



**ENGINEERS &  
GEOSCIENTISTS**  
BRITISH COLUMBIA

**IN THE MATTER OF THE *PROFESSIONAL GOVERNANCE ACT*, S.B.C. 2018,  
CHAPTER 47**

**and**

**IN THE MATTER OF AMBER NADINE LECOMTE, P.ENG.**

**ENGINEERS AND GEOSCIENTISTS BC FILE NO. T22-073**

**CONSENT ORDER**

**Background**

1. On May 6, 2024, pursuant to section 66(1) of the *Professional Governance Act*, S.B.C. 2018, c. 47 (the “PGA”), the appointed Investigation Subcommittee of the Association of Professional Engineers and Geoscientists of the Province of British Columbia, doing business as Engineers and Geoscientists BC, issued an investigation report (the “Report”) regarding Amber Nadine Lecomte. The Report was provided to the Investigation Committee pursuant to section 9.7.6(1) of the *Bylaws* of Engineers and Geoscientists BC.
2. The Report concerned Ms. Lecomte’s engineering services in relation to the design of an onsite wastewater sewerage system for a residence and additional structure in Naramata, BC (the “Sewerage System”).
3. On May 6, 2024, the Investigation Committee appointed a Resolution Subcommittee to attempt to resolve this matter by means of a Consent Order.
4. The Investigation Committee and Ms. Lecomte wish to resolve this matter by consent pursuant to section 73(2) of the *PGA* to avoid the need for a disciplinary hearing.
5. Ms. Lecomte consents to the disposition set out below.

## Legislation

6. On February 5, 2021, the *Engineers and Geoscientists Act*, R.S.B.C. 1996, c. 116 (the “*EGA*”) was repealed and replaced by the *PGA*.
7. The conduct of Ms. Lecomte took place at a time when the *EGA* was in force. As a result, the conduct in question is considered pursuant to sections 30(9)(b) and 30(9)(c) of the *EGA*, and the *Bylaws* and *Code of Ethics* under the *EGA*.
8. Pursuant to sections 35(2) and 36(1)(c) of the *Interpretation Act*, R.S.B.C. 1996, c. 238, investigations commenced under the *EGA* carry on procedurally under the *PGA*.

## Admissions

9. Ms. Lecomte admits that she demonstrated unprofessional conduct in relation to the engineering services she provided for the Sewerage System. In particular, Ms. Lecomte admits that she failed to:
  - a. design the Sewerage System in a manner consistent with the Sewerage System Standard Practice Manual, Version 3 (the “*SPM*”), or provide a rationale for using an alternative standard practise, including:
    - i. selecting an appropriate system for the soil type;
    - ii. digging test pits deep enough to confirm the required vertical separation and retaining photos of the test pits;
    - iii. using an appropriate hydraulic loading rate from dispersal field into soil accounting for the soil type;
    - iv. accurately calculating the design flow rate, linear loading rate, and the size of the combined treatment and dispersal system;
    - v. ensuring the seepage bed design did not exceed the maximum width of three metres;
    - vi. conducting percolation and/or permeameter tests, and specifying a method of testing effluent quality;
    - vii. indicating information about soil mottling or greying, soil texture, structure, colour, and consistency, and the maximum depth of roots;
    - viii. indicating the vertical separation to the operating high water table on the profile and report;
    - ix. indicating information about hydraulic calculations; and

- x. preparing as-built drawings with sufficient details of the system to be constructed;
  - b. provide adequate information for the design of the Sewerage System, including, but not limited to:
    - i. potential issues relating to the features relevant to the area;
    - ii. the topography, estimated depth to water table, and/or restrictive layers in the cross section showing the elevation of trenches;
    - iii. details of a pump system to disperse the effluent into the field;
    - iv. the elevations of critical features;
    - iii. consistent spacing between enviro-septic pipes;
  - d. comply with the *Sewerage System Regulations*, B.C. Reg. 326/2004 by signing and sealing a Record of Sewerage System form, affirming that the plans and specifications attached therein were consistent with standard practice when she knew or ought to have known that the plans and specifications were not consistent with standard practice;
  - e. adequately conduct, or in the alternative, document field reviews;
  - f. adequately conduct direct supervision in regard to the construction and installation of the Sewerage System; and
  - g. create or maintain adequate project documentation in regard to the design and construction of the Sewerage System.
10. The conduct set out above at paragraph 9 is contrary to Principle 1 of the Engineers and Geoscientists BC Code of Ethics (the “Code of Ethics”), as it stood at the time, which required that all members and licensees shall hold paramount the safety, health and welfare of the public, the protection of the environment and promote health and safety within the workplace.
11. The conduct set out above at paragraph 9 is contrary to Principle 2 of the Code of Ethics, as it stood at the time, which required that all members and licensees shall undertake and accept responsibility for professional assignments only when qualified by training or experience.
12. The conduct set out above at paragraphs 9(a), (e), and (g) is contrary to section 14(b) of the Engineers and Geoscientists BC’s Bylaws, as they then were, which required that members and licensees shall establish and maintain documented quality management processes for their practices, including:

- a. retention of complete project documentation which may include, but is not limited to, correspondence, investigations, surveys, reports, data, background information, assessments, designs, specifications, field reviews, testing information, quality assurance documentation, and other engineering and geoscience documents for a minimum period of 10 years;
- b. regular documented checks of engineering and geoscience work using a written quality control process appropriate to the risk associated with the work; and
- c. documented field reviews by, or under the direct supervision of, members or licensees, of their domestic projects during implementation or construction.

### **Disposition**

13. By consent, this Consent Order is made pursuant to section 73 of the *PGA*.
14. Ms. Lecomte's registration in Engineers and Geoscientists BC is suspended for a period of three months commencing on September 27, 2024, (the "Suspension Period").
15. On or before the end of the Suspension Period, Ms. Lecomte must provide written notice to Engineers and Geoscientists BC that she has at her own expense, successfully completed the following:
  - a. Documented Field Reviews during Implementation and Construction webinar provided by Engineers and Geoscientists BC;
  - b. Professional Engineering and Geoscience Practice in BC Online Seminar;
  - c. Two of the following three courses:
    - i. EQUIP OS110: BC Regulatory Framework for Onsite Sewerage;
    - ii. EQUIP OS120: Sewerage System Specification and Installation Standard;
    - iii. EQUIP OS130: Onsite Sewerage Design.
16. Twelve months after the conclusion of the Suspension Period, Ms. Lecomte agrees to undergo a practice review conducted by Engineers and Geoscientists BC (the "Practice Review"), at her own expense. The precise timing and process of the Practice Review will be determined by the Audit and Practice Review Committee.
17. Ms. Lecomte will pay \$8,000 to Engineers and Geoscientists BC towards the legal and investigative costs of Engineers and Geoscientists BC contemporaneous with the execution of this Consent Order.

18. In the event that Ms. Lecomte fails to comply with any of the terms of this Consent Order, her registration with Engineers and Geoscientists BC will be suspended until every default has been remedied in accordance with the terms of this Consent Order.

**Consequences of the Consent Order**

19. The full text of this Consent Order will be published on the website of Engineers and Geoscientists BC, and a summary will be published in print and electronic publications, including in public communications.

20. This Consent Order has the same force and effect as an Order made under section 75 of the *PGA*.

21. Ms. Lecomte agrees that Engineers and Geoscientists BC has recommended that she receive independent legal advice regarding this Consent Order and that Engineers and Geoscientists BC has given her the opportunity to obtain independent legal advice.

22. Ms. Lecomte and Engineers and Geoscientists BC agree that this Consent Order may be executed in counterparts and delivered as an electronic document.

This Consent Order is approved and accepted by Ms. Lecomte and the Investigation Committee this 26th day of September, 2024.

<original signed by>  
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Amber Nadine Lecomte, P.Eng.

<Christina Best>  
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Name of Witness

<original signed by>  
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Signature of Witness

The Investigation Committee of the Association of  
of Professional Engineers and Geoscientists  
of the Province of British Columbia

<original signed by>  
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Per: Peter Helland, P.Eng.  
Chair, Investigation Committee