



ENGINEERS &
GEOLOGICISTS
BRITISH COLUMBIA

Dated May 1, 2019

In the matter of Hans Heringa, P.Eng.

Notice of Adjourned Inquiry

The disciplinary inquiry originally scheduled for May 5 – 7, 2020, has been adjourned, and is to be rescheduled to a date to be determined by the Panel of the Discipline Committee adjudicating this matter.

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

and

IN THE MATTER OF HANS HERINGA, P.Eng.

File No. T17-062

NOTICE OF INQUIRY

TO: Hans Heringa, P.Eng.

[REDACTED]
[REDACTED]
[REDACTED]

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 virtually via Zoom Video Conferencing hosted by Charest Reporting, at 9:30 am on **May 5-7, 2020** 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 unprofessional conduct, incompetence, or negligence by:
 - a. Failing to comply with subsections 8 and 9 of the *Sewerage System Regulations*, B.C. Reg. 209/2010 (the "SSR") and the *Sewerage System Standard Practice Manual* (the "SPM"), in or around May 2017, when you filed two Record of Sewerage System ("ROSS") documents in relation to a property located at [REDACTED], Qualicum Beach, British Columbia (the "Property"), that;
 - i. Failed to include GPS information, the location of Recreational Vehicle sites, or the location of the water lines;
 - ii. Identified the sewerage system as both an alteration and a repair, when it cannot be both;
 - iii. Failed to include, at the time of original submission, or subsequently, an adequate soils report;

- iv. Failed to provide a report from a professional competent in hydrogeology in circumstances where one was required;
 - v. Failed to include a site plan to scale;
 - vi. Failed to include a site plan that showed the location of all sewage generating structures;
 - vii. Failed to include a site plan that showed the sewer lines from sewage generating structures to the tanks or water line locations; and,
 - viii. Failed to provide adequate or any documentation to confirm the depths of the restrictive layer or the vertical separation between the base of the dispersal trench and the underlying restrictive layer.
 - b. Performing engineering work at the Property in or around May 2017 prior to submitting information to the Vancouver Island Health Authority as required by section 8(2) of the *SSR*.
 - c. Creating a risk to public health by failing to abide by the *SPM* and *SSR* in regards to the engineering work on the Property.
 - d. Failing to remedy the inadequacies of his engineering work on the Property when given the opportunity to do so on or about May 15, 2017, June 13, 2017, September 1, 2017, and November 10, 2017.
- 2. The conduct set out above at paragraph 1(a) and (d) is contrary to section 14(b)(1)-(2) of the Association's Bylaws which requires that members and licensees shall establish and maintain documented quality management processes for their practices, which shall include, as a minimum:
 - (1) 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; and,
 - (2) regular, documented checks of engineering and geoscience work using a written quality control process appropriate to the risk associated with the work.
- 3. The conduct set out above at paragraph 1(a) – (d) is contrary to Principle 1 of the Association's Code of Ethics which requires that members and licensees

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 above at paragraph 1(a) – (d) is contrary to Principle 2 of the Association’s Code of Ethics which requires that members and licensees undertake and accept responsibility for professional assignments only when qualified by training or experience.
5. The conduct set out above at paragraph 1(a) – (d) is contrary to Principle 3 of the Association’s Code of Ethics which requires that 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, Hans Heringa, P.Eng., 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 8th day of April, 2020.

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



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