

**APELSCIDLA Board
TENTATIVE Agenda**

March 10, 2021, 10:00 a.m. – Virtual
Department of Professional & Occupational Regulation
9960 Mayland Drive
Richmond, Virginia 23233
804-367-8506
VIRTUAL meeting

MEMBERS OF THE PUBLIC: PLEASE SEE PAGE FOUR OF THE AGENDA FOR VIRTUAL MEETING ACCESS INSTRUCTIONS.

1. Call to Order
2. Emergency Evacuation
3. Virtual Meeting Procedures
4. Approval of Agenda
5. Approval of Minutes
 - APELSCIDLA Board Meeting, December 1, 2020
6. Public Comment
7. Resolution for Robert Boynton
8. File Review
 - File Number 2021-00723, Eric Bishop Hayes
IFF (Kelly) - Licensing
 - File Number 2021-00722, Robert D Welborne III
IFF (Kelly) – Licensing
 - File Number 2021-00515, Michael Curtis Sachse
IFF (Kelly) – Licensing
 - File Number 2020-02880, Scott Howard Alley
IFF (Eldridge) – Licensing
 - File Number 2020-02781, Omar Kenyatta Hasan
IFF (Stone) – Licensing

- File Number 2019-01626, Hamid Moghavemi Tehrani
Consent Order (Zmuda) – Disciplinary
- File Number 2020-02097, Johnnie Davis Vann
Consent Order (Anglin) – Disciplinary

9. Business Agreement Updates

10. CE Waiver Updates

11. Discussion of Plumbing Exam Option Within Mechanical Engineer Exam (follow up from September 1, 2020 meeting)

- Information from Billy Smith, American Society of Plumbing Engineers (ASPE) Executive Director/CEO
- Letters to NCEES from:
 - i. Florida Board of Professional Engineers
 - ii. Georgia Board of Registration for Professional Engineers and Land Surveyors
 - iii. Iowa Engineering and Land Surveying Examining Board

12. Instances of Fraudulent Use of Seal (follow up from September 1, 2020 meeting)

13. Professional Engineer Update

- PE Qualifying Experience
- Virginia State Corporation Commission Division of Utility and Railroad Safety Stakeholders Group Update

14. Land Surveyor Update

15. NCEES Update

16. Landscape Architect Section Update

17. CLARB Update

18. Architect Section Update

19. NCARB Update

20. Certified Interior Designer Section Update

22. CIDQ Update
23. 2021 General Assembly Update
24. Board for Professional and Occupational Regulation (BPOR), December 17, 2020,
[Final Report to the General Assembly, Evaluation of the Need for Continued Regulation of Certain Professions and Occupations as Recommended by the Joint Legislative Audit and Review Commission](#)
25. Regulatory Update
26. Financial Statements
27. Licensed and Certified Population
28. Financial Disclosure Statements
29. Other Business
30. Conflict of Interest / Travel Vouchers
31. Adjourn

NEXT MEETING SCHEDULED FOR June 22, 2021

Agenda materials available to the public do not include disciplinary case files or application files pursuant to §54.1-108 of the Code of Virginia.

**Five minute public comment, per person, with the exception of any open disciplinary or application files.*

Persons desiring to participate in the meeting and requiring special accommodations or interpretative services should contact the Department at (804) 367-8514 at least ten days prior to the meeting so that suitable arrangements can be made for an appropriate accommodation. The Department fully complies with the Americans with Disabilities Act.

APELSCIDLA Board Meeting

Public Participation in March 10, 2021 Virtual Meeting

AUTHORITY | Virtual Meeting

Access to the Perimeter Center, where DPOR board meetings are normally held, is closed to the public as a result of the COVID-19 pandemic. The meeting will be conducted in accordance with applicable provisions of the Freedom of Information Act (Chapter 37 of Title 2.2 of the Code of Virginia) and Item 4-0.01 of the 2020-2022 Appropriations Act.

ACCESSING THE MEETING | Google Meet

Members of the public may observe the meeting via the Google Meet platform using this link: <https://meet.google.com/ohz-gqzj-reb>

The public can also listen to the meeting via audio by calling the number below and entering the access code (PIN):

Phone number: (US) +1 617-675-4444 **PIN:** 385 016 876 4854#

PUBLIC COMMENT | Registration Required

Members of the public who would like to provide comments to the Board during the public comment period must notify the Board in advance of the meeting in order to be registered. Please email the Board at apelscidla@dpor.virginia.gov by 12:00 noon on March 9, 2021, and provide your name and email address. You will receive an email confirmation once your registration is complete.

Providing Public Comment

- Members of the public who have registered to provide comment can do so after having their names announced during the public comment period.
- Commenters will be limited to 5 minutes.
- Participants are asked to call from a location without background noise.
- The public comment period is an opportunity to provide comments to the Board. If a member of the public has questions of the Board or needs information, please email your inquiry to the Board office at the email address above so that staff can handle it appropriately.

VIRTUAL BOARD MEETING INSTRUCTIONS

- At the close of the public comment period, all public participants' connections to the meeting will be muted, and they will only be able to view and listen to the meeting.
- Feedback on this electronic meeting can be provided to the FOIA Council on the **Electronic Meetings Public Comment Form** available at:
<http://foiacouncil.dls.virginia.gov/sample%20letters/welcome.htm>.

DURING THE MEETING | Broadcast Interruption

Should an interruption of the broadcast occur during the meeting, please email bonnie.davis@DPOR.Virginia.gov or call 804-367-8514.

The Board and staff appreciate your patience as we work through any challenges associated with a virtual meeting.

The safety of all participants is of utmost concern during these unprecedented times and we look forward to resuming in-person meetings once it is safe to do so.

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- **Call to Order**
- **Emergency Evacuation**
- **Virtual Meeting Procedures**
- **Approval of the Agenda**
- **Approval of the Minutes**

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BOARD FOR ARCHITECTS, PROFESSIONAL ENGINEERS, LAND SURVEYORS,
CERTIFIED INTERIOR DESIGNERS AND LANDSCAPE ARCHITECTS

MINUTES OF MEETING

The Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects (APELSCIDLA Board) met virtually via Google Meet on December 1, 2020, at 10:00 a.m. Board staff was present at the Department of Professional and Occupational Regulation (DPOR), 9960 Mayland Drive, Richmond, Virginia 23233.

The following members were present for all or part of the meeting:

Architects

Tim Colley
Mel Price

Professional Engineers

James Kelly
Vinay Nair
Christopher Stone

Land Surveyors

Doyle Allen
Vickie Anglin
Mike Zmuda

Interior Designers

Cameron Stiles
Caroline Alexander

Landscape Architects

Ann Stokes
Frank Hancock

Citizen Members

Karen Reynes
Hypatia "Lorena Rios" Alexandria

Christine Snetter, Chair, was not present at the meeting.

DPOR staff present for all or part of the meeting included:

Mary Broz-Vaughan, Director
Kathleen R. Nosbisch, Executive Director
Tanya M. Pettus, Administrative Assistant

Elizabeth Peay, Assistant Attorney General with the Office of the Attorney General, was present.

Finding a quorum of the Board present, Ms. Stokes, Vice-Chair, called the meeting to order at 10:05 a.m. **Call to Order**

Ms. Nosbisch welcomed to the Board Tim Colley, architect, who was appointed by Governor Northam to fill the seat vacated by Robert Boynton.

**Announcements and
COVID-19 Safety
Procedures**

Ms. Nosbisch advised the Board the meeting was being held virtually in order to mitigate the spread of COVID-19, and that per statutory

requirements for virtual meetings, the meeting would be recorded and posted to the DPOR website.

Because the meeting was held virtually, Ms. Nosbisch took roll of Board members in attendance.

Roll Call

Ms. Price moved to approve the agenda as presented. Mr. Allen seconded the motion which was unanimously approved by: Alexander, Allen, Anglin, Colley, Hancock, Kelly, Nair, Price, Reynes, Stiles, Stokes, Stone, and Zmuda.

Approval of Agenda

Ms. Stiles moved to approve the September 1, 2020, Board meeting minutes as presented. Mr. Allen seconded the motion which was approved by: Alexander, Allen, Anglin, Colley, Kelly, Nair, Price, Reynes, Stiles, Stokes, Stone, and Zmuda. Mr. Hancock abstained from the vote.

Approval of Minutes

There were no members of the public present to comment on matters other than the case files to be presented.

Public Comment Period

Mr. Stone recused himself from the meeting for discussion and deliberation of File Numbers 2020-00696 and 2020-00799.

Recusal of Board Member

Mr. Fraine was present to address the Board. Mr. Fraine gave a brief explanation of the matters addressed in the complaint against him. Mr. Fraine stated that he had offered an apology to the complainant, and accepts the Summary of the Informal Fact-Finding Conference and the Presiding Officer's recommendation.

File Number 2020-00696, Kenneth George Fraine

Regarding File Number 2020-00696, Kenneth George Fraine, the Board members reviewed the record of the Informal Fact-Finding Conference, which consisted of the transcripts and exhibits, and the Summary of the Informal Fact-Finding Conference as well as the Presiding Officer's recommendation. Ms. Price moved to accept the recommendation which cites the following violation of the Board's regulations: 18 VAC 10-20-740. B (Count 1), and 18 VAC 10-20-740. E (Count 2). Ms. Stiles seconded the motion which was unanimously approved by members: Alexander, Alexandria, Allen, Anglin, Colley, Hancock, Kelly, Nair, Price, Reynes, Stiles, Stokes, and Zmuda.

After Ms. Nosbisch indicated that there have been no prior disciplinary actions against Mr. Fraine, Mr. Zmuda moved to accept the recommendation of the Presiding Officer as to the sanctions and impose the following: \$500.00 for the violation contained in Count 1, and

\$500.00 for the violation contained in Count 2. Ms. Price seconded the motion which was unanimously approved by members: Alexander, Alexandria, Allen, Anglin, Colley, Hancock, Kelly, Nair, Price, Reynes, Stiles, Stokes, and Zmuda.

Mr. McDaniel was present to address the Board. Mr. McDaniel stated that he made a severe error in judgement regarding the matter before the Board, and that he has complied with all Board regulations since the complaint against him came to light. Mr. McDaniel that he will prove he is an asset to the industry, and asked that the Board consider suspension of his license rather than revocation.

File Number 2020-00799, Jonathan Thomas McDaniel

Regarding File Number 2020-00799, Jonathan Thomas McDaniel, the Board members reviewed the record of the Informal Fact-Finding Conference, which consisted of the transcripts and exhibits, and the Summary of the Informal Fact-Finding Conference as well as the Presiding Officer's recommendation. Mr. Allen moved to accept the recommendation which cites the following violation of the Board's regulations: 18 VAC 10-20-700. A (Count 1). Mr. Nair seconded the motion which was unanimously approved by members: Alexander, Alexandria, Allen, Anglin, Colley, Hancock, Kelly, Nair, Price, Reynes, Stiles, Stokes, and Zmuda.

After Ms. Nobsch indicated that there have been no prior disciplinary actions against Mr. McDaniel, Mr. Allen moved to accept the recommendation of the Presiding Officer as to the sanctions and impose the following: license revocation for the violation contained in Count 1. Ms. Alexander seconded the motion. After discussion, Mr. Allen withdrew his motion. Ms. Anglin then moved that there be no sanction. Ms. Alexander seconded the motion. After further discussion, Ms. Anglin withdrew her prior motion, and moved to accept the recommendation of the Presiding Officer as to the sanctions and impose the following: license revocation for the violation contained in Count 1. Mr. Hancock seconded the motion which was unanimously approved by members: Alexander, Alexandria, Allen, Anglin, Colley, Hancock, Kelly, Nair, Price, Reynes, Stiles, Stokes, and Zmuda.

Mr. Stone returned to the meeting.

Return of Board Member

Ms. Broz-Vaughan took the opportunity to thank meeting attendees for their patience and participation throughout the navigation of the virtual meeting.

Mr. Kelly recused himself from the meeting for discussion and deliberation of File Numbers 2020-01577 and 2020-00085.

Recusal of Board Member

Regarding File Number 2020-01577, Kayvan Jaboori, the Board members reviewed the Consent Order as seen and agreed to by Mr. Jaboori.

File Number 2020-01577, Kayvan Jaboori

Mr. Jaboori was present to address the Board and withdrew his agreement to the Consent Order. After discussion, Mr. Jaboori requested that the matter be referred to an Informal Fact-Finding Conference.

After further discussion, Mr. Stone moved to refer File Number 2020-01577 for an Informal Fact-Finding Conference. Ms. Anglin seconded the motion which was unanimously approved by: Alexander, Alexandria, Allen, Anglin, Colley, Hancock, Nair, Price, Reynes, Stiles, Stokes, Stone, and Zmuda.

Mr. Campbell was present to address the Board and thanked the Board for their time. Mr. Campbell stated he was present for guidance as to what is needed to obtain a Professional Engineer license.

File Number 2021-00085, Charles Michael Campbell

Regarding File Number 2021-00085, Charles Michael Campbell, the Board members reviewed the record of the Informal Fact-Finding Conference, which consisted of the application file, transcript and exhibits, and the recommendation of the Presiding Officer.

After lengthy discussion, Ms. Stokes moved to accept the recommendation of the Presiding Officer and deny Mr. Campbell's application for a Professional Engineer license (by examination). Ms. Anglin seconded the motion. After further discussion, the motion was unanimously approved by: Alexander, Alexandria, Allen, Anglin, Colley, Hancock, Nair, Price, Reynes, Stiles.

Mr. Kelly returned to the meeting.

Return of Board Member

Ms. Nosbisch reminded the Board to complete their conflict of interest forms and advised the forms would be emailed to Board members after the meeting.

Other Business

Ms. Nosbisch advised the Board that the guidance document regarding property lines along public roads became effective on December 1, 2020.

Ms. Nosbisch advised the Board that Marian “Detta” Brooks retired on December 1, 2020, after having served her entire 48-year career at DPOR.

There being no further business, the meeting was adjourned at 11:25 a.m. **Adjourn**

Ann Stokes, Vice-Chair

Mary Broz-Vaughan, Secretary

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➤ **Public Comment**

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Commonwealth of Virginia



Department of Professional and Occupational Regulation Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects

Resolution for **Robert A. Boynton**

WHEREAS, **Robert A. Boynton**, did faithfully and diligently serve the Virginia Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects from 2012 to 2020;

WHEREAS, **Robert A. Boynton**, did devote generously of his time, talent and leadership to the Board;

WHEREAS, **Robert A. Boynton**, did endeavor at all times to render decisions with fairness and good judgement in the best interest of the citizens of the Commonwealth and these professions; and

WHEREAS, the Virginia Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects wishes to acknowledge its gratitude for devoted service of a person who is held in high esteem by the members of the Board and the citizens of the Commonwealth;

NOW THEREFORE BE IT RESOLVED, by the Virginia Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects this tenth day of March 2021, that **Robert A. Boynton** be given all honors and respect due him for his outstanding service to the Commonwealth and its citizens; and

BE IT FURTHER RESOLVED, that this Resolution be presented to him and be made a part of the official minutes of the Board so that all may know of the high regard in which he is held by this Board.

Christine Snetter, Chair

Mary Broz-Vaughan, Secretary

- **Review of Files**
- **Business Agreements**
- **CE Waiver Update**

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Opening

Hello – My name is Billy Smith, FASPE, the ASPE Executive Director/CEO - I would like to thank “The State of Virginia Board of Professional Engineers for allowing ASPE the opportunity to join you today.

“The American Society of Plumbing Engineers (ASPE) is the international organization for professionals skilled in the design, specification and inspection of plumbing systems. ASPE is dedicated to the advancement of the science of plumbing engineering, to the professional growth and advancement of its members and the health, welfare and safety of the public.

The Society disseminates technical data and information, sponsors activities that facilitate interaction with fellow professionals, and, through research and education, expands the base of knowledge of the plumbing engineering industry. ASPE members are leaders in innovative plumbing design, effective materials and energy use, and the application of advanced techniques throughout the world.”

Most importantly, ASPE strives to represent our members and promotes the profession among all segments of the industry.

Having shared our society’s and industry’s goal, one of my first comments today would be that ASPE wholeheartedly understands and supports the protection and advancement of licensure of the Professional Engineer.

ASPE supports and encourages the PE registration and the applicable processes, ASPE promotes professional ethics and the advancement of the role of the professional engineer.

ASPE recognizes that the plumbing engineer/designer and the Professional Engineer have a shared interest in the objective that plumbing and mechanical systems are designed in a manner that safeguards public health and safety.

Likewise, ASPE works diligently in promoting the engineering profession and the need for professional engineering licensure and certification programs with a dedication to protecting public health and safety as a top priority.

ASPE can see that the rapid changes in technologies and standards and codes creates a need among our members for increased awareness of education regarding the emerging technical, scientific, legislative and regulatory developments in the world marketplace.

The practice of engineering encompasses many disciplines that contain many specific sub-disciplines. One such sub-discipline not currently represented within the subset of Mechanical Engineering is plumbing engineering.

The Mechanical Engineering Principals and Practices exam currently has three engineering disciplines or specialties which include HVAC and Refrigeration, Machine Design and Materials, and Thermal and Fluid Systems.

Today, ASPE is here to petition to the State of Virginia Board of Professional Engineers to strongly consider the addition of a fourth engineering discipline or specialty within that exam. This fourth specialty would be a "Plumbing Option".

At one time, plumbing systems were designed by the HVAC mechanical engineer because it was felt to be simplistic enough that any Mechanical Engineer with an ABET-accredited BSME degree could adequately handle the demands of the discipline.

As the Plumbing Engineering discipline has increased, this philosophy still holds true in only the smallest of firms. Within mid-sized firms the Plumbing Engineer may also be responsible for the design of the Fire Protection system, where in the largest of firms the Plumbing Engineer becomes the industry experts, focusing solely on Plumbing Engineering.

Again, ASPE is working to promote the image of professional engineering and its ethical responsibilities to the public.

While ASPE does support the certification of and for plumbing engineering designers and support staff, professional registration to protect public health and safety is ASPE's top priority.

Most importantly, as stated, ASPE seeks the support of the State of Virginia Board of Professional Engineers in adding a “Plumbing Option” to the National Council of Examiners for Engineering and Surveying (NCEES) Mechanical Engineering Principles and Practices (PP) exam.

As Plumbing Engineering continues to become more complex than it was in the past. Plumbing has an immense impact on public health, safety, and welfare.

Some of the systems that the Plumbing Engineer must design and manage are domestic/potable water (including specialized systems such as distilled, softened, deionized, reverse osmosis, graywater, and black water, among others), sanitary waste and vent (with specialized systems such as clinical, medical, laboratory, and kitchen waste systems along with the removal of fats, oils, and grease [FOG]), compressed air and pneumatic systems, pool and water feature design and filtration, storm water removal and reuse (both conventionally and symphonically), fuel systems (including natural gas, liquefied petroleum [LP and propane], gasoline, and others), industrial gases (oxygen, nitrogen, acetylene, argon, carbon dioxide, and others), medical gas systems (oxygen, breathing air, instrument air, vacuum, waste anesthesia gas removal, and others), laboratory gas systems (which can feature medical gases, industrial gases, fuels, etc.), and sustainable (“green”) systems such as rainwater and waste reclamation systems.

When one considers the design and regulatory requirements, Plumbing Engineering has achieved a complexity all its own.

It is for these reasons that a “Plumbing Option” placed within the framework of the Mechanical Engineering Principles and Practices examination has become a necessity for the engineering community.

This will ensure that the Engineers sealing and signing plumbing documents have a level of verifiable knowledge and competency of the discipline, and the welfare and safety of the public at large will be addressed and enhanced.

ASPE’s desire is only for the inclusion of a “Plumbing Option” consistent with the procedures and policies employed by the ABET, NCEES and State Boards model that exists.

ASPE is appreciative of the assistance from NCEES as to our first steps in beginning this process. NCEES has agreed to move forward with this proposal once the state licensing boards of ten states are also in agreement. The States of Ohio, Arizona, Georgia, Florida and Iowa have agreed to this initiative. In addition to the State of Nevada, the States of Washington, Alabama, West Virginia, Texas, Pennsylvania and California are working with us as to an agenda appointment. Additionally, we are working with the States of Indiana, Michigan, Massachusetts, and New York.

Reminder: ASPE is not pursuing the development of Plumbing Engineering as a stand-alone exam (such as Civil, Electrical, or Fire Protection, but only seeking the approval to add the specialty to the existing Mechanical Engineering exam.

Additionally, ASPE is not attempting to create a separate designation of "Plumbing Engineer," as all candidates who successfully complete the necessary steps to licensure are considered Professional Engineers.

While some states employ discipline-specific titles, most states do not employ this type of designation." ASPE is just seeking an avenue for the proper licensing, not certification, of individuals that have the necessary qualifications.

This "Plumbing Option" will not change any of the existing requirements for examination, but will only add a specialty to the existing exam. Registration will still require those that have obtained a qualifying degree from an ABET-accredited course of study and the requisite experience under the responsible charge of a Registered Engineer to ultimately sit for the MEPP exam and take it under the option of "Plumbing."

By providing a path to professional registration (which does not exist in the Plumbing discipline), those that choose to practice in our discipline will have a viable career path to licensure which can only make a career in plumbing engineering to be much more attractive (and as older practitioners within our discipline are retiring, the need for new blood is becoming more and more acute), we will have a measurable level of competency established and, most importantly, the health, safety and welfare of the public-at-large is addressed.

Once ten states have supported this agenda, ASPE will work with NCEES in developing the questions and framework for the exam.

In closing, I urge the State of Virginia Board of Professional Engineers to support the inclusion of a “Plumbing Option” within the Mechanical Engineering PP exam and to advise NCEES of this support.

Thank you for your time, consideration, and support.

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 Fax: (850) 521-0521
 fbpe.org

RON DeSANTIS, GOVERNOR
 STATE OF FLORIDA

HALSEY BESHEARS, SECRETARY
 DEPT. OF BUSINESS AND PROFESSIONAL REGULATION

December 10, 2019

David Cox, CEO
 NCEES
 P. O. Box 1686
 Clemson, SC 29633

Dear Mr. Cox:

The Florida Board of Professional Engineers (FBPE) recently received a request from the American Society of Plumbing Engineers (ASPE) to support the society's efforts to have a plumbing/piping option included in the NCEES Mechanical Engineering Principles and Practice Examination. The ASPE presented their justifications for the plumbing option at FBPE's regular board meeting on August 7, 2019. At that time, FBPE voted unanimously to support ASPE's efforts to include the plumbing option in the NCEES Mechanical Engineering Principles and Practice Examination.

According to ASPE, the following outlines include proof of such need, estimate of usage, and impact on safeguarding the health, safety, and welfare of the public:

Proof of such need

- If one uses the standard definition of "plumbing" as the apparatus (i.e., piping and fixtures) concerned in the distribution of water in a building and the transportation of sanitary and waste fluids, a unique knowledge and skill set support a basic understanding of the code. Note that the underlying principles of the code and/or technical documents come from the engineering principles that are the foundation of any engineering discipline.

Board Members

KENNETH TODD, P.E. CHAIR (Civil) 1/30/12–10/31/19	VIVIAN BOZA (Public) 7/22/13–10/31/19	PANKAJ (PJ) SHAH, P.E. (Civil) 5/25/17–10/31/20	VACANCY (Engineering)
BABU VARGHESE, P.E., S.I. VICE CHAIR (Civil) 2/20/15–10/31/20	SCOTT DRURY, P.E. (Mechanical) 2/21/18–10/31/21	VACANCY (Education)	VACANCY (Public)
DYLAN ALBERGO, P.E. (Civil) 2/21/18–10/31/21	C. KEVIN FLEMING, P.E. (Electrical) 3/27/15–10/31/18	VACANCY (Engineering)	ZANA RAYBON Executive Director

- However, the design of plumbing systems beyond the standard definition requires a deep understanding of the interaction of such systems within the environment in which they are being applied. The more technical systems require greater knowledge and skills, such as:
 - Domestic and process water treatment requirements and systems (e.g., soft, reverse osmosis, distilled, and deionized water)
 - Water distribution systems on a macro scale
 - Specialized waste systems and treatment (e.g., fats, oils, and grease [FOG], petroleum-based oils, solid and corrosive wastes)
 - Fuel gas systems (e.g., natural gas and liquified petroleum gas [LPG])
 - Medical, laboratory, and service gas systems
 - Water reclamation systems (e.g., rainwater, grey, and black water sources)
- Consider the City of Flint, MI, in which appropriate evaluation of the impact of switching water systems was neither understood nor considered. Changing the pH of the water allowed the protective lining of the lead piping to be stripped from the existing piping, permitting lead to enter the drinking water of the consumer. This has had and will continue to have a negative impact on public health, safety, and welfare (which is the paramount, and underlying, concern that ASPE is attempting to address).
- Legionella continues to have an adverse impact on public health, safety, and welfare. Initially this was thought to be associated with cooling towers and in some cases continues to be. However, the Legionella bacterium is a naturally occurring condition in all water. The lack of understanding as to how to adequately monitor and control such bacterium within water will continue to have a negative impact on public health, safety, and welfare.
- The level of knowledge needed for modern and complex water and sanitary systems continues to increase. The continued growth in complexity will continue to mandate a need for specialized knowledge that differs from engineers who specialize in environmental conditioning.
- No engineer, professional or degreed, can be knowledgeable of all aspects of a given area of engineering. That is why Professional Engineers focus on their core competencies: those competencies that are verified when one's peers are in agreement that the person has demonstrated sufficient knowledge in the product/work they produce and are consistent with safeguarding public health, safety, and welfare.
- A large portion of Florida's economy is due to the tourism industry including multiple theme parks in Central Florida. Theme parks have various attractions in which the plumbing engineer must design complex systems that may include the compressed air that may be used for the braking of a roller coaster plus water filtration and chlorination systems utilized on water rides and attractions. These systems are critical to the enjoyment of the guests at the parks, while also protecting their health and safety.

Plumbing engineering includes a vast array of systems, requiring a unique knowledge and skill set.

Estimate of usage

- Plumbing should attract 50 to 150 first-time takers on a national level once it is developed and placed in the NCEES exam process. We estimate that, for the State of Florida, Plumbing should attract 9 per session and 18 per year of first-time test takers.

Impact on safeguarding the health, safety, and welfare of the public

- The ultimate goal of ASPE's initiative is the establishment of a verifiable measure of competency for the discipline of Plumbing and the continued, even enhanced, protection of the health, safety, and welfare of the public at large.

Please let me know if you need any further information.

Sincerely,

FLORIDA BOARD OF PROFESSIONAL ENGINEERS



Zana Raybon
Executive Director

cc: Kenneth Todd, PE, FBPE Chair
Billy Smith, ASPE Executive Director

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Brad Raffensperger, Secretary of State

La Trenda Tyler-Jones, Division Director

GEORGIA BOARD OF REGISTRATION
FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS

J. Darren Mickler III, Executive Director
237 Coliseum Drive
Macon, Georgia 31217

October 15, 2019

To whom it may concern:

The Georgia Board supports the effort of the ASPE to add a Plumbing option to the Mechanical Principles and Practices Exam. Please find attached an additional letter with the required supporting information.

Regards,

Darren Mickler

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Brad Raffensperger, Secretary of State

La Trenda Tyler-Jones, Division Director

GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS

J. Darren Mickler III, Executive Director
237 Coliseum Drive
Macon, Georgia 31217

1. Proof of such need

- If one uses the standard definition of "plumbing" as the apparatus (i.e., piping and fixtures) concerned in the distribution of water in a building and the transportation of sanitary and waste fluids, a unique knowledge and skill set support a basic understanding of the code. Note that the underlying principles of the code and/or technical documents come from the engineering principles that are the foundation of any engineering discipline.
- However, the design of plumbing systems beyond the standard definition requires a deep understanding of the interaction of such systems within the environment in which they are being applied. The more technical systems require greater knowledge and skills, such as:
 - Domestic and process water treatment requirements and systems (e.g., soft, reverse osmosis, distilled, and deionized water)
 - Water distribution systems on a macro scale
 - Specialized waste systems and treatment (e.g., fats, oils, and grease [FOG], petroleum-based oils, solid and corrosive wastes)
 - Fuel gas systems (e.g., natural gas and liquefied petroleum gas [LPG])
 - Medical, laboratory, and service gas systems
 - Water reclamation systems (e.g., rainwater, grey, and black water sources)
- Consider the City of Flint, MI, in which appropriate evaluation of the impact of switching water systems was neither understood nor considered. Changing the pH of the water allowed the protective lining of the lead piping to be stripped from the existing piping, permitting lead to enter the drinking water of the consumer. This has had and will continue to have a negative impact on public health, safety, and welfare (which is the paramount, and underlying, concern that ASPE is attempting to address).
- Legionella continues to have an adverse impact on public health, safety, and welfare. Initially this was thought to be associated with cooling towers and in some cases continues to be. However, the Legionella bacterium is a naturally occurring condition in all water. The lack of understanding as to how to adequately monitor and control such bacterium within water will continue to have a negative impact on public health, safety, and welfare.
- The level of knowledge needed for modern and complex water and sanitary systems continues to increase. The continued growth in complexity will continue to mandate a need for specialized knowledge that differs from engineers who specialize in environmental conditioning.
- No engineer, professional or degreed, can be knowledgeable of all aspects of a given area of engineering. That is why Professional Engineers focus on their core competencies: those competencies that are verified when one's peers are in agreement that the person has demonstrated sufficient knowledge in the product/work they produce and are consistent with safeguarding public health, safety, and welfare.

2. Estimate of usage

- Plumbing should attract 50 to 150 first-time takers on a national level once it is developed and placed in the NCEES exam process. We estimate that, for the State of Georgia, Plumbing should attract 7 per session and 14 per year of first-time test takers.

3. Impact on safeguarding the health, safety, and welfare of the public

- The ultimate goal of ASPE's initiative is the establishment of a verifiable measure of competency for the discipline of Plumbing and the continued, even enhanced, protection of the health, safety, and welfare of the public at large. As Registered Engineers, should we be expected to do any less?

Regards,


Darren Mickler

Web site: <http://www.sos.georgia.gov/plb/pels>

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JEFF PLAGGE
SUPERINTENDENT

March 24, 2020

David Cox, CEO
NCEES
P. O. Box L686
Clemson, SC 29633

Dear Mr. Cox:

The Iowa Engineering and Land Surveying Examining Board recently received a request from the American Society of Plumbing Engineers (ASPE) to support the society's efforts to have a plumbing/piping option included in the NCEES Mechanical Engineering Principles and Practice Examination. The ASPE's request was presented at the Board's regular meeting on March 12, 2020. At that time, Iowa Engineering and Land Surveying Examining Board voted unanimously to support ASPE's efforts to include the plumbing option in the NCEES Mechanical Engineering Practice Examination.

1. Proof of such need

- If one uses the standard definition of "plumbing" as the apparatus (i.e., piping and fixtures) concerned in the distribution of water in a building and the transportation of sanitary and waste fluids, a unique knowledge and skill set support a basic understanding of the code. Note that the underlying principles of the code and/or technical documents come from the engineering principles that are the foundation of any engineering discipline.
- However, the design of plumbing systems beyond the standard definition requires a deep understanding of the interaction of such systems within the environment in which they are being applied. The more technical systems require greater knowledge and skills, such as:
 - Domestic and process water treatment requirements and systems (e.g., soft, reverse osmosis, distilled, and deionized water)
 - Water distribution systems on a macro scale
 - Specialized waste systems and treatment (e.g., fats, oils, and grease [FOG], petroleum-based oils, solid and corrosive wastes)
 - Fuel gas systems (e.g., natural gas and liquified petroleum gas [LPG])
 - Medical, laboratory, and service gas systems
 - Water reclamation systems (e.g., rainwater, grey, and black water sources)
- Consider the City of Flint, MI, in which appropriate evaluation of the impact of switching water systems was neither understood nor considered. Changing the pH of the water allowed the protective lining of the lead piping to be stripped from the existing piping, permitting lead to enter the drinking water of the consumer. This has had and will continue to have a negative impact on public health, safety, and welfare (which is the paramount, and underlying, concern that ASPE is attempting to address).
- Legionella continues to have an adverse impact on public health, safety, and welfare. Initially this was thought to be associated with cooling towers and in some cases continues to be. However, the Legionella bacterium is a naturally occurring condition in all water. The lack of understanding as to how to adequately monitor and control such bacterium within water will continue to have a negative impact on public health, safety, and welfare.
- The level of knowledge needed for modern and complex water and sanitary systems continues to increase. The continued growth in complexity will continue to mandate a need for specialized knowledge that differs from engineers who specialize in environmental conditioning.
- No engineer, professional or degreed, can be knowledgeable of all aspects of a given area of engineering. That is why Professional Engineers focus on their core competencies: those competencies that are verified when one's peers are in agreement that the person has demonstrated sufficient knowledge in the product/work they produce and are consistent with safeguarding public health, safety, and welfare.

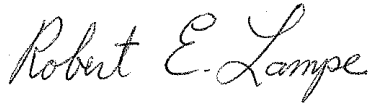
2. **Estimate of usage**

- We estimate that, for the State of Iowa, Plumbing should attract 5 - 7 per session and 10 - 14 per year of first-time test takers.

3. **Impact on safeguarding the health, safety, and welfare of the public**

- The ultimate goal of ASPE's initiative is the establishment of a verifiable measure of competency for the discipline of Plumbing and the continued, even enhanced, protection of the health, safety, and welfare of the public at large. As Registered Engineers, should we be expected to do any less?

Best regards,



Robert E. Lampe
Executive Officer
Iowa Engineering and Land Surveying Examining Board

Cc: Paul Baker
David Dexter
Ron Bartley
Billy Smith

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- **Instances of Fraudulent Use of Seal**
- **Professional Engineers Update**
 - **PE Qualifying Experience**

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September 1, 2020 Board minutes

Mr. Stone provided a brief update on the Virginia State Corporation Commission Division of Utility and Railroad Safety Stakeholders Group. Mr. Stone is a PE member of the stakeholder group representing the Board.

Update – SCC Stakeholders Group

November 6, 2019 Board minutes

The Industrial Exemption has been discussed at every Board meeting since December 2018. National Transportation Safety Board (NTSB) contacted thirty one states, including the Governor of Virginia, regarding recommendations

Industrial Exemption NTSB §54.1-

following the Merrimack Valley explosion. The Virginia State Corporation Commission (SCC) drafted language that was reviewed at the PE-LS Section meeting earlier this morning. Mr. Kelly motioned to accept the proposed language as amended from the SCC to address the change in the industrial exemption §54.1-401 for design of gas pipeline facilities. The SCC language reads: This subsection does not apply to engineering services rendered in connection with gas pipeline facilities as defined in the federal regulations promulgated under 49 U.S.C § 60101 et seq., as amended and adopted by the Commission, and the federal pipeline safety laws. Mr. Stone seconded the motion which was unanimously approved by members: Alexander, Allen, Anglin, Boynton, Crowther, Kelly, Nair, Price, Reynes, Snetter, Stiles, Stokes, Stone, and Zmuda. Ms. Broz-Vaughan stated DPOR will share the request for change in language with the Governor.

402

November 6, 2019 PE-LS minutes

The Section reviewed the National Transportation Safety Board (NTSB) background information and the recommendation and agreed by consensus to accept the proposed language as amended from the State Corporation Commission

Industrial Exemption NTSB 54.1.402

(SCC) to address the change in the Industrial Exemption § 54.1-401 for design of gas pipeline facilities. The SCC language reads: This subsection does not apply to engineering services rendered in connection with gas pipeline facilities as defined in the federal regulations promulgated under 49 U.S.C § 60101 et seq., as amended and adopted by the Commission, and the federal pipeline safety laws. The Section agreed by consensus to add this item to the Board meeting agenda immediately following today's Section meeting. Mr. Stone stated that the Board is not advocating for or against the pipeline, the Board requests that a professional engineer be involved in the design of the pipeline. Ms. Nobsch stated it would require a change in statute and would need to be placed on DPOR's list of proposed bills if approved by the Director.

July 2, 2019 Board minutes

Ms. Nobsch stated this item was discussed at the May 9, 2019 PE-LS Section meeting. She stated Governor Baker signed emergency legislation requiring licensed Professional Engineers sign and seal plans for utility work before it's done, rather than leaving the review to people with engineering backgrounds who are uncertified. Mr. Stone will be following up with VSPE and ACEC regarding this matter.

NTSB Safety Recommendation Report Adopted November 14, 2018

May 9, 2019 PE-LS minutes

Ms. Nobsch reported that in the National Society of Professional Engineers magazine there was an article about the Massachusetts pipeline fire. She stated Governor Baker signed emergency legislation requiring licensed Professional Engineers sign and seal plans for utility work before it's done, rather than leaving the review to people with engineering backgrounds who are uncertified.

March 12, 2019 Board minutes

The explosion in the northeast region of the Merrimack Valley, Massachusetts was discussed at the December Board meeting and at the PE-LS Section meeting in February. It was noted that some states do not have an industrial exemption like Virginia. The Board discussed the pros and cons of the industrial exemption and to change the exemption would require a change in statute. Mr. Stone stated the exemption was discussed at the Virginia Engineers Conference. Mr. Stone will speak with the American Council of Engineering Companies (ACEC) and the Virginia Society of Professional Engineers (VSPE) regarding the need for a legislative change.

**NTSB Safety
Recommend-
ation Report
Adopted
November 14
2018**

February 5, 2019 PE-LS minutes

The Board discussed the NTSB Report on Gas Explosions at its meeting on December 5, 2018 and referred the industrial exemption to the PE-LS Section meeting today. Mr. Stone noted this is an interstate commerce issue and any change in the industrial exemption would require a change in statute. Mr. Stone requested Board staff request an opinion from the Attorney General's office. Because the work will be affecting the public safety, should Utility Company A be exempt if Utility Company A requires a pipeline and requests Engineering Company B to design it, should Engineering Company B be exempt? The item will be placed on the agenda and discussed at the Board meeting on March 12, 2019.

**Industrial
Exemption NTSB
- §54.1-402
Further
exemptions from
license
requirements
for architects,
professional
engineers, and
land surveyors**

December 5, 2018 Board minutes

The Board discussed the National Transportation Safety Board news release regarding the investigation of Merrimack Valley Gas Explosions. It was noted that the responsible people were not licensed Professional Engineers. The Board agreed by consensus to place the Industrial Exemption on the agenda of the Professional Engineers and Land Surveyors Section meeting on February 5, 2019, and then back to the full Board on March 12, 2019.

- **Land Surveyor Update**
- **NCEES**
- **Landscape Architect Update**
- **CLARB Update**
- **Alliance for Responsible Licensing**
- **Architect Section Update**
- **NCARB Update**
- **Certified Interior Designers Update**
- **CIDQ Update**
- **2021 General Assembly Update**
- **Board for Professional and Occupational Regulation, December 17, 2020, FINAL REPORT TO THE GENERAL ASSEMBLY, Evaluation of the Need for Continued Regulation of Certain Professions and Occupations as Recommended by the Joint Legislative Audit and Review Commission**

- **Regulatory Update**

**Department of Professional and Occupational Regulation
Statement of Financial Activity**

**Board for APELSCIDLA
954160**

2020-2022 Biennium

January 2021

	January 2021 Activity	Biennium-to-Date Comparison	
		July 2018 - January 2019	July 2020 - January 2021
Cash/Revenue Balance Brought Forward			122,298
Revenues	178,500	967,665	917,217
Cumulative Revenues			1,039,515
Cost Categories:			
Board Expenditures	20,743	79,158	86,262
Board Administration	50,792	407,354	382,262
Administration of Exams	3,043	23,677	22,646
Enforcement	4,706	46,465	34,510
Legal Services	1,055	2,577	3,165
Information Systems	35,700	306,240	255,260
Facilities and Support Services	6,377	98,745	94,364
Agency Administration	22,485	187,872	174,491
Other / Transfers	-	-	-
Total Expenses	144,901	1,152,088	1,052,959
Transfer To/(From) Cash Reserves	0	0	(93,198)
Ending Cash/Revenue Balance			79,753

Cash Reserve Beginning Balance	1,559,562	0	1,652,759
Change in Cash Reserve	0	0	(93,198)
Ending Cash Reserve Balance	1,559,562	0	1,559,562

Number of Regulants

Current Month	44,672
Previous Biennium-to-Date	43,828

Department of Professional and Occupational Regulation
Supporting Statement of Year-to-Date Activity
Board for APELSCIDLA - 954160
Fiscal Year 2021

	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Fiscal YTD Charges	Planned Annual Charges	Current Balance	Projected Charges at 6/30	Projected Variance Favorable (Unfavorable)	
																	Amount	%
Board Expenditures	10,841	19,078	6,468	15,410	4,345	9,377	20,743	0	0	0	0	0	86,262	174,903	88,641	143,497	31,406	18.0%
Board Administration	78,125	52,097	52,231	51,526	50,735	46,757	50,792	0	0	0	0	0	382,262	845,150	462,889	596,982	248,169	29.4%
Administration of Exams	4,574	3,066	3,043	3,113	3,093	2,713	3,043	0	0	0	0	0	22,646	43,483	20,837	35,826	7,657	17.6%
Enforcement	6,870	4,693	4,736	4,814	4,544	4,148	4,706	0	0	0	0	0	34,510	74,414	39,904	54,156	20,258	27.2%
Legal Services	0	1,055	0	1,055	0	0	1,055	0	0	0	0	0	3,165	4,220	1,055	5,426	-1,206	-28.6%
Information Systems	22,379	59,681	36,374	16,916	32,548	51,662	35,700	0	0	0	0	0	255,260	487,784	232,524	423,852	63,932	13.1%
Facilities / Support Svcs	16,687	14,632	14,759	13,786	14,103	14,020	6,377	0	0	0	0	0	94,364	196,650	102,287	157,731	38,919	19.8%
Agency Administration	33,446	22,631	22,785	28,421	22,734	21,990	22,485	0	0	0	0	0	174,491	421,659	247,168	274,286	147,372	35.0%
Other / Transfers	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total Charges	172,922	176,934	140,396	135,040	132,101	150,666	144,901	0	0	0	0	0	1,052,959	2,248,264	1,195,304	1,691,755	556,508	24.8%

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Licensed and Certified Population

As of February 1, 2021

APELSCIDLA Businesses	4,606
Architects	7,527
Professional Engineers	29,703
Land Surveyors	1,243
Land Surveyors B	71
Land Surveyor Photogrammetrists	110
Certified Interior Designers	478
Landscape Architects	934

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- **Financial Disclosure Statements**
- **Other Business**
- **Conflict of Interest / Travel**
- Vouchers**
- **Adjourn**

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