OSBGE
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TABLE OF CONTENTS

Introduction

Background

General

Guidelines

1. The Public Practice of Geology
    - A. Environmental Geology
    - B. Hydrology and Hydrogeology (including water resources)
    - C. Engineering Geology
        - Practice of Geology vs. Engineering Geology
    - D. Geophysics
    - E. Economic Geology (Mining, Minerals, Petroleum)
    - F. Paleontology
    - G. Other Geologic Practices

2. Use of Registration Seal

3. Practice of Geology by Non-Registrants
    - A. Registrants vs. Non-Registrants (Exemptions)
    - B. Practice of Geology by Academic Geologists
    - C. Practice of Geology by Engineers
    - D. Mining and Mineral Examiners
    - E. Erosion Control Design by Hydrologists
    - F. Public Testimony

APPENDIX: Applicable Statute and Rules

OSBGE
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INTRODUCTION

The purpose of this paper is to provide information related to the professional practice of geology in Oregon, including registration requirements and other information the Oregon State Board of Geologist Examiners (Board) believes may be of interest to the public. This document is intended to be used by the Board and its registrants, other boards and commissions, public agencies (e.g., ODOT, DEQ, WRD, ODF, LCDC, county and city regulatory offices, etc.), and members of the public interested in the professional practice of geology in Oregon.

This guidance was developed by the Professional Practices Committee of the Board. The aim of this document is to help describe what constitutes the public practice of geology in Oregon and to help answer some questions which may arise when preparing or reviewing geologic work products. Topics in this guidance were selected primarily based on past compliance cases reviewed and discussed by the Board, as well as general questions submitted to the Board from geologic practitioners and the public. Many of the cases and questions submitted to the Board have shared common themes; thus, this document will assist in resolving some of these particular questions and issues without the need of intervention by the Board.

As a "living document," these guidelines will be periodically reviewed and revised, as needed, by the Professional Practices Committee, at the Board's discretion.

BACKGROUND

The mission statement of the Board is to help assure the safety, health, and welfare of Oregonians with regard to the public practice of geology through the following:

- licensing of those engaged in the public practice of geology;
- response to complaints from the public and members of the profession;
- public education directed at appropriate regulatory communities;
- cooperation with closely related boards and commissions;
- attention to ethics; and
- systematic outreach to counties, cities, and registrants.

The Board develops and updates Administrative Rules to provide interpretation and administration of the Oregon Statutes related to the registration and certification of geologists in Oregon.

This guidance document is intended to conform with this Mission Statement by providing a reference for registrants and to inform agencies and the public about Board experience regarding the public practice of geology in Oregon from a regulatory perspective.

GENERAL

The laws that govern the public practice of geology were initially conceived and enacted in 1977. The most basic statute that serves to guide professional practice issues is the definition of "public practice of geology," ORS 672.505 (7) (Appendix). This statute and its interpretation by the Board are relevant to most questions regarding professional practice issues. In most cases, the question of "must one be registered, for such work" is answered by considering this statutory definition. The Board relies on this statute when considering non-registered persons, including excluded geologists, such as subordinates to a registered geologist, officers, and employees of the United States of America, and persons engaged in teaching and conducting research in the science of geology as well as workers and professionals not registered by any statute.

The Code of Professional Conduct Rules provides important limits and authority for many questions of professional practice. When viewed in combination with other statutes, OAR 809-20-0006 (1) defines limits and thus sets standards for the professional practice questions with regard to "who can perform what jobs." Essentially, the properly registered professionals are ethically bound to limit their practice to work types for which they have training and/or experience.

The definition of Registered Geologist is established in ORS 672.505 (10). This statute provides a very limited basis for Board interpretation of the work that may be performed by a Registered Geologist in Oregon. However, in combination with the definitions of "geology" ORS 672.505 (6) and "public practice of geology" in ORS 672.505 (7), and, in some cases, proper consideration of the definition of "Engineering Geologist" in ORS 672.505 (3), the question of appropriate work for Registered Geologist is systematically resolved.

Traditionally, Registered Geologists were often resource or economic geologists working in public practice and basic geologic mapping. Typical examples of this resource or economic geology are gas, oil, and mineral exploration. Evolution of geologic work projects into hydrogeology and environmental geology changed these limits for Registered Geologists. These fields of geologic work have become quite extensive and presently employ the majority of Registered Geologists in Oregon.

Certification of the Engineering Geologist is defined in statute ORS 672.505 (3). ORS 672.525 (7) clarified the statute in 1995 (Appendix). The combination of these two statutes, ORS 672.505 (3) & 672.525 (7), provide the basis for guidance concerning work in the domains of Registered Geologists and Certified Engineering Geologists.

In Oregon, a common professional practice concern is related to the question of "who can perform what work". The statutes, rules, and policies establish priorities and directions for the Board in relation to professional practice questions. Past investigations and compliance cases have established precedence for evaluating the boundaries of practice and the public practice of geology. Discussions with the Oregon State Board of Examiners for Engineering and Land Surveying (OSBEELS) have led to the development

of a Memorandum of Understanding that defines a process using a Joint Compliance Committee (JCC) to resolve compliance complaints involving registrants of both boards (OSBGE & OSBEELS).

When considering overlap issues between other licensed professionals, ORS 672.545 (3) (a) clearly allows work that otherwise would be considered the public practice of geology if that work is also considered part of the practice of another licensed profession. This is a common situation in civil and mining engineering.

Local codes and ordinance often attempt to define who may perform specific geologic work in Oregon. These attempts to codify the required license for specific work are often appropriate to enable local governments to specify the report process. The Board is receptive to working with local agencies in the development of local codes and ordinance.

GUIDELINES

1. The Public Practice of Geology

Geology as a science is very diverse and can be subdivided into numerous categories, with each category having specialties of its own. However, when considering the pubic practice realm, geology can be broadly divided into several specialties, including environmental geology, hydrology and hydrogeology, engineering geology, geophysics, paleontology, and economic geology.

A. Environmental Geology

Environmental geology is a catch-all phrase that describes a multidisciplinary field of applied science involving the study of the interaction of humans with the geologic environment. Typical concerns of an environmental geologist include contamination of water and soil by sewage and toxic chemical wastes, reclamation of mined lands, and land-use geology. Environmental geology is closely related to engineering geology but is more commonly associated with environmental contamination and groundwater issues.

There are numerous environmental professions practiced in the State, many of which are regulated through various boards (like OSBGE) or other agencies. It is the general opinion of the Board that when environmental investigations are related to naturally occurring earthen materials, such as soil, rock, or water, a Registered Geologist should oversee the project.

The most common works completed by an environmental geologist are Phases I & II Environmental Site Assessments and air, water, and soil cleanup and monitoring.

Phase I Environmental Site Assessments

A Phase I Environmental Site Assessment (ESA) is a comprehensive, disciplined approach to the assessment process of a site and is part of the due diligence requirements of most lending institutions for industrial and commercial property transfers. A Phase I ESA is a typically quick turnaround project that includes the review and evaluation of existing, available, and relevant background data on a site concerning the potential or documented use, storage, treatment, discharge, disposal, or release of hazardous substances that would pose a risk to the site. A widely accepted work scope of the Phase I ESA is established in American Society for Testing and Materials (ASTM) E-1527-00.

Background information on local geology, hydrogeology, and water use is collected from publicly available and published materials during a typical Phase I ESA. While the preparer of a Phase I ESA is not required to perform interpretation of the geology data collected, the preparer does report what others have produced relevant to the project site. Occasionally, a Phase I ESA investigation requires interpretation of the geological data. Such an augmented Phase I ESA would require oversight, stamping, and signing by a Registered Geologist.

As part of the 2002 Brownfields Amendments to CERCLA, Congress adopted new liability protections for prospective purchasers of potentially contaminated properties. Effective November 1, 2006, the All Appropriate Inquiry (AAI) is a due diligence investigation method used provide a defense to liability under the U.S. Environmental Protection Agency (EPA) Superfund law. Used as a measure by which EPA decides if prospective purchasers have performed sufficient due diligence, the AAI standard broadens the scope previously established by the American Society for Testing and Materials (ASTM) for the performance of Phase I ESAs. AAI must be conducted by, or under the direction and supervision of, a Registered Geologist or other "Environmental Professional" who qualifies with specific education, training, and experience.

Phase II Environmental Site Assessments

Phase II ESA is a generic phrase for intrusive subsurface investigation activities at a project site that includes interpretation of the resulting data generated and generally involves a focused soil, soil-gas, and/or ground water sampling and analysis program. A Phase II ESA report discusses the investigation results with regard to the regional context of the site (i.e., environmental sensitivity, ground water use, and background environmental quality) to evaluate the significance of hazardous substances that may have been released. While the scope of work of each Phase II ESA is unique, these subsurface investigation and interpretation activities qualify the work as the practice of geology. Therefore, those Phase II ESA activities that relate to such geologic work must be overseen by a Registered Geologist, and the results and interpretations presented in Phase II ESA reports must be stamped and signed by a Registered Geologist.

Soil and Ground Water Cleanup and Monitoring

Commonly following the Phase II ESA, a soil and/or ground water cleanup or monitoring program is required. The scope of the cleanup or monitoring efforts can be extremely diverse. Like the Phase II ESA, the cleanup and monitoring efforts normally require an understanding of the subsurface geologic conditions and therefore require the involvement of a Registered Geologist.

B. Hydrology and Hydrogeology (including water resources)

Hydrology is the study of the movement, distribution, and quality of water throughout the earth. Practitioners of hydrology possess expertise in earth or environmental science (e.g., geology, engineering, physics, or chemistry). Because of the broad nature of the field of hydrology, it is the opinion of the Board that an individual does not necessarily need to be a Registered Geologist to practice hydrology in the State of Oregon, particularly with regards to surface water hydrology. However, the Board does consider hydrology to be part of the field of geology and therefore does have regulatory authority over those Registered Geologists who practice hydrology in the State.

Hydrogeology is the science and practice that deals with the distribution and movement of ground water in soil and rock near the earth's surface. By its very nature, ground water is subject to mass and energy exchange with surface waters. Applications of hydrogeology are commonly used in environmental geology and engineering geology, as well as other fields of geologic practice. A common application of hydrogeology is in the realm of ground water contamination and water resources. Engineers who are also hydrologists commonly apply hydrogeologic (or geohydrology) theory and principles in their work. Because hydrogeology is so closely associated with soil and rock material and geologic structures, it is generally recommended by the Board that hydrogeologic work be completed or supervised by a Registered Geologist.

C. Engineering Geology

Engineering geology is the application of the geological sciences to engineering practices for the purposes of assuring that the geologic factors affecting the location, design, construction, operation, and maintenance of engineering works are recognized and adequately provided for. Engineering geologists investigate and provide geologic and geotechnical recommendations, analysis, and design. Works completed by engineering geologists include investigations related to: geologic hazards, geotechnics, material properties, landslide and slope stability, erosion, flooding, dewatering, and seismic issues, etc. To engage in and complete engineering geologic investigations in Oregon, one must be a Certified Engineering Geologist. All Certified Engineering Geologists are also Registered Geologists.

The fields of engineering geology and geotechnical engineering are very similar and share large areas of overlap. Both fields practice geotechnics (the application

of scientific methods and engineering principles to the acquisition, interpretation, and use of knowledge of materials of the Earth's crust for the solution of engineering problems), and both commonly complete geotechnical investigations and reports. However, the public practice of geotechnical engineering is regulated in the state by OSBEELS and not OSBGE.

Practice of Geology vs. Engineering Geology

In the State of Oregon, all Certified Engineering Geologists are Registered Geologists; however, most Registered Geologists are not certified as engineering geologists. The policy of the Board is that work that falls under the definition of engineering geology (where the purpose of the work is civil works) must be completed or supervised and stamped by a Certified Engineering Geologist. In general, if the geologic work is being completed to provide recommendations for the siting or construction of a structure (including buildings, roads, dams, etc.), this work is considered engineering geology and therefore must be completed or supervised by a Certified Engineering Geologist.

With regard to this issue, a common question that is often asked is *"can Registered Geologists (who are not CEGs) complete geologic hazards mapping if the intent of this mapping will be for development purposes?"* It is the opinion of the Board that geologic hazards identification and mapping are within the broad practice of geology, and therefore Registered Geologists can complete this work without being Certified Engineering Geologists provided that the work only identifies relative hazards and does not imply or provide recommendations for the siting or construction of structures. Because construction within geologically hazardous areas requires an understanding of geotechnics and structural design options, recommendations for siting structures (including setbacks) should only be completed by a Certified Engineering Geologist.

Another common question asked is *"can engineering geologic work be completed by a Registered Geologist (RG) if a Professional Engineer (PE) is also involved in the project?"* (i.e., RG + PE = CEG). The Board does not consider this a legal substitution for a Certified Engineering Geologist being on the project. Any Registered Geologist working as a responsible professional geologist on a civil work without having the additional engineering geology certification of the Board is in violation of the registration law. However, as discussed above, OSBEELS currently licenses Geotechnical Engineers, who are also Professional Engineers. Individuals working under the supervision of a licensed Geotechnical Engineer may complete geotechnical engineering work, which is similar to engineering geologic work. However, this work would be considered an engineering work and would be regulated by OSBEELS and not OSBGE.

D. Geophysics

Geophysics is the study of the Earth and its atmosphere using the principles of physics. A geophysicist is an individual who uses instruments to remotely gain

information about earth and atmospheric conditions. When used to interpret subsurface soil, rock, ground water, or geologic structures, the application of geophysics is considered to be part of the practice of geology, and these projects should be overseen by a Registered Geologist. When geophysics is used to identify non-geologic conditions, such as underground utilities or storage tanks, involvement by a Registered Geologist may not be required.

E. Economic Geology (Mining, Minerals, Petroleum)

Economic geology is the use of geologic knowledge to find and recover materials that can be used for economic and/or industrial purposes, including fuels, minerals, ores, and construction-grade rock and aggregates. Economic geology is studied and practiced primarily by geologists; however, other professionals such as engineers, environmental scientists and conservationists also conduct research and investigations related to economic geology and materials extraction issues. When investigations are completed primarily for the purpose of identifying the location, quality, and quantity of the resource, the investigation should be completed or supervised by a Registered Geologist.

During the extraction and/or reclamation phases of a project, a geologist's input may or may not be required, depending on the type of work being completed. A Registered Geologist may be needed to evaluate water or soil contamination concerns during, and after, the mining operation. Additionally, a Certified Engineering Geologist may be required to evaluate slope stability and fill (spoils) placement issues during the mining or reclamation phases of the project, or to evaluate the excavatability (i.e., rippability) of earth materials.

F. Paleontology

Paleontology is the study of the history of life on Earth, as reflected in the fossil record. Some typical areas of work in paleontology include the following: taxonomy, biostratigraphy, evolution, biometrics, paleoecology, and taphonomy. The practice of paleontology commonly does not impact the health or welfare of the public, and practitioners are commonly exempt from geology registration (e.g., teachers, federal government employees, etc.). When paleontologic work may impact the health or welfare of the public, such as in private consulting, this work should be completed or supervised by a Registered Geologist.

G. Other Geologic Practices

There are numerous other geologic practices, such as geochemistry, geoarcheology, watershed assessment, stream restoration, etc., not currently discussed in this Guidance. The practice of many of these geologic specialties does not directly impact the health or welfare of the public, and therefore their practice is generally exempt from geology registration. When the practice of

geology, irrespective of the specialty, impacts the health and welfare of the public, practitioners are required to be Registered Geologists.

2. Use of Registration Seal

Oregon Statute requires stamping of drawings, reports, or other geologic papers or documents involving geologic work. Digital use of the geologist stamp is recommended where electronic transmission of reports is used.

672.605 Seal of geologist. Each registrant, upon issuance of a certificate, shall obtain a seal of the design authorized by the State Board of Geologist Examiners, bearing the registrant's name and the legend "Registered Geologist" or "certified specialty geologist." All drawings, reports, or other geologic papers or documents involving geologic work as defined in ORS 672.505 to 672.705 that have been prepared or approved by a Registered Geologist, or a subordinate employee under the direction of a Registered Geologist for the use of or for delivery to any person or for public record within this State, shall be signed by the Registered Geologist and impressed with the seal or the seal of a nonresident practicing under the provisions of ORS 672.505 to 672.705, either of which shall indicate responsibility for them. [1977 c.612 §12; 2001 c.232 §2]

All separate geologic works (e.g., well logs and maps) conducted for the public must be stamped by a Registered Geologist. However, if drawings, maps, or other geologic works are attached in a single report, the individual works in the report do not have to be individually stamped; only the report as a whole needs to be stamped. A geologist seal is not required for draft documents, provided the documents are clearly labeled and identified as drafts.

3. Practice of Geology by Non-Registrants

A. Registrants vs. Non-Registrants

Guidelines of the Board in relation to non-registrants' work is that such work cannot be performed for pay or barter or involve life, health, property, and the environment. If the work fits the definition of "public practice of geology," then the work must be performed or supervised and stamped by a Registered Geologist or other registered professional practicing within the scope of that license. According to ORS 672.535 & 545, exemptions to the geology registration are as follows:

- academic and research geologists
- federal government employees
- subordinates of Registered Geologists
- a corporation in the business of public practice of geology and staffs at least one Registered Geologist
- a corporation not in the business of public practice of geology performing nonpublic practice geology

- other licensed professionals performing customary tasks
- nonresidents of Oregon with no business office in Oregon on temporary basis, as limited by ORS 672.545(b)

B. Practice of Geology by Academic Geologists

Geologists in public and private universities are often not Oregon Registered Geologists. These geologists often perform research, mapping, and other geologic studies. This academic work is not the public practice of geology. Guidelines of the Board in relation to academic geology is that only work that is not the public practice of geology is excluded from the requirement for registration. It seems obvious that the example of professors who are licensed as Registered Geologists would be beneficial for students who are potentially future Oregon professional geologists. Therefore, OSBGE encourages registration for all professors.

> **Underlying principles and strategies:**
> **672.535 Exemptions from ORS 672.505 to 672.705.** The following persons are exempt from the provisions of ORS 672.505 to 672.705:
>
> (1) Persons engaged in teaching and conducting research in the science of geology in an accredited college or university, and students acting under their direction, but who are not engaged in the public practice of geology in this state.

C. Practice of Geology by Engineers

As discussed above, some engineering practice overlaps with the practice of geology and/or engineering geology, including, but not limited to, environmental engineering, civil engineering, hydrology, geotechnical engineering, and photogrammetrics. Overlap issues between the fields of geology and engineering in the State of Oregon have led to the development of a Memorandum of Understanding (MOU) that defines a process using the Joint Compliance Committee (JCC) to resolve compliance complaints involving both of the boards (OSBGE & OSBEELS). The MOU was signed by both OSBGE and OSBEELS to resolve these overlap issues.

The policy of the Board in relation to complaints submitted to OSBGE regarding engineers practicing geology is as follows: use the Joint Committee under the MOU agreement to resolve these complaints to the satisfaction of both Boards. As has been agreed in the MOU, OSBEELS is to also forward complaints related to geologists practicing engineering to the Joint Committee. The Joint Committee is expected to provide recommendations to the two Boards.

> **Underlying principles and strategies:**
> **672.545 Practice of geology by proprietorship, partnership or corporation; employment of nonregistered geologist; practice by other professionals; practice by nonresident.**

(3) ORS 672.505 to 672.705 shall not be construed to prevent or to affect: (a) The practice of any licensed profession or trade by limiting its appropriate and current custom or practice including the practice of any profession or trade for which a license or registration is required under any other law of this state including the practice of registered civil and mining engineers lawfully practicing civil and mining engineering in its various specialized branches.

D. Mining and Mineral Examiners

Federal programs (BLM and USFS) train Certified Mineral Examiners. Only federal employees are eligible for this certification. An unusual compliance case was brought before the Board where under contract a retired federal employee was hired to return to federal land and evaluate a mineral claim. The Board determined the case still fit the exempt status because only federal employees may possess the certification, and the certification was required to perform the contract.

Typical mining and mineral work must pass the test of public practice in order to require registration. Mining might require a Certified Engineering Geologist for some work where civil works (e.g., cut slopes) are being designed.

E. Erosion Control Design by Hydrologists

As previously discussed, the work of hydrologists often overlaps with the professional practice of geology. When the hydrologist is registered by another regulatory board other than OSBGE, the outside board has the regulatory authority over the hydrologic work. However, when the hydrologist is not regulated by another board, OSBGE may need to review the work to determine if the work constitutes geologic work. If this work is determined not to be geologic work, then the case may be forwarded to a more appropriate regulatory board or agency.

F. Public Testimony

Guidelines of the Board in relation to public testimony include the following: “Solely by testifying or preparing to testify one is not practicing geology.” This narrow case of public testimony is protected by the first amendment of the US constitution and ORS 672.505 (7) and 672.525(9).

Underlying principles and strategies:
Recent additions to Statute - ORS525 (9) make it clear that public testimony and preparing to testify cannot be seen as the public practice of geology. Public proceedings are often planning commission hearings, city council hearings, and similar venues.

"(9) A person does not publicly practice or offer to publicly practice geology solely because the person testifies or prepares to testify in a public proceeding."

APPENDIX: Applicable Statutes and Rules

Laws governing the public practice of geology in Oregon are provided in Chapter 672 of the Oregon Revised Statutes (ORS), and related Rules are provided in Chapter 809 of the Oregon Administrative Rules (OAR).

Several sections of the Oregon Revised Statutes (ORS) are directly relevant to issues concerning the professional practice of geology, as follows:

ORS 672.505 (7) “Public practice of geology” means the performance for another of geological service or work, such as consultation, investigation, surveys, evaluation, planning, mapping, and inspection of geological work that is related to public welfare or safeguarding of life, health, property, and the environment, except as specifically exempted by ORS 672.505 to 672.705.

ORS 672.545 (3) ORS 672.505 to 672.705 shall not be construed to prevent or to affect the following: (a) The practice of any licensed profession or trade by limiting its appropriate and current custom or practice including the practice of registered civil and mining engineers lawfully practicing civil and mining engineering in its various specialized branches.

ORS 672.505 (6) “Geology” refers to that science which treats of the earth in general; investigation of the earth’s crust and the rocks and other materials which compose it; and the applied science of utilizing knowledge of the earth and its constituent rocks, minerals, liquids, gases, and other materials for the benefit of mankind.

ORS 672.505 (4) “Geologist” means a person engaged in the practice of geology.

ORS 672.505 (10) “Registered geologist” means a person who is registered as a geologist under the provisions of ORS 672.505 to 672.705.

ORS 672.505 (3) “Engineering geologist” means a person who applies geologic data, principles, and interpretation to naturally occurring materials so that geologic factors affecting planning, design, construction, and maintenance of civil engineering works are properly recognized and utilized.

ORS 672.525 (7) “No person, including a person registered as a geologist under this section, shall practice or offer to perform any activities of an engineering geologist as defined in ORS 672.505 unless the person is certified as an engineering geologist under ORS 672.565 [1977 c.612 s.3; 1995 c.32 s.1].

672.535 Exemptions from ORS 672.505 to 672.705. The following persons are exempt from the provisions of ORS 672.505 to 672.705:

> (1) persons engaged in teaching and conducting research in the science of geology in an accredited college or university, and students acting under their direction, but who are not engaged in the public practice of geology in this state;

(2) officers and employees of the United States of America, practicing solely as such officers or employees; or

(3) a subordinate to a geologist registered under ORS 672.505 to 672.705 insofar as the subordinate acts solely in such capacity. This exemption, however, does not permit any such subordinate to practice geology for others or use the title "registered geologist." [1977 c.612 §4]

672.545 Practice of geology by proprietorship, partnership, or corporation; employment of nonregistered geologist; practice by other professionals; practice by nonresident.

(1) ORS 672.505 to 672.705 does not prohibit one or more geologists from practicing through the medium of a sole proprietorship, partnership, or corporation. In a partnership or corporation whose primary activity consists of geological services, at least one partner or officer shall be a registered geologist.

(2) ORS 672.505 to 672.705 do not prevent or prohibit an individual, firm, company, association, or corporation whose principal business is other than the public practice of geology from employing a nonregistered geologist to perform nonpublic geological services necessary to the conduct of their business.

(3) ORS 672.505 to 672.705 shall not be construed to prevent or to affect:

(a) The practice of any licensed profession or trade by limiting its appropriate and current custom or practice including the practice of any profession or trade for which a license or registration is required under any other law of this state including the practice of registered civil and mining engineers lawfully practicing civil and mining engineering in its various specialized branches; or

(b) The practice of geology by a person not a resident of and having no established place of business in this state, when the practice is limited to a specific project and does not exceed one period of 60 consecutive days in any calendar year, and provided the person is licensed or registered to practice such profession in another state where the requirements for certification, registration or licensing are not lower than those specified in ORS 672.505 to 672.705 and provided further that such nonresident shall file with the State Board of Geologist Examiners, on or before entering the state for commencing such work, a statement giving name, residence, the number of the license or certificate of registration of the nonresident, and by what authority issued, and upon the completion of the work, a statement of the time engaged in such work within the state. [1977 c.612 §5]

672.525 Geologist registration; public practice of geology.

(1) No person, other than a registered geologist, a registered certified specialty geologist or a subordinate under the direction of either, shall provide or prepare for the public practice of geology any geologic maps, plans, reports, or documents except as specifically exempted in ORS 672.535.

(2) No person shall publicly practice or offer to publicly practice geology in this state, and use in connection with the name of the person or otherwise assume or advertise any title or description tending to convey the impression that the person is a registered geologist, unless such person has been registered or exempted under the provisions of ORS 672.505 to 672.705. The right to engage in the public practice of geology is deemed

a personal right, based on the qualifications of the individual as evidenced by the certificate of registration, and shall not be transferable.
(3) No person other than a geologist registered under ORS 672.505 to 672.705 shall stamp or seal any plans, plats, reports, or other documents with the seal or stamp of a registered geologist or registered certified specialty geologist, or to use in any manner the title “geologist” or the title of any registered certified specialty geologist while conducting the public practice of geology unless registered or certified under ORS 672.505 to 672.705.
(4) No person shall sign, stamp, or seal any geologic maps, plans, plats, reports, or other geologic documents after the certification of the registrant named thereon has expired or has been suspended or revoked, unless the certificate has been renewed or reissued.
(5) No person shall attempt to use the certificate of registration or seal of another, or falsely impersonate another registrant.
(6) No person shall give false or forged evidence of any kind to the State Board of Geologist Examiners to obtain a certificate of registration.
(7) No person, including a person registered as a geologist under this section, shall practice or offer to perform any activities of an engineering geologist as defined in ORS 672.505 unless the person is certified as an engineering geologist under ORS 672.565.
(8) A person shall be construed to publicly practice or offer to publicly practice geology if the person:

(a) publicly practices any branch of the profession of geology;

(b) by verbal claim, sign, advertisement, letterhead or card, or in any other way, purports to be a registered geologist, or through the use of some other title implies that the person is a registered geologist or that the person is registered under ORS 672.505 to 672.705; or

(c) offers to provide any geological services or work recognized as the public practice of geology for a fee or other compensation.

(9) A person does not publicly practice or offer to publicly practice geology solely because the person testifies or prepares to testify in a public proceeding. [1977 OAR 809-20-0006 (1) “A Registered Geologist shall undertake professional service or render expert opinion only when qualified by training or experience in the technical areas involved.”