

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

- and -

**IN THE MATTER OF PHILLIP JOHN READ, P.ENG.**

**CONSENT ORDER**

Dated for reference March 23, 2012.

**WHEREAS** Phillip John Read, P.Eng. ("Mr. Read"), was served with a Notice of Inquiry dated February 1, 2012 that contained the following allegation:

**AND TAKE NOTICE** that the allegation against you is that contrary to the Act, you have demonstrated unprofessional conduct by your design and field reviews for a Type 3 sewerage system for a property on [REDACTED] Nanaimo, B.C., ("System") filed with the Vancouver Island Health Authority which did not meet the requirements of the B.C. Sewerage Regulation (326/2004). In particular, contrary to appropriate practice and/or the Sewerage System Standard Practice Manual ("SPM") you did one or more of the following:

- (a) approved an encroachment of the System upon the SPM critical horizontal separation standard to an existing water supply well without a written supporting report by a professional engineer or professional geoscientist with appropriate training and experience in hydrogeology or geotechnical engineering;
- (b) failed to properly conduct a site evaluation resulting in the use of an inappropriate seasonal high water table for the System;
- (c) signed and sealed a Filing of Sewerage System dated December 23, 2009 with the Vancouver Island Health Authority ("VIHA") and attached drawings for the System with a sand mound with linear loading rate that was over two times the SPM recommended rate;
- (d) failed to conduct appropriate or any field reviews of the installation of the System; and

(e) signed and sealed a Sewerage System Letter of Certification dated March 12, 2010 for the System when you had failed to conduct the appropriate or any field reviews of the installation of the System and the System installed was not constructed substantially in accordance with the plans and specifications filed with the VIHA;

**AND WHEREAS** the Association of Professional Engineers and Geoscientists of British Columbia ("Association") and Mr. Read wish to resolve this matter by consent in order to avoid the need for a disciplinary inquiry.

**AND WHEREAS** Mr. Read admits the allegation in the Notice of Inquiry.

**THEREFORE** by consent, this Order is hereby made, pursuant to the *Act*, specifically s. 32.1.

(a) Mr. Read is hereby reprimanded;

(b) Mr. Read shall pay the Association's legal costs, including disbursements and taxes, in this matter up to the reference date of this Consent Order, up to a maximum of \$5,000.00. Such costs will be payable within 60 days of the reference date of this Consent Order;

(c) Mr. Read will be the subject of a general practice review by the Practice Review Committee, at his own expense. The estimated cost of the practice review is \$2,250.00 plus taxes. Mr. Read may also be the subject of a technical practice review if so required by the Practice Review Committee. The practice reviews must be completed by March 30, 2013 unless additional time is required by the Practice Review Committee, in which case the deadline for the completion of the practice reviews may be extended, at the discretion of the Practice Review Committee, to July 1, 2013;

(d) For any new and existing projects, Mr. Read shall have his services relating to wastewater treatment and disposal systems, peer reviewed by a professional engineer approved in writing and in advance by the Registrar of the Association in accordance with the Council Policy on Discipline Committee Ordered Peer Reviews (the "Peer Reviewer"). The requirement for peer reviews shall continue for at least a period of twelve months from the date of approval of the Peer Reviewer. The cost of the Peer Reviewer shall be borne by Mr. Read. The Peer Reviewer shall report in writing to the Registrar of the Association on the reviews every three months and shall report in writing to the Association's Discipline Committee at the conclusion of the twelve month period providing an opinion on whether Mr. Read requires continuing peer reviews and for how long. The cost for all Peer Reviewer reports shall be borne by Mr. Read. Mr. Read shall provide to the Peer Reviewer regular updates to his wastewater treatment and disposal systems project list during the peer review period;

(e) If a peer reviewer is not appointed in accordance with paragraph (d) prior to the


reference date of this Order, or if the services of the Peer Reviewer cease for any reason, Mr. Read shall transfer all his existing wastewater treatment and disposal projects to another professional engineer approved in writing and in advance by the Registrar;

(f) Mr. Read shall at any time be at liberty to apply to the Association to lift the practice restriction set out in paragraph (d) of this Consent Order upon his providing to the Association's Discipline Committee proof that he has successfully completed further training and education in wastewater treatment and disposal systems that is acceptable to the Association's Discipline Committee, who may grant the application with or without further conditions or reject the application; and


(g) If Mr. Read fails to comply with any of conditions (b),(c) (d) or (e) of this Consent Order, his membership in the Association shall be suspended until every default has been remedied in accordance with the terms of this Consent Order.

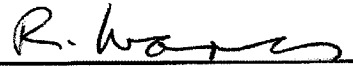
This Consent Order has the same force and effect as an Order made under section 33(2) of the Act and may be dealt with under section 34 of the Act if conditions in the Consent Order are not met.

This Consent Order is approved and accepted by Mr. Read and a member of the Discipline Committee this 27 day of March, 2012.

  
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Witness

**JOHN H. SHEVCHUK**  
**BARRISTER & SOLICITOR**  
**LINK PACIFICA LAW CORPORATION**  
**#1600 - 543 GRANVILLE ST.**  
**VANCOUVER, B.C. V6C 1X8**

  
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Philip John Read, P.Eng.

  
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Roy Wares, P.Eng.  
Chair, Discipline Committee