U.S. Office of Personnel Management
Office of Merit Systems Oversight and Effectiveness
Classification Appeals and FLSA Programs

Philadelphia Oversight Division
600 Arch Street, Room 3400
Philadelphia, PA 19106-1596

Classification Appeal Decision
Under Section 5112 of Title 5, United States Code

Appellant:	[appellant's name]
Agency classification:	Hydrologist GS-1315-12
Organization:	Civil Engineering Environmental Restoration Office Installation Restoration Program Branch Environmental Division Air National Guard (ANG) Readiness Center [name] Military Reservation, (ANG) U.S. Department of the Air Force [location]
OPM decision:	Hydrologist GS-1315-12
OPM decision number:	C-1315-12-01

Robert D. Hendler
Classification Appeals Officer

/s/ 11/19/99
Date

As provided in section 511.612 of title 5, Code of Federal Regulations (CFR), this decision constitutes a certificate that is mandatory and binding on all administrative, certifying, payroll, disbursing, and accounting officials of the government. The agency is responsible for reviewing its classification decisions for identical, similar, or related positions to ensure consistency with this decision. There is no right of further appeal. This decision is subject to discretionary review only under conditions and time limits specified in the Introduction to the Position Classification Standards (PCS's), appendix 4, section G (address provided in appendix 4, section H).

Decision sent to:

[appellant's name]
[appellant's address]

Mr. Robert E. Coltrin
Director, Civilian Personnel Operations
U.S. Department of the Air Force
AFPC/DPC
550 C Street West
Randolph Air Force Base, TX 78150-4759

Ms. Monica I. Caughell
Position Classification Specialist
127th FW Civilian Personnel Flight, Team A
29553 George Ave. Bldg. 303
Selfridge ANG Base, MI 48045

Mr. Steve Nelson
Director for Human Resources
National Guard Bureau
4501 Ford Avenue
Alexandria, VA 22302-1454

Introduction

On August 10, 1999, the Philadelphia Oversight Division of the U.S. Office of Personnel Management (OPM) accepted a classification appeal from [appellant's name]. His position is currently classified as Hydrologist, GS-1315-12. However, the appellant believes the classification should be Environmental Scientist, GS-1301-13. He works in the Civil Engineering Environmental Restoration Office (CEERO), Installation Restoration Program (IRP) Branch, Environmental Division of the Air National Guard (ANG) Readiness Center located at the [name] Military Reservation (MMR), [location]. We have accepted and decided his appeal under section 5112 of title 5, United States Code (U.S.C.).

General Issues

The appellant maintains that his position requires significant expertise and work in other physical sciences than hydrology; and that his position should therefore be classified as a Physical Scientist, GS-1301. He also maintains that his position should be classified as grade GS-13 because he operates at the same level of responsibility and expertise as others who are classified as GS-1301-13; and that Factor 2, Supervisory Controls, of his Air Force Core Personnel Document (COREDOC) number CPD 00832 is identical with that factor description for COREDOC's of positions graded as GS-13.

The appellant made two specific comments comparing his position to that of co-workers: that some whose positions are virtually identical to his are classified at the GS-13 grade level and that the supervisory controls factor of other COREDOC's, all of which are classified at the GS-13 grade level, have wording identical to his. By law, we must classify positions solely by comparing their current duties and responsibilities to OPM standards and guidelines (5 U.S.C. 5106, 5107, and 5112). Since comparison to PCS's is the exclusive method for classifying positions, other methods or factors of evaluation, such as comparison to other positions that may or may not be classified correctly, are not authorized for use in determining the classification of a position. Therefore, we have considered the information and documents provided only insofar as they are relevant to making that comparison.

We conducted a telephone audit with the appellant on November 2, 1999; and a follow-up audit with him and a telephone interview with the appellant's first-line supervisor, [name], on November 4, 1999. In deciding this appeal, we fully considered the audit findings and all information of record furnished by the appellant and his agency, including his current assignments, and his official position description, COREDOC number CPD 00832.

Position Information

The appellant's position is in a matrix management environment. Organizational information shows the appellant and his supervisor of record work in the MMR IRP under a memorandum of understanding (MOU) between the Air Force Center for Environmental Excellence (AFCEE) and the ANG Readiness Center. The U.S. Department of Air Force became a signatory to the

"federal facility agreement (FFA) between the USEPA [Environmental Protection Agency] Region 1, the National Guard Bureau (NGB) and the U.S. Coast Guard (USCG)" and designated itself to substitute for the ANG as the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA) lead agent for MMR. AFCEE has "primary responsibility for all matters relating to the MMR IRP" and will function as "MMR Remediation Program Manager." Under the MOU, the ANG Readiness Center (ANGRC) at MMR:

> will subordinate its MMR IRP personnel to the operational authority of the AFCEE RPM. ANGRC will retain administrative authority over its IRP staff but will consider input from the AFCEE RPM in the performance appraisals of its staff. If the AFCEE RPM's input is not incorporated, ANGRC will provide a written report to AFCEE as to the reasons why.

The primary purpose of the appellant's position is to serve as the ANG staff senior hydrologist for matters related to the IRP mission. He serves as an advisor and technical expert on hydrological matters. He plans, programs and executes projects of a highly technical nature and provides technical expertise and advice on projects associated with the MMR at [location]. Specifically, the appellant serves as a project officer for assigned sites, where he formulates funding requirements for projects, develops performance work statements for contracted site inspections and remedial action, acts as Contracting Officer's Representative and oversees contractor personnel to ensure performance adheres to required protocols, evaluates contractors' performances, authorizes contract payments based on work performed, and determines whether samples will be analyzed by commercially approved or government laboratories.

He provides expert evaluation of raw data, ensuring it is consistent with historical use of property information, determines the nature and extent of the contamination, provides expert assessments of risk to human health and environment, and establishes criteria for treatability study testing and evaluates the relative performance and cost of available treatment technologies. In order to evaluate thoroughly the alternative treatments, the appellant provides expert advice on each treatment's compliance with applicable standards limitations, criteria and requirements; long-term effectiveness and permanence; reduction of toxicity, mobility, or volume; short term effectiveness; implementability; cost; and state and community acceptance. The appellant also provides expert technical and informative presentations upon request to public forums and state and federal departments and agencies. He is regularly and routinely involved in negotiations with EPA as they affect his projects.

Series, title, and standard determination

The agency has allocated the position to the Hydrology Series, GS-1315, which includes positions that involve professional work in hydrology, the science concerned with the study of water in the hydrologic cycle. The work includes basic and applied research on water and water resources; the collection, measurement, analysis, and interpretation of information on water resources; the forecast of water supply and water flows; and the development of new, improved, or more

economical methods, techniques, and instruments. Hydrology, as used in the appealed position, is the study of water, its quality and quantity; the management effects on water resource values; and the interrelationships of water with other resources.

The appellant does not agree. He believes the appropriate title and series should be Environmental Scientist, GS-1301. The appellant states that his position requires work in other physical sciences to the extent that his work as a hydrologist cannot be considered predominant. Specifically, he says that he bears virtually complete responsibility for determining sampling techniques, developing models based on the geologic substratum, and determining the most practical means of dealing with the polluted water, based on the nature, extent, and mobility of the polluted plume as well as the very varied geological conditions of the substrata through which the plume is moving and is likely to move.

The appellant's supervisor estimated that about 40 percent of the appellant's work is in geology and about 40 percent in hydrology, with chemistry comprising the bulk of the remaining 20 percent. If the position was to become vacant, it would be necessary to hire a replacement with the same mix of technical expertise, as there is no geologist available to provide the necessary expertise in that technical area.

Although the position requires work in a combination of physical science fields, the primary and paramount field is hydrology. The appellant's work in other fields, such as geology and chemistry, is for the purpose of accessing the contaminated water, determining the likely path of the contaminated water, and analyzing the contaminants in it. The focus of the work is water and the purpose is to remove the contaminants therein. Other fields are relevant only as they relate to the hydrological work, and knowledges in those fields are only required as necessary adjuncts to the appellant's hydrological work. Expertise in fields other than hydrology is not required beyond what is necessary to accomplish the hydrological functions. In addition, hydrogeology is a recognized subfield within the hydrology occupation and covers work whose primary concern is with water but deals with the occurrence and movement of water in the crust of the earth and requires knowledge of geology to obtain appropriate water samples and predict the interactions between water and its geological environment.

The GS-1300P Job Family Standard (JFS) for Professional Physical Science Work is used to determine the series, title, and grade of the appellant's work. We may not use the superceded Hydrologist Series, GS-1315 PCS as suggested by the appellant. Hydrologist is the established official title for positions in the GS-1315 series. The agency may, if it so wishes, use the working title Hydrogeologist for the position to recognize the related geology work tasked to and performed by the appellant. Therefore, the position is allocated properly as Hydrologist, GS-1315.

Grade Determination

The GS-1300P JFS includes appropriate language from the law and grade level criteria, i.e., the standard. These are supplemented by illustrations of work appropriate to each grade level.

The law

At the GS-12 and GS-13 grade levels, employees have wide latitude to exercise independent judgment in performance of their work. GS-12 employees receive general administrative supervision to perform professional, scientific, technical, or administrative work of marked difficulty and responsibility requiring extended professional, scientific, or technical training and experience which have demonstrated leadership and attainment of a high order in work assignments. At the GS-12 grade level, the law describes positions which are under general administrative supervision with wide latitude for the exercise of independent judgment. Positions are characterized by professional, scientific, or technical work of marked difficulty and responsibility requiring extended professional, scientific, or technical training and experience which demonstrate leadership and attainment of a high order of professional, scientific, or technical research, practice, or administration.

Similarly, the appellant's supervisor provides general administrative supervision in the form of stated responsibility for a specific site or geographical area with instructions concerning functions, pertinent objectives, and policies. The appellant independently performs these assignments with considerable latitude during the course of the work insofar as selecting the methods used for resolution of complex issues or problems. The appellant's position meets the GS-12 grade level of the law.

The law describes GS-13 employees as those who, under administrative direction, perform assignments that are of unusual difficulty and responsibility. Employees at this level exercise a more significant leadership role in assignments than that expected by the appellant's position. Although the appellant's assignments are complex due to variances or unknown elements, they are not characterized by the level of complexity or difficulty intended for the GS-13 grade level. For example, the appellant does not work under broad administrative guidance where the work is typified by responsibility for developing nationwide policies or new and improved hypotheses, approaches, or concepts not previously tested or reported in the field.

The law further describes GS-13 employees as having marked attainments in professional, scientific, or technical research, practice, or administration. Such attainments would be indicated by a significant number of publications in respected professional journals and being regularly sought for consultation by other professionals in the field. The record does not show evidence of such publications or consultations to the extent required at the GS-13 grade level.

The appellant's position is best evaluated at the GS-12 grade level definition of the law.

The JFS

Assignments at the GS-12 grade level require the employee to extensively modify or adapt standard procedures, methods, and techniques to address problems for which guidelines and precedents are not substantially applicable. Typically, assignments include considerable breadth and diversity requiring the employee to use initiative and resourcefulness. Completed work is reviewed mainly for general acceptability and feasibility in relation to the overall program. Recommendations are normally accepted without close review unless they involve policy or resource issues. The JFS at the GS-12 grade level depicts work assignments that typically involve planning, executing, and reporting on original studies or ongoing studies requiring a fresh approach to resolve problems. The complexity of assignments requires extensive modification and adaptation of standard procedures, methods, and techniques and development of totally new methods and techniques to address problems for which guidelines or precedents are not substantially applicable. Assignments typically include considerable breadth, diversity, and intensity; varied complex features; and novel or obscure problems. Completed work is reviewed primarily for general acceptability and feasibility, and scientific recommendations are normally accepted as sound without close review unless matters of policy or program resources are involved.

Illustrative of GS-12 grade level scientific assignments pertinent to this appeal are:

(1) Using initiative, resourcefulness, and past personal experience to deviate from established approaches and precedents to develop methods and procedures and to apply basic principles and theories. Often developing new methods, techniques, or precedents to plan and carry out assignments. Work and conclusions are accepted as technically authoritative and are reviewed only for meeting the assignment's objectives.

(2) Surveying and inspecting the watershed areas for adverse conditions, such as landslides or eroded gullies. Utilizing data on water temperature, instream flow and discharge, and soil stability and study records. Analyzing and evaluating the collected data in relationship to desired conditions and regulatory requirements to determine the cumulative effects of previous land management practices on current watershed conditions. Developing, modifying, and recommending extensive plans, treatments, and projects for restoring conditions and monitoring and evaluating the results to ensure achievement and maintenance of healthy conditions.

(3) Developing long-range hydrologic plans, programs, and/or precedents of an authoritative and state-of-the-science nature. Developing and modifying hydrologic river forecast procedures for a wide variety of basins when existing procedures are not supplying results that are sufficiently accurate and usable. Developing procedures for specialized forecasts for which procedures do not exist, e.g., snowmelt, river ice formation and dissipation, minimum flow, and flash floods. Making significant technical and scientific recommendations and decisions. Exercising considerable initiative and resourcefulness in

carrying out these assignments to completion. Planning projects and making changes without securing prior technical approval. Representing the agency before public bodies on complex problems that are noncontroversial in nature.

The most directly applicable illustration is that of reviewing and studying proposals for remediating contaminated groundwater when little information on the type and nature of the contaminant and composition of the geographic areas is known. The work requires searching for applicable data gathering and analysis techniques, adapting and devising methods to collect necessary data. Applying the data to geochemical analysis and ground water flow models, the scientist simulates existing conditions and processes, and forecasts the effect of each decontamination proposal on the hydrologic system. The employee modifies the models to reflect the nature of the hydrologic process, geographic area, and correlates the physical-and chemical-analysis results.

The record shows that although substantial historical information is available on former site use, including potential contaminants, there are significant gaps in information. As would be typical of the GS-12 grade level, the appellant directs and oversees contractors to ensure that the tasks assigned in the statement of work are accomplished in a satisfactory technical and timely manner. The site where he works covers about 22,000 acres (approximately 35 square miles), contains 14 major plumes of contaminated water, and has been a Superfund Site since 1989. For a given plume, the usual procedure followed by the appellant is as follows: First, the analysis phase is used to determine the types of soil in which the plume is and is expected to pass and the contaminants it contains. The basic concepts and procedures are similar to those used nationwide for similar hydrological problems, although the geological formations at the appellant's site are not consistent and exhibit wide variations within a short distance, requiring frequent and complex interpretations of the data from cuttings or core samples. To obtain the requisite data, the appellant drills wells, takes soil and water samples or, under certain circumstances, uses computer modeling to determine the extent and location of the plume without drilling. Next, he examines alternative hydrological procedures to select the optimum procedure for cleaning the water and submits a report explaining the approaches considered and the rationale for the one selected. The report is reviewed by his immediate supervisor to determine if it meets ANG required policies, laws, and regulations, EPA regulations, [state name] Department of Environmental Protection regulations, and is within current budgetary guidelines. After the appellant's supervisor approves the plan, construction begins.

The actual construction of the equipment necessary to remove the contaminants from the water is handled primarily by the staff environmental engineers and the construction inspectors. The appellant gives speeches for the public affairs group to obtain acceptance by the public stakeholders for the selected procedure. Should that procedure fail to win public support, the appellant must develop an alternative procedure. During the actual purification of the water, the appellant works closely with the construction inspectors to ensure, through constant monitoring, that the purified water is not reinjected into the contaminated plume. The monitoring yields data to prove to regulators that the system is working as predicted and that no contaminants are

escaping. If the data indicates a problem, the appellant makes the necessary modifications in the procedure or, in cooperation with the environmental engineers, the equipment.

To accomplish the foregoing, the appellant receives general administrative supervision on objectives and policy issues for each specific geographical area. When there are several ongoing projects, the supervisor may discuss with the appellant priorities that impact program resources, e.g., budget, cost overruns. The appellant performs his assignment with considerable latitude. He selects the appropriate methods for resolution of complex issues or problems. His work does not receive technical review and is generally accepted without change. The level of supervision and review received by the appellant is similar to the GS-12 grade level.

The appellant states that he performs work comparable to the following GS-13 grade level illustration in the JFS:

> Serves as a site manager for a large environmental cleanup project that includes extensive analysis during the site selection process and ongoing management responsibility for a large construction effort. Represents the Department in public hearings and in negotiations with local jurisdictions or state regulatory bodies on matters concerning the site. Serves as an expert on interpretation of regulations and technical issues associated with the site and oversees the work of contractors. Determines approaches to be used and is responsible for results. Demonstrates marked degree of professional independence and technical expertise. Keeps supervisor informed of general progress and direction of the work. Work is reviewed from an overall standpoint in terms of feasibility, compatibility with other work, or effectiveness in meeting requirements or expected results.

While the appellant performs aspects of the work in this illustration, these functions are vested in other positions in the organization. Those positions perform the entire range of contractor oversight and program representation functions addressed in the illustration.

Another illustration at the GS-13 grade level is an employee who serves as the water-quality expert for an organization that is comparable to a single or multi-state water-resources program area or a small region in terms of size and complexity; plans and develops new water quality programs and projects by studying and analyzing the information needs of State and local government organizations and Federal agencies and the requirements and objectives of new legislation and regulations; reviews project proposals involving extremely complex water quality problems and issues to determine the feasibility of the projects, based on agency or bureau programs or priorities, the adequacy of work plans, proposed technical approaches and methodology, and human and budgetary resources; and develops broad guidelines for applying state-of-the-science hydrologic data, analysis, and quality assurance techniques to various water-quality projects.

While the appellant deals with the hydrological problems of an area of approximately 35 square miles, this is not equivalent to serving as the water quality expert for an entire state or multi-state

water-resources program area. The geographical area intended in the GS-13 grade level illustrations is considerably more extensive than the area covered by the appellant and entails more wide-ranging program and technical issues than those assigned to the appellant. Nor is he responsible for developing the policies and approaches for the overall management of entire regional watershed areas.

The appealed position also does not meet the GS-13 grade level of the JFS which describes a senior expert level, involving work for which technical problems, definitions, methods, and/or data are highly incomplete, controversial, or uncertain. While the appellant is responsible for removing toxic chemicals from underground water under a wide variety of geological and other physical conditions, the methods used are standard procedures, or combinations of standard procedures. At the GS-13 grade level, employees are representatives for the agency before public bodies on controversial projects and are recognized as authoritative sources for consultation by other scientists and program specialists with a key role in resolving issues that significantly affect scientific programs. The appellant's expertise is respected by his colleagues and superiors. However, the record does not show that he is sought out for consultation by other scientists in the field to the extent envisioned at this grade level in the JFS. While the appellant frequently represents his agency before public bodies, the purpose of the representation is to assure those bodies that the already accepted project is adhering to health and safety standards, and not on the long range and controversial program issues found at the GS-13 grade level. As discussed previously, the record shows that other positions in the organization are vested with these responsibilities.

Experience expected at the GS-13 grade level suggests that the employee is in an advisory or consultatory role for headquarters or field offices and often performs tasks such as assuring technical adequacy of plans before submission to Congress and developing new or revised guidelines for departmentwide use. The appellant's position is not tasked to perform these functions.

Therefore, we find that the GS-12 grade level of the standard and its illustrations are most comparable to the overall work of the appellant's position.

Summary

By comparison to the law and the JFS, the appealed position is best evaluated at the GS-12 grade level.

Decision

The appellant's position is properly classified as Hydrologist, GS-1315-12.