1.5 million acre Mojave National Park. The bill would also redesignate Death Valley and Joshua Tree National Monuments as National Parks and would enlarge both areas by including additional contiguous BLM lands deemed as “national park quality”. Several minor changes were made in the revised bill with one interesting new section added, which states: “The Congress does not intend for the designation of wilderness areas in Section 102 of this Act to lead to the creation of protective perimeters or buffer zones around any such wilderness area. The fact that non-wilderness activities or uses can be seen or heard from areas within a wilderness shall not, of itself, preclude such activities or uses up to the boundary of the wilderness area.”

A study conducted during 1990 by U.S. Bureau of Mines geologists in the East Mojave National Scenic Area, which is the area of the proposed Mojave National park, identified metallic and non-metallic mineral resources valued at an estimated $7.7 billion. This 1.5 million acre area constitutes about 6% of the entire California Desert Conservation Area which has been the object of an extensive planning effort by the Bureau of Land Management with the cooperation of all of the users of the desert.*

AIPG to Participate in New Geoenvironmental Forum

The need for more public accountability has led five national organizations to initiate The Geoenvironmental Forum. The Forum’s mission is “to provide a medium through which involved professional and technical organizations identify standards of practice and guidelines for professional qualifications in the rapidly evolving geoenvironmental field.” Founding organizations include ASFE/The Association of Engineering Firms Practicing in the Geosciences (ASFE), HWAC/an association of engineering and science firms practicing in hazardous waste management (HWAC), Association of Engineering Geologists (AEG), American Institute of Professional Geologists (AIPG), and Association of Ground Water Scientists and Engineers (AGWSE).

The Forum’s next meeting is slated for May 6, in Denver, Colorado. ASFE Executive Vice President John Bachner has been appointed secretary pro tem. He will be receiving expressions of interest from other groups, as well as lists of specific objectives which will be submitted by the founders. Mr. Bachner can be contacted c/o ASFE at 8811 Colesville Road, Suite G106, Silver Spring, MD 20910; Telephone (301) 565-2733; FAX (301) 589-2017.*

Colorado and Montana Forest Service Wilderness

Representative Ben Nighthorse Campbell (D-CO) has introduced proposed legislation as H.R. 762 which would designate 644,000 acres as wilderness in Colorado. Colorado, Idaho and Montana are the three states which have not yet completed action on Forest Service Rare II lands as wilderness. Campbell’s bill does not contain the controversial Federal water rights provisions which has stalled action on the measure up to the present. Campbell has further stated to the Colorado senators that he “will adjust my bill to whatever they agree to.” Senators Timothy Wirth (D) and Hand Brown (R) are currently attempting to agree on senate legislation to resolve this wilderness issue. The two principal areas of negotiation between the senators are the water rights issue and boundaries of the proposed areas.

In a related action, Senator Baucus (D-MT) reintroduced his specific legislation on two of the National Forests in Montana as S.72. This bill, which Baucus maintains was agreed to by representatives of the various interest groups, would set aside approximately 53,000 acres in the Lolo and Kootenai Forests as wilderness while releasing more than 300,000 acres to multiple-use management.*
INTERSOCIETY COMMUNICATION

William V. Knight

These are turbulent times for geologists. What with recessions in the oil and mining industries, a whole new and booming hazardous waste industry, movements to certify environmental specialists, register geologists, etc., the oft-expressed nostalgia for "the good old days" is understandable. Many of us can remember when most geologists worked in either academia, government, mining or petroleum and belonged to the GSA, Aapg AIME and/or SEG. This was before the rise of AGI, AIPG, AEG, AGWSE, AIH, SIPES, etc. Geologists did what they did and engineers did what they did and both, sometimes, did what the other did and there was only occasional talk about it.

How times have changed!

The current activity for registration in the various states is being pushed by a variety of groups. The only organization I know of which has taken a nationally active role in seeking registration of geologists is the Association of Engineering Geologists. Some of the AIPG Sections are leading the charge within their own geographic areas. Some were doing so even before such activity was officially countenanced by our national organization. As you all should know by now, the position of AIPG is that we prefer our certification to registration, but if the geologists in a jurisdiction find that registration is necessary to protect the public health, safety and welfare in that jurisdiction, then the national organization will help them work for it.

As in every controversial situation, disagreements and misunderstandings abound. Rumors fly about. Some are based on fact, others on fiction. AIPG, AEG, AAPG, SIPES and the rest of the alphabet of geologic organizations are each accused (and sometimes accusers) of action, or inaction, that is thought to be damaging to the profession. We talk too little and we talk too much. In an effort to bring tempers down to the boiling point (hopefully, well below), my respected friend, AEG's Bob Tepel, suggested recently that we all try harder to check our facts before we speak and that we try harder to work together for the common good. I concur. It is well known that AEG and AIPG disagree on the subject of specialty registration. Consequently, our Members have sometimes neglected to include each other in "the loop" when carrying on registration activities. This needs to be corrected. Bob tells me that, contrary to earlier reports (which he assures me are untrue), AEG's Sections have been instructed to coordinate their registration activities with other affected geological organizations in any jurisdictions where they seek registration. Our Members should do the same.

All geological societies, both locally and broadly based, should strive for cooperation, whether in seeking registration or in any other activity that potentially affects the profession. This starts with communication. The obvious focus for such communication among the national societies should be the one continuing office in each organization, i.e., the Executive Director, or similar official. As Executive Director of AIPG, I have established contact with my counterparts in most of our major technical societies, most notably, AAPG, AEG, AGWSE, and SME, plus AGI. They are all very competent, ethical professionals, dedicated to furthering the profession. A good, cordial working relationship is possible. But, it can be only as effective as our Members, through their help and cooperation, will let it.

Therefore, for the good of the profession, when you hear or see, or think you hear or see, activity that affects multiple sectors of the profession, please talk to us about it. We will try to check it out. And, when you embark on some course that may affect more geologists than yourself, please include representatives of the other affected group(s) in your deliberations. And continue to keep us abreast of what you are doing. In short, communicate!

We need to find and emphasize points on which we can agree, and strive to minimize our differences. Both those who seek change and those who would preserve the status quo must remember: You cannot sail directly into the wind. You sometimes have to tack to reach your objective. And, running afoul of other craft can be disastrous for all. The best way to avoid this is, again, Communicate.
Summary of Executive Committee Meeting

Larry R. Rhodes, CPG 2250

The Executive Committee held its winter meeting on January 12, 1991, in Bloomington, Indiana. A brief summary of the business conducted is presented.

Secretary Larry R. Rhodes reported that, after a final review, a copy of sample Section Bylaws will be distributed to all Sections for use as an example. Each Section must then submit their new Bylaws to the National Executive Committee for approval.

Treasurer Dale O. Reese reported that we have had some additional costs as a result of extra printing for Candidate for Certification and Student Affiliate forms and work on the revisions to the proposed Model Registration Law.

Editor Thomas Z. Jones would like to see changes made in TPG. These changes include the increased use of color, an increase in the number of pages of each issue to allow for both editorial and advertising content and publish TPG in an expanded, magazine-type format every other month with intervening monthly issues similar to the current publication. It was decided to delay implementing changes until the next Executive Committee meeting so a cost study and editorial calendar could be developed.

Past President Susan M. Landon thanked the Headquarters staff as well as others for their work during her tenure as President. She also recommended that a committee be formed to look into long range planning.

President Haydn H. Murray will discuss the AGI advocacy situation with its Executive Director, Chip Groat, as one of his immediate goals. President Murray will appoint an Ad Hoc Committee on long range planning.

Executive Director William V. Knight recommended acceptance of a proposal by Ed Nuhfer to help the Institute complete, publish and market AIPG publications. Mr. Nuhfer's tasks will include both editorial and marketing functions. In addition, Mr. Nuhfer will begin preparing proposals for grants to help pay for actual publication costs.

According to Executive Director Knight, the AIPG Directory is being used by others as a mailing list since it is currently priced so reasonable. It was decided to charge a higher price to those who might use it in this way to discourage this practice, although it will not eliminate it.

President-elect Daniel N. Miller, Jr. suggested generating a survey of the members for input before acceptance of Thomas G. Fails' recommendation concerning an International Geologic Data Depository. This Data Depository would obtain, catalog, store, and make available to AIPG members published geological and geophysical data from countries outside North America. See survey questionnaire in March TPG.

The Executive Committee approved a suggestion to recommend Ruth Anna as a consultant to AIPG sections hosting annual meetings.

Robert A. Northcutt, Chairman of the National Screening Committee, reported that Travis Hughes has resigned from the Committee and a replacement will have to be appointed.

Executive Director Knight and Administrative Manager Carol Beckett led a discussion of housekeeping details related to the Headquarters office. Executive Director Knight's recommendation of a new set of Personnel Policies for the office staff be accepted by the Executive Committee.
Colorado Geological Survey Dodges Bullet, But its Future Remains Cloudy

Your Legislative Review Committee has just completed a period of intense activity. John Rold, State Geologist, described a threat to the Colorado Geological Survey (CGS) at the September, 1990 meeting which brought a number of new members to the Committee. The Consulting Engineers Council of Colorado (CECC) had filed a complaint with the State Office of Regulatory Reform (ORR) alleging unfair competition with private sector consultants by the CGS, as a consequence of the Survey’s cash funded activities. A bill which, if enacted, would probably destroy the Survey had been proposed by CECC for introduction during the current session. 

In 1983, the Legislature cut back severely on direct funding to the CGS, while authorizing the Survey to charge fees for services on direct funding to the CGTS, while authorizing the Survey to charge fees for services previously provided, mainly to local governments, at little or no cost. Direct funding has remained at levels so low that CGS’s survival might be threatened without cash funding. The Legislative Review Committee reviewed the proposed bill, the complaint, the statutes establishing and regulating the CGS, and the Department of Natural Resources (DNR) response to the complaint. We also interviewed CECC representatives in order to obtain their views on the complaint and to discuss the proposed legislation. CECC is composed of about 250 member firms of consulting engineers; only about 15% of their activities are in the geologic area. We learned that the proposed legislation was being rewritten and would be introduced to “clarify” and “oversee” CGS’s cash funded activities. The complaint turned out to be only the second of its type filed with ORR since 1983. To help determine the extent of unfair competition by CGS, we polled all 472 AIPG members in Colorado (60% consultants), having received a copy of an informal, generalized complaint sent to John Rold by an AIPG member. This appears to be the only complaint against the CGS by a Colorado AIPG member. We concluded that while a potential for unfair competition by CGS with private consultants existed under present law, no convincing evidence of some existed, as all complaints were either in a “gray area” or unsubstantiated. A Committee concluded the complaint lacked substantial merit and should be dismissed. The ORR Board subsequently issued no decision on the complaint, as the Survey had already agreed to cease providing cash funded services to the private sector.

Two Legislative Committee members, Logan MacMillans (Chairman) and Tom Fails, were invited to join a Mediation Committee formed by Greg Romberg, who heads the ORR. Two CECC members and a DNR representative were also involved. The Mediation Committee was to deal with the CGS cash funded activity question, especially as it related to the proposed legislation, which was at the time in the hands of Legislative Drafting and known only to the CECC members. DNR proposed an Executive Order as an alternative, non-legislative means of alleviating CECC’s concerns. Agreement was finally reached on an Executive Order much less harmful to both the CGS and local government than the proposed bill, but only after the bill had been introduced and was scheduled for a Finance Committee hearing. This lead to five days of cliff-handing and AIPG lobbying which ended well, with the CECC bill being “postponed indefinitely” (i.e. killed) at the hearing by the sponsoring representative. The executive committees of the Colorado Mining Association and Colorado Section, SIPES endorsed and supported AIPG’s views of the bill. The accepted Executive Order merely provides for CGS non-competition in some types of private-sector financed work and for revisions in the composition and responsibilities of the already existing CGS Advisory Committee. In effect, the CGS dodged a possibly lethal bullet.

Did the Legislative Review Committee’s activities have any influence in all this? We will never really know. CECC, however, ended up with far less than they appeared to seek. Our principal goal is that Colorado should have an active, effective and competent Geologic Survey to meet the needs of Colorado's citizens. Our efforts may have helped avoid a further weakening of the Survey, which still faces substantial problems resulting from CGS's heavy dependence on cash funding. A Governor's Task Force studying the CGS found that heavy reliance on short-term cash funded activities had severely affected the CGS's performance in several areas of long-term importance to the state and that restoration of greater cash funding to the Survey should be considered. The Task Force report CGS Special Publication 32 (dated February, 1988) is required reading for the Committee. Recommendations will be made soon by the Legislative Review Committee to the Colorado Section Board concerning a “new agenda” for support and enhancement of the CGS. We hope to see the Survey return to long-term research in the economic development, geologic hazard, educational and environmental fields. The direct funding which would allow this to happen, while not immediately attainable, may be so in three or four year is a CGS constituency can be formed involving Colorado’s legislators, geologic community consumers, local communities, the public and extractive industry coalitions.

No report of the past few month's Committee activities would be complete without mentioning the very important role played by our legislative lobbyist Lynn Graf. Lynn lead us through the statutory maze which deals with CGS directly or in passing, was unflagging in our lobbying effort with the legislators (largely borne by herself), provided many effective ideas in dealing with the complaint and legislative problems, and sat through a number of apparently interminable Committee meetings. Great job, Lynn—we are proud of you!
Ohio
Section Enjoyed Talk by
PUCO Commissioner

Attendees at the February 21, 1991 Ohio Section meeting enjoyed an excellent talk by Commissioner J. Michael Biddison of the Public Utilities Commission of Ohio (PUCO). Commissioner Biddison spoke about the goals and activities of the recently formed Ohio Fuel Advisory Council, including progress in developing an Ohio energy strategy and in revision of the state energy emergency rules. He also talked about the organization and responsibilities of the PUCO and distributed copies of the annual report. In addition, various issues and concerns that will be addressed by the PUCO in evaluating the AEP cost analysis of scrubbers versus fuel switching at the Gavin Plant were summarized.

Monday, April 29, 1991
11:30 am - 1:30 pm (Red Lobster)
Speaker: William Knight, CPG,
Executive Director AIPG

William Knight will speak about geologist registration efforts around the country, the developing relationship between AIPG and the Association of State Boards of Geology, AIPG's efforts to institute accreditation of continuing education courses and the upcoming AIPG National Meeting in Gatlinburg.

Thursday, May 16, 1991
11:30 am - 1:30 pm (Red Lobster)
Speaker: Dr. Thomas G. Naymik


Dr. Naymik is head of the Department of Hydrogeologic Transport Assessment at Battelle Laboratories where he has worked for the past 7 years. He was with the Illinois Geological Survey for the previous 5 years where he developed codes and investigated solute transport processes. During his 2 years with Lawrence Livermore National Laboratory, he conducted radionuclide migration studies. He obtained his Ph.D. in Hydrogeology from The Ohio State University in 1977.

EXECUTIVE DIRECTOR'S ITINERARY
(subject to change)

The Executive Director is visiting various Sections, agencies, campuses, and other organizations. He is both talking and listening, exchanging information and ideas. Members are encouraged to attend these meetings wherever and whenever possible. His itinerary for the next four months, as presently scheduled, is:

April 7 - 10: American Association of Petroleum Geologists, (convention) Dallas, TX
April 13 - 14: Executive Committee, Arvada, CO
April 25: Pennsylvania Section, Pittsburgh, PA
April 30: Ohio Section and Ohio State Univ., Columbus, OH
May 6: Geoenvironmental Forum, Denver, CO
May 9 - 10: American Geological Institute, Alexandria, VA
May 25 - 26: European Federation of Geologists, Stockholm, Sweden
May 31: Northeast Section, Albany, NY
June 20 - 22: American Association of Petroleum Landmen, Denver, CO
July 13 - 14: Executive Committee, Arvada, CO

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Who Should Attend:
Geologic and engineering consultants, resource/land managers, investment bankers, academia, real estate appraisers, attorneys, regional planners and government personnel.

The Experts:

William J. Lang
President, Strata Power Co.; 38 years diversified experience in industrial minerals research; consultant with recent emphasis on comprehensive evaluation and appraisal programs; investigated more than 400 domestic and foreign mineral properties; active expert witness; extensive condemnation experience; Ph.D. in Geology, University of Illinois, 1965.

Haydn H. Murray
Professor of Geology, Indiana University; 40 years experience in minerals research, management and education; more than 100 mineral-related publications; current President of American Institute of Professional Geologists; Ph.D. in Geology, University of Illinois, 1951.

A. Frank Alsobrook
President, Alsobrook & Company; 25 years international experience in exploration, processing, development and management of 40 different mineral commodities; active in mineral investment and acquisition counseling with due diligence; M.S. in Geology, University of Wisconsin, 1965.

Richard B. Harper
Partner, Coward, Hicks and Harper, P.A.; 10 years experience as trial lawyer including recent million dollar industrial mineral condemnation cases; active in continuing legal education with recent emphasis on effective interaction of technical experts with legal counsel; J.D., Campbell University, 1981.

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Applications Received

(as of March 31, 1991)

Applicants for certification must meet AIPG’s standards as set forth in its Bylaws 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 MEMBER

WUOLO, Ray W., CPG 8064, Minneapolis, MN

NEW STUDENT AFFILIATES

JONES, David E., SA0004, Raleigh, NC

REISCH, Franz J., SA0003, Bloomington, IN

EDITOR’S NOTE

If you haven’t already done so, please mark your calendar - October 16 - 19, 1991. Why you ask?

Because a large group of "rockhounds" will be congregating in the mountains of Tennessee at the 1991 Annual Meeting of AIPG. Larry Weber, General Chairman for the meeting, reports that the scenery is spectacular in Gatlinburg in October. We will be meeting at the River Terrace Resort and Convention Center in Gatlinburg. The theme for this year’s meeting is “Energy vs. Environment” and Larry indicates that this subject should generate considerable interest from a wide cross section of geologists in the growing fields of environmental geology and hydrogeology, but of interest to all geologists.

The May issue of TPG will feature and detail the exciting events scheduled for us in the mountains of eastern Tennessee. We will meet, eat, trip, learn, and enjoy fellowship. So don’t forget, clear that calendar and join us in Tennessee!

T. Jones, Editor

APRIL 1991