

IN THE MATTER OF THE *ENGINEERS AND GEOSCIENTISTS ACT*  
R.S.B.C. 1996, CHAPTER 116

and

IN THE MATTER OF GINGER ROGERS, P.Geo.

**NOTICE OF INQUIRY**

TO: Ginger Ada Rogers, P.Geo.



**TAKE NOTICE** that a Panel of the Discipline Committee of the Association of Professional Engineers and Geoscientists of the Province of British Columbia (the “Association”), doing business as Engineers and Geoscientists BC, will meet at 4010 Regent Street, in the City of Burnaby, in the Province of British Columbia on **November 25 and 26, 2019** for the purpose of taking evidence or otherwise causing an inquiry to be made with respect to the allegations herein pursuant to the *Engineers and Geoscientists Act*, R.S.B.C. 1996, Chapter 116 (the “Act”).

**AND TAKE NOTICE** that the allegations against you are that:

1. You have demonstrated incompetence, negligence or unprofessional conduct by:
  - a. On or about March 31, 2016, knowingly submitting falsified soil testing data to Alberta Environment and Parks (the “AEP”) in the 2015 Annual Industrial Wastewater, Industrial Runoff and Waste Management Report (the “2015 Report”) submitted by you on behalf of Bouvry Exports Calgary Ltd. (“Bouvry”);
  - b. More specifically, you knowingly submitted in the 2015 Report data taken from soil testing completed in 2013 for Bouvry in place of data taken from soil testing completed in 2015 making it appear as though parameters were not exceeded and that Bouvry could continue to discharge wastewater on land through irrigation, when in fact the parameters had been exceeded for 2015 and Bouvry would not have been permitted to discharge the wastewater had the AEP received accurate soil testing data;

2. You pleaded guilty and were convicted of violating s. 227(a) of the *Environmental Protection and Enhancement Act*, R.S.A. 2000, c. E-12, in relation to the conduct set out in paragraph 1, above.
3. The conduct set out in paragraph 1, above, is contrary to Principle 1 of the Association's Code of Ethics which requires 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.
4. The conduct set out in paragraph 1, above, is contrary to Principle 3 of the Association's Code of Ethics which requires that all members and licensees provide an opinion on a professional subject only when it is founded upon adequate knowledge and honest conviction.

**AND FURTHER TAKE NOTICE** that you, Ginger Rogers, P.Geo., have the right, at your own expense, to be represented by counsel at the inquiry by the Panel of the Discipline Committee and you or your counsel shall have the full right to cross-examine all witnesses called and to call evidence in defence and reply in answer to the allegations.

**AND FURTHER TAKE NOTICE** that in the event of your non-attendance at the inquiry, the Panel of the Discipline Committee may, upon proof of service of this Notice of Inquiry upon you, proceed with the taking of evidence or otherwise ascertaining the facts concerning the allegations despite your absence, and may make its findings on the facts and its decision without further notice to you.

DATED this 19<sup>th</sup> day of September, 2019.

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

<original signed by> \_\_\_\_\_

Per: Paul Adams, P.Eng., FEC  
Chair, Discipline Committee