



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

AND

IN THE MATTER OF RICHARD BARTEL, P.ENG. (LICENCE # 14933)

ENGINEERS AND GEOSCIENTISTS BC FILES T19-005, T19-059 and T21-009

CONSENT ORDER

Background

1. On September 26, 2024, the Association of Professional Engineers and Geoscientists of the Province of British Columbia, doing business as Engineers and Geoscientists BC, issued three Citations against Richard Bartel, P.Eng., pursuant to section 66(1) of the *Professional Governance Act*, S.B.C. 2018, c. 47 (the “PGA”).
2. The first Citation for file T19-005 sets out allegations regarding Mr. Bartel’s engineering work concerning six sewerage systems at properties in Vernon, Chase, and on [REDACTED], BC (the “First Citation”).
3. The second Citation for file T19-059 sets out allegations regarding Mr. Bartel’s engineering work concerning six sewerage systems, and project documentation related to those and additional sewerage systems, at a Recreational Vehicle Site in the Thompson Okanagan Region of BC (the “Second Citation”).
4. The third Citation for file T21-009 sets out allegations regarding Mr. Bartel’s engineering work concerning a sewerage system in Vernon, BC (the “Third Citation”).
5. Engineers and Geoscientists BC and Mr. Bartel now wish to resolve each of the First Citation, Second Citation and Third Citation (together, the “Citations”) by consent pursuant to section 73(2) of the *PGA* in order to avoid the need for a disciplinary hearing.

Legislation

6. The conduct at issue in the Citations took place at a time when the *Engineers and Geoscientists Act*, R.S.B.C. 1996, c. 116 (the “*EGA*”) was in force. The *EGA* was repealed and replaced by the *PGA* on February 5, 2021. As a result, Engineers and Geoscientists BC considered Mr. Bartel’s conduct at issue in the Citations pursuant to sections 30(9)(b) and 30(9)(c) of the *EGA* and Engineers and Geoscientists of BC Bylaws and Code of Ethics under the *EGA*.
7. 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

T19-005 – The First Citation

8. Mr. Bartel admits to the allegations in the First Citation relating to an onsite sewerage system located on Antoine Road, Vernon, BC (the “Antoine Road Sewerage System”), namely that in or about November and December 2014 he demonstrated unprofessional conduct, contrary to the *EGA*, by designing, commissioning, and/or submitting documents to the First Nations Health Authority (“FNHA”) in relation to the Antoine Road Sewerage System in a manner inconsistent with the Sewerage System Practice Manual Version 3 (the “SPM”); and/or the *Sewerage System Regulation*, BC Reg 326/2004 (the “SSR”); and/or a specified alternative standard practice. In particular, Mr. Bartel admits that he:
 - a. Failed to conduct an adequate site and soil evaluation, or ensure that an adequate site and soil evaluation was undertaken including by failing to:
 - i. conduct sufficient percolation or permeability tests in the dispersal area, contrary to section II-3.3.2 of the SPM;
 - ii. excavate a sufficient number of test pits in the dispersal area, contrary to section III-3.3.2.1 of the SPM; and
 - iii. prepare a site and soil evaluation report that meets the minimum requirements of section II-3.3.3 of the SPM;
 - b. Prepared plans, specifications, and supporting documents for the design of the Antoine Road Sewerage System, submitted to the FNHA between on or about November 5 and 18, 2014, which were not consistent with industry standard practices and/or deficient, particulars of which include the following:
 - i. the horizontal separation distance from Okanagan Lake is less than 30m, contrary to section II-5.4 and Table II-19 of the SPM;

- ii. the plans and specifications do not comply with the manufacturer's written installation instructions, and Mr. Bartel provided no written rationale or justification for this non-compliance; and
 - iii. there is no or insufficient written rationale for departing from the standard guidelines contained in the SPM, contrary to section III-1.1 of the SPM;
 - c. Failed to comply with section 8(2) of the *SSR* by providing a written assurance to the FNHA between on or about November 5 and 18, 2014, that the plans and specifications for the Antoine Road Sewerage System were consistent with standard practice, when Mr. Bartel knew or ought to have known that the plans and specifications were not consistent with standard practice or the content of the SPM;
 - d. Authenticated a Record of Sewerage System ("ROSS") for the Antoine Road Sewerage System on or about November 5, 2014, that contained errors, defects or omissions including the following:
 - i. the soil texture description on the ROSS does not match the observations contained in Soil Pit Observation Record dated November 5, 2014, or the Preamble dated November 6, 2014; and
 - ii. the depth of natural soil to restrictive layer and total vertical separation on the ROSS are stated to be 182cm, but the Soil Pit Observation Record dated November 5, 2014, and the Preamble dated November 6, 2014, indicate that there was no excavation below 1270mm;
 - e. Failed to prepare a maintenance plan for the Antoine Road Sewerage System that was consistent with standard practice or that met the requirements of section II-3.7.2 the SPM;
 - f. Failed to comply with section 9(1) of the *SSR* by authenticating a Letter of Certification on or about December 1, 2014, certifying that the Antoine Road Sewerage System had been constructed in accordance with standard practice and that the owner of the Antoine Road Sewerage System had been provided with a maintenance plan that was consistent with standard practice, when Mr. Bartel knew or ought to have known that that either or both of these statements was not true; and
 - g. Failed to prepare a complete set of authenticated drawings for the Antoine Road Sewerage System.
9. Mr. Bartel admits to the allegations in the First Citation relating to an onsite sewerage system located on Lawrence Lane, Vernon, BC (the "Lawrence Lane Sewerage System"), namely that in or about March 2018 he demonstrated unprofessional conduct, contrary to the *EGA*, by designing, commissioning, and/or submitting documents to the FNHA in relation to the Lawrence Lane Sewerage System in a

manner inconsistent with the SPM; and/or the SSR; and/or a specified alternative standard practice. In particular, Mr. Bartel admits that he:

- a. Failed to conduct an adequate site and soil evaluation, or ensure that an adequate site and soil evaluation was undertaken, including by failing to:
 - i. conduct sufficient percolation or permeability tests in the dispersal area, contrary to section II-3.3.2 of the SPM;
 - ii. excavate a sufficient number of test pits in the dispersal area, contrary to section III-3.3.2.1 of the SPM;
 - iii. record soil test pit logs, contrary to section III-8.3.1 of the SPM; and
 - iv. prepare a site and soil evaluation report that meets the minimum requirements of section II-3.3.3 of the SPM;
- b. Prepared plans, specifications and supporting documents for the design of the Lawrence Lane Sewerage System, submitted to the FNHA between on or about March 14 and 21, 2018, which were deficient, particulars of which include the following:
 - i. the Lawrence Lane Sewerage System uses a dosed gravity to a splitter tee system and has trench widths of greater than 60cm where the land slope is stated to be greater than 15%, which is not permitted under Table II-6 and Table II-37 of the SPM; and
 - ii. there is no or insufficient written rationale for departing from the standard guidelines contained in the SPM, contrary to section III-1.1 of the SPM;
- c. Failed to comply with section 8(2) of the SSR by providing a written assurance to the FNHA between on or about March 14 and 21, 2018, that the plans and specifications for the Lawrence Lane Sewerage System were consistent with standard practice, when Mr. Bartel knew or ought to have known that the plans and specifications were not consistent with standard practice or the content of the SPM;
- d. Authenticated a ROSS for the Lawrence Lane Sewerage System on or about March 14, 2018, that contained errors, defects or omissions including the following:
 - i. the depth of natural soil to restrictive layer on the ROSS is stated to be >182.8cm, but the Preamble dated March 18, 2018, indicates that there was no excavation below 1524mm;
- e. Failed to prepare a maintenance plan for the Lawrence Lane Sewerage System that was consistent with standard practice or that met the requirements of section II-3.7.2 the SPM; and

- f. Failed to prepare a complete set of authenticated drawings for the Lawrence Lane Sewerage System.
10. Mr. Bartel admits to the allegations in the First Citation relating to an onsite sewerage system located on Silvery Beach Road, Chase, BC (the “Silvery Beach Road Sewerage System”), namely that in or about April to June 2016 he demonstrated unprofessional conduct, contrary to the *EGA*, by designing, commissioning, and/or submitting documents to the FNHA in relation to the Silvery Beach Road Sewerage System in a manner inconsistent with the SPM; and/or the *SSR*; and/or a specified alternative standard practice. In particular, Mr. Bartel admits that he:
- a. Failed to conduct an adequate site and soil evaluation, or ensure that an adequate site and soil evaluation was undertaken, including by failing to:
 - i. conduct sufficient percolation or permeability tests in the dispersal area, contrary to section II-3.3.2 of the SPM;
 - ii. excavate a sufficient number of test pits in the dispersal area, contrary to section III-3.3.2.1 of the SPM;
 - iii. record soil test pit logs, contrary to section III-8.3.1 of the SPM; and
 - iv. prepare a site and soil evaluation report that meets the minimum requirements of section II-3.3.3 of the SPM;
 - b. Prepared plans, specifications and supporting documents for the design of the Silvery Beach Road Sewerage System, submitted to the FNHA between on or about April 19 and May 31, 2016, which were deficient, particulars of which include the following:
 - i. the horizontal separation distance from Little Shushwap Lake is less than 30m, contrary to section II-5.4 and Table II-19 of the SPM; and
 - ii. there is no or insufficient written rationale for departing from the standard guidelines contained in the SPM, contrary to section III-1.1 of the SPM;
 - c. Failed to comply with section 8(2) of the *SSR* by providing a written assurance to the FNHA between on or about April 19 and May 31, 2016, that the plans and specifications for the Silvery Beach Road Sewerage System were consistent with standard practice, when Mr. Bartel knew or ought to have known that the plans and specifications were not consistent with standard practice or the content of the SPM;
 - d. Authenticated a ROSS for the Silvery Beach Road Sewerage System on or about April 19, 2016, that contained errors, defects or omissions including the following:

- i. the depth of natural soil to restrictive layer on the ROSS is stated to be >182.8cm, but the Preamble April 19, 2016, indicates that there was no excavation below 1676mm;
 - ii. the hydraulic loading rate of 27 l/m² per day on the ROSS is inconsistent with Drawing 2016-17-01, which shows a hydraulic loading rate of 30 l/m² per day; and
 - iii. the land slope of 8% on the ROSS is inconsistent with Drawing 2016-17-03, which shows a land slope of 5%;
 - e. Failed to prepare a maintenance plan for the Silvery Beach Road Sewerage System that was consistent with standard practice or that met the requirements of section II-3.7.2 the SPM;
 - f. Failed to comply with section 9(1) of the SSR by authenticating a Letter of Certification on or about June 6, 2016, certifying that the Silvery Beach Road Sewerage System had been constructed in accordance with standard practice and that the owner of the Silvery Beach Road Sewerage System had been provided with a maintenance plan that was consistent with standard practice, when Mr. Bartel knew or ought to have known that either or both of these statements was not true; and
 - g. Failed to prepare a complete set of authenticated drawings for the Silvery Beach Road Sewerage System.
11. Mr. Bartel admits to the allegations in the First Citation relating to an onsite sewerage system at [REDACTED] (the "Lot 263 Sewerage System"), namely that in or about May 2018 to November 2019 he demonstrated unprofessional conduct, contrary to the EGA, by designing, commissioning, and/or submitting documents to the FNHA in relation to the Lot 263 Sewerage System in a manner inconsistent with the SPM; and/or the SSR; and/or a specified alternative standard practice. In particular, Mr. Bartel admits that he:
- a. Failed to conduct an adequate site and soil evaluation, or ensure that an adequate site and soil evaluation was undertaken, including by failing to:
 - i. conduct sufficient percolation or permeability tests in the dispersal area, contrary to section II-3.3.2 of the SPM;
 - ii. excavate a sufficient number of test pits in the dispersal area, contrary to section III-3.3.2.1 of the SPM;
 - iii. record soil test pit logs, contrary to section III-8.3.1 of the SPM; and
 - iv. prepare a site and soil evaluation report that meets the minimum requirements of section II-3.3.3 of the SPM;

- b. Prepared plans, specifications and supporting documents for the design of the Lot 263 Sewerage System, submitted to the FNHA between on or about May 30, 2018, and August 10, 2018, which were not consistent with industry standard practices and/or deficient, particulars of which include the following:
 - i. the plans and specifications do not comply with the manufacturer's written installation instructions, and Mr. Bartel provided no written rationale or justification for this non-compliance; and
 - ii. there is no or insufficient written rationale for departing from the standard guidelines contained in the SPM, contrary to section III-1.1 of the SPM;
 - c. Failed to comply with section 8(2) of the *SSR* by providing a written assurance to the FNHA between on or about May 30, 2018, and August 10, 2018, that the plans and specifications were consistent with standard practice, when Mr. Bartel knew or ought to have known that the plans and specifications were not consistent with standard practice or the content of the SPM;
 - d. Authenticated a ROSS on or about May 30, 2018, that contained errors, defects or omissions including the following:
 - i. the soil texture description on the ROSS is stated to be "sandy loam to sand", which is inconsistent with the Preamble dated May 30, 2018;
 - ii. the depth of natural soil to restrictive layer on the ROSS is stated to be >182.8cm, but the Preamble dated May 30, 2018, indicates that there was no excavation below 1524mm; and
 - iii. the total vertical separation on the ROSS is stated to be 182cm, but the Preamble dated May 30, 2018, indicates that there was no excavation below 1524mm;
 - e. Failed to prepare a maintenance plan that was consistent with standard practice or that met the requirements of section II-3.7.2 the SPM;
 - f. Failed to comply with section 9(1) of the *SSR* by signing and sealing Letters of Certification on or about September 20, 2018, and November 19, 2019, certifying that the Lot 263 Sewerage System had been constructed in accordance with standard practice and that the owner had been provided with a maintenance plan that was consistent with standard practice, when Mr. Bartel knew or ought to have known that either or both of these statements was not true; and
 - g. Failed to prepare a complete set of authenticated drawings.
12. Mr. Bartel admits to the allegations in the First Citation relating to an onsite sewerage system at [REDACTED] (the "Lot 286 Sewerage System"), namely that in or about November 2018 to June 2019 he demonstrated unprofessional

conduct, contrary to the *EGA*, by designing, commissioning, and/or submitting documents to the FNHA in relation to the Lot 268 Sewerage System in a manner inconsistent with the SPM; and/or the *SSR*; and/or a specified alternative standard practice. In particular, Mr. Bartel admits that he:

- a. Failed to prepare a site and soil evaluation report that meets the minimum requirements of section II-3.3.3 of the SPM;
- b. Prepared plans, specifications and supporting documents for the design of the Lot 286 Sewerage System, submitted to the FNHA between on or about November 5, 2018, and May 28, 2019, which were not consistent with industry standard practices and/or deficient, particulars of which include the following:
 - i. the minimum horizontal separation distance from a breakout point is less than 7.5m, contrary to Table II-19 of the SPM;
 - ii. the plans and specifications do not comply with the manufacturer's written installation instructions, and Mr. Bartel provided no written rationale or justification for this non-compliance; and
 - iii. there is no or insufficient written rationale for departing from the standard guidelines contained in the SPM, contrary to section III-1.1 of the SPM;
- c. Failed to comply with section 8(2) of the *SSR* by providing a written assurance to the FNHA between on or about November 5, 2018, and May 28, 2019, that the plans and specifications were consistent with standard practice, when Mr. Bartel knew or ought to have known that the plans and specifications were not consistent with standard practice or the content of the SPM;
- d. Failed to comply with section 8(2) of the *SSR* and section II-3.5.1 of the SPM by allowing the Lot 286 Sewerage System to be installed or constructed prior to the FNHA accepting filing for the Lot 286 Sewerage System;
- e. Authenticated a ROSS on or about November 5, 2018, that contained errors, defects or omissions including the following:
 - i. the depth of natural soil to restrictive Layer on the ROSS is stated to be >182.8cm, but the soil pit observation record dated October 26, 2018, indicates that there was no excavation below 58 inches, and the Preamble dated November 5, 2018, indicates that there was no excavation below 1473.2mm; and
 - ii. the hydraulic loading rate of 40 L/m² per day stated on the ROSS is inconsistent with the hydraulic loading rate of 38.43 L/m² per day stated on Drawing 2018-29-286-01;

- f. Failed to prepare a maintenance plan that was consistent with standard practice or that met the requirements of section II-3.7.2 the SPM;
 - g. Failed to comply with section 9(1) of the SSR by signing and sealing a Letter of Certification on or about June 10, 2019, certifying that the Lot 286 Sewerage System had been constructed in accordance with standard practice and that owner had been provided with a maintenance plan consistent with standard practice, when Mr. Bartel knew or ought to have known that either or both of these statements was not true; and
 - h. Failed to prepare a complete set of authenticated drawings.
13. Mr. Bartel admits to the allegations in the First Citation relating to an onsite sewerage system at [REDACTED] (the "Lot 1-2-11 Sewerage System"), namely that in or about September 2018 to April 2019 he demonstrated unprofessional conduct, contrary to the EGA, by designing, commissioning, and/or submitting documents to the FNHA in relation to the Lot 1-2-11 Sewerage System in a manner inconsistent with the SPM; and/or the SSR; and/or a specified alternative standard practice. In particular, Mr. Bartel admits that he:
- a. Failed to conduct an adequate site and soil evaluation, or ensure that an adequate site and soil evaluation was undertaken including by failing to:
 - i. conduct sufficient percolation or permeability tests in the dispersal area, contrary to section II-3.3.2 of the SPM;
 - ii. excavate a sufficient number of test pits in the dispersal area, contrary to section III-3.3.2.1 of the SPM; and
 - iii. prepare a site and soil evaluation report that meets the minimum requirements of section II-3.3.3 of the SPM;
 - b. Authenticated a ROSS on or about September 12, 2018, that contained errors, defects or omissions including the following:
 - i. the soil texture description on the ROSS is stated to be "loamy sand", which is inconsistent with the Preamble dated September 12, 2018;
 - ii. the hydraulic loading rate is inconsistent between the drawings and ROSS; and
 - iii. there is no or insufficient written rationale for departing from the standard guidelines contained in the SPM, contrary to section III-1.1 of the SPM;
 - c. Failed to comply with section 8(2) of the SSR and section II-3.5.1 of the SPM by allowing the Lot 1-2-11 Sewerage System to be installed or constructed prior to the FNHA accepting filing for the Lot 1-2-11 Sewerage System;

- d. Failed to prepare a maintenance plan that was consistent with standard practice or that met the requirements of section II-3.7.2 the SPM;
 - e. Failed to comply with section 9(1) of the SSR by signing and sealing a Letter of Certification on or about October 13, 2018, certifying that the owner had been provided with a maintenance plan consistent with standard practice, when Mr. Bartel knew or ought that this was not true; and
 - f. Failed to prepare a complete set of authenticated drawings.
14. Mr. Bartel admits to the allegation in the First Citation that he committed unprofessional conduct in relation to the Lot 263 Sewerage System by depicting four percolation test pit locations on Drawing 2018-29-263-02, Revisions 2 and 3 dated August 16, 2018, and Revision 4 dated November 19, 2019, when he had not in fact excavated four test pits and/or conducted four percolation tests.
 15. Mr. Bartel admits to the allegation in the First Citation that he committed unprofessional conduct in relation to the Lot 1-2-11 Sewerage System by revising Drawing 2018-39-02 on or about April 10, 2019, to depict four test pit locations when he had not in fact excavated four test pits and/or conducted four percolation tests.
 16. The conduct set out above at paragraphs 14 and 15 is contrary to section 14(a) of the *Code of Ethics* of Engineers and Geoscientists BC (the "*Code of Ethics*"), as it stood at the relevant times, which required all members and licensees to, among other things, uphold the values of truth, honesty and trustworthiness and safeguard human life and welfare and the environment.
 17. Mr. Bartel admits to the allegation in the First Citation that he contravened Principle 7 of the *Code of Ethics*, as it stood at the relevant times, by failing to act with fairness, courtesy and good faith to an employee of the FNHA, and Engineers and Geoscientists BC in the following correspondence:
 - a. a June 18, 2018, email regarding the Lot 263 Sewerage System;
 - b. a June 19, 2018, email regarding the Lot 263 Sewerage System;
 - c. a September 10, 2018, email to Engineers and Geoscientists BC regarding the complaints about Mr. Bartel's engineering work; and
 - d. emails on April 21, 2020, to Engineers and Geoscientists regarding its investigation into Mr. Bartel's conduct.

T19-059 – The Second Citation

18. Mr. Bartel admits to the allegations set out in the Second Citation that in or about July 2018 to December 2019 he demonstrated unprofessional conduct, contrary to the EGA, by designing, commissioning and/or submitting documents to Interior Health Authority ("IHA") in relation to numerous sewerage systems for a Recreational Vehicle

Site in the Thompson Okanagan region of BC (the “Property”) in a manner inconsistent with the SPM; and/or the SSR; and/or a specified alternative standard practice; which sewerage systems at the Property are:

1. Lot 1, Phase 3, System A (the “1/3/A System”);
2. Lot 1, Phase 3, System B (the “1/3/B System”);
3. Lot 2, Phase 1, System A (the “2/1/A System”);
4. Lot 2, Phase 1, System B (the “2/1/B System”);
5. Lot 2, Phase 1, System C (the “2/1/C System”);
6. Lot 3, Phase 1, System A (the “3/1/A System”);

(collectively, the “Systems”).

19. In particular and in relation to the Systems, Mr. Bartel admits that he:

- a. Failed to conduct an adequate site and soil evaluation, or ensure that an adequate site and soil evaluation was undertaken at the site on which any of the Systems was located, including by failing to:
 - i. conduct sufficient percolation or permeability tests in the dispersal area for any of the Systems, contrary to section II-3.3.2 of the SPM;
 - ii. excavate a sufficient number of test pits in the dispersal area for any of the Systems contrary to section III-3.3.2.1 of the SPM;
 - iii. record soil test pit logs, contrary to section III-8.3.1 of the SPM; and
 - iv. prepare a site and soil evaluation report for any of the Systems that met the minimum requirements of section II-3.3.3 of the SPM;
- b. Authenticated Preamble documents for each of the Systems, or amendments thereto, between on or about July 17, 2018, and October 21, 2019 (the “Preambles”, and each a “Preamble”), which purported to describe the soil profile and characteristics of the dispersal area for each of the Systems as being the same, or substantially the same, when in fact the test pits excavated were not in the dispersal area for any of the Systems;
- c. Prepared plans, specifications and supporting documents for the design of each of the Systems, submitted to IHA between on or about May 21, 2019, and November 20, 2019, which were deficient, particulars of which include that:
 - i. Mr. Bartel mischaracterized the sewage flow as being residential rather than non-residential, contrary to Table III-11 of the SPM;
 - ii. having mischaracterized the nature of the sewage flow as residential rather than non-residential, Mr. Bartel failed to adequately justify the selected peaking factor, and failed to consider the implications of increased biological oxygen demand (BOD) mass loading for non-

residential sewage flows in accordance with Table III-12 and section III-5.1.4.3 of the SPM;

- iii. despite having described the soil profile and soil characteristics at the dispersal area for each of the Systems as being the same, or substantially the same, in each of the Preambles, Mr. Bartel did not select the same hydraulic loading rate for each of the Systems, and provided no justification or rationale for such variation in hydraulic loading rates; and
 - iv. there is no or insufficient written rationale for departing from the standard guidelines contained in the SPM, contrary to section III-1.1 of the SPM;
- d. Prepared Records of Sewerage Systems, or amendments thereto, for each of the Systems, which contained errors, defects or omissions including the following:
- i. the depth of native soil layer to seasonal high water table or restrictive layer is stated to be >182.8cm on each ROSS, or amendment thereto, but each associated Preamble indicates that there was no excavation below 1524mm;
- e. Failed to comply with section 8(2) of the SSR by providing written assurances to IHA between on or about May 21, 2019, and November 20, 2019, that the plans and specifications for each of the Systems were consistent with standard practice, when Mr. Bartel knew or ought to have known that the plans and specifications for each of the Systems were not consistent with standard practice or the content of the SPM;
- f. Failed to prepare a maintenance plan for each of the Systems that was consistent with standard practice or that met the requirements of section II-3.7.2 the SPM; and
- g. Failed to comply with section 9(1) of the SSR by signing and sealing Letters of Certification for each the Systems between May 5, 2019, and December 6, 2019, certifying that each of the Systems had been constructed in accordance with standard practice and that the owner of each of the Systems had been provided with a maintenance plan that was consistent with standard practice, when Mr. Bartel knew or ought to have known either or both of these statements was not true.
20. Mr. Bartel admits to the allegations in the Second Citation that in relation to the Systems and other sewerage systems at the Property, he demonstrated unprofessional conduct, contrary to the EGA, by failing to meet standards for document accuracy, completeness and trustworthiness. In particular, Mr. Bartel admits that he:
- a. Inaccurately depicted the location of 2/1/A System on at least one of the following drawings, after the 2/1/A System had been constructed:

- i. Revision 3 of Drawing 2018-22-03, authenticated by Mr. Bartel on or about May 22, 2019; or
 - ii. a further Revision 3 of Drawing 2018-22-03, authenticated by Mr. Bartel on or about June 6, 2019;
 - b. Inaccurately depicted the location of the 3/1/A System on at least one of the following drawings, after the 3/1/A System had been constructed:
 - i. Revision 2 of Drawing 2022-22-02, authenticated by Mr. Bartel on or about May 21, 2019; or
 - ii. Revision 4 of Drawing 2022-22-02, authenticated by Mr. Bartel on or about May 29, 2019;
 - c. Reported different system completion dates for the 2/1/A System on Letters of Certification authenticated by Mr. Bartel on or about May 23, 2019, and July 11, 2019;
 - d. Used Drawing 2018-22-02 to depict the 2/1/A System, 3/1/A System and another sewerage system at the Property;
 - e. Used Drawing 2018-22-03 to depict the 2/1/A System, 2/1/B System, 2/1/C System and other sewerage systems at the Property;
 - f. Failed to record accurate dates of revisions on Drawings 2018-22-02 and 2018-22-03;
 - g. Failed to create an accurate audit trail in respect of Drawings 2018-22-03 and 2018-22-03; and
 - h. Failed to label Drawings 2018-22-02 and 2018-22-03 within a file structure that is standardized across his professional work on the Systems, and other sewerage systems at the Property.
21. Mr. Bartel admits to the allegation in the Second Citation that he contravened section 14(b)(1) of Bylaws, as they stood at the time, which required all members and licensees to retain complete project documentation, by failing to retain copies of all of the ROSS filings for the 1/3/A, 1/3/B and 2/1/A Systems.
22. The conduct set out above at paragraphs 18–20 is contrary to Principle 1 of the *Code of Ethics*, as it stood at the time, which required all members and licensees to hold paramount the safety, health and welfare of the public, the protection of the environment and promote health and safety within the workplace.

T21-009 – The Third Citation

23. Mr. Bartel admits to the allegation set out in the Third Citation that in or about September 2018 to March 2020, he demonstrated unprofessional conduct, contrary to the *EGA*, by designing, commissioning, and/or submitting documents to IHA in relation to an onsite sewerage system located on Eastside Road, Vernon, BC (the “Eastside Road Sewerage System”) in a manner inconsistent with the SPM; and/or the *SSR*; and/or a specified alternative standard practice. In particular, Mr. Bartel admits that he:
- a. Failed to conduct an adequate site and soil evaluation, or ensure that an adequate site and soil evaluation was undertaken, including by failing to:
 - i. conduct sufficient percolation or permeability tests in the dispersal area, contrary to section II-3.3.2 of the SPM;
 - ii. excavate a sufficient number of test pits in the dispersal area, contrary to section III-3.3.2.1 of the SPM;
 - iii. investigate or adequately investigate the seasonal high water table, and the presence of surface or ground water; and
 - iv. prepare a site and soil evaluation report that meets the minimum requirements of section II-3.3.3 of the SPM;
 - b. Prepared plans, specifications, and supporting documents for the design of the Eastside Road Sewerage System, submitted to IHA between on or about September 14 and 18, 2018, which were deficient, particulars of which include the following:
 - i. the design specified a trickling gravity distribution system where the land slope is stated to be greater than 15%, which is not permitted under Table II-6 the SPM;
 - ii. the selected hydraulic loading rate of 53.87 L/m² per day exceeds the maximum allowable hydraulic loading rate for the soil characteristics described in the Preamble associated with the Eastside Road Sewerage System, authenticated by Mr. Bartel on or about September 14, 2018 (the “September 2018 Preamble”), contrary to Table II-23 of the SPM; and
 - iii. there is no or insufficient written rationale for departing from the standard guidelines contained in the SPM, contrary to section III-1.1 of the SPM;
 - c. Failed to comply with section 8(2) of the *SSR* by providing a written assurance to IHA between on or about September 14 and 18, 2018, that the plans and specifications for the Eastside Road Sewerage System were consistent with standard practice, when Mr. Bartel knew or ought to have known that the plans

and specifications were not consistent with standard practice or the content of the SPM;

- d. Failed to comply with section III-3.6.1 of the SPM by not filing an updated ROSS with IHA despite making material changes to the plans and specifications for the design of the Eastside Road Sewerage System after filing a ROSS for the Eastside Road Sewerage System with IHA between on or about September 14 and 18, 2018 (the “September 2018 ROSS”), which material changes are shown on drawings authenticated by Mr. Bartel on or about December 3, 2019 and/or March 18, 2020;
 - e. Authenticated Drawing 2017-03-02, Revision 4, on or about March 18, 2020, which was deficient, particulars of which include the following:
 - i. the minimum horizontal separation distance between the Eastside Road Sewerage System and an intermittent fresh water body, namely a downstream drainage ditch, is less than 15m, contrary to Table II-19 of the SPM; and
 - ii. the trench spacing of 1219.6mm on a land slope that is stated to be greater than 15% is not permitted under Table II-37 of the SPM.
24. Mr. Bartel admits to the allegation in the Third Citation that he demonstrated unprofessional conduct by representing to IHA in the September 2018 ROSS and/or the September 2018 Preamble that a test pit had been excavated on the site of the Eastside Road Sewerage System, when this was not true. In particular, the soil profile information, characteristics and/or observations contained in the September 2018 ROSS and/or the September 2018 Preamble were not from a test pit on the site of the Eastside Road Sewerage System, but rather from a location on the road adjacent to and/or a property to the west of the Eastside Road Sewerage System.
25. Mr. Bartel admits that he demonstrated unprofessional conduct by representing to his client, in an undated letter, that a test pit had been excavated in the amended location of the dispersal area for the Eastside Road Sewerage System (the dispersal area shown on Revisions 1 and 2 of Drawing 2017-03-02, signed and sealed by Mr. Bartel on or about December 3, 2019 and March 18, 2020, respectively) when this was not true.
26. The conduct set out above at paragraphs 24 and 25 is contrary to section 14(a) of the *Code of Ethics*, as it stood at the time, which required all members and licensees to, among other things, uphold the values of truth, honesty and trustworthiness.
27. The conduct set out above at paragraphs 23–26 is contrary to Principle 1 of the *Code of Ethics*, as it stood at the time, which required all members and licensees to hold paramount the safety, health and welfare of the public, the protection of the environment and promote health and safety within the workplace.

Disposition

28. By consent, this Consent Order is made pursuant to section 73 of the *PGA*.
29. Mr. Bartel's registration in Engineers and Geoscientists BC is cancelled effective April 30, 2025 (the "Cancellation Date").
30. During the period from the date of the execution of this Consent Order to the Cancellation Date, Mr. Bartel will:
 - a. limit his practice to those project files that he is currently engaged on and will not take on any new project files or other engineering work; and
 - b. make reasonable arrangements for the orderly transfer of his ongoing professional engineering project files to other professional engineers.
31. Mr. Bartel agrees not to re-apply for registration with Engineers and Geoscientists BC at any time in the future.
32. Mr. Bartel will pay \$2,000 to Engineers and Geoscientists BC as a contribution towards the legal and investigative costs incurred in this matter.

Consequences of the Consent Order

33. 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.
34. This Consent Order has the same force and effect as an Order made under section 75 of the *PGA*.
35. Mr. Bartel has received independent legal advice regarding the content of this Consent Order.

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36. Mr. Bartel 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 Mr. Bartel and the members of the Discipline Resolution Panel of Engineers and Geoscientists BC this 17th day of April 2025.

<original signed by>

Richard Bartel, P.Eng.

Allyson Edwards, Barrister and Solicitor

Print Name of Witness

<original signed by>

Signature of Witness

<original signed by>

Roz Nielsen, P.Eng.
Member, Discipline Resolution Panel

<original signed by>

Larry Spence, P.Eng., PMP, FEC, FGC (Hon)
Member, Discipline Resolution Panel

<original signed by>

Gerald Matier
Member, Discipline Resolution Panel