

LOUISIANA BOARD OF PROFESSIONAL GEOSCIENTISTS

9643 Brookline Ave., Ste. 101, Baton Rouge, LA 70809



APPEALS HEARING 3

Tuesday, November 9, 2021, 1:00 p.m.
Virtual Public Meeting Hosted on Zoom

MINUTES

Chair William Schramm called the meeting to order at 1:08 pm, Tuesday, November 9, 2021, and commenced roll call.

Present: William Schramm, Todd Perry, William Finley, Melanie Stiegler, David Culpepper, Elizabeth McDade, Michael Simms, and David Williamson, Board Members; Machel Hall, Legal Counsel; Mallory Pilié, Project Coordinator; and Brenda Macon, Executive Secretary.

Absent: Lloyd Hoover, Board Member.

Guests: Tad Loupe, appellant; Gary Fulton, Underground Storage Tank Division Administrator, Louisiana Department of Environmental Quality; Paul Heinrich, Louisiana Geological Survey (LGS).

Quorum was established. Roll Call is part of the meeting registration record on Zoom.

Public Comment Period

No comments.

Statement from Legal Counsel and Board Chair

Schramm informed those present that the proceedings were being recorded and introduced Hall to explain the process for this hearing. Hall explained that the hearing would be informal and that her role in the hearing is to assure that proper procedures are followed and that the appellant had ample opportunity to provide information to the board. She called attention to the agenda and explained the three sections outlined in it: In section 1, the appellant would present information relevant to his appeal; in section 2, the board would either go into executive session to discuss the information presented with the appellant or remain public, depending on the will of the appellant; finally, board members only would go into executive session to deliberate on the appeal. She explained that the board would then reconvene on the record after this final executive session and could ask him to provide additional information, defer making a decision until a later date, or make a decision right away. Hall pointed out that, though the agenda did not mention public comment period, two such periods would be provided, one before the applicant's appeal statement and one after the final executive session before the board votes. Hall asked if anyone had questions; no one did.

Schramm then provided background on the board's mission. He pointed out that the board works toward this mission by following the statutes and published rules. He reminded those present that licenses

granted under the state waiver program exempt the applicants from the examination requirements but that applicants are expected to have the required courses and work experience. He also stated that a license granted would allow the licensee to practice in all fields of geoscience, not just in one particular area, so it is imperative that someone granted a license have sufficient education and training, meeting at least the minimum qualifications for all fields of practice. He said that, when the examination requirement is waived, only education and work experience can be used to determine if the applicant has the minimum competency to practice. He then asked if those present had questions; no one did.

Appeal Statement from the Applicant (Tad Loupe)

The applicant/appellant introduced himself to the board and thanked the board for allowing him to speak. He is employed by the Louisiana Department of Environmental Quality as a senior environmental scientist (Civil Service designation DCLB); he has been with the agency since 1998. For the last 14 years, he has been in senior-level positions with LDEQ, working with geologists, toxicologists, and engineers.

He explained that his degree is in soil science, which, he argued, is an area of geoscience: "As provided during the application process, my transcript validates that I have graduated from a course of study that is considered geoscience related and successfully completed over 30 course hours in one or more disciplines of geoscience." He explained that the degree he received at ULL was later retitled Environmental Science with a soil and water conservation concentration in the School of Geosciences. The concentration focuses on soil and water management with a strong emphasis on soils.

He explained that he would like to provide information to the board and to request reconsideration of his application for license based on that work experience. He said the vast majority of his work experience has been in areas of soil and water remediation, and that experience has provided him with knowledge to perform geoscience tasks. He then listed and provided details of many of these tasks. He also provided information on his professional credentials as a presenter and participant at various conferences and meetings related to geoscience. He said, based on his education and experience, he feels he fulfills the statutory requirements for licensure.

Public Discussion (Applicant elected to allow a public discussion of her appeal)

Hall asked if Loupe had received the list of geoscience tasks developed by ASBOG; he said he had. Hall asked if he was experienced with these tasks. Loupe said he felt most of his work was covered under categories A, C, D, E, and F on the list. Hall asked him about his level of expertise in mineralogy; structural geology; stratigraphy, particularly sedimentary rocks and processes; petrology; and mapping. She asked how his education prepared him for these areas of geology. Loupe said he had taken classes in geology and soil science that would meet those criteria.

Hall then said the discussion would be opened to the board to ask questions. Culpepper asked Loupe if he could provide a list of courses, and the content of those courses, for the board to review to see if they qualified. Loupe said he could provide the list. Schramm asked Loupe to describe one of his projects on which he planned and conducted geologic investigation. Loupe explained that his work included soil boring studies; he said his work includes working with consultants in the areas of soil classification and boring profiles. He said his role is to oversee the investigations performed by contractors. Schramm asked Loupe if he had ever performed a slug test or pumping test; Loupe said he had observed the tests but had not conducted the tests himself. Schramm then asked if Loupe had ever created a surface map. Loupe said he had been involved in projects where he used the maps to determine direction of flow and other characteristics.

Hall then said the board should go into executive session to continue the board's discussion.

Return from Executive Session

Schramm told Loupe that the board would like a copy of his notes and a list of the courses he had taken at university, along with a description of the content of those courses. Perry then moved to defer a decision for 60 days to provide Loupe with an opportunity to provide the requested information and for the board to review it and then return at the next board meeting to render a decision. Williamson seconded that motion. Schramm called for discussion; none was forthcoming. Schramm then called for a vote. The motion passed unanimously.

Schramm then asked if there was any additional comments. Gary Fulton addressed the board regarding its use of the ASBOG list of geologic tasks, which he said are for geologists. He said, as a classically trained geologist, he had worked most of his career in the area of environmental geoscience. He pointed out that, if this task list were used to determine his qualifications as a geologist for licensure, he may not be licensed. He said he was a bit concerned about that list because

Adjourn

With the decision on this appeal deferred until January 2022, when a second hearing will be scheduled prior to the full board meeting, Perry moved to adjourn the meeting; Williamson seconded the motion. The motion passed, and the meeting was adjourned at 2:10 pm.