



JOURNAL

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YOUR BOARD MEMBERS

Aaron Blaisdell, PLS
Chair
Snohomish
Term Expires 7/2025

Marjorie Lund, PE, SE
Vice-Chair
Seattle
Term Expires 7/2026

Nirmala Gnanapragasam, Ph.D. PE
Seattle
Term Expires 7/2023

Doug Hendrickson, PE
Richland
Term Expires 7/2022

David Peden, PE, SE
Spokane
Term Expires 7/2025

Ivan VanDeWege, PE
Battle Ground
Term Expires 7/2024

James Wengler, PLS, CFedS
Port Angeles
Term Expires 7/2024

Ken Fuller, PE
Director

INSIDE THIS ISSUE:

MESSAGE FROM THE CHAIR |

NEWS TO YOU

Meet the Board Members 2

The history of signature on 4

first sheet of a Record of

Survey

Professional Responsibility 5

for Verifying Licensing Ap-

plicant Records.

The big Es of Licensure 7

Upgrading your Operating 19

System

EXAMINATION RESULTS 6

INVESTIGATIONS AND 8

ENFORCEMENT

Complaint Review

Administrative Closures

Statistics of Actions Taken

by The Board

Summary of Investigations

Message from the Chair

By Aaron Blaisdell, PLS

Hopefully, this message and Journal find you well in a time of unprecedented change within our country, state, and local communities. The past year especially has brought significant change to our culture and the role that we as professionals and board members play within our day-to-day lives.

Since 2019, significant changes have affected this board and its mission; the first change was becoming a separate state agency. This change has brought staff realignments and streamlined processes for protecting the health, safety and welfare of the citizens of Washington State. As we were getting started in our new unique

role as a separate agency, the board saw its focus change to those licensees under its jurisdiction. A new system that tracks and maintains the licensing information for every professional engineer, land surveyor and on-site septic designer; including those professional firms authorized to practice by this board, began sending out random and unintended renewal notices. Since the system was not under our board's control, we had no warning or idea of what was happening until we began to receive complaints from licensees. Under the leadership of the Director of the Board, Ken Fuller, PE, the staff quickly

jumped into action and began the arduous task of responding to hundreds of emails, phone calls and written letters. Weeks of detailed responses were needed to ensure all licensees who received notices were verified. If you were one of the many who received the notices, thank you for your patience and professionalism.

Then in 2020, the unimaginable happened. The COVID-19 pandemic significantly impacted the way of life for all persons across the globe. The Board, its operations, staff, and stakeholders were all thrown into a state of protection of life-

(Continued on page 12)

License Renewal and Frustrations

By Doug Hendrickson, PE

Many of us have either heard from others, been in it ourselves, or experienced for your company, that our current license has expired. Somehow we missed it. We have gotten used to having agencies send us reminders about license renewal. For reasons too long to describe here, many PE, LS, On-site and COA licensees have not received such notices recently.

Worse yet are potentially receiving phishing calls from persons claiming that our license needs to be renewed and gaining access to your finances. The Board and its staff will not call you for your credit card.

Both issues and risks, financial and license-wise, are readily resolved with current renewal processes. When it is appropriate for you to renew your license – you can start at the BRPELS.WA.gov website, select 'Renew your Professional License', and it will lead you through. Specifically, it will direct you to creation of your Secure Access Washington (SAW) account. This website will be your one-stop shop for secure payments for licenses for your profession, vehicles, and drivers licenses in addition to payment of corporate excise taxes or more.

As an example, I already had a SAW account through which I

was paying for driving license renewals, vehicle tag renewals, and corporate excise taxes and reporting. Within a couple of moments, I was able to link my PE license, and go through the payment process for a renewal. As to future renewals, I am unsure if there is a user-chosen reminder system within SAW, though the system did email me a "Task" to renew when I linked my license to my SAW account (if linked earlier, it would likely remind you 120 days before expiration). I would encourage you to set yourself a reminder in whatever is your favorite calendaring system to go to SAW and renew.

Meet the Board Members

David L. Peden, PE, SE, LEED AP

1st Term expires July 2025



Newest Board Member
David Peden, PE, SE

Dave is a principal for structural engineering in the Spokane office of Coffman Engineers. Dave has been with Coffman for 29 years and has over 35 years of experience in engineering, planning, and management. Dave is LEED-accredited and is a licensed civil/structural engineer in 21 states. Dave's background in structural design includes new facilities, renovations, and additions to medical facilities, schools, and other institutional and commercial buildings.

An active member of the community, Dave has served 10 years on the Board of the Providence Health Care Foundation Eastern Washington where he chaired the Cardiac Council and served a two-year term as chair of the board. He is a founding board member of the Structural Engineers Foundation of Washington and served as chair for two years. Additionally, Dave is involved with Washington State Opportunity Scholarship, Washington STEM and the American Institute of Architects.

He has previously served on the Providence Community Mission Board and Downtown Spokane Partnership board of directors. Additionally, he served as the chapter president and the state president of the Structural Engineers Association of Washington, where he also earned an Engineer of Merit award. Dave received a two-term Governor appointment with the Washington State Building Code Council where he chaired the building code technical advisory group, and chaired the building, fire, and plumbing committee.

Originally from Spokane, he graduated from Gonzaga University with a Bachelor of Science in Civil Engineering in 1985 and then from the University of Virginia with a Master of Science in Structural Engineering in 1987. After working in Seattle and Los Angeles, Dave returned to Spokane in 1992. He has been married to his wife for 30 years and has two adult children.

Doug Hendrickson, PE

1st Term expires July 2022

Mr. Hendrickson is a Chemical Engineer with a BSChE from the University of Texas at Austin, and an MSChE from Washington State University. He is licensed as a Professional Engineer in Washington, Ohio, and South Carolina.

Doug has over thirty years of experience in the analysis, design, startup, and environmental regulation of chemical processes with emphasis upon waste material and off gas treatment in both radiological and non-radiological facilities. He has served in the corporate, governmental, and private practice of engineering including Dow Chemical, Westinghouse, Parsons, U.S. EPA, the Washington Department of Ecology and currently managing an environmental organization with Washington River Protection Solutions Inc, a contractor to the US. Department of Energy.

Doug is active in the American Institute of Chemical Engineers, the Washington Society of Professional Engineers, and the National Society of Professional Engineers. His wife, Michelle, is a Professional Engineer and Certified Hazardous Material Manager heading into the final stages of her PhD who supports him in his pursuit of triathlon activities.

Ivan VanDeWege, PE

2nd Term expires July 2024

Ivan VanDeWege is an electrical engineer that lives in Southwest Washington. Mr. VanDeWege specializes in electrical failure analysis; determining root cause of an engineering failure and designing solutions to prevent the failures in the future.

Ivan has a B.S. in Electrical Engineering and Computer Engineering from Montana State University. He started his career at Underwriters Laboratories then moved onto Hewlett-Packard. He is now a part owner of Talbott Associates Inc., an engineering firm specializing in failure analysis and is the VP of Technology.

Ivan was first licensed as a P.E. in Washington, and currently holds licenses in Montana, Idaho, and Oregon. He has served on BRPELS since 2014 and served as the Chair in 2019/2020 year.

Board members are appointed to a 5-year term, and may be reappointed to a second 5-year term. Board appointments are effective on July 9 of each year.

Marjorie Lund, PE, SE, DBIA

2nd Term expires July 2026

Marjorie Lund has a 40+ year career in structural engineering. After graduating from University of California, Berkeley, she came to Seattle with plans to stay for a year or two and never left. The beauty of the Northwest and interesting work in Seattle kept her here. She has worked for large and small firms and started her own business. Her current company, Lund Opsahl, is a 25-person structural engineering firm in Seattle. Marjorie's work has included award-winning office buildings, medical facilities, colleges, and community centers. She is interested in sustainable design, historic renovations, and especially enjoys the collaboration of all disciplines on a challenging project.

Marjorie was appointed to the Board in 2016 and is pleased to work with these diligent board members and staff to continue to improve the agency, develop laws and policies for the betterment of our professions, and maintain the standards set for qualifications of licensure.

Aaron Blaisdell, PLS

2nd Term expires July 2025

Aaron has been involved in land surveying for the last 24 years and has been licensed in Washington as a Professional Land Surveyor since 2004. He is the Survey Manager for PACE Engineers, Inc, which includes offices in Washington (Kirkland, Wenatchee, Everett) and Lake Oswego (Oregon).

As a resident of Snohomish, he serves on various volunteer boards and commissions and works with students throughout the community. Originally from Spokane, he graduated from Washington State University with a Bachelor of Science Degree in Agriculture. He then moved to the Puget Sound area, became involved in land surveying, and graduated from Renton Technical College with a degree in Civil Engineering – Land Survey in 1999.

As chair, Aaron currently serves on the Board's Executive Committee and Survey Committee and has served as a land survey board member since July 2015.

Nirmala (Nimmy) Gnanapragasam, PhD, PE

2nd Term expires July 2023

Nirmala (Nimmy) Gnanapragasam PhD, PE is currently serving her eighth year on the Board. She has been a faculty member at Seattle University in the department of Civil and Environmental Engineering for the past 28 years. In addition to teaching the geotechnical engineering courses in the department she serves as the senior design coordinator for the department. In that role she recruits real life projects from local industry that could be completed within an academic year. Civil engineering seniors complete the project in a team setting under the mentorship of faculty members and practitioners from the sponsoring entity. The capstone experience enables new graduates to enter the work force with the necessary technical and professional skills.

Nimmy has served as the president of ASCE Seattle Section, secretary of the ASCE geotechnical engineering group and the affiliate director of Project Lead the Way (PLTW), a nation-wide STEM program that introduces engineering to K-12 students. During leisure she enjoys reading (strictly non-fiction), solving puzzles and playing instrumental classical music.

James Wengler, PLS, CFedS

2nd Term expires July 2024

After graduating from the State University of New York College of Environmental Science and Forestry, Syracuse (New York Ranger School, Wanakena Campus, NY) in 1978, Jim moved west and began his surveying career in Port Angeles, Washington. He obtained his Washington State Professional Land Surveyor's license in 1989 and shortly thereafter became active as a subject matter expert in exam item writing and scoring for both the Board of Registration and the NCEES.

In 1996 Jim went on to start Wengler Surveying & Mapping. Jim has been a very active member of the Land Surveyors Association of Washington (LSAW) for many years and became the State President in 2000. He was honored as the Land Surveyor of the Year in 2006. In 2007 Jim became a Certified Federal Surveyor (CFedS) as part of the beta test group. He was then the first CFedS to perform a Federal Authority Survey in the State of Washington.

He is currently serving his second 5 year term as one of two Professional Land Surveyors on the Board of Registration for Professional Engineers and Land Surveyors and served as its Chair from 2018-2019.



The History of the Requirement of Two Signatures on the First Sheet of a Record of Survey

By James Wengler, PLS, CFed

This article reflects the opinions of the writer and does not constitute legal advice.

Within the last year I was asked the question: Does "(Signed and Sealed)" within the surveyor's certificate provided by RCW 58.09.080 mean a signed seal?

The short answer is, no not originally, but it does now.

The survey recording act went into effect in 1973. Since that time the requirement has been that the surveyor's certificate be signed and sealed, which in my opinion means two different things.

As stated below the surveyor's certificate is only required on the first sheet of multiple sheets, but the seal and signature is required on all sheets.

WAC 332-130-150 (1)(a)(iii) states:

The surveyor's certificate, where applicable, which shall be on the first sheet of multiple sheets and shall show the name, license number, original signature and seal of the land surveyor who had responsible charge of the survey portrayed, and the date the land surveyor approved the map or plat. Every sheet of multiple sheets shall have the seal and signature of the land surveyor and the date signed;

Looking into the history of Chapter 196-23 WAC, it appears that prior to 2006, it was not a requirement that you sign your name directly over the seal,

2005

Below is a copy of the Chapter 196-23-070 WAC as it existed in 2005.

WAC 196-23-070 Signature. The terms "signature or signed," as used in chapter 18.43 RCW and/or Title 196 WAC, shall mean the following:

(1) A handwritten identification that represents the act of putting one's name on a document to attest to its validity. The handwritten identification must be:

- (a) Original and written by hand;
- (b) Permanently affixed to the document(s) being certified;
- (c) Applied to the document by the identified registrant.

(2) A digital identification that is an electronic

authentication process attached to or logically associated with an electronic document. The digital identification must be:

- (a) Unique to the registrant using it;
- (b) Capable of independent verification;
- (c) Under the exclusive control of the registrant using it;
- (d) Linked to a document in such a manner that the digital identification is invalidated if any data in the document is changed.

2006

In September of 2006, the Board filed a proposed rule change (WSR 06-18-074) which added section (d) to WAC 196-23-070 which required the signature to be placed directly over the seal/stamp of the licensee.

The new WAC went into effect on November 25, 2006.

Below is a copy of the new WAC after it was adopted.

WAC 196-23-070 Signature. The terms "signature or signed," as used in chapter 18.43 RCW and/or Title 196 WAC, shall mean the following:

(1) A handwritten identification that represents the act of putting one's name on a document to attest to its validity. The handwritten identification must be:

- (a) Original and written by hand;
- (b) Permanently affixed to the document(s) being certified;
- (c) Applied to the document by the identified licensee;
- (d) Placed directly over the seal/stamp of the licensee.

(2) A digital identification that is an electronic authentication process attached to or logically associated with an electronic document. The digital identification must be:

- (a) Unique to the licensee using it;
- (b) Capable of independent verification;
- (c) Under the exclusive control of the licensee using it;

(d) Linked to a document in such a manner that the digital identification is invalidated if any data in the document is changed.

So, prior to November 25, 2006, it was not a requirement that the seal be signed on a Record of Survey. After that date the WAC required you to sign "directly over the seal/stamp"

After looking at random Records of Surveys both before and after 2006, it appears that early on the seal was included as part of the Surveyors Certificate. The certificate was signed, but not the seal, however, many different and inconsistent methods were used.

2018

On November 2, 2018 the Department of Licensing filed WSR 18-22-076, which went into effect on December 3, 2018. The purpose of this rule was to give professional engineer and land surveyor licensees the ability to use electronic signatures when submitting documents required to have a signature.

The 2018 version is as follows:

WAC 196-23-070 Signature. The terms "signature or signed," as used in chapter 18.43 RCW and/or Title 196 WAC, means the following:

(1) A handwritten identification or a digital representation of your handwritten identification that represents the act of putting your name on a document to attest to its validity. The handwritten or digital identification must be:

- (a) Original and written by hand, or a scanned image of an original, handwritten identification;
- (b) Permanently affixed to the document (s) being certified;
- (c) Applied to the document by the identified licensee; and
- (d) Placed directly over the seal/stamp of the licensee.

(2) A digital identification that is an electronic authentication process attached to or logically associated with an electronic

document. The digital identification may include a scanned or digitized signature. The digital identification must be:

- (a) Unique to the licensee using it;
- (b) Capable of independent verification;
- (c) Under the exclusive control of the licensee using it; and
- (d) Linked to a document in such a manner that the digital identification is invalidated if any data in the document is changed.

2020

ENGROSSED SUBSTITUTE SENATE BILL 6028 Chapter 57, Laws of 2020 66th Legislature 2020 Regular Session UNIFORM ELECTRONIC TRANSACTIONS ACT, Effective date: June 11, 2020 is an act relating to adoption of the uniform electronic transactions act and aligning statutory provisions relating to signatures, declarations, and documents.

This bill amended many RCW's including Chapter 58.09 RCW which referenced digital or electronic signatures.

Said bill deleted the verbiage "a digital signature issued by a certification authority under" and added "electronic signatures which meet the standards provided by" the rules adopted by the Washington State Board of Registration for Professional Engineers and Land Surveyors

The bill defined "Electronic signature" as an electronic sound, symbol, or process attached to or logically associated with a record and executed or adopted by a person with the intent to sign the record.

Chapter 332-130 WAC Minimum standards for land boundary surveys and geodetic control surveys and guidelines for the preparation of land descriptions was also amended in 2020 to change the definition of signature as cited below.

This change went into effect on December 7, 2020.

332-130-020 Definitions.

Signature: A handwritten identification, or a scanned image of a handwritten identification, that represents the act of signing the person's name on a document to attest to its validity. This must be made with black ink on the document being certified; applied to the document by the identified person; and under the exclusive control of the person.

In summary, Chapter 58.09 RCW has always required the surveyor's certificate to be signed and sealed.

Prior to 2007 the surveyor's certificate was required to be signed but the seal was not.

Between 2007 and 2018 the seal was required to be signed with an original signature written by hand and placed directly over the seal/stamp of the licensee.

After 2018 the seal was required to be signed with an original signature written by hand or a scanned image of an original, handwritten identification and placed directly over the seal/stamp of the licensee.

The review of some recent Records of Survey indicate that some licensees believe that having your seal in close proximity to the surveyors certificate and signing directly over the seal eliminated the need to sign the surveyors certificate, or signing the surveyor's certificate with the signature bleeding onto or extending across the seal is acceptable.

The 2020 change in chapter 58.09 RCW and Chapter 332-130 WAC did not change the requirement that both the surveyor's certificate and the seal need to be signed separately.

In summation RCW 58.09 requires you to sign the surveyors certificate and WAC 196-23 requires you to sign your seal, two separate laws, two separate signatures. However, the surveyors certificate is only required to be on the first sheet. If you have a problem signing your name more than once put the surveyors certificate on the first sheet only. The first sheet and all subsequent sheets still require your seal and signature directly over said seal.

Professional Responsibility for Verifying Licensing Applicant Records

by Ken Fuller, PE, Director

Over the last few years we have investigated examples of work experience verification forms, which have been stamped and sealed by professionals whom do not have direct knowledge of the applicant's work experience or are attesting to full work experience when they only have partial direct knowledge

As a reminder to all of our professionals, we each have an ethical and professional responsibility to assure the work experience verification forms are completed with the highest standard of care. The professional licensing process involves meeting standards in education, experience, and examination. Our licenses protect the public by enforcing standards that restrict

practice to qualified individuals who have met specific qualifications. The professional engineering, land surveying, or on-site wastewater design direct experience is a foundational qualification, and therefore should be reviewed and verified with care and at the highest professional judgement.

In a typical application the individual explains their various employment engagements where they were practicing their profession. In each engagement they are asked to provide a detailed accounting of the type of work they performed. For instance, in the PE application, applicants are asked to explain their experience in categories such as: formulating

conclusions and recommendations; identifying design objectives; alternative methods and concepts; defining specifications and many others. They are asked to describe their experience in specific terms and provide an indication of how many years/months of experience they gained.

“It is the professionals, in direct supervision of the applicant’s professional work experiences, who have the best understanding of the applicant’s suitability for licensure “

When an applicant has completed their portion of the work experience verification,

(Continued on page 12)

Examinations

October 2020 NCEES Paper/Pencil Exam Results

The April 2020 exam administration was cancelled.

	Total	Pass	Percent Passing
Principles & Practices of Engineering			
Control Systems	4	3	75%
Civil	233	171	73%
Fire Protection	1	1	100%
Industrial	3	2	67%
Naval Architect / Marine Engineering	9	6	67%
Structural Engineering			
Lateral Forces – Bridges	8	3	38%
Vertical Forces – Bridges	6	2	33%
Lateral Forces – Buildings	32	15	47%
Vertical Forces – Buildings	32	17	53%

2020 State Specific Paper/Pencil Exam Results

The April 2020 exam administration was cancelled.

	Total	Pass	Percent Passing
August 2020			
WA Specific Land Surveyor Exam – 4 hours	26	13	50%
On-site Designer's Exam			
Designers	8	1	13%
Inspectors	4	3	75%
October 2020			
WA Specific Land Surveyor Exam – 4 hours	23	12	52%
On-site Designer's Exam			
Designers	8	4	50%
Inspectors	3	1	33%

2020 NCEES Computer-Based Testing Exam Results

The April 2020 exam administration was cancelled.

	Total	Pass	Percent Passing
January - June			
Fundamentals of Engineering (EIT)	485	354	73%
Fundamentals of Land Surveying (LSIT)	11	6	55%
Principles & Practices of Land Surveying – 6 hours	7	4	57%
Principles & Practices of Engineering			
Chemical	2	1	50%
Environmental	13	9	69%
Mechanical	12	11	92%
July - December			
Fundamentals of Engineering (EIT)	493	339	69%
Fundamentals of Land Surveying (LSIT)	14	7	50%
Principles & Practices of Land Surveying – 6 hours	12	9	75%
Principles & Practices of Engineering			
Chemical	2	1	50%
Electrical	19	16	84%
Environmental	9	7	78%
Mechanical	27	19	70%

2020-21 Exam Qualification Committee

By Nirmala Gnanapragasam, Ph.D. PE



The Exam Qualification Committee (EQC) is one of the standing committees consisting of three Board members supported by Board staff. The EQC typically, (i) reviews exam and licensure applications of candidates who follow non-traditional paths to licensure and/or in situations where the Board staff are unable to make a decision, (ii) discusses questions that licensees and candidates in paths to licensure may have pertaining to obtaining their license within the state, (iii) reviews the scores of state specific survey and on-site wastewater treatment system designer exams and recommends to the Board the cut scores to pass the exam. In

addition to these regular activities, each year the committee also takes on a few major tasks.

The 2020-21 EQC has taken on the task of reviewing and revising Washington Administrative Code (WAC) 196-12 that outlines the rules and procedures for applications, eligibility, and examinations to be licensed as professional engineers. The committee has worked to make the language in the WAC clearer and more user friendly, and to reflect the more recent changes within NCEES and the Board since the WAC was last revised in 2018.

This year the EQC, upon request by the Board, has also been reviewing all On-site Wastewater Treatment System Designer (OSD) applications for approval. In the process of reviewing the OSD applications, the committee has recognized the need to revise and update the OSD application form and is working on that as well.

Education, Experience, Examination: The Big Es of Licensure

By Marjorie Lund, PE, SE

Practitioners in engineering, land surveying, on-site system design in the state of Washington are required to obtain licensure as professionals if they are producing products or providing services for the general public. This is required by law so that the public can rely on professionals for life-safety and property rights protection. The laws governing the practice of these fields are maintained and adjudicated by this Board.

What are the qualifications that show that a person is qualified to be a professional? The Revised Code of Washington (RCW) has clearly defined the importance of three aspects of training and background to confirm an applicant’s readiness for licensure. Since becoming a board member, I have come to realize that these laws are more valuable and well-conceived than I previously considered. Let’s explore the value in these important areas of training.

EDUCATION

Education requirements vary among the fields we license. Each one is established to give individuals the understanding of the fundamentals behind the practical applications of our fields. The skills acquired from college and university programs are the basic building blocks of the professional’s practice.

EXPERIENCE

We cannot emphasize enough the value of experience. All our fields require significant amounts of education to prepare us for our careers. However, the breadth of these programs cannot begin to cover all the knowledge you will need to know to perform your day-to-day work. So much of your professional competence is reliant on hands-on training. You are responsible for people’s lives

and their property! Learn your trade well and apply it thoughtfully.

Also, an appeal to business owners and supervisors: You are responsible for building valuable professionals. Give them the variety of experiences and the individualized attention to build their skills to be the professional you can trust with your life. You have an ethical responsibility to provide quality training to future professionals. There is more about this responsibility in the article “Professional Responsibility for Verifying Licensing Applicant Records.” Quality evaluations by verifiers is important to understand whether an individual is capable of the responsibility of licensure. Board staff looks at experience very carefully and we have often asked an applicant to expound on the experience they present to show qualifications for licensure.

EXAMINATION

Our state uses national examinations prepared by NCEES for testing engineers and land surveyors. We also administer state exams for land surveyors, on-site designers and inspectors, and law reviews for all our disciplines. These examinations are important for determining the breadth and depth of knowledge of one’s field of practice and knowledge of legal responsibilities.

Our board is a member of NCEES governing council, we participate on committees, and vote on actions that govern the preparation, administration and grading of many examinations. The 100-year old organization, NCEES, provides exams for use among all the states and territories as well as a dozen or so

(Continued on page 11)

Investigations and Enforcements

Complaint Review and Administrative Closures

By Richard R. Larson, PLS, Deputy Director

This article is intended to explain the flow of the Administrative Review in the Board of Registration for Professional Engineers and Land Surveyors (BRPELS) Complaint review process.

When a complaint is filed with the Board, whether on-line, via email, or through the US Postal Service, it is received and assigned a tracking number. At this point both parties, Complainant and Respondent (person named in the complaint), are notified of the complaint and the case number. A copy of the complaint is provided to the Respondent, but no response from the Respondent is due at this time.

If the complaint is against an Engineer or On-Site Septic System Designer, it is reviewed by the Director. If it is against a Land Surveyor, it is reviewed by the Deputy Director.

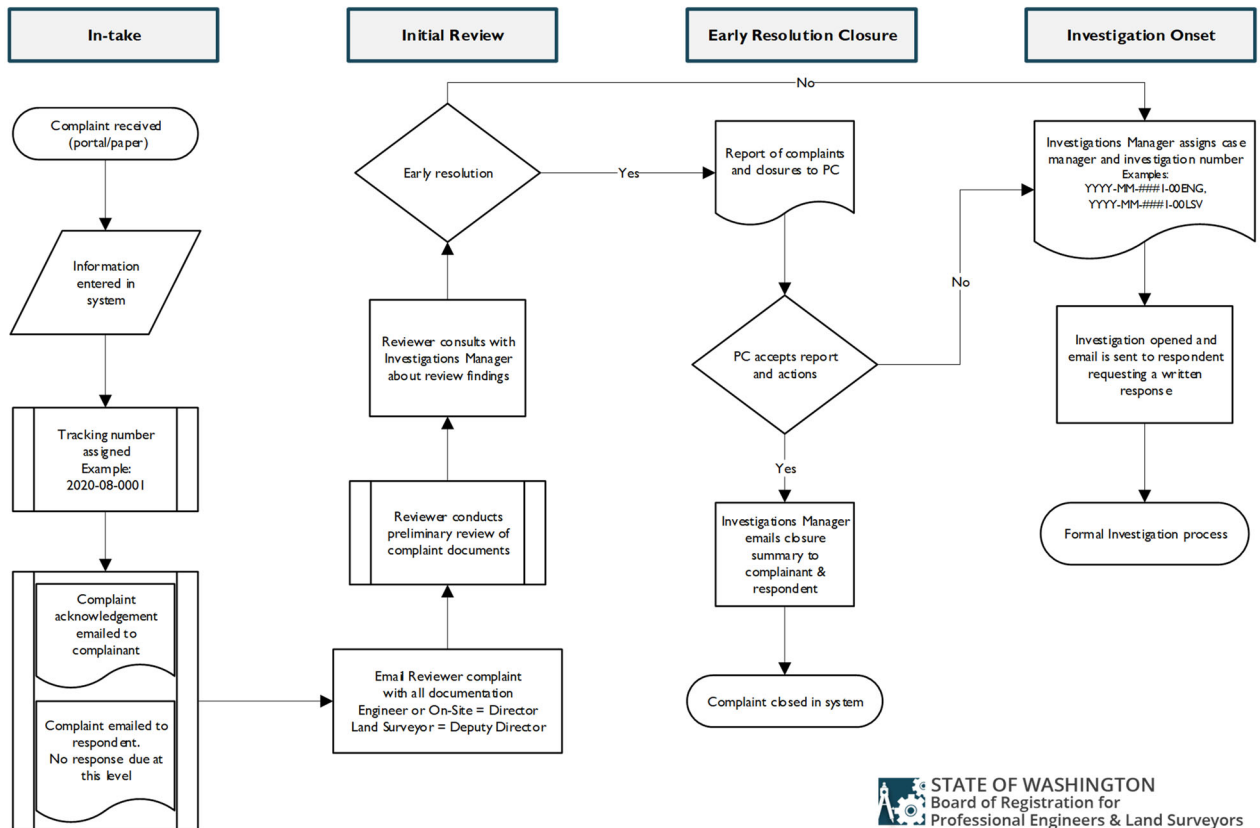
If the reviewer determines there may be a conflict of interest, the Investigations Manager is notified, and the complaint is reassigned to the other reviewer (Director or Deputy Director).

The next step in the procedure is for the reviewer to go over all the complaint documents and contact both the Complainant and Respondent. If the reviewer needs more information, it is requested during this part of the preliminary investigation. If the complaint is minor in nature the reviewer can consider an early resolution and close the case.

If the reviewer determines there may be potential violations of law or rule, they, consult with a case manager (Board member) and the formal investigation process begins.

A report of these Early Administrative Closures are presented to the Board's Practice Committee for its review. If early resolution is chosen, both parties are emailed a summary of the decision and the case is closed in the system.

Complaint Review and Administrative Closures



Formal Actions by The Board

The following case summaries cover the formal actions of the Board from January 2020 through December 2020. Each Respondent may be monitored for compliance with the conditions imposed in the order.

Unlicensed Engineering

Russell Bodge & Pacific Northwest Engineering

Case # 2018-08-0008-00ENG

This investigation was opened based on a complaint against Mr. Bodge for unprofessional conduct, and non-payment of wages.

During the investigation it was found that Mr. Bodge's professional engineer license was suspended on August 29, 2017 due to non-payment of child support, and the Certificate of Authorization (COA) for Pacific Northwest Engineering, a firm owned by Mr. Bodge, expired with the Board on November 30, 2017.

Mr. Bodge was contacted requesting a response to the complaint. Mr. Bodge responded to the allegations of non-payment of wages however, when contacted again, he did not respond to the questions about performing engineering services with a suspended license and expired COA.

During a review of the investigation file, the Case Manager determined that Mr. Bodge was providing engineering services without a valid PE license or valid COA, and the lack of response to the Board's investigator indicated unprofessional conduct. The non-payment of wages is not under the jurisdiction of the Board however it was reported to the Department of Labor & Industries.

On July 2, 2019 the Board issued a Statement of Charges and settlement option in the form of a Stipulated Findings of Fact, Conclusions of Law, and Agree Order. Mr. Bodge requested a settlement conference. A settlement conference was held, and on Mr. Bodge signed an Agreed Order.

Terms of the Agreed Order include:

- Mr. Bodge's professional engineer license is suspended for 5 years. The suspension will commence on the date that the August 29, 2017 Order of Suspension is lifted and stayed for five years conditionally upon complying with the other conditions outlined in the order.
- Within 90 days of entry of the Agreed Order:
 - * He will provide a list of projects he has worked on since the August 29, 2017 Order of Suspension was issued. If any projects were directly supervised by another Professional Engineer, that PE will be identified
 - * He will provide to the Board a letter from his brother, a PE, verifying his direct supervision of Mr. Bodge, detailing how he provides such direct supervision and listing the projects on which he as directly supervised Mr. Bodge

since the August 2017 Order of Suspension.

- Upon the Order of Suspension being lifted, he will follow the license renewal process in effect at the time of renewal, to renew his license.
- Within 90 days of the Order of Suspension being lifted:
 - * He will provide to the Board a letter detailing how he came into compliance and how he plans to proceed to remain in compliance with all laws and rules relating to professional engineering.
 - * He will provide 4 references to the Board. Two references shall be client references, and two references shall be Professional Engineer references.
 - * He will take and pass the Board's Law Review exam
 - * He will bring his license and (if applicable) the COA, into compliance.
- The 5-year stayed suspension only remains in effect so long as Mr. Bodge complies with the terms of the order, does not violate any laws or rules relative to professional engineering, and there is no further discipline by the Board. If he fails to comply with any of the terms or conditions of the Agreed Order, the stay will be lifted, and his license will be suspended for 5 years without further right to appeal.

On February 13, 2020, the Board accepted the Agreed Order.

Nick Bianco, Parks and Restroom Structures, Inc.

Case # 2018-04-0003-00ENG

This investigation was opened based on allegations Nick Bianco, owner of Parks and Restroom Structures, Inc. engaged in the unlicensed practice of engineering and fraudulently copied and used another professional engineer's stamp with signature on construction drawings.

During the investigation it was discovered an engineering firm had designed several prefabricated restroom structures for Mr. Bianco. The drawings submitted as examples of work that had been done under contract, show names and the style of restrooms but no specific addresses for projects.

The drawing set that was submitted as evidence of the unauthorized use of an engineer's stamp was clearly a different quality than the others, appeared to be a reproduction, and the engineer's stamp and signature were not dated. It did not have a particular project address and was presumed to be a style of prefabricated restroom. This drawing set contained the structural engineer's stamp on all the drawings including architectural, mechanical, and electrical. The structural engineer did not produce any part of design or drawings for this set of drawings.

Investigations and Enforcements Continued

The complainant received the unauthorized drawings through a third-party and did not indicate they had been used for permit. The Board investigator contacted the City of Spokane and there was no record of drawings submitted for permit with them. The potential use of the drawings was unknown.

Mr. Bianco did not respond to the complaint. The location of his business appeared to have moved and his contractor's license with L&I was inactive.

On September 26, 2019, the Board issued a Statement of Charges on Unlicensed Activities and Notice of Intent to Issue Cease and Desist Order, and settlement option in the form of Agreed Findings of Fact, Conclusions of Law, and Order to Permanently Cease and Desist. On March 29, 2020, Mr. Bianco signed the Agreed Order.

Terms of the Agreed Order include:

- Mr. Bianco shall permanently cease and desist from offering to practice engineering in the State of Washington. This includes making any statement, directly or indirectly, to any individual or to the public regarding being able to provide and/or perform engineering services, until they file a Certificate of Authority with the Board; distributing any advertisement or offering that suggests the Respondent's officers or employees can provide engineering services; and participating in any capacity in the dissemination of advice, estimates, suggestions or recommendation to any individual or the public where such remarks could be interpreted to convey the impression that its officers or employees are competent and conversant in the profession of engineering.
- Mr. Bianco shall not distribute to any client or public agency any document, including but not limited to: letterhead, business cards, maps, or website references, which show either the firm, its officers and/or employees as having been involved in or offering engineering activities.
- A \$500 fine.

On May 14, 2020 the Board accepted the Agreed Order.

On-Site Designing

Ron Dalle

Case #2015-08-0007-00OSW & 2018-01-0001-00OSW

These investigations were opened based on complaints alleging unprofessional conduct, multiple violations of on-site designer laws and rules, and allegations that Mr. Dalle did not apply the skill, diligence and judgement required as a licensed on-site wastewater treatment system designer.

The first complaint that was submitted involved two projects in which Mr. Dalle was hired as the on-site designer and submitted

designs to the Health District. The first project design submittal contained multiple discrepancies concerning the soil types and required several phone conversations between the Health District representative and Mr. Dalle. The soil type changed in the project site design at least twice during the permit review process and did not follow standard procedures in classifying the soil types. The second project involved a design plan that was submitted to the Health District. It was determined that the design plan for a conventional gravity system was lacking in site detail. Additionally, the Health District representative found a sandstone layer on the site which made the location unsuitable for a septic system. Mr. Dalle did not follow standard procedures in this evaluation and was inadequate in his site design and methodology.

The second complaint involved a design plan that was first submitted to the Health District in May 2017. The design included a proposed swimming pool, however, the soil type listed in the evaluation was not the correct type for a pool, and the design was rejected. Mr. Dalle resubmitted a revised design, but it was also rejected, as the design did not meet the minimum setback between the proposed swimming pool foundation and the on-site system. A third submittal was approved, as the design showed a designated lawn in place of the swimming pool.

In December 2017, Mr. Dalle filed an inspection report with the Health District including a signed and sealed record drawing. This record drawing, dated December 22, 2017, showed no swimming pool. In January 2018 a Health District representative visited the site and discovered a swimming pool had been installed and the on-site septic system installed was not the one approved by the Health District.

When asked by the Board investigator, Mr. Dalle could not explain date discrepancies on the design submittals, nor could he locate and produce a copy of the designs. Also, he did not have any explanation as to why he could not provide the requested documents.

On June 18, 2019 the Board issued a Statement of Charges and settlement option in the form of a Stipulated Findings of Fact, Conclusions of Law, and Agreed Order. Mr. Dalle requested a settlement conference. A settlement conference was held, and after some delay, Mr. Dalle signed an Agreed Order.

Terms of the Agreed Order include:

- Within 30 days of the issuance of the Agreed Order, Mr. Dalle shall submit certificates of completion to the Board for the Intro to Soils for OSS class and the Making Sense of Disturbed and Fill Soils classes offered by the Washington On-Site Sewage Association (WOSSA).
- A \$5000 fine.

On May 14, 2020 the Board accepted the Agreed Order.

Complaint Summary by Profession

	Filed	Closed	Active
2019 Complaints	63	56	7
Professional Engineers	37	37	0
Professional Land Surveyors	26	19	7
Unlicensed Engineers	0	0	0
Unlicensed Land Surveyors	0	0	0
On-Site Designers	0	0	0
2020 Complaints	74	44	30
Professional Engineers	35	22	13
Professional Land Surveyors	22	12	10
Unlicensed Engineers	11	10	1
Unlicensed Land Surveyors	2	0	2
On-Site Designers	4	0	4

Education, Experience, Examination:

The Big Es of Licensure

(Continued from page 7)

foreign countries. Thousands of hours go into the subject matter specifications, writing, administering, and grading of the examinations.

There is much discussion about the quality of the examinations, their applicability in all the areas of the country, and their ability to test practical application. The examinations are one piece of the validation for licensure and do not represent a candidate's full competency.

THE THREE Es

So, what is most important for licensure? The three components required for licensure are well balanced, however of quality of an applicant's experience is the most difficult to define. As you develop your experience, be sure you are gaining a deep well-rounded understanding of your field.

Completing all these areas of preparation for licensure are hard work. When you are awarded your license, you are to be celebrated for your efforts and your willingness to take on the responsibility to the public that your license represents.

Did You Know?

Many of your licensing questions can be answered on our website under the Frequently Asked Questions (FAQ) page? <https://brpels.wa.gov/about-us/frequently-asked-questions>

For example:

- General Questions
- Professional License Renewal
- Business Reviewal
- Fundamentals of Engineering Exam
- Fundamentals of Land Surveying
- Professional Land Surveyors
- Structural Engineer by Exam or Comity

Additional resources are available on our web page as well at: <https://brpels.wa.gov/about-us/resources>

You can find renewal information, along with a tutorial on how to set up your Secure Access Washington (SAW) account at: <https://brpels.wa.gov/engineers/renew-your-professional-license>

If you are unable to find an answer to your question feel free to email the Engineers/Land Surveyors office at engineers@brpels.wa.gov

Message from the Chair

(Continued from page 1)

safety. Under the Governor's directive, all citizens were required to stay home. Soon after, only the most essential workers could work outside of their homes with strict safety protocols. With safety being the utmost priority, the staff of the Board were able to continue operations by following an abbreviated process and schedule. Cell phones and laptops became a standard fixture on the dinner table at home.

Since those early days of the "Stay at Home" order, the Board and its staff continue to develop methods and procedures to meet the demands of public protection. Policies for managing data and processes for working remotely continue to be written and implemented. Though our Special Board Meetings went "virtual", the staff and the individual members remain committed to meet the goals and priorities of the Board and the public. Meetings may be longer, during off-hours or adversely affected by internet connection speeds. Regardless, our Board continues to ensure its; exams are secure and accommodating; communications with outside agencies are strengthened and the

practice of licensees continue to protect the health safety and welfare of the public at the highest level. A few of the changes and actions that took place this past year had to do with digital signatures, structural applications and streamlining the complaint process.

Also in 2020, we experienced the departure of fellow Board member and professional; Stephen Shrope, PE, SE. His unwavering passion and professional regard will be missed. Personally, Steve was a mentor of mine and was always at the ready to offer advice, get me back in line or give me a "high five" when work was completed. Even though he wasn't a licensed land surveyor, I continue to "do it Steve's way" and follow in his footsteps. With Steve's departure came our newest member; Dave Peden, PE, SE. A fellow professional from Spokane, Dave will, no doubt, pick up where Steve and past members have left off and provide his unique experiences and expertise for protecting the public's health, safety and welfare.

Looking forward, the Board has much to take care of. Professional exams are being updated with relevant terms and

technologies. Exam applications are being reworded to meet guidelines. WACs (Rules) are being changed to clarify and be consistent with recently changed laws. A couple of WAC changes that you should be tracking are under WAC 196-09 and WAC 196-23. Recent Board policies that have been amended or repealed have been Policy 3, 42 and 48, respectively. These changes are consistent with the Board's mission of maintaining relevant policies that provide clarity to staff and stakeholders. We also encourage licensees to continue to follow rules and laws which directly affect their activities and practices under 18.43 RCW.

In closing, this Board, like other Boards, are always looking for your feedback and perspective. We all have a role to play. We all serve the public and keep the bar high through continued professionalism. The citizens of Washington and those in other states where you may be licensed, are looking to you to ensure your work is performed ethically and of the highest quality. Is it happening where you practice?

Professional Responsibility for Verifying Licensing Applicant Records

(Continued from page 5)

it's then forwarded to those professionals who had direct supervision over the time when the experience was gained and can attest to having knowledge of the accuracy of the applicant's statements.

When a licensee is asked to complete the experience verification, they become a significant part of the application process. Their role and the statements help ensure the Board meets the first two objectives in its Mission:

That only qualified applicants are permitted to take the examinations for licensure.

That only competent individuals are granted licensure to practice.

It is a very important part of the process because it is the professionals, in direct supervision of the applicant's professional work experiences, who have the best understanding of the applicant's suitability for licensure. If a licensee does not do a thorough job in the verification process or knowingly endorses a candidate for licensure that has not gained the necessary experience, the verifying professional has potentially exposed the public to unnecessary risks and harm. They are also likely in violation of the Rules of Professional Conduct, which could result in disciplinary action by the Board.

When you are asked to perform this important assignment accept it with the gratitude that your opinion is highly respected and the responsibility that only qualified individuals should sit for the exam. If you have any questions regarding your attestation to the applicant's professional experience please contact the board at engineers@brpels.wa.gov.

UPGRADING YOUR OPERATING SYSTEM

By Ric Wilkerson

Professional On-Site Wastewater Treatment System Designer

This is a guest article written by Ric Wilkerson, Licensed On-Site Wastewater Treatment System Designer, and subject matter expert for the board, that expresses his opinion.

If you're a technology geek thumbing through this journal, prepare to be disappointed. This article has nothing to do with software, firmware, hardware, ransomware or any other ware relating to computer systems. This IS about how you are operating, as a professional in your chosen field and whether your individual business model has your company improving, remaining static, or losing ground (money).

Unfulfilled expectations lead to disappointment

Understanding expectations is one of the major skills that leads to business success. Communication is the primary method by which one can become aware

of, understand and ultimately meet expectations. When potential clients contact your office to obtain details on wastewater systems or

Understanding expectations is one of the major skills that leads to business success.

site development procedures, you are presented your first opportunity to explain a foreign process to them in such a way that will bring a greater degree of understanding and clarity (their expectation). Done proficiently, this should deliver paying customers and financial reward to your company (your expectation). This basic first step is immensely overlooked by many entrepreneurs. It can be difficult and time consuming to properly convey exactly what it is you do and how you go about doing it, well. Your explanations will need to weave in the multitude of other players that will be involved- County regulators, biologists, construction companies, operations and maintenance personnel, excavation contractors, builders and well

drillers to name a few, and further educate a client how each plays a part in what they are trying to accomplish. And let us not neglect to mention the multitude of State and local codes and regulations as well as your experience in soil conditions and water issues which are all vital when discussing development feasibility.

Answering the phone is the most important activity you will perform on a day-to-day basis. Using this time to succinctly and properly communicate project information is imperative to your clients. Any regulatory agency will tell you that the number one complaint against designers is the failure to return calls and communicate with clients, installer contractors and Health representatives in a timely manner.

Six general principles that you may want to consider:

Answer the phone when it rings. If you are unable to talk at that time, tell the caller when you'll return the call, or ask when it is best to do so. Successful business people handle issues before they become problems, and they deal with problems before they become catastrophes. Skipping calls only leads to an abundance of return calls that compound anxiety and stress.

Designate a time to listen to phone messages. This enables messages to be heard at a less busy and stressful time.

Return calls and messages promptly. Do not place these calls at lunch or after 5:00 PM as the probability of reaching the caller is significantly reduced during non-business hours. It is far better to deal with a happier person right away than a profoundly agitated one later on.

Take control of the conversation at the beginning of a phone call. Tell a prospective client that you only have 10 minutes available to discuss the project at hand. Direct the conversation with applicable questions and comments that keep the discussion relevant and cohesive. Use a checklist to assemble the pertinent information needed to research, bid and fully under-



stand a project. This will serve to ensure that you do not overlook any information necessary to begin a project.

Develop and tune your communication and telephone skills. Understand the social and economic status of the people interested in your services. Know who you are speaking with and tailor the technical content to the client.

To text, email, or call? Critical nonverbal information is lost in texts and emails. Short of receiving a message in ALL CAPS, you may never know how concerned, frustrated, delighted or confused a client may be. And lest we forget, texts and emails begat more texts and emails. At the conclusion of a short phone call, it is simple to ask "any more questions or concerns I can help you with?"

Above all, communicate clearly and concisely and strive to fully understand the clients needs and desires. Ask questions and be honest about time frames. Once you are fully aware of the expressed expectations and convey yours to the client as well, do not be surprised if at times they do not match up. This should be expected and when it does occur, you will need to convey respectfully to the client why you choose not to work with them.

Year in Review - BRPELS 2020

By Ken Fuller, P.E., Director

Over the last year and a half, the Board of Registration for Professional Engineers and Land Surveyors (BRPELS) has undergone a few significant changes which I would like to share with all of you.

Legislative Actions

- During the 2019 legislative session, Washington State legislators paved the way for BRPELS to become a separate state agency.
- During the 2020 legislative session amendments were made to RCW 18.43 changing how the Director is appointed, and language regarding the agreement with the Department of Licensing.

Agency office set up and agency admin activities to date:

- Eight (8) full time equivalent positions were transferred or hired into our Agency. We have contracted for .50 FTEs for HR and CPA support from the WA State Department of Enterprise Services (DES) Small Agency HR and Financial Services, and 0.25 FTEs for IT desktop services from the County Road Administration Board (CRAB). Our head count total is now 8.75 FTEs. Prior to moving out of DOL, we financed approximately 15 FTEs.
- We temporarily moved our office out of the DOL Black Lake complex into a shared lease at the Chandler Court, County Road Administration Board (CRAB) office, significantly reducing our office footprint. We will soon be moving into our own office space in downtown Olympia.
- The Board hired a Director and a Deputy Director (WA State PE and a PLS respectively).
- We have developed a new website (brpels.wa.gov) with tools for the public and licensees to be engaged. Our staff web administrator is passionate about making this a great tool. Board staff is still building many of our planned resources on the Web page.
- The Licensing and Exam administration team has updated the On-Site Wastewater Designer exam and the State Specific PLS exam. Additionally, as most of you are aware, staff is working with the new on-line licensing system along with our partner, DOL, to improve the functionality and access for our registrants.
- Our administration team has established an electronic venue for meetings and agency coordination. We have purchased new office equipment and moved to the Microsoft Office 365 G5 platform, cloud data storage, and electronic office thru Washington State Technical Services.
- We worked with Governor Inslee's cabinet team on the Miscellaneous Venue Operations Protocol allowing for administration of the NCEES and State Specific Exams during COVID-19 proclamations.
- We fully integrated budget and financial reporting thru DES small agency financial support.
- We fully staffed our agency with the help and services from the DES small agency HR service.
- Our investigations manager has worked on improving our complaint processes, that include tracking, reporting, and creating more efficient processes for case management. The administrative complaint review process has been established and executed.
- Our regulatory manager has established legislation tracking processes and procedures and is in the process of WAC 196 updates and implementing changes to streamline and update our rules.
- Our Director and Deputy Director have been meeting/coordinating with our agency partners in regulations, stakeholder teams, informational sharing and networking related to our professions.
- We have selected subject matter experts for committees assigned to the PLS and OS professions from our license base. We will continue to advertise for these volunteer positions as needed.

It has been a great learning experience for me. I appreciate everyone who has had a part making this agency transition work. A very sincere thank you to our board members for their dedication and for sharing their great knowledge and guidance as we have progressed in this historic move forward. There is no question the events of the last few years have changed my perspective in many aspects of my life. The lessons, the mistakes, the successes, and the examples of the significance of growing and nurturing relationships have cause for reflection. For me the most eye opening has been seeing the heroes of our day to day life, the folks who have risen above personal and professional frustration to show empathy and care for others and provide reason to the unreasonable and light within the darkness of despair. Thank you.



BRPELS

Board of Registration for
Professional Engineers & Land Surveyors

Board Staff

Ken Fuller, PE

Director
360-664-1565
Ken.Fuller@brpels.wa.gov

Agency Director and Chief Executive Officer for Board operations. Manages overall staff and program budget. Oversees liaison activities between the Board, other state agencies, and stakeholders. Provides guidance on application of statute, rules and policies on engineering, land surveying and on-site practice.

Rich Larson, PLS

Deputy Director
360-968-4804
Rich.Larson@brpels.wa.gov

Deputy to Director. Provides support to the Director related to staff management, guidance on application of statute, rules and policies on engineering, land surveying and on-site practice. Provides guidance to staff regarding exams and investigations.

Carmena Moretti

Executive Assistant
360-664-1397
Carmena.Moretti@brpels.wa.gov

Executive Assistant to the Board. Coordinates all board meetings, minutes, and schedules.

Shanan Gillespie

Regulatory Manager
360-664-1570
Shanan.Gillespie@brpels.wa.gov

Agency rule-making coordinator, records retention coordinator, public records officer. Supports the work of the Board's Executive and Survey Committees.

Jill Short

Investigations & Compliance Manager
360-664-1561
Jill.Short@brpels.wa.gov

Supports the work of the Practice Committee and manages investigations and enforcement activities of the board. Conducts investigations of engineering, land surveying and on-site designers. Tracks compliance with Board Orders. Provides guidance on application of statute, rules and policies on engineering, land surveying and on-site designer practice.

To help you identify who can best assist you and how you can reach us should a question arise, we have listed individuals from our staff and their general responsibilities. Please contact us whenever you have a question or comment about the service you have received.

Licensing:

Processes applications for PE or PLS license, Engineer-in-Training, Land Surveyor-in-Training, On-site Designers/Inspectors, Limited Liability Companies and Corporations. Oversees local examination administrations, notifications to applicants and license renewals.

Vonna Cramer

Licensing Specialist - Lead
360-664-1573
Vonna.Cramer@brpels.wa.gov

Supports the work of the Exam Qualification Committee of the Board. Processes refunds. Provides guidance to applicants and licensing staff on application of statute, rules and policies on engineering, land surveying and on-site designer/inspector practice as it relates to the licensing process.

Nghiem Pham

Licensing Specialist
360-664-1575
Nghiem.Pham@brpels.wa.gov

Processes PE exam, PE initial license, SE exam, Professional Land Surveyor & On-Site Wastewater Designer/Inspector exam applications. Processes state specific PLS & OS exams. Processes refunds, renewals, license verification requests and answers general licensing questions.

Mackenzie Wherrett

Licensing Specialist
360-664-1575
Mackenzie.Wherret@brpels.wa.gov

Processes PE comity, SE comity applications, EIT/LSIT exam and certifications & Corp/LLC applications. Processes refunds, renewals, license verifications and assists in general questions about the licensure process.



BRPELS

Board of Registration for
Professional Engineers & Land Surveyors

Board Mailing Address (documents without payments)
Board of Registration for Professional Engineers and Land Surveyors
PO Box 9025
Olympia WA 98507-9025

Board Mailing Address (applications or renewals with payments)
Board of Registration for Professional Engineers and Land Surveyors
Department of Licensing
PO Box 3777
Seattle, WA 98124-3777

Board Office Location
605 11th Avenue SE Suite #201
Olympia WA 98501

E-mail Address Engineers@brpels.wa.gov

Website <https://brpels.wa.gov>



2021 Calendar

The following calendar displays the Board’s planned meetings and participating events for 2021. Dates and locations are subject to change. For more information including locations, dial-in information, agendas, audio, and meeting minutes visit <https://brpels.wa.gov/about-us/board-meetings-and-minutes>. or email engineers@brpels.wa.gov.

June — Spokane

- 16 Committee Meetings
- 16 Strategic Planning Session
- 17 Annual Board Meeting

October — TBD

- 20 Committee Meetings
- 21 Special Board Meeting
- 21-22 NCEES Exams

August — SeaTac

- 11 Committee Meetings
- 12 Special Board Meeting
- 18-21 2021 NCEES Annual Meeting
New Orleans, LA

December — TBD

- 8 Committee Meetings
- 9 Special Board Meeting

September

- 24 State Specific Exams