



The American Institute of Professional Geologists
MICHIGAN SECTION

AIPG – Michigan Section

10010 Eaglewood Court
Sparta, MI 49345

**Michigan Section
Executive Committee**

President
Sara Pearson
MDEQ RRD
Tel. (616) 356-0253
Fax (616) 356-0201
pearsons@michigan.gov

Vice President
Jason Lagowski
Arcadis
Tel. (248) 994-2243
Fax (248) 994-2241
Jason.Lagowski@parcadis-us.com

Treasurer
Don Conway
Gosling Czubak
Tel. (231) 933-5132
Fax (231) 941-4603
dconway@goslingczubak.com

Secretary
Dawn Prell
NTH Consultants, Ltd.
Tel. (248) 324-5288
Fax (248) 324-5179
dprell@nthconsultants.com

Newsletter Editor
Adam Heft
Parsons Brinkerhoff
Tel. (517) 886-7400
Fax (517) 327-7852
heft@pbworld.com

Past President
Timothy Woodburne
Prein & Newhof
Tel. (616) 364-8491
Fax (616) 364-6955
twoodburne@preinnewhof.com

Michigan Section Website

www.mi.aipg.org

July 27, 2009

The Honorable Rebekah Warren
State Representative
State Capitol
P.O. Box 30014
Lansing, MI 48909-7514

Dear Representative Warren:

Recently, the Michigan legislature introduced Senate Bill No. 436 and House Bill No. 4908 proposing amendments and additions to the 1994 PA 451, entitled “Natural Resources and Environmental Protection Act.”

Upon review of the proposed bill, the Michigan Section of the American Institute of Professional Geologists (AIPG) has concerns regarding the proposed addition of Section 1313 to PA 451. Section 1313 requires that reviews and signatures of proposed Remedial Action Plans (RAPs) be completed by a licensed professional engineer. The Michigan Section of AIPG’s concern with the proposed addition of Section 1313 in the above referenced Senate Bill arises from the omission for the requirement for a professional or certified geologist to certify RAPs in addition to, and/or in conjunction with, a professional engineer.

RAPs are comprehensive reports that document the discovery of the release, the identification of the nature and extent of the release, the evaluation of risks from the release to human health, safety, welfare, and the environment, and the proposal of actions to eliminate risks identified in the evaluation. The investigation of the nature and extent of the hazardous substance release is the most critical aspect of the RAP, which is best supervised/undertaken by a certified or professional geologist. If the nature and extent of the release is not properly characterized, the likelihood of designing a successful, cost-effective and efficient remedial action becomes remote.

Expert knowledge of the complexities of the subsurface in Michigan is crucial in predicting and analyzing the behavior of hazardous substances released to the environment to determine whether the substances pose a risk to human health, safety, welfare, and the environment. For example,

The American Institute of Professional Geologists
MICHIGAN SECTION

the investigation of the nature and extent of contamination requires a trained professional with knowledge in how chemicals react, move, and degrade in Michigan's environment over time. Michigan's environment is very complex due to past glacial events that carved out the Great Lakes and molded the present landscape that includes clay rich soils on the east side of the state, sandy soils on the west side of the state, and bedrock in the upper peninsula. Although this is a generalization, the geology of Michigan is complicated and hazardous substances behave differently in each of these settings. Consequently, potentially contaminated sites should be investigated by skilled geologists to correctly assess the conditions for which a remedy will be proposed.

In fact, Part 215 of P.A. 451, as amended, requires underground storage tank professionals be certified to sign reports containing corrective actions plans for remediating hazardous substances released from underground storage tanks submitted to fulfill the requirements of Part 213 of P.A. 451. The professional knowledge and skill required to conduct investigative activities and prepare documentation for a corrective action plan under Part 213 are very similar to the expertise and reporting required for the preparation of a RAP addressing a release of a hazardous substance under Part 201 of P.A. 451. Part 215 describes the qualifications necessary to be certified as an underground storage tank professional. An underground storage tank professional must be a licensed professional engineer, a certified professional geologist (CPG) or hold similar certification as a professional hydrologist or certified groundwater professional, or be able to demonstrate that he or she has three or more years of relevant experience in environmental assessment and corrective action work and ten or more years of specific experience in relevant environmental work with increasing responsibilities.

According to the Michigan Department of Environmental Quality Remediation and Redevelopment Division, there are currently 391 certified professionals in the underground storage tank program with 113 qualified as licensed professional engineers and 196 qualified as CPGs. The remaining certified professionals qualify based on experience. Based upon these statistics, the number of CPGs outweighs that of professional engineers certifying work that addresses releases of hazardous substances to the environment that threatens the health and safety of the public.

The AIPG was founded in 1963 to certify the credentials of practicing geologists as CPGs. AIPG's national membership includes more than 5,000 professional geologists. The AIPG serves geologists to advance the geological sciences and the profession of geology; to establish qualifications for professional geologists; to certify the qualifications of specific individual Member geologists to the public; to promote high standards of ethical conduct among its Members and Adjuncts, and within the profession of geology; and represent, and advocate for the geological profession. The Michigan Section of AIPG represents a portion of the geologists working in various capacities across the state with a membership of over 500 geologists. The majority of our membership works in the environmental field. Many of our geologists employ their expertise in assessing releases of hazardous substances to the environment and evaluating the associated risks on a daily basis to draft RAPs and are therefore equally, and in some cases, more qualified than a professional engineer to review and approve these documents.

The American Institute of Professional Geologists
MICHIGAN SECTION

Therefore, the public relies upon the expertise of geologists to ensure their health and safety, and it is for this reason that the Michigan Section of the AIPG believes and respectfully requests that certified geologists and/or professional geologists be added to the proposed Senate bill 436 and House Bill 4908 along with professional engineers to certify RAPs.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Sara Pearson". The signature is fluid and cursive, with a large initial "S" and a long, sweeping underline.

Sara Pearson, CPG 10650
Michigan Section President
American Institute Professional Geologists

cc Bill Siok, AIPG National Executive Director
Jason Lagowski, Michigan Section Vice President
Don Conway, Michigan Section Treasurer
Dawn Prell, Michigan Section Secretary
Timothy Woodburne, Michigan Section Past-President
Adam Heft, Michigan Section Newsletter Editor

The American Institute of Professional Geologists
MICHIGAN SECTION