

P E N N S Y L V A N I A
STATE REGISTRATION BOARD FOR
PROFESSIONAL ENGINEERS, LAND SURVEYORS AND
GEOLOGISTS
NEWSLETTER

SUMMER 2009



COMMONWEALTH
OF PENNSYLVANIA

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Board to Promulgate Continuing Education Regulations

By Thomas D. Gillepsie, P.G.

Act 170 of 2006 amended the Engineer, Land Surveyor and Geologist Registration Law to require each licensee to complete mandatory continuing education during each biennial renewal period and authorized the board to promulgate regulations to implement this requirement. The board provided an exposure draft of contemplated regulations to interested parties and received extensive comments. The board revised the draft regulations and published this rulemaking as proposed in the *Pennsylvania Bulletin* on May 2, 2009, beginning a 30-day public comment period.

In preparing the draft regulations the board considered many different models, including regulations of other states as well as provisions of the National Council of Examiners for Engineering and Surveying (NCEES) model law for continuing education. In the final analysis, however, the board was constrained to draft regulations consistent with the statutory requirements set forth by the legislature in preference to any other consideration.

In advance of the publication of the draft regulations and solicitation of comments, the board herein provides a general outline of some of the regulations that have been of greatest interest to licensees and prospective Continuing Education (C.E.) course providers, as communicated to individual board members.

- C.E. courses must be approved by the board. However, the board is attempting to preapprove as many providers as possible so that a course within the appropriate subjects offered by those preapproved providers need not be specifically approved by the board. Those providers that are not within the categories that are preapproved must apply for course approval. Accordingly, licensees will need to ensure that any continuing education they plan to attend is offered by a preapproved provider or has been specifically approved by the board for that particular licensing cycle. In addition to the preapproved providers, the board office will maintain a list of all approved courses by the board.

- The regulations will have flexibility so a provider can present multiple offerings and/or iterations of the same course, including across renewal cycles.

- The statute prohibits continuing education credits for courses in business development and office management. Accordingly, the regulations will define the appropriate terms to ensure that provision is met.

- The regulations will define that which will constitute approvable courses.

- C.E. credits will not be awarded for licensee participation in any professional organization or society or for authoring a paper or receiving a patent.

- Credits will be awarded for licensees who teach board-approved C.E. courses. The regulations will allow for additional credits for teaching a course. However, the teaching of a course can only be applied once during each two-year license renewal cycle.

- Preapproval includes a variety of providers. Upper level undergraduate courses within the regular curriculum and any continuing education course not part of the regular curriculum from a college or university whose program meets the educational requirements for licensure and graduate level courses in engineering, land surveying, or geology from other colleges or universities are preapproved. Courses in appropriate subject matter from other providers are also preapproved. These include providers certified by an organization approved by the U.S. Department of Education to certify continuing education providers and organizations that set professional standards, such as building codes. Courses provided by federal or state agencies or licensing board are preapproved. Courses offered by the various national and statewide professional societies are also preapproved.

Continued on next page

- Appropriate continuing education taken at a college or university will receive C.E. credit at the same credit accrual rate as other C.E. courses, i.e., one C.E. credit per each hour of instruction.

- Exceeding of the 24 hours of instruction can not be carried into the next license renewal cycle.

- Out-of-state licensees will be subject to the same requirements as in-state licensees. Consequently, if an out-of-state licensee wants to attend an out-of-state course that has not already been preapproved by the board, it will be incumbent upon the licensee to ensure the course has been approved prior to attending the course.

The board intends that final regulations will be promulgated and in effect prior to the commencement of the 2009-2011 license renewal cycle. In final promulgation, the board will address those comments received during the public comment period following publication as proposed, as well as comments received from the legislative committees and Independent Regulatory Review Commission during its reviews of the proposed rulemaking.

The board has drafted the regulations to be consistent with the statutory provisions and clauses enacted by the legislature. In this advance notification of the pending solicitation of comments, the board notifies potential commenters that comments will be reviewed and incorporated into the proposed regulations based on whether the comment is pertinent to a reconciliation of the implementing regulations with the enabling legislation. Accordingly, the board recommends that comments should be framed in the context of the specific provisions/clauses in the statute that the commenter concludes are not being adequately addressed by the proposed regulation. All stakeholders, including members of the board, have ideas of how they would like a continuing education requirement to be structured. We are all, however, equally constrained by the provisions of the statute with which we must ultimately comply. The regulations are the rules that will make it possible for us to stay in compliance, and the board will welcome comments that will make the rules easier to understand.

Remember Your License When You Move

By Ted Tesler, P.G.

Many of the board's disciplinary actions are the direct result of practicing on a lapsed professional license. There are many reasons why the renewal process fails; far and away the most common excuse is that the renewal reminder sent from the Bureau of Professional and Occupational Affairs (BPOA) was not forwarded by the Postal Service to a new business or home address. Other common explanations for nonrenewal include: mishandling by the licensee's human resources department or business staff, illness, active military service, or simply that the renewal was "lost in the mail." Please remember your personal responsibility as a licensed professional is to practice with a valid license.

If you are expecting to move before the next renewal cycle in 2009, please remember to update your address with the BPOA so that you can receive the reminder announcement. The BPOA Web site, www.dos.state.pa.us/bpoa, offers immediate online renewal and address updating capabilities that eliminate the potential for lost mail and offers immediate verification of your renewal status. If your renewal is handled by someone else within your company, you should personally verify that your license has been renewed. As a general practice, the board will allow a six-month grace period to renew an expired license.

UNETHICAL OR UNLICENSED ACTIVITY

If you believe the practice or service provided by a licensed professional to be unethical, below an acceptable standard or out of the scope of the profession; or if you are aware of unlicensed practice, please call the Bureau of Professional and Occupational Affairs complaints hotline at:

In Pennsylvania:
1-800-822-2113

Out of State:
1-717-783-4854

A complaint form is available on the Department of State's Web site at www.dos.state.pa.us

Roman Receives Distinguished Service Award

During the April 2008 National Council of Examiners for Engineering and Surveying (NCEES) Northeast Zone meeting, emeritus member George Roman, P.E., P.L.S., was named a recipient of the 2008 Northeast Zone Distinguished Service Award. Mr. Roman was presented a framed certificate and the “Enny” statue. The meeting was held in Quincy, Mass.

As outlined in the NCEES publication zone meeting and continuity guidelines, rules regarding the selection of candidates to receive this award indicate that the award is to be made only to an individual who has rendered outstanding service to the Northeast Zone and/or the NCEES. To be eligible, one must be an appointed member of a zone member board or a person directly associated with such board in the capacity of associate member or emeritus member of the NCEES. Congratulations, George!



Leonard J. Timms Jr., P.E., Northeast Zone vice president of the National Council of Examiners for Engineering and Surveying, left, presents emeritus member George Roman, P.E., P.L.S., with the 2008 Northeast Zone Distinguished Service Award.

Reminder...

Renew Your License Online

You are eligible to renew online if:

- You are currently in your license renewal period
- Your license is delinquent by no more than 30 days

First-time users need the following information:

- Pennsylvania license number
- Registration code
- Current mailing address
- Credit card information
- E-mail address

**Go to the Department's Web site at
www.dos.state.pa.us**

**Click on RENEW a Professional License
(www.myLicense.state.pa.us).**

**Then simply follow the instructions
to renew your license online.**

Navigating the Minefield of Multi-jurisdictional Practice

By Ted Tesler, P.G.

The board has recently discussed whether Pennsylvania-licensed engineers, land surveyors or geologists are potentially misrepresenting their credentials in another state by using the letters, P.E., P.L.S., or P.G. after their signatures on correspondence or in solicitations for work in other jurisdictions. The essence of this discussion fell to whether the general public would have a reasonable expectation to believe that professionals are properly licensed in their state by this representation.

It was the consensus of the board and in consideration of pending Motion 7 before the National Council of Examiners for Engineers and Surveyors (NCEES) that in the absence of any more specific detail, the letterhead address shown on the correspondence reflects the state of registration for a signatory's professional practice.

The text of Motion 7 developed by the NCEES Uniform Procedures and Legislative Guidelines Committee is included below:

Motion 7

Move that Model Rules, Section 210.30, be amended as follows:

Model Rules

Section 210.30 Clarifications to the Offering of Engineering and Surveying Practice

The following items are not considered offering to practice engineering or surveying in the solicitation of work, provided that the engineer or surveyor is licensed in another jurisdiction:

A. Advertising in publications or electronic media, provided there is no holding out of professional services in jurisdictions where not licensed;

B. Responding to letters of inquiry regarding requests for proposals, provided there is written disclosure that the engineer/surveyor and firm are not licensed in this jurisdiction and the response is limited to inquiries regarding scope of project and to demonstrate interest;

C. Responding to letters of inquiry from prospective clients, provided there is written disclosure that the engineer/surveyor and firm are not licensed in this jurisdiction and the response is limited to inquiries regarding scope of project and to demonstrate interest;

D. Using the title/designation professional engineer, licensed engineer, P.E., professional surveyor, licensed surveyor, P.S., or the like in correspondence or on business cards.

Regardless of the above, proposals may not be submitted, contracts signed, or work commenced until the engineer/surveyor and firm become licensed in the jurisdiction.

Pennsylvania is not a NCEES Model Law state and this motion has not yet been adopted by NCEES; however, for matters of interpretation and uniform procedure, the Pennsylvania board does consider the NCEES Model Law in interpretation of multi-jurisdictional issues. Based on the discussions of the board at its meeting on June 5, 2008, a member of the public would have a reasonable expectation that professionals are indeed licensed in their state if the business letterhead shows an address in their state and the professionals sign as licensed professionals by using the letters P.E., P.L.S., or P.G.

The intent of this discussion is not to discourage professional engineers, land surveyors and geologists from using these letters in their correspondence, which convey the competence and integrity of the professional. The situations to watch for are solicitations for work, bid responses for sealed work, and generally any offering to provide professional services in that state without holding a required license to practice in that state, as this would likely constitute unlicensed practice in that jurisdiction.

As indicated in Motion 7 (Line D); use of the letters P.E., P.L.S., or P.G. in general correspondence or on business cards that does not rise to the level of professional practice is permissible. If you find that you are unsure or suspect that you may be treading close to the line, consider including a clear statement of your registration status in your correspondence or obtaining a temporary or reciprocal license in that jurisdiction.

Board Roles, Duties Explained

On June 8, 2009, the Bureau of Professional and Occupational Affairs hosted a day-long seminar for board members of the 28 boards and commissions the bureau provides administrative and legal support to. The annual program is designed primarily for new members. However, many experienced members routinely participate to refresh their knowledge and understanding with regard to their roles and responsibilities. This diligence and studious preparation ensures all board and commission members are better able to serve the commonwealth's residents, who depend on their judgment and oversight.

Darrel Crimmins, deputy director of the Bureau of Enforcement and Investigation, provided an overview of BEI and introduced the audience members to the Council on Licensure, Enforcement and Regulation, an international resource for professional regulation stakeholders. He was followed by the featured speaker, Kathleen Nobsch, the immediate past president of CLEAR, who educated the board members on their roles and responsibilities and provided insight into the ethics of their positions.

High-performance organizations, she said, have one board, one executive director, one vision and one voice.

Nobsch spoke repeatedly of the importance of members of a board speaking with a unified voice. She encouraged members to be mindful of board consensus when speaking as a board member, and to accept responsibility and accountability for board decisions.

Nobsch also urged board members to recognize that the board's role is to make policy, while the staff's role is implement policies adopted by board. In general, board members are not to be involved in the day-to-day management and personnel issues of the office.

Other speakers included Rep. Michael McGeehan, and Jeanne McDonald, director of the Office of Commonwealth Travel Operations. The afternoon session included a presentation by BPOA's legal team, including Executive Deputy Chief Counsel Peter Marks, Deputy Chief Counsel Bernadette Paul and Senior Counsel in Charge Cynthia Montgomery. BPOA Deputy Commissioner Mark Vessella and Cindy Warner, director of operations, tackled administrative issues. Commissioner Basil L. Merenda wrapped up the seminar and sent the attendees home with a smile as well as a deeper understanding of the commonwealth's commitment to protecting the health, safety and welfare of all Pennsylvanians.



Kathleen Nobsch, the immediate past president of the Council on Licensure, Enforcement and Regulation, addresses the attendees of the June 8 board member seminar.

Electronic Newsletters to Appear Bi-monthly

The Department of State has revamped the newsletter process, and now all of the board's newsletters will be more concise and more readily available, with a new electronic edition every other month. The bureau will no longer mail paper newsletters, in an effort to provide fresh information more frequently and save time, cost and resources. The newsletters will continue to be available on the board's Web site, and this fall licensees will begin to receive newsletters directly via e-mail.

Disciplinary Actions

Following is a chronological listing of significant disciplinary actions taken by the board from May 19, 2005, through June 15, 2009. These disciplinary actions involve revocation, suspension or voluntary surrender of professional credentials or the assessment of a civil penalty. A complete listing of all board disciplinary actions can be accessed by visiting the Department of State's Web site at www.dos.state.pa.us and clicking on "Professional Licensure" followed by "Disciplinary Actions."

Each entry below includes the name, certificate or registration number (if any), and last known address of the respondent; the disciplinary sanction imposed; a brief description of the basis of the disciplinary sanction; the effective date of the disciplinary sanction; and whether the disciplinary sanction was taken pursuant to an Order (O), Adjudication and Order (A&O), or Consent Agreement and Order (C&O).

Every effort has been made to ensure that the following information is correct. However, this information should not be relied on without verification from the Prothonotary's Office of the Bureau of Professional and Occupational Affairs. One may obtain verification of individual disciplinary action by writing or telephoning the Prothonotary's Office at P.O. Box 2649, Harrisburg, PA 17105-2649; (717) 772-2686. Please note that the names of persons listed below may be similar to the names of persons who have not been disciplined by the board.

Allegheny County

Douglas John Evans, license nos. PE-053631E and PG-001706G, of Coraopolis, was assessed a \$9,000 civil penalty because Evans practiced engineering for four and one-half years on an expired license. (11-15-06)

John C. Wood, license no. PE048754R of Pittsburgh, Allegheny County, was assessed a \$3,000 civil penalty because Wood practiced or implied he could practice professional engineering, and he sealed engineering documents when he held no valid, current license. (08-22-07)

John P. Perkun, license no. PE035302E of South Park, Allegheny County, was assessed a \$1,000 civil penalty because Perkun practiced engineering when he was not currently licensed and registered. (09-19-07)

Kenneth L. Lovorn, license no. PE040356R of Pittsburgh, Allegheny County, was ordered to pay a civil penalty of \$1,600, because he practiced engineering when he was not currently licensed and registered under the Act and affixed his seal or permitted his seal to be affixed to a document after the expiration of respondent's license and registration. (01/21/09)

Berks County

Curtis L. Frantz, license no. SU000689A, of West Lawn, Berks County, permanently, voluntarily, irrevocably surrendered his professional land surveyor license, because he practiced professional land surveying on a suspended license. (06/05/08)

Curtis L. Frantz, license no. PE024496E, of West Lawn, Berks County, had a public reprimand placed on his permanent board

record, was ordered to pay a civil penalty of \$2,500.00, and had his Pennsylvania Professional Engineer license suspended for 30 days. (06/05/08)

John M. Vitillo, license no. PE030779E, of Douglassville, Berks County, was indefinitely suspended, retroactive to Sept. 30, 2005, because he committed misconduct in the practice of engineering through being convicted for a criminal offense such as extortion, bribery or fraud or entry of a plea of nolo contendere to a charge thereof for conduct relating to the practice of engineering and because he was convicted of a felony. (06/05/08)

Bucks County

Gary E. Talbot, license no. PE040033E of Pipersville, Bucks County, was assessed a \$500 civil penalty. Talbot's license to practice engineering was disciplined by the proper licensing authority of another state, territory or country for conduct related to the practice of engineering. (01-24-07)

John J. Mitchell, license no. PE045943E of Warrington, Bucks County, was assessed a \$3,000 civil penalty because he practiced engineering or implied he was an engineer while he held no current, valid registration and through signing and sealing documents while he held no current, valid registration. (05-16-07)

Edward G. Aldin, license no. PG-000536-G of Point Pleasant, Bucks County, was assessed a \$2,800 civil penalty because Aldin offered, implied, and/or represented he could provide professional geology services through the use of the title "P.G."

Continued on next page

during the two-year period his certificate of registration was expired. (09-19-07)

Global Oceanic Enterprises, Inc., unlicensed, of Langhorne, Bucks County, was ordered to pay a civil penalty of \$1,000 for the unlicensed practice of engineering. (9-17-08)

Butler County

George R. Wright, license nos. PE004725E and SU000475A, of Evans City, Butler County, was assessed a \$4,000 civil penalty and a public reprimand was placed on his permanent board record. Wright practiced professional engineering, represented himself to be an engineer, and sealed engineering documents, all during a period when he did not hold a current, valid license. (07-25-07)

William C. Smith, license no. PE038102E of Cranberry Township, Butler County, was assessed a \$2,250 civil penalty because Smith used the designation "P.E." when he held no current, valid license because he had failed to remit his biennial dues. Further, he signed and sealed an engineering document when he held no current, valid license because he had failed to remit his biennial dues. (08-22-07)

Chester County

Karen H. Kemme of Coatesville, Chester County, was assessed an \$8,000 civil penalty because she practiced or offered to practice professional engineering by using a verbal claim, sign, advertisement, letterhead, card, or in any other means represented herself to be an engineer while not holding a license. (05-16-07)

Crawford County

Brenda Jill Costa, license no. PG003882, of Meadville,

Crawford County, was assessed a \$2,250 civil penalty for practicing as a professional geologist on a lapsed license and registration. (11-21-07)

Dauphin County

Robert C. Sherrick, license number SU-019332-E, of Middletown, Dauphin County, was reprimanded and ordered to pay a civil penalty of \$12,500 and to complete a continuing education course in ethics, for practicing on a lapsed license. (6-11-08)

Robert C. Sherrick, license number SU-019332-E, of Middletown, Dauphin County, was suspended for failing to pay a previously imposed civil penalty. (10-9-08)

Delaware County

Marilyn A. Hewitt, license no. PG-002950-G of Media, Delaware County, was publicly reprimanded and assessed a \$2,800 civil penalty because Hewitt represented herself to be able to perform geology services when she was not licensed. (03-21-07)

Vincent Calvarese, Jr., license no. PE010653E of Wayne, Delaware County, was assessed a \$3,500 civil penalty because he practiced engineering or implied he was an engineer while he held no current, valid registration and through signing and sealing documents while he held no current, valid registration. (05-16-07)

Edward Anthony Korab, unlicensed, of Media, Delaware County, was ordered to pay a civil penalty of \$6,000, for practicing engineering after the revocation of his license. (7-23-08)

Erie County

James M. Sturm, license no. PG000148G of Erie, Erie County, was assessed a \$3,500 civil penalty because Sturm practiced geology when he held no current,

valid certificate and he used the designation "P.G." or used the words "Professional Geologist" to imply he was registered; failed to place his signature near his seal when he issued documents to a client; and affixed his seal to documents after the expiration of his registration. (05-16-07)

Fayette County

Terry E. McMillen, license no. PE026264E of Uniontown, Fayette County, was assessed a \$3,000 civil penalty. McMillen violated the act by six counts in that he was guilty of gross negligence, incompetence or misconduct in the practice of the profession through offering to provide professional engineering services, practicing professional engineering and held himself out as a professional engineer all while he held no current valid registration as a professional engineer in Pennsylvania. (01-24-07)

Terry E. McMillen, license no. SU000447A of Uniontown, Fayette County, was assessed a \$4,000 civil penalty. McMillen violated the act by eight counts in that he was guilty of gross negligence, incompetence or misconduct in the practice of the profession through offering to provide professional land surveyor services, practicing professional land surveying, holding himself out as a professional land surveyor and using the seal of a professional land surveyor all while he held no current valid registration as a professional land surveyor in Pennsylvania. (01-24-07)

Bruce R. Chambers, license no. PE028190E of Uniontown, Fayette County, was assessed a \$1,500 civil penalty for practicing engineering on a lapsed license and registration, and because he affixed his seal or permitted his seal to be affixed to a document after the expiration of his license and registration. (11-21-07)

Disciplinary Actions

Lancaster County

Ralph E. Sherriff, Sr., license no. PE016508E, of Lancaster, Lancaster County, was ordered to pay a civil penalty of \$5,000, because he practiced engineering during a period in which he held no current registration and, through the use of his title, represented himself to be an engineer registered under the act. (07/16/08)

Mercer County

James Vodenichar, license no. PE005221E, of Sandy Lake, Mercer County, was ordered to pay a civil penalty of \$2,000, because he used the title "P.E." and/or practiced professional engineering and applied his seal to documents all during a period when he held no current, valid certificate of registration as a professional engineer in Pennsylvania. (09/17/08)

Montgomery County

Karen Dey Parry, license no. PE-045861-E of Souderton, Montgomery County, was assessed a \$1,500 civil penalty because Parry performed engineering services on at least nine projects while her license was lapsed. (01-24-07)

James P. Gourley, license no. PE031070E of Glenside, Montgomery County, was ordered to pay a civil penalty of \$3,000 and a public reprimand was placed on his permanent board record because Gourley used his seal on engineering documents during a period when he held no current, valid certificate and used the designation "P.E." when offering engineering services to the public and used business cards containing his name followed by the designation "P.E." implying he was able to provide engineering services to the public all during a

period when he held no current, valid certificate. (05/20/09)

Washington County

Vincent Paul Ley, license no. PE045205E, of Canonsburg, Washington County, was ordered to pay a civil penalty of \$2,700, because he violated the act by nine counts by practicing his profession without holding a current, valid certificate as issued by the board. (06/05/08)

Westmoreland County

Richard C. Cross, license no. SU048537E of Mt. Pleasant, Westmoreland County, was assessed a \$750 civil penalty because Cross practiced as a professional land surveyor on a lapsed license. (05-16-07)

Paul S. Klingensmith, of Scottdale, Westmoreland County, was ordered to pay a civil penalty of \$14,000, and he shall not refer to himself as a professional engineer and shall cease and desist from any use of a title that might imply that he is a professional engineer and he shall cease and desist from offering or providing any service that would require the provider of the service to be a professional engineer. This is because Klingensmith used the designation "P.E." with his name, and/or professional consulting and engineering on his invoice letterhead to imply that he could practice engineering, and/or did practice professional engineering, when he held no license in this commonwealth as a professional engineer. (05/20/09)

PSK Consulting, Inc., of Scottdale, Westmoreland County, was ordered to pay a civil penalty of \$2,000, because the firm engaged in the practice, and/or

offered to practice, and/or implied the ability to practice professional engineering by the use of terms and/or respondent's combined Web site statements, pictures, images, and claims regarding industrial tank failure investigations, industrial fiberglass tanks and structural systems, staff education, and staff experience when the firm had no directing head or employee in responsible charge and licensed as a professional engineer in Pennsylvania. (05/20/09)

York County

Eduardo Gomes Pinto, license no. PE016142E of York, York County, was assessed a \$1,000 civil penalty because he used the title "P.E." or practiced professional engineering and applied his seal to documents when he held no current valid registration to practice. (07-25-07)

Bradley E. Peters, license no. PE048290E of Jacobus, York County, was assessed a \$3,200 civil penalty because used the designation "P.E.," or used the title "professional engineer," or offered to practice professional engineering without having a valid, unexpired license certificate. Further, his actions violated the act by four counts in that he affixed his seal and/or signature to documents after the expiration of his licensure certificate. (09-19-07)

Out of State

Mark P. Neisser of Marlton, N.J, license no. PE-032203E was suspended for a period of six months; required to successfully complete a board-approved course in engineering ethics during the six months suspension; assessed a \$1,000

Continued on next page

Disciplinary Actions

civil penalty; and a public reprimand was placed on his permanent record. Neisser committed misconduct in the practice of engineering through being convicted for a criminal offense such as extortion, bribery or fraud or entry of a plea of nolo contendere to a charge thereof for conduct relating to the practice of engineering, and further violated the CHIRA because he has been convicted of a felony. (9-27-06)

Malcolm L. MacKay, license no. PE028267E of Buffalo, N.Y., was assessed a \$500 civil penalty and a public reprimand was placed on McKay's permanent board record. MacKay's license to practice engineering was disciplined by the proper licensing authority of another state, territory or country for conduct related to the practice of engineering. (1-24-07)

Christopher A. Wilson, license no. PE042697E of Rockport, Maine, was assessed a \$2,000 civil penalty because he practiced on a lapsed license. (01-24-07)

Ramanuja Chari Kannan, license no. PE041648R of Largo, Fla., was assessed a \$500 civil penalty because Kannan had disciplinary action taken on his license for conduct relating to the practice

of engineering by the proper licensing authority of another state. (03-21-07)

Robert S. Rosenfelt, license no. PE026180E of Baltimore, Md., was assessed a \$3,500 civil penalty because he practiced or offered to practice the profession of engineering without possessing a current valid registration certificate for a period of five years and seven months, and signed and sealed documents after his certificate of licensure had expired. (05-16-07)

Richard Adam Miller, license no. PE050888E, of Catonsville, Md., was assessed a \$3,000 civil penalty because he practiced without a valid, unexpired certificate, and affixed his seal to engineering documents after his certificate had expired. (06-20-07)

Kenneth B. Shields, license no. SU022878E of Deposit, N.Y., was assessed a \$1,500 civil penalty. Also, his license was suspended for a minimum of 30 days or until he can provide evidence of his completion of the requirements set forth in his consent agreement. Shields failed to act as a faithful agent or trustee for his client. (08-22-07)

Robert A. Marino, license no. PE040436R, of Forest Hill, Md., was assessed a \$2,000 civil penalty because he practiced or offered to practice the profession of engineering without possessing a current valid registration certificate. (11-21-07)

Vincent E. Small, license no. PE045790R of Mullica Hill, N.J., was ordered to pay a civil penalty of \$2,500, because he practiced professional engineering, represented himself to be an engineer and sealed engineering documents all during a period when he did not hold a current, valid registration. (03-19-08)

Jerry A. Carter, license no. PE055455, of Chandler, N.C., was ordered to pay a civil penalty of \$500, and had a public reprimand placed on his permanent board record, because he had his license to practice engineering, land surveying or geology suspended or revoked or had other disciplinary action taken for conduct relating to the practice of engineering, land surveying or geology, by the proper licensing authority of another state, territory or country. (06/05/08)

Notify the board if...

Continued on next page

Licensees must contact the board with any changes in name or address.

Name changes require a copy of a court order, marriage certificate or divorce decree.

Licensees must also notify the board within 90 days if another state board takes disciplinary action against them. Criminal convictions must be reported to the board within 30 days.

Send information to:

Pennsylvania State Registration Board for Professional Engineers, Land Surveyors and Geologists
P.O. Box 2649
Harrisburg, PA 17105-2649
or email ST-ENGINEER@state.pa.us

Disciplinary Actions

Donald E. Flynn, license no. PE053668E, of Eustis, Fla., was ordered to pay a civil penalty of \$500 because he violated the act in that his license to practice engineering, land surveying or geology was suspended or revoked or had other disciplinary action taken for conduct relating to the practice of engineering, land surveying or geology, by the proper licensing authority of another state, territory or country. In addition, he must provide evidence to the board as to his competency to safely practice fire protection system design through having completed the requirements of the Florida Engineers Management Corporation's Consent Agreement, of his having complied with the Florida Engineers Management Corporation's requirement to complete a board-approved course in Engineering Professionalism and Ethics and of his having complied with the Florida Engineers Management Corporation's requirement that he has successfully completed the study guide. (07/16/08)

Noel G. Simmons, license no. PG002938G, of Reston, Va., was ordered to pay a civil penalty of \$2,100 because he violated the act by three counts in that he practiced geology on a lapsed license. (06/05/08)

Ramesh Venkatakrishnan, license no. PG001368G, of Mount Laurel, N.J., had a public reprimand stating that he practiced on a lapsed license for a period in excess of 77 months placed on his permanent board record, and he was ordered to pay a civil penalty of \$6,000, because he violated the act, by 12 counts, in that he practiced geology, used the designation "P.G.," and sealed documents with his professional geologist seal, all during a 77-month period when he held no current, valid certificate licensure. (06/05/08)

Joseph M. Verostko, license no. PE043601, of Hubbard, Ohio, was ordered to pay a civil penalty of \$6,000, because he offered to practice professional engineering, practiced professional engineering, and sealed and/or signed engineering documents all during a period when he had failed to register for the required biennial certificate. (06/05/08)

Robert F. Kleinschmidt, license no. PG000931G of Morgantown, W.V., was ordered to pay a civil penalty of \$1,800, because he practiced professional geology during a period when he held no current valid certificate of licensure and failed to seal or stamp, sign, and date a final or complete document submitted to a public or government agency for final review. (01/21/09)

Thomas R. Price, license no. PE049485R of Onsted, Mich., was ordered to pay a civil penalty of \$5,000, ordered to enroll in and complete a board-approved course in engineering ethics prior to Dec. 15, 2008, and provide evidence to the board of his successful completion of the required ethics course, because he practiced engineering in the commonwealth on a lapsed license between Sept. 29, 1999, and Feb. 28, 2007, and used his seal on engineering drawings during the period of Sept. 29, 1999, through Feb. 28, 2007, during a time when he held no valid, current certificate of licensure. (01/21/09)

Robert P. Chi, license no. PE054121E of Olympia Fields, Ill., was revoked, because he received discipline in Wisconsin. (05/20/09)

Alberto J. Sanchez, license no. PE015342E, of Tampa, Fla., was ordered to pay a civil penalty of \$500 because he violated the law in that the proper licensing authority of another state disciplined his license to practice as a professional engineer. (05/14/09)

Marvin D. Miller, license no. PE017814E of Golden, Colo., was ordered to pay a civil penalty of \$500 and he was ordered to undergo a period of probation in the commonwealth until he can provide proof to the board that the Colorado probationary period and all other Colorado-imposed discipline has been successfully terminated. Also, he shall provide proof of his successful completion of the Colorado-imposed continuing education in advanced ethics because he violated the act in that the proper licensing authority of another state disciplined his license to practice as a professional engineer. (05/20/09)

Pool Technologies, Inc., of Carson City, Nev., was ordered to pay a civil penalty of \$2,000 because the firm offered to practice, or conveyed the impression through the use of a reference to "engineering" that the firm or corporation is engaged in or is offering to practice, or did practice professional engineering when the firm had no professional engineer on staff to act as the directing head or responsible charge for professional services when such services were offered or when practiced. (05/20/09)

Robert G. Brock, license number PE-040129-R, of Longmont, Colo., was ordered to pay a civil penalty of \$1,000, because he committed misconduct in the practice of engineering by having disciplinary action taken against his license to practice engineering in another state. (3-20-09)

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STATE REGISTRATION BOARD FOR
**PROFESSIONAL ENGINEERS, LAND
SURVEYORS AND GEOLOGISTS**

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