



# Kentucky Geologists

Volume 13 Issue 1

April 2011

## Mission

The mission of the Board of Registration for Professional Geologists is to regulate the public practice of geology in the Commonwealth of Kentucky to protect the citizens of the Commonwealth from negligent, incompetent, or fraudulent practices.

## Board

Larry Rhodes, Chairman  
Gil Cumbee, Vice chairman  
Marsha L. Taylor Meyer  
Stephen Wyatt, Public-at-large  
James Cobb, State geologist, Ex-officio

## Division of Occupations & Professions

Shannon Tivitt, Director  
Lucie Duvall, Board Administrator

## Office of the Attorney

**General** Mark Brengelman,  
Board attorney

## Registrations questions:

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## Board Web site:

<http://www.bpg.ky.gov/>

As an agency of the Commonwealth of Kentucky, the Kentucky Board of Registration for Professional Geologists is solely funded by applicants and credential holders and receives no tax dollars.

## Opinion and Declaratory Ruling Regarding the Practice of Geology:

### UST removal and related site investigations and corrective actions

The Kentucky Board of Registration for Professional Geologists issued an Opinion and Declaratory Ruling Regarding the Practice of Geology on December 6, 2010, as it relates to underground storage tank (UST) removal and related site investigations and corrective actions. The Board issued the Opinion and Declaratory Ruling in order to discuss the possible unlawful practice of geology by anyone not registered by the Board as well as the standards of Professional Geologists (PGs) in signing and sealing professional work.

The signature of a professional engineer (PE) or PG is required by regulation applicable to UST activities on the following UST Branch forms:

- Certification of the site assessment report,
- Certification of the site check report,
- Closure assessment report,
- Site investigation checklist,
- Certification of the corrective action plan, and
- Classification certification.

The required level of oversight by PGs to warrant their seal and signature is established under KRS 322A.030(6), Code of Professional Conduct and regulated under 201 KAR 31:060 Code of Professional Conduct, Section 3 Integrity in Professional Practice (6): "A registered geologist shall sign and seal only professional work, including, but not limited to, maps and reports for which the registrant has *direct professional knowledge*, and for which the registrant intends to be responsible for its accuracy and adequacy."

Kentucky Board members have discussed the role of PGs in the perfor-

mance of UST closure and related corrective actions with members of geologist registration boards of other states. Kentucky Board members have also reviewed the requirements of other states concerning the role of PGs in regard to UST-related work. The consensus from other states is that PGs are not required to perform UST closure work or to collect related soil samples. Rather, the technical role of the PG involves the correlation and extrapolation of subsurface conditions. PGs are not required to be on site at all times, but are responsible for UST project oversight and must sign off on reports.

The Board has not been presented with a complaint that any PG in his or her professional capacity has placed his or her seal or signature on work for which he or she had no *direct professional knowledge*. Nor have they received a complaint that a person has been practicing geology related to UST removal without being registered to do so. If a complaint is filed with the Board alleging any PG is acting contrary to provisions of KRS 322A, then the Board will investigate.

The Opinion and Declaratory Ruling Regarding the Practice of Geology is published in its entirety on the Board's Web site <http://bpg.ky.gov>.

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## Calendar

### 2011 Regular meetings of the Board

June 6  
August 1  
October 3  
December 5

This schedule is tentative. If you plan to attend a Board meeting, please call the Board office to confirm the date.

#### Time

1:30 p.m. (ET)

#### Location

Division of Occupations & Professions  
911 Leawood Drive  
Frankfort, Kentucky 40601

### Examination schedule

#### 2011 Fall examination

September 30

#### Application deadline

August 10

#### ASBOG Annual meeting

November 3 – 5, 2011  
San Antonio, TX

## Board actions

### Complaint review report

No new complaints have been adjudicated since those reported in the June 2009 newsletter.

### Board legal actions

The Board has taken no legal actions since those reported in the June 2009 newsletter.

### Internet Posting of Board Legal Actions

At the October meeting, the Board voted to post on its Web site all adjudicated disciplinary actions that are subject to open records requests. This procedure became effective October 4, 2010.

## Welcome New Registrants!

### Professional Geologists

Chris R. Adair (KY)  
Jason Erik Bach (WV)  
David Richard Beck (IN)  
Gregory L. Christians (TN)  
Ernie A. Ellison (KY)  
Timothy James Hill (IN)  
Robert R. Hovermand (IN)  
Amy R. Huskey (TN)  
David R. Kerschner (PA)  
Jason Kuykendall (KY)  
John C. Lanigan (MI)  
Nicholas Larabel (MI)  
Matthew G. Nemecek (KY)  
Nate Peterson (TN)  
Jonathan A. Thomas (IN)  
Rachel L. Vass (WV)

### Geologists-in-Training

Brent C. Cary (KY)  
Austin W. Moyers (KY)  
Daniel Lee Stout (KY)

### Fall 2010

### ASBOG exam results –

Examinations	Pass	Fail	Total
Fundamentals of geology	5	2	7
Practice of geology	6	13	19



## 2010 ASBOG annual meeting

The Association of State Boards of Geologists (ASBOG) held its 21<sup>st</sup> annual meeting November 3 – 7, 2010 in St. Louis, Missouri. Larry Rhodes attended the business meeting on behalf of the Kentucky Board.

The concept of licensing geoscience firms to practice geology was discussed. To qualify for licensure each firm would need to be staffed with at least one licensed geologist. Texas presently has such a requirement.

There was also discussion about the possible creation of a retired geologist classification in some states. Such individuals would be required to pay reduced registration fees, but would be excluded from practicing geology.

The 2011 Annual meeting will be held November 2 – 5 in San Antonio, Texas. The 2012 Council of Examiners workshop has been rescheduled to April 13 – 14 in Louisville, Kentucky.

New ASBOG officers voted in for 2011 are as follows:

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<b>Officer</b>	<b>Home state</b>	<b>Office</b>
Richard K. Spruill	NC	President
Jeffrey H. Randall	WA	President Elect
R. Craig Kennedy	SC	Treasurer
Barbara M. Cooper	AR	Secretary
Michael R. Kunz	MN	Immed. Past Pres.
Sam Christiano	SC	Executive Director

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## In Memoriam: Tom Ryavec

As reported in the November issue of this newsletter, Tom Ryavec, immediate-past board chairman died on October 18 after a brief illness.

We take this opportunity to remember Tom for the outstanding leadership he provided to the profession of geology in Kentucky, his integrity, his

*(Con'd from previous column)*

pride in a job well done, his compassion for others, his encouragement of his colleagues, and his love for his family. He is greatly missed.

Tom served on the Board from 2005 through 2009. He was Board Chairman in 2008 and 2009. He brought to the Board his rich and varied experience as a professional geologist in the coal industry. Tom held a BS in geology from Cleveland State University and an MBA from the University of Kentucky. He was an active member in the American Institute of Professional Geologists and was registered as a Professional Geologist in Kentucky. He was also a member of the Society of the American Institute of Mining, Metallurgical and Petroleum Engineers and the American Institute of Professional Geologists. He was a past president of the Kentucky Section of AIPG.

He began his career with Pickands Mather & Company as a manager of coal mine services and senior project geologists where he directed and controlled the basic search program to locate and develop new coal and limestone projects. From 1982 through 1987 he served as senior geologist for BP Coal North America, where he inspected mining properties, researched and analyzed production/cost data related to economic feasibility of mining operations. From 1988 through 1992 he joined Island Creek Corporation as a senior staff financial associate. For Island Creek he developed financial forecasts and budgets, and helped in the development and review of annual operating plans and five-year plans. From 1992 through 2000, Tom served as director of technical services for Marshall Miller & Associates and once again was involved with assessing the economic and environmental feasibility of mining operations. He continued his career in the private sector with Enviropower as director of financial planning and manager of fuels from 2000 to 2003. After a brief stint in his own independent consulting business he joined Lexington Coal Company as a vice president of administration where he oversaw financial aspects of an array of mining and reclamation projects.

## Highway Geology Symposium

The 62nd Annual Highway Geology Symposium will be held July 25 – 28, 2011, in Lexington, Kentucky, at the Hilton Lexington/Downtown. There will also be a Mid-Year Transportation Research Board (TRB) session titled "Geophysical Exploration, Non-Destructive Evaluation and Monitoring Techniques for Landslides, Rockfalls and other Geohazards" from 1:00 to 5:00 pm on Monday, July 25, 2011.

The Highway Geology Symposium was organized in 1950 to foster better understanding and closer cooperation between geologists and civil engineers in the highway industry. Since 1962, the symposium has been hosted in western and eastern states on alternating years. Subjects discussed include highway-related geological and geotechnical problems and their solutions. Information and registration forms are available at <http://www.highwaygeologysymposium.org/>. For more information contact Larry Rhodes (859) 619-4884 or [larryrhodesgeo@yahoo.com](mailto:larryrhodesgeo@yahoo.com)

## FARB 2011 forum report

The Federation of Associations of Regulatory Boards (FARB) was formed to promote excellence in regulation for public protection by providing expertise and innovation from a multi-professional perspective. As part of FARB's mission, it exchanges information and engages in programs/activities with member boards and associations; provides a forum for cooperation in solving mutual problems; engages in activities to improve the standards of professions and delivery of services; and provides and shares legal updates and information on educational opportunities.

Stephen Wyatt, Board member-at-large, and Mark Brengelman, Board attorney, represented the Board at the 2011 FARB Forum educational conference held January 28 – 30, 2011 in New Orleans, Louisiana. Mark Brengelman facilitated a discussion on the topic of "Complaints, Complaints, and More Complaints." The conference was attended by a variety of professionals (e.g., executive directors, assistant attorneys general, investigators) involved in the mission of public protection through regulation. Other topics addressed included the challenges of protecting the integrity of licensing examinations in today's world of electronic social networking and legal updates affecting licensing boards.

## Mark your calendar: Upcoming geology events

10 – 13 April 2011. **AAPG 2011 Annual Convention & Exhibition**, Houston, TX.  
<http://www.aapg.org/houston2011/>

2 – 5 May, 2011. **International Coal Prep: Annual Coal Processing Exhibition and Conference**, Lexington, KY.  
<http://www.coalprepsow.com/coalprep2011/Public/MainHall.aspx?ID=1012613>

9 – 12 May 2011. **World of Coal Ash Conference, Denver, CO.** <http://www.worldofcoalah.org/>

13 May 2011. **KGS Annual Seminar**, KGS Well Sample and Core Library, Lexington, KY.  
[http://www.uky.edu/KGS/annalseminar\\_2011.jpg](http://www.uky.edu/KGS/annalseminar_2011.jpg)

27 – 29 June 2011. **Kentucky Oil & Gas Association (KOGA) 75<sup>th</sup> Annual Meeting**, Lexington, KY.  
<http://www.kyoilgas.org/pages/posts/kentucky-oil--gas-75th-annual-meeting52.php>

25 – 28 July 2011. **62<sup>nd</sup> Annual Highway Geology Symposium**, Lexington, KY.  
<http://www.highwaygeologysymposium.org/>

2 – 4 August 2011. **11<sup>th</sup> Annual Technical Forum: Geohazards Impacting Transportation in the Appalachian Region**, Chattanooga, TN.  
<http://www.marshall.edu/cegas/geohazards/>

12 – 15 September, 2011. **International Pittsburgh Coal Conference**. Pittsburgh, PA.  
<http://webster.engr.pitt.edu/pcc/index.html>

25 – 27 September 2011. **American Association of Petroleum Geologists (AAPG) Eastern Section Meeting**, Arlington, VA  
<http://www.gswweb.org/aapg/>

9 – 12 October 2011. **Geological Society of America Annual Meeting & Exposition**. Minneapolis, MN.  
<http://www.geosociety.org/meetings/2011/>

## 51<sup>st</sup> KGS Annual Seminar

The 51<sup>st</sup> Kentucky Geological Survey Annual Seminar is scheduled for Friday, May 13, 2011 at the KGS Well Sample and Core Library, 2500 Research Park Drive, Lexington. Sign-in starts at 8:00 am; sessions begin at 8:30. The theme of this year's seminar will be "**The future of the Geosciences in Kentucky and of the Kentucky Geological Survey.**" Geologists and state geological surveys have historically provided services, expertise, and data to society in fields as diverse as mapping, earth resources, environmental management, and geologic hazards. How will the role of geologists in Kentucky change in the future? What developing needs will geologic professionals be able to meet? How can students be attracted to the profession of geology and related fields? Speakers and panelists at the 51<sup>st</sup> KGS Annual Seminar will address these and related topics.

Morning sessions will focus on the theme of **Strengthening the Geologic Profession:**

- **National Trends of Employment in the Geological Sciences**

Dr. Linda Rowan, director of the governmental affairs program of The American Geological Institute (AGI).

- **Trends that ASBOG is Seeing**

Richard Spruill, President, ASBOG.

- **Strengthening the Geologic Community in Kentucky**

Panelists will include Mike May (Western Kentucky University), Greg Yankey (StanTec), Frank Etensohn (KY-AIPG & UK Dept of Earth and Environmental Sciences), Pete Goodman (KY Div. of Water), Phil Ames (Peabody Coal), Drew Andrews (KSPG), and Larry Rhodes (KY Board of Registration for Professional Geologists).

*(Con'd from previous column)*

During lunch the Kentucky Board of Registration for Professional Geologists will conduct an open meeting to discuss the meaning of "direct professional knowledge" as it pertains to the practice of geology in Kentucky.

The seminar's afternoon theme is **Future Directions of KGS Programs**, with focus talks on research trends, section needs and the development of young geologists. Presentations will be made by KGS section heads:

- David Harris (Energy)
- Jim Dinger (Water)
- Steve Cordiviola (Information technology)
- Zhenming Wang (Geologic hazards)
- Drew Andrews (Mapping surface hazards)

Speakers will take questions during their 20-minute time slots. After the presentations, Jim Cobb and Jerry Weisenfluh will take questions from the floor.

Lunch will be provided. More on the event, including RSVP information, will be posted on the KGS Web site in the coming weeks [http://www.uky.edu/KGS/annualseminar\\_2011.jpg](http://www.uky.edu/KGS/annualseminar_2011.jpg)

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## **Board of Registration panel discussion slated for KGS Annual Seminar – May 13, 2011**

At the KGS 51<sup>th</sup> Annual Seminar, Friday, May 13<sup>th</sup> from 11:30 a.m. to 1:00 p.m. A panel composed of members of the Kentucky Board of Registration for Professional Geologists will be discussing the definition of "direct professional knowledge," as required by statute in signing off on geologic reports.

Please join us and share your insights with the Board over the lunch hour!

## Andrews named to GIAC

William “Drew” Andrews, Head of the Geologic Mapping Section at the KGS, was named in July 2010 to the Geographic Information Advisory Council (GIAC) representing the Board of Registration for Professional Geologists. The GIAC advises the Commonwealth's Chief Information Officer on issues relating to geographic information and geographic information systems (GIS). The council recommends policies and procedures that assist state and local jurisdictions in developing, deploying, and leveraging geographic information resources and GIS technology to improve public administration and to ensure maximum use of geographic information by minimizing redundancy of data and resources. Since joining the GIAC, Drew has been serving as head of the Strategic Planning Committee, charged with developing and maintaining a comprehensive plan for geospatial data in the Commonwealth.

If you have any issues or concerns related to GIS, GPS, or digital map data in your work in the Commonwealth, please do not hesitate to contact Drew via email at [wandrews@uky.edu](mailto:wandrews@uky.edu).



*William Andrews, Head  
Geologic Mapping Section  
Kentucky Geological Survey*

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