

PRACTICE REVIEW BOARD

CASE HISTORIES APRIL 2009 TO DECEMBER 2009.

PRACTICE REVIEW BOARD DISCIPLINE REPORTS PREAMBLE.

The Applied Science Technologists and Technicians of British Columbia (ASTTBC) is incorporated under the Applied Science Technologists and Technicians (ASTT) Act RSBC 1979 c.16.1 in 1985; since revised as RSBC 1996 c.15 on April 21, 1997.

The ASTTBC provides professional certification to technologists and technicians in the applied science technologies related to Biological Sciences, Biomedical Engineering, Building, Chemical, Civil Engineering, Electrical, Electronics, Environmental, Forest Engineering, Gas & Petroleum, Geomatics, Industrial, Information, Mechanical, Metallurgical and Mining disciplines. The ASTTBC also grants technical specialist certification in technical areas such as building design, construction safety, fire protection, house and property inspection, onsite wastewater, public works inspection, site improvements surveys, steel detailing and timber cruising.

Our ‘purpose’, as generally stated in the ASTT Act is, “To maintain, improve and increase the knowledge, ability and competence of technologists and technicians; to regulate standards of training and practice of and for its members, and to protect the interests of the public.” The ASTT Act and Regulations, in the provision of professional certification of technologists, technicians and technical specialists, requires that members adhere to a Code of Ethics, provides a disciplinary mechanism to deal with breaches of the Code and protects ASTTBC’s titles and designations.

The ASTTBC Council has charged the Practice Review Board (PRB) of ASTTBC with the responsibility for enforcement of the ‘Code of Ethics’ for member’s professional practice and conduct, as well as with protecting ASTTBC’s titles and designations. The following report reflects the activities and resolved case files of the PRB.

It is the policy of ASTTBC to only report on the specific details of cases (names, places and dates etc.) when the case has resulted in censure as a result of a Disciplinary Hearing or the PRB has determined it is in the public interest to have such information provided.

Report from Practice Review Board For Complaint Cases Resolved In ONSITE WASTEWATER - (Between April, 2009 and December, 2009)

CASE #07-15

STATEMENT OF COMPLAINT

An Order issued by a Health Authority alleged that there was an apparent malfunction of a new system designed by a Registered Onsite Wastewater Practitioner (ROWP) Planner and installed by an ROWP Installer.

BACKGROUND

A property owner hired an ROWP Planner and an ROWP Installer to construct a system. Many items of concern developed and the property owner made a complaint to the Health Authority and ASTTBC.

INVESTIGATION

ASTTBC hired a Professional Engineer, who is also an ROWP to investigate the circumstances and determine the likely cause for the malfunction of the on-site sewage treatment system. This investigator visited the site and completed a third party review of the design and installation of the system at said property. The report indicated that both the design and the installation were at fault and that since both ROWPs are certified as a Planner and an Installer, they should have recognized what was required to do the job correctly. A Professional Engineer from the area subsequently designed and supervised the installation of a completely different system at the cost of the ROWPs. Since the project has been Filed and supervised by this Professional Engineer, the ROWP's have no further responsibility for the functionality of the system.

DISCUSSION

The Practice Review Board discussed censure for the ROWP's and felt that both members would benefit from further training and that the first system completed by each after taking the courses will be audited. Should there be problems with the audit(s), possible further censure will be contemplated by the Board. It was determined that a Stipulated Order would be an appropriate means of censure for both parties.

OUTCOME

A Stipulated Order for both the ROWP's which outlines the following conditions:

Appropriate courses recommended by the Practice Review Board will be completed by each ROWP; and once the courses have been satisfactorily completed, the first systems completed by both ROWPs will be audited by the Manager, Onsite Wastewater Registration. Should the audit(s) indicate further problems, the PRB will consider additional censure against either or both parties. Both ROWPs have agreed to the terms of their Stipulated Orders, no further action is required and this file was closed.

Since this agreement was made, all required courses were completed by the ROWP's and the ROWP Installer did not renew his registration as an ROWP.

CASE #08-10

STATEMENT OF COMPLAINT

That a Registered Onsite Wastewater Practitioner (ROWP) undertook the planning of an onsite sewage system but failed to provide the Letter of Certification (LoC) upon completion of the project.

BACKGROUND

An ROWP was retained to plan an onsite sewage system during October 2007. Upon completion of the project by an ROWP Installer, the first party was contacted by the complainant on numerous occasions to carry out his final inspection and received numerous promises from him that he would attend.

Over the following months, further attempts were made by a variety of methods to contact the ROWP. This created further concerns for the complainants as their bank required the LoC in order to complete the mortgage and it also held up the issuance of home insurance.

INVESTIGATION

As was found with another PRB case against him, attempts to contact this ROWP were unsuccessful. ASTTBC staff learned that he had left the province following but had not completed the final documentation upon completion of the onsite system.

In conjunction with Health Authority staff, ASTTBC staff contacted the ROWP who was out of province and were told that he is willing to resolve this matter by completing the outstanding LoC as quickly as he could; however, having moved, he would need a little time to organize himself and find the paperwork . The individual seemed honest and sincere in his desire to resolve this matter.

Based on this information, the Registrar of ASTTBC took immediate action by suspending his ROWP status, in order that no new work could be performed; but allowed him the opportunity to complete the outstanding LoC's before full removal of his registration occurred.

The Registrar further brought this to the attention of the Practice Review Board for their information stating that under the circumstances the matter required immediate attention as the protection of public safety and interest was paramount. The Registrar also arranged for all Health Authorities to be notified that the ROWP registration had been removed.

Over the following seven months, both ASTTBC and Health Authority staff were repeatedly in contact with the individual to encourage his completion of the outstanding LoC, and they were also able to obtain the installer's LoC from the ROWP Installer. On March 12, 2009, Health Authority staff received and registered the outstanding LoC from the individual before forwarding this information to the property owners and ASTTBC.

DISCUSSION

According to the SSR, Letters of Certification need to be submitted to the Health Authority where the Filing was registered within 30 days of the work being completed. Delays in submission of Letters of Certification can have an enormous impact to the property owner, as noted in several other cases related

to the individual. Occupancy permits, mortgages and even the ability to obtain home insurance were not possible without the LoC being submitted, as was the case for this complainant.

The ROWP has stated to ASTTBC staff that he would not be returning to this province and has no interest in attempting to pursue such work in the future.

OUTCOME

The Registrar recommended to the ASTTBC Practice Review Board that since the individual has submitted a Letter of Certification to the Health Authority and his ROWP registration has been entirely removed, no further action is required and this file is closed.

CASE #08-29

STATEMENT OF COMPLAINT

That a Registered Onsite Wastewater Practitioner (ROWP) planned and installed an onsite system in a manner that caused concern for the client about his proficiency and competency.

BACKGROUND

An ROWP was hired to plan a new onsite system for a home to be constructed. Due to unforeseen circumstances, the ROWP could not complete the installation but did provide a plan that was filed with the Health Authority on April 8, 2008. The system proposed was a Type 1 gravity system using existing native soils.

The owners located another ROWP, who reviewed the Filing made by the original ROWP and conducted his own site assessment, which found that a sand mound with pressure distribution was required. The second ROWP filed the new paperwork with the Health Authority and began construction.

The second ROWP did not provide the owners with any estimate or contract setting out details of the construction so the owners were not prepared for the costs of this onsite system, expecting it to be a much lower cost based on past experience with the more basic system as proposed by the original ROWP. As the second ROWP's system required a particular grade of washed sand, not available on the island, it had to be trucked over on the ferry along with the septic tank, pump chamber, pressure pipe, pump and related hardware and fittings. Rough estimates from the owners who paid these bills directly suggested the cost for the project was reaching around \$17,000 for a system to serve their 2 bedroom home and that further caused them to question the second ROWP about the need for such an elaborate system.

The second ROWP took exception to these questions and admits to becoming verbally rude and defensive to the owners as he felt this was an attack upon professional judgement. Delays in completion began to occur and the owners feared that these delays might also result in a delay in moving into their new home. For this reason and concerns about the suitability of the system being constructed, the owners sought assistance from ASTTBC.

INVESTIGATION

ASTTBC staff attended the site to investigate the site conditions and determine whether the system was appropriate for this location. The soil conditions, depth of native soil, and slope clearly ruled out a gravity system, as proposed by the original ROWP, and did support the second ROWP's rationale for a sand mound. However, the layout of the pressure distribution system was very unconventional, inefficient in its use of space (laterals with almost four metres of separation), and problematic in operation. Squirt height was more than three times that usually encountered with pressure distribution systems due to a highly oversized pump. Draining of the manifold caused concentrations of effluent to the lower section of the mound due to the length of the manifold, the slope, and as no check valves were used.

The sand mound ranged from fifteen to twenty five centimeters deep in most areas, while the plan itself calls for sixty centimeters. With seventeen truck loads of 'C-33' sand brought in, sufficient sand was present but improperly placed. The plastic infiltration chambers were set on top of the sand but with considerable bows due to an unevenly prepared base and tar paper completely covered the chambers, contrary to the manufacturer's specifications. Below the sand, the basal area was found to be compacted and not scarified, with sand interfacing into the native soil.

From these observations it was clear that the ROWP has limited knowledge and experience with sand mounds and pressure distribution systems. In review of his Filing documents, his soil descriptions, percolation test results and site plan are completely intermixed onto the same pages making for confusing reading when analyzing the elements of this system. The Filing does not come close to the requirements of the SPM.

ASTTBC staff then interviewed the ROWP for an explanation of the circumstances surrounding this project. The ROWP admitted to being very upset with the owners out of frustration of trying to explain to them why they could utilize a simpler system; he had apologized for his behaviour. From that point on he removed himself from the situation by using the local contractor to relay information between himself and the owners.

Although the ROWP was adamant his system was well planned and constructed, he did acknowledge the list of concerns presented by ASTTBC staff and during the meeting asked how he could correct the problems identified. The ROWP was most cooperative, wrote down extensive notes on what changes were needed, and agreed to make the changes immediately. At this point, the ROWP agreed to an offer for a facilitated resolution with the owners using ASTTBC staff for assistance, to which the owners had also agreed.

Following several phone calls between ASTTBC staff, the owners, and the ROWP, a work plan was established that was acceptable to all parties. The ROWP then re-attended the property and began reconstructing the onsite system. ASTTBC staff talked to both parties and despite some apparent minor verbal comments exchanged between the owners and the ROWP, the project was completed.

A letter from the ROWP was received by ASTTBC staff thanking us for our patience and assistance through this matter and further asking for guidance and a review and comments on a revised/improved Filing for this site. Suggestions and examples of how to improve Filings were sent to the ROWP several weeks prior and he did implement these changes, starting with this file. Ongoing assistance from ASTTBC staff is anticipated.

A letter from the owners was received by ASTTBC staff also thanking us for our assistance to resolve the matter, and enquiring if any additional paperwork might be forthcoming from the ROWP in the future. They have requested that if there was that it be forwarded from ASTTBC rather than any further dealings with the ROWP.

DISCUSSION

The owners had questioned the ROWP's choice of system based on the significant difference between what the original ROWP planned for and what this ROWP chose. The owner was very familiar with gravity systems and had them on previous properties; but a sand mound with pressure distribution was completely new to him, which is why he questioned the ROWP's plan. It is worth noting that at the time, the original ROWP was registered as an Installer only, not as a Planner, yet still managed to make a Filing with the Health Authority. His registration has since been removed. Because the original ROWP simpler Filing was accepted by the Health Authority, the owner further questioned why the second ROWP's system was so different, as he did not believe the Health Authority would accept a Filing that was not appropriately planned.

OUTCOME

The ROWP must submit the next five Filings to ASTTBC for review before completion. The ROWP must successfully complete WOWTC course PLAN204 and PLAN206. These conditions were met, no further action was required and the file was closed.

CASE #08-35

STATEMENT OF COMPLAINT

That a Registered Onsite Wastewater Practitioner (ROWP) Planner submitted a Record of Sewerage System form with insufficient supporting documents as required by the SPM.

BACKGROUND

An ROWP was hired to replace an existing system having problems based on results of an inspection of the onsite system by another ROWP. As a subject to the sale of this property, the homeowner wanted to undertake the replacement as quickly as possible to allow the deal to be completed.

The ROWP submitted a Filing prior to starting work on the site but an Environmental Health Officer noticed the Filing had various issues with it. The Filing contained a report from the inspection by another ROWP, which stated the system was functioning but some ponding within the soils was noted. The EHO felt the conditions would not be unexpected for a 15 year old system and questioned whether the system needed to be replaced at all.

The Filing also contained a site plan, which was copied from a 1993 Provincial Permit to Construct and not a current plan of the site made by the ROWP. From this dated site plan, a proposed drainage system was noted but it was unclear whether the drainage system was installed and how this would impact the proposed new system. The Filing does not clarify what parts of the existing system would be repaired or replaced, states a five minute 'perc rate' was found but does not specify from where on the property this

test was performed. In addition the 1993 permit indicated there is forty six centimeters of native soil vertical separation, whereas the ROWP indicates sixty one centimeters within his Filing.

The EHO also noted that the ROWP is a Planner Type 1 and 2 with a restriction to “Onsite Wastewater systems that have a minimum required depth of unsaturated native soil prior to system installation of twenty four inches”. The EHO contacted ASTTBC staff for clarification on this restriction and whether it would apply in this case or not.

The Manager, ASTTBC Onsite Wastewater Registration Program explained that the restriction phrase was used from early 2005 until June 2005 and was intended to limit ROWPs from undertaking more complex sites where pressure distribution and sand mounds were required. A review of the ROWP’s registration file confirmed the restriction was imposed by the OWRP Board based on insufficient verification of experience with more advanced systems; however, the restriction phrasing was also found to be potentially confusing and misleading. Since the original permit shows a depth of native soil less than that which the ROWP’s Filing stated, there is a concern that this site may be beyond the intent of his restriction.

INVESTIGATION

As a result of all these issues, the EHO refused to accept the Filing and notified the ROWP accordingly. The ROWP contacted the Manager, OWRP stating he had undertaken planning and installation of many pressurized systems since becoming registered, and he was concerned that this restriction phrase was not valid. Further, the ROWP contacted the Chair of the OWRP as well as the Executive Director for the BC Onsite Sewage Association, and he stated both were of the opinion that the Filing should not have been rejected by the EHO and that the advice from ASTTBC given to the EHO was incorrect.

The Manager, OWRP advised the ROWP that the EHO had not forwarded details of any complaint to ASTTBC and until such written complaint was received, no comment can be made specific to that complaint. However, an explanation of the intent behind this phrase was provided along with the assurance that the OWRP Board would be asked to determine how to interpret this older phrase against the current clearer phrase of “restricted to non-pressurized systems”, one that came into effect in June 2005, only one month after the ROWP became registered.

The ROWP was then provided an opportunity to attempt to have the restriction removed. This would be accomplished by submitting complete Filing examples of at least ten sites to the Manager, OWRP, who would dedicate a file reviewer to examine the Filings and present the results to the OWRP Board for consideration. The ROWP agreed and forwarded to ASTTBC a box containing well over ten examples of his Filings.

While the box of Filings was being reviewed by the OWRB reviewer, the complaint from the Health Authority containing the Filing information for the replacement system was received and separately reviewed by Practice Review Board staff. The Filing for the replacement was found to be missing numerous details including the design rationale for the proposed replacement. The PRB file reviewer felt the EHO was “more than justified in sending this Filing back as incomplete.”

While the files were under review, the EHO contacted ASTTBC staff and advised that the ROWP had cancelled his cheque for the Filing application and stated to the EHO that he has passed the job to a Professional Engineer instead. The EHO suggested that since the cheque was cancelled, it would in effect cancel the application for Filing as well; therefore the complaint would be withdrawn. However,

ASTTBC staff explained that a review of the Filing had found reasonable and probable cause for concern and we would need to follow through. The EHO was in support of that action.

On November 17, 2008, the OWRP Board was presented with the request to remove the restriction from the ROWP's registration. The Onsite Wastewater Registration Board file reviewer presented a summary of the findings from the Filings provided by the ROWP and all members of the OWRB took the opportunity to look at these Filings for themselves. As a result, the OWRB determined that a planning restriction was in fact appropriate and that the original restriction phrase should be immediately replaced with 'restricted to non-pressurized systems'. The file reviewer, as well as several members of the OWRP Board, expressed serious concerns about the poor quality of the Filings and the ROWP's planning skills in general. The file reviewer did not find any Filing in particular that might be considered a potential health hazard, but the reviewer did point out that significant amounts of missing details were common.

DISCUSSION

Regardless of the fact that the ROWP had cancelled the cheque supporting the Filing, it has been determined that the information included within this and other Filings was insufficient, and does not meet the requirements of the SSR/SPM. While the Filings examined by the OWRP Board are not being examined as part of this PRB complaint, they did provide valuable insight into whether the PRB file is a singular item of concern or an example of a larger, common problem as to how the ROWP undertakes planning work. The complaint was therefore based on a Filing that is typical of this ROWP's work.

To ensure that no other ROWPs with the older restriction phrase might be operating under the same assumption that this ROWP was, all twenty-one ROWPs from that same time period were contacted by ASTTBC staff and only one was found to be unclear, but not affected, as they only construct gravity-type systems. All of the others were of the belief that the older phrase implied non-pressurized systems and several that were planning such systems were doing so under the supervision of another Professional. Following the discussion of the interpretation between the older and current phrases OWRP staff also sent out letters as a further notification to those affected at the request of the OWRP Board; this appears to be the only case of misunderstanding on the restriction phrase.

In discussions with the ROWP, ASTTBC staff found evidence to suggest there was never an intent to carry out planning beyond the limitations of the restriction, but an honest belief that he could perform this work. The ROWP was cooperative throughout all discussions.

The Registrar recommended to the ASTTBC Practice Review Board (PRB) that the ROWP not be allowed to undertake the planning of further pressurized systems unless done under the supervision or review of a competent Authorized Person (unrestricted ROWP Planner or Professional Engineer registered in BC) and that his next five Filings be forwarded to the Manager, OWRP for review. Further, the ROWP should undertake continuing professional development to ensure his knowledge and skills meet the expectations of the industry. WOWTC courses such as PLAN206 would be recommended to improve his skills for preparation of drawings and site plans, while PLAN204 would be recommended if the ROWP wishes to undertake pressure distribution systems in the future.

A response from the ROWP was received by ASTTBC through his legal counsel. The ROWP's legal council argues the legitimacy of the decision by the OWRB to revert from the previous phrase "restricted to onsite wastewater systems that have a minimum required depth of unsaturated native soil prior to system installation of twenty four inches" to the newer phrase "restricted to non-pressurized systems" as

well as the authority under the Regulations to retroactively revert a registration that will cause the ROWP to be unable to conduct a type of work he previously considered he was allowed to carry out. This alteration is cited to result in financial hardship due to pending work depending upon his registration to carry out a non-restricted planning function.

The ROWP's legal council does state that the ROWP is agreeable to having the Manager, OWRP review his Filings for any pressurized systems and is willing to complete the WOWTC PLAN204 course, which deals with pressurized systems, both of which were essentially the recommendations of the PRB.

In a phone conversation by ASTTBC staff, the ROWP was most cooperative and willing to provide examples of his work for review by the Manager, OWRP and an offer for the next five Filings was mutually acceptable to both the ROWP and the Manager, OWRP. As the ROWP was unclear on what the concerns by the file review were that caused the OWRB to maintain a restriction on his planner status, the Manager, OWRP agreed to provide a copy of the problems noted for the purpose of reviewing with the ROWP and discussing ways to improve his future Filings. Further, a training aid CD was sent to assist the ROWP with improving certain aspects of his Filings by means of checklists, forms, and adjustable templates that he can modify to suit specific systems and be customized for his business.

The purpose of this assistance is to bring the ROWP to a level where his restriction can be removed as soon as practical.

OUTCOME

The original conditions of the PRB decision remain in effect, however a Stipulated Order is no longer necessary as the Manager, Onsite Wastewater Registration Program will oversee the ROWP in carrying out the intent of the previous Stipulated Order; the ROWP is voluntarily supporting this approach. As the intent of the PRB conditions were met, no further action was required and the file was closed.

CASE #08-37

STATEMENT OF COMPLAINT

That a Registered Onsite Wastewater Practitioner (ROWP) was involved in the planning of onsite systems and submitted filings to the Health Authority that included insufficient and/or incorrect information.

BACKGROUND

During a random review of Filings at a Health Authority office by ASTTBC staff, three Filings were found to be submitted by an ROWP Installer, with a co-signature by an ROWP Planner/Installer. Items of concern in these Filings include:

For Filing A, information varies from imperial to metric measurements while only metric is to be used. The Daily Design Flow stated is incorrect for the size of the home, Land Title information is missing and there is no information under Property Description, where the registered owner, legal address, etcetera. is to be included. In addition, the O&M Plan has minimal details relevant to the system, including no mention of how to monitor and maintain the lagoon itself, no information on the make and model of the pump or its expected performance. No scaled plot plan is included or other details on distances between

the home and the septic tank and/or pump chamber. The lagoon is only described and no side or cut-away view detailing the size and features of the lagoon are provided.

For Filing B, information also varies from imperial to metric measurements, no soils log or profile is provided and no description of where the test pits and percolation/permeameter tests were conducted within the field area. The existing septic tank appears to be re-used, but no details are provided to confirm the size of the tank to ensure it is compliant with the current SSR. Complete Land Title information to confirm if any easement, covenants or other issues affect this property is missing. The O&M plan is very generic and missing details important for maintenance, and suggests that a “qualified inspector” is to be used every 3 years to inspect the system. This is incorrect and does not convey the role of a Maintenance Provider to conduct maintenance and monitoring which is to be used on a regular basis as set out by the Planner within the O&M Plan.

For Filing C, information is again a mix of imperial and metric measurements, again no Land Title information and the plan does not show physical relationship to a well serving this property or the neighbouring well. In addition, the plot plan is not to scale and does not show distances from the home to key components of the system or the location of the monitoring well mentioned in the body of the Filing. The stamp is also not signed and no Letter of Certification is attached. The plan shows a thousand gallon septic tank which is forty five hundred and forty six litres but the Filing lists a four thousand and forty five litre tank being used, which is only eight hundred and eighty nine gallons when converted. No O&M Plan was provided and the Filing states that it should be provided by an Authorized Person without stating whom.

INVESTIGATION

A letter to the Installer advising him of the concerns with these Filings was sent by ASTTBC and a response from him, along with subsequent phone calls with ASTTBC staff, was received. The Installer states he was carrying out the planning and site assessment work in order to gain experience sufficient to obtain his planning registration. To do so, he sought the assistance of the Planner / Installer which is why the co-signing of the Filings was found.

The Installer admits that some errors in the paperwork were made and was not clear on the amount of information that should be provided within a Filing. He further volunteered to correct these Filings and make an amendment to the copies held with the Health Authority. Examples of better practice were provided to the Installer by ASTTBC staff, along with phone discussions on how to implement them. ASTTBC staff confirmed with Health Authority staff that the Installer had attended their office to begin correcting the Filings.

DISCUSSION

The Installer undertook his training at a time when the SPM was not sufficiently covered within the WOWTC courses and indicated he was unclear on the requirements from reading the SPM. There is no suggestion he is intentionally submitting insufficient information but once provided examples by ASTTBC staff he freely admitted the information in his Filings was significantly lacking. He was most cooperative with staff and sincerely wished for the opportunity to improve his work once he was provided with examples.

OUTCOME

The ROWP was required to successfully complete the WOWTC course PLAN201 as a review of fundamental duties and responsibilities expected of all planners. Evidence of successful completion is to be submitted to ASTTBC.

The ROWP is further required to immediately arrange through the Manager, Onsite Wastewater Registration Program to undertake a Practice Assessment.

The ROWP has confirmed that he will adhere to the above conditions of the PRB, no further action is required and this file was closed. Staff will monitor to ensure all conditions are successfully completed.

CASE #08-41

STATEMENT OF COMPLAINT

That a Registered Onsite Wastewater Practitioner (ROWP) submitted a plan to the Health Authority for filing which contained insufficient and incorrect information.

BACKGROUND

During a random check of Filings at a Health Authority by ASTTBC staff, a Filing by this ROWP was reviewed and found that the size of the septic tank was substantially less than the Daily Design Flow listing for a five bedroom home. In addition, no site assessment details were included, no calculations or other details to determine the correct dosing of the field/seepage bed, no soils log and no Operating & Maintenance Plan were attached. The amount of information contained in the Filing was substantially less than set out under the SSR and SPM.

INVESTIGATION

As a result of the incorrect and/or missing information, ASTTBC staff contacted the ROWP requesting clarification and details concerning this file. The ROWP admitted that some details were incorrectly detailed within the Filing and supplied some additional details, including a site assessment, a soils log and calculations to determine dosing.

The additional information provided was still found to contain minimal details and was also missing a rationale for the design as well as the O&M plan. The calculations for determining pump dosing settings are simplistic and ignore the concept of dose determination and the pump chamber itself is significantly undersized. Depth to any water table or other limiting layer was also not established.

DISCUSSION

The amount of missing details is concerning and suggests that less than the required level of planning work is being undertaken. In review of several other Filings by this ROWP, it would appear that the Filing in question is sufficiently representative of his work and this matter is not unique or singular.

The ROWP did undertake his training at a time when the SPM was not sufficiently covered within the WOWTC courses and there is no suggestion he is intentionally submitting insufficient information. It

would appear that the ROWP is not familiar with the current requirements of the SPM or with the current information provided within the training. For these reasons, requiring the ROWP re-attend courses that specifically cover the issues found within the Filing would be of significant benefit as part of continuing professional development.

OUTCOME

The ROWP must successfully complete the WOWTC course PLAN201 as a review of the fundamental duties and responsibilities expected of all planners, as well as course PLAN202 as a review of planning for pump based dispersal systems. Evidence of successful completion is to be submitted to ASTTBC.

The ROWP is further required to submit the next five Filings for any onsite system he plans, which are to be reviewed by the Manager, Onsite Wastewater Registration Program.

The ROWP has successfully completed the courses and the Filings submitted for review now meet all requirements, therefore, no further action is required and this file was closed.

CASE #08-45

STATEMENT OF COMPLAINT

That a Registered Onsite Wastewater Practitioner (ROWP) submitted a plan to the Health Authority for filing which contained insufficient information.

BACKGROUND

During a random check of Filings at a Health Authority by ASTTBC staff, a Filing by this ROWP was reviewed and found that Land Title information was not included although a plot plan mentions a Covenant is present and the Filing itself states “no” to any restrictive covenants or easements. Minimal details were found in the soils log, no construction details or specifications for the pressure distribution system were included, and no O&M plan was attached. The amount of information contained in the Filing was substantially less than set out under the SSR and SPM.

INVESTIGATION

As a result of the missing information, ASTTBC staff contacted the ROWP requesting clarification and details concerning this file. The ROWP agreed to meet with ASTTBC staff and presented corrected information along with further supporting documents.

The additional information was a significant improvement over the information contained in the original Filing, however, the ROWP stated he wanted to make further improvements during the review with ASTTBC staff.

DISCUSSION

The ROWP undertook his training at a time when the SPM was not sufficiently covered within the WOWTC courses and indicated he was unclear on the requirements from reading the SPM. There is no suggestion he is intentionally submitting insufficient information but once provided with examples by ASTTBC staff, he freely admitted the information in his Filings was lacking. He was most cooperative with staff and did improve his work once he was provided with examples, even asking for follow-up discussions with staff to ensure he comes fully up to the expectations of the industry and meets his professional responsibilities

For these reasons, requiring the ROWP re-attend a course that specifically covers the remaining concerns found within the Filing would be of significant benefit as part of his continuing professional development.

OUTCOME

The ROWP was required to successfully complete the WOWTC course PLAN201 as a review of fundamental duties and responsibilities expected of all planners. Evidence of successful completion is to be submitted to ASTTBC by November 30, 2009.

The ROWP was further required to submit the next five Filings for any onsite system he plans, which are to be reviewed by the Manager, Onsite Wastewater Registration Program.

The ROWP has successfully completed the courses and the Filings submitted for review now meet all requirements, therefore, no further action is required and this file was closed.

CASE #08-49

STATEMENT OF COMPLAINT

That a Registered Onsite Wastewater Practitioner (ROWP) planned and installed a lagoon system that malfunctioned causing sewage to escape to the surface.

BACKGROUND

The ROWP was hired by owners who wished to develop their property. The ROWP was asked to plan and install a lagoon system to serve both their home and workshop as well as an expected larger home to be built in the coming years; the system was completed in October but not put into use until May.

The homeowners report that despite attempts over a five month period to keep the fluid level above the inlet pipe to prevent freezing, they were unable to do so even when using a large pump. By the fall, the owners attempted to contact the ROWP for assistance but were unable to reach him.

By late October, a pipe became disconnected from a fitting near a pump chamber causing wastewater to reach the surface around the pump chamber. With no response from the ROWP, the owners contacted other ROWPs in the area for assistance as well as the local Environmental Health Officer. Upon attending the property, the other ROWPs as well as the EHO suggested the lagoon was undersized which was confirmed in the Filing document the EHO provided to the owners.

While correcting the problem with the disconnected pipe, the ROWP in question became aware of the other ROWPs and the EHO having attended the site to assist with finding the cause of the problem. The

ROWP in question hired another ROWP with a pipe camera to assist with the work in checking the system but nothing obvious was found. Instead, the discharge pipe attached to the pump in the pump chamber appeared to be severely bowed causing a strain on the pipe and related fittings. This ROWP and another ROWP noted that massive boulders were placed around the area of the septic tank and pump chamber by the homeowner after the system was installed, drainage ditches were filled in, a gas line was installed along side the discharge pipe to the lagoon, and other modifications were made that had or could impact portions of the system.

INVESTIGATION

All parties were interviewed by ASTTBC staff and the Filing documents and photos were reviewed.

DISCUSSION

During numerous phone calls with the ROWP, the owners, the other ROWPs and the EHO by ASTTBC staff, as well as a review of the Filing for the system, it is clear that both the ROWP and the owners share responsibility for the problems with this system. The ROWP admits that the lagoon is undersized and that the Filing itself contains some incorrect information, but the homeowners also made changes around the property that negatively impacted the system. With agreement by both the owners and the ROWP, ASTTBC staff assisted with a facilitated resolution.

In review of the circumstances surrounding this matter, ASTTBC staff felt some areas of the ROWP's basic planning skills were weak and his drawing skills to develop site plans and system layouts were insufficient. Re-attending courses that specifically cover these issues would be of benefit.

OUTCOME

The ROWP will enlarge the lagoon as required to meet the size necessary for the two homes the owners intend to have, improve features within the lagoon to reduce fluid loss as well as provide enhanced freeze protection, as well as amend the Filing document to reflect these changes and correct the information contained in the Filing. This work will be done at no cost to the owners and be undertaken in the spring as soon as weather conditions are favourable and the ROWP is allowed on the property.

In return, the owners, at their expense, will remove the boulders from around the septic tank and pump chamber

The ROWP is also required to successfully complete the WOWTC course PLAN201 as a review of fundamental planning skills and PLAN206 in order to improve drawing skills. Evidence of successful completion is to be submitted to ASTTBC.

The ROWP has confirmed that he will adhere to the above conditions of the PRB, no further action is required and this file was closed. Staff will monitor to ensure all conditions are successfully completed.

CASE #09-01

STATEMENT OF COMPLAINT

That a Registered Onsite Wastewater Practitioner (ROWP) planned and installed a holding tank, which later collapsed and was rendered unusable.

BACKGROUND

According to the client, who leases a recreational property on native land, the ROWP was hired in 2006 to install an appropriate holding tank for a cabin on the property. The property is very close to the lake and is very small in size, making an onsite sewage system unsuitable. For this reason, the native band in consultation with Indian and Northern Affairs determined holding tanks for this area was the best choice.

The ROWP sized the tank and installed it in 2006, but by 2007 it was noted by the client to have collapsed. The client states he contacted the ROWP about the problem and the ROWP apparently offered to repair the fiberglass tank on site. The tank was removed from the ground and placed next to the cabin for several months before it apparently disappeared from the property entirely, but no replacement tank was installed.

The client reports that he made numerous attempts to contact the ROWP to establish what corrective action might be taken but no responses were apparently forthcoming. As a result, the client contacted ASTTBC for assistance to resolve the matter.

INVESTIGATION

A letter outlining the complaint was sent to the ROWP along with several phone calls from ASTTBC staff. The ROWP confirms having installed the tank for the cabin and that he had to use a spot down-slope of the cabin in order to allow for a gravity-fed tank to work. In selecting the tank, one made of concrete was not readily available in this area at an economical price as it would have to be transported a long distance by a crane truck. A less costly approach was to use more readily available fiberglass tanks, which can be placed using an on-site backhoe to dig the hole for the tank.

As the location is near the lake, seasonal high water table issues were a concern and the ROWP apparently verbally informed the client to leave the tank full at the end of the season and not pump it out until the following season, when the client returns for the summer. The weight of the fluids inside the tank was expected to be sufficient to counteract the effects of buoyancy on this lightweight tank during the winter months when water levels in the lake are at their highest. No anti-floatation measures were used as a further precaution.

The ROWP claims that the tank was not full of fluids and that during the 2006 to 2007 period an exceptionally high water level on the lake occurred, due in part to ice jams on the river that this lake discharges into - the combined effect was the collapsing of the tank. The ROWP states he thought the tank might be repairable and contacted the supplier to see if it might be under a warranty. This took some time to establish which is why the tank was sitting on the ground next to the cabin while information from the supplier was being obtained. In the meantime, the excavation was filled in to prevent a hazard.

The supplier apparently would not honour any warranty and the ROWP states he conveyed this to the client and the client was not prepared to pay for further repairs as he felt it was not his fault the tank collapsed.

DISCUSSION

Installing any tank within an area of seasonal high water tables can result in even concrete tanks becoming buoyant. Alternatively while lighter, flexible fibreglass tanks can suffer even greater problems, including collapsing under certain conditions. Choice of the type of tank used may have been limited by availability but relying upon a client to ensure the tank is completely full of fluids at the end of the season carries additional risks. Other priorities are likely to occupy the mind and not having written directions does not help ensure measures are taken to prevent damage to a tank. It is not reasonable to expect the client to remember the verbal instructions.

During phone calls with the ROWP and the client, ASTTBC staff were asked to facilitate a resolution between both parties.

OUTCOME

It was agreed that the ROWP at his cost is to supply and install a holding tank of equal size as was originally provided, including all labour and materials. The proposed area for the tank is under what the ROWP described as a garden area, as he believes it is less subject to problems with seasonal water table variations. The tank would still need to be kept full of fluids during the winter months, but if this is not acceptable to the client that the ROWP is willing to discuss further alternatives.

Since regulations or policies with Indian and Northern Affairs Canada (INAC), or the native band which this cottage is leased from may vary at any time, if additional requirements are now in place then the ROWP would be permitted to charge the client for the extra work and materials if and as required. The client was advised he may wish to discuss this further with representatives of the native band and INAC and obtain directions in writing from both parties to ensure no misunderstandings occur during the installation. Both the ROWP and the client have accepted this facilitated resolution.

The ROWP is required to successfully complete the WOWTC course PLAN207 in order to improve his O&M Plans to the standard expected of a Planner. Evidence of successful completion is to be submitted to ASTTBC. The ROWP is required to work with the Manager, Onsite Wastewater Registration Program to improve his business contracts. These conditions were met and the file was closed.

CASE #09-04

STATEMENT OF COMPLAINT

That a Registered Onsite Wastewater Practitioner (ROWP), who allegedly was originally involved with the installation of an onsite sewage system, failed to respond to numerous reports by the property owner that the system was malfunctioning. Subsequently, the continued malfunction eventually led to sewage backing up into the home creating a potential health hazard.

BACKGROUND

A property owner hired a local contractor to install an onsite sewage system on her property during July and August 2003. According to the property owner, a malfunction at the pump chamber began around August 2008 at which time she contacted the contractor (who had since become an ROWP) on numerous occasions and he reportedly stated he would attend and take corrective action. Despite the repeated conversations with the ROWP during August and September, the ROWP did not attend and the problem remained unresolved.

On January 1, 2009, the property owner states the malfunction progressed to an actual flooding of sewage into the basement area of the home where a bedroom and other living areas are located. The property owner contacted another ROWP in the area to attend for assistance, which this ROWP did immediately do and undertook limited repairs over the coming days to get the system back up to limited operation. Due to weather conditions at that time, a full assessment of the onsite system could not be undertaken. This was especially true of the absorption field area where other concerns were being raised and these would have to wait several months for field conditions to improve.

INVESTIGATION

ASTTBC staff attempted to contact the ROWP regarding this matter to determine why he had not responded to the owner's calls for assistance. Letters and phone messages were left utilizing the contact information on file with ASTTBC as well as through phone directory information. No responses were received by ASTTBC up to June 1, 2009. In discussions with ASTTBC staff, the property owner stated she had not received any correspondence from the ROWP since the complaint was made.

The other ROWP who has assisted the property owner completed an assessment of the system and began full corrective action, which was expected to be quickly completed. Due to the limited repairs and ongoing monitoring, a further flooding into the home had occurred. A variety of problems were reportedly found by the other ROWP with poor electrical connections being the main cause of the inconsistent operation of the pump.

A response by the ROWP was finally received by ASTTBC stating the previous letters sent to him by ASTTBC were directed to his previous address and he only received these letters in May. The ROWP states that in fact he did not install the original system for the property owner but confirms she did contact him to look at problems with her onsite system.

The ROWP was attempting to make arrangements to see the property owners onsite system but was unable to due to his work schedule. He attempted to contact the property owner to apologize for the delay but only reached the answering machine on her phone. The message he conveyed on the answering machine was that due to work commitments he would be delayed and suggested she should try contacting another ROWP to assist as they might be able to respond more rapidly.

The ROWP who responded to the property owner's distress in January 2009 also advised ASTTBC staff that the property owner appears to be confused about the ROWP being involved with the original system's installation and confirms the ROWP's claim of no prior involvement. The ROWP further goes on to state that since the first visit in January, the property owner's system was found to have assorted material being flushed down the toilets contrary to what the property owner was instructed not to do by the ROWP earlier. Misuse of the system appears to be occurring to some degree.

DISCUSSION

Based on the information that has now come to ASTTBC's attention, the ROWP appears to have acted appropriately with the property owner and some confusion may have occurred on the property owner's part as to why the ROWP never attended. There is no evidence to confirm that the ROWP acted in a manner contrary to the Code of Ethics nor caused or contributed to the events that lead to the sewage backing up into the property owner's home.

On the matter of the delayed response to ASTTBC, this would not likely have occurred had the ROWP ensured his contact information on file with ASTTBC was kept current as is required.

OUTCOME

Since there is no evidence to support the wrongdoing of the ROWP, this file was closed. A letter was sent to the ROWP advising that he must immediately inform ASTTBC of any future changes to contact information.

CASE #09-07

STATEMENT OF COMPLAINT

That a Registered Onsite Wastewater Practitioner (ROWP) submitted a Record of Sewerage System form with insufficient supporting documents as required by the SPM.

BACKGROUND

The ROWP was hired by the property owner to undertake the planning and installation of an onsite system to serve a seasonal commercial fishing resort. An EHO became concerned with the minimal detail within the Filing and contacted ASTTBC staff for assistance in reviewing the Filing.

INVESTIGATION

A review of the Filing details was conducted by ASTTBC staff who found that the information contained within the Filing did not meet the requirements as set out in the Standard Practice Manual. A further assessment of the proposed plan to ensure the system was appropriately planned was not possible without additional details.

A letter from ASTTBC was sent to the ROWP and numerous phone calls were subsequently received by ASTTBC staff from the ROWP in the weeks following; he admitted the plans were substandard in content and he wished to improve them immediately. After being shown examples of appropriate Filings, the ROWP re-worked the Filing details and emailed the changes to ASTTBC staff several times for comment and suggestions until a more acceptable plan was finally created.

The ROWP wanted to incorporate a sand filter component within the system and was under the belief that his design for this feature was correct based on his WOWTC training; however, he admitted that he had never designed or installed such a component before. It was pointed out to the ROWP that WOWTC courses only show general details as to what the sand filter is and is not intended to train an ROWP to actually undertake the planning of such components.

Loading rates were reduced, pump dose cycles calculated, a rationale created, and an appropriate O&M plan developed as well as other changes were made to the original Filing until technical reviews of the plans confirmed that an appropriate plan concept was in place.

DISCUSSION

The ROWP fully admitted to submitting a Filing with insufficient documentation and errors within the documentation that was provided, accepted full responsibility for his actions, and was extremely cooperative to see this matter resolved in a timely manner.

While the ROWP appeared familiar with the current requirements of the SPM, he was under the belief that very minimal information was to be filed with the Health Authorities, which is why minimal information was provided to them. In phone discussions by ASTTBC staff with Health Authority staff, any confusion over this was cleared up and the ROWP was advised to forward more complete Filings from now on.

During discussions with the ROWP, ASTTBC staff felt some areas of his basic planning skills were weak and his drawing skills to develop site plans and system layouts were poor. Re-attending courses that specifically cover these issues found within the Filing would be of significant benefit.

OUTCOME

The ROWP must successfully complete the WOWTC course PLAN201 and PLAN206. Evidence of successful completion is to be submitted to ASTTBC. The ROWP is further required to immediately arrange through the Manager, Onsite Wastewater Registration Program to undertake a Practice Assessment.

The ROWP has successfully completed the courses and the Filings submitted for review through Practice Assessment now meet all requirements, therefore, no further action is required and this file was closed.

CASE #09-08

STATEMENT OF COMPLAINT

That a Registered Onsite Wastewater Practitioner (ROWP) stamped and signed off as the Planner of an onsite sewage system for which he did not plan or conduct a site assessment and that the nature of the commercial facility was beyond the abilities of an ROWP.

BACKGROUND

During an investigation into a former ROWP Installer, ASTTBC staff found a Filing that shows an ROWP Planner stamped and signed off the Filing, which had been previously stamped by the former ROWP Installer while attempting to register said Filing. The onsite system being filed was for a substance abuse rehabilitation center where patients reside and are treated. Besides accommodations for the patients, both a full commercial kitchen and laundry facility are present.

Although minimal details were provided within the Filing, ASTTBC staff became concerned that the onsite system appeared significantly undersized according to the SPM and that high-strength flows may be present from the facility. Both the volume and quality of wastewater generated per day from this facility appeared beyond that which an ROWP is permitted to plan for and there was concern that a malfunction could result, potentially creating a health hazard.

INVESTIGATION

ASTTBC staff sent a letter to the ROWP asking for clarification on his role in this matter and to provide further details on what this site and system are about. The ROWP responded by both phone and email stating he did not actually plan this system but went over the design with the former ROWP Installer who was also a former employee of the ROWP's father.. "so that is why I gave him my trust."

The former ROWP Installer had contacted the ROWP asking him to stamp and sign the plans as Health Authority staff, having originally accepted the Filing, now required the Filing and Letter of Certification to be completed by an ROWP Planner.

According to the ROWP, the former ROWP Installer stated that his Planner registration was soon to come through but was not available at this time, further giving the ROWP the impression that the site assessment and design were fine and this was only a formality since the Health Authority had already accepted the first Filing.

As the onsite system was already installed and operating for over 18 months, the ROWP relied on photographs and the paperwork the former ROWP Installer presented to him before stamping and signing the work. The ROWP admits he never attended the site at any time.

At the request of ASTTBC staff, the ROWP arranged through the former ROWP Installer to supply more details for this site than were in the Filing documents with the Health Authority. Upon receipt, a review of the technical details was conducted by ASTTBC staff. When the ROWP was asked for clarification on the means for sizing different components through the system, whether there was a grease trap/interceptor installed on the sewer line from the kitchen or how the dosing of the system was determined, he had no knowledge and the documents contained no further information. When asked about the aspects behind pressure distribution, the ROWP stated he was not very familiar with calculating pressure distribution and could not say.

The ROWP was advised by ASTTBC staff that it would be in his best interest to attend this site, obtain all necessary missing details pertaining to this system in order that the information on the Filing may at very least be amended with correct details, but also to determine how the system was performing now that it is in operation. Confirmation of the DDF based on number of clients and staff would be an important step in knowing whether or not a professional engineer may need to be brought into this matter or not. The ROWP expressed a concern that he was not fully qualified to assess this commercial facility and was advised that ASTTBC staff would assist him if necessary, including gaining access to the property. Health Authority staff also were made aware of the matter and stated they would provide assistance as well.

The ROWP contacted ASTTBC soon after stating that the manager of the facility advised him that while there is a problem with the onsite system, a Professional Engineer is under contract to deal with the matter and the ROWP's attendance was not required. ASTTBC staff contacted the owner and manager of the centre, who confirmed that the onsite system was malfunctioning since at least the fall of 2008 and that a Professional has completed an assessment of the system and will start designing the replacement shortly.

Preliminary findings by the Engineer indicate the system was undersized and possibly improperly installed, but more details were yet to come in.

The manager stated she did not want to provide a complaint to ASTTBC about the ROWP, as the work was done by the former ROWP Installer and that is where she wished to focus any future action.

DISCUSSION

The ROWP admits he did not carry out the planning related work for this site and relied upon the former ROWP Installer word that a full and proper assessment was carried out. The ROWP did not know that the former ROWP Installer had no training as a Planner and was not attempting to become registered as a Planner, but now suspects he was deceived. The ROWP also admits he did not have sufficient training or skills to determine whether aspects of this system, such as whether the daily design flow rates or effluent quality expected from this facility, was within his ability as an ROWP, when in fact it would require the services of a Professional Engineer to undertake such work. Further, he admits that even his skills at designing pressure distribution systems may not be current or sufficient.

Based on the lack of understanding in his roles and capabilities, the ROWP stamped and signed off work for which he was not qualified or capable to undertake, nor identified the point at which this project should be passed on to others more appropriate for the job. In so doing, the ROWP did not identify serious flaws in the design that resulted in the system malfunctioning soon after installation was completed.

This malfunction came very close to creating a potential health hazard and in the process caused the owners of the facility needless additional costs related to hiring a Professional Engineer and another contractor to re-construct the onsite system. This negligence in the performance of his duties is in contravention of the Code of Ethics.

OUTCOME

The ROWP's Planner status was suspended effective immediately. The ROWP must successfully complete the courses PLAN201, and PLAN204. The ROWP is further required to immediately arrange through the Manager, Onsite Wastewater Registration Program to undertake a Practice Assessment. Proof of successful completion of all courses and a Practice Assessment must be submitted to ASTTBC before consideration of re-instating his Planner status. Further, that all Health Authorities throughout BC be informed of the PRB decision that the ROWP's Planner status has been suspended.

The ROWP has since successfully completed the courses and the Filings submitted for review through the Practice Assessment now meet all requirements, therefore, no further action is required and this file was closed.

CASE #09-09

STATEMENT OF COMPLAINT

That a Registered Onsite Wastewater Practitioner (ROWP) submitted plans to the Health Authority for Filings which contained insufficient and/or incorrect information.

BACKGROUND

During a random check of Filings at a Health Authority by ASTTBC staff, four Filings by this ROWP were reviewed and found to contain various missing or incorrect information.

INVESTIGATION

As a result of the incorrect and/or missing information, ASTTBC staff contacted the ROWP requesting clarification and details concerning these Filings. The ROWP responded, admitting that information was missing while other details were misunderstood. This included the belief that a permit for a system issued several years prior to the Sewerage System Regulation coming into effect would still be in valid today, even though the onsite system was not constructed under the original permit.

There was also no knowledge that version 2 of the SPM was in effect and the ROWP was still carrying out work to the requirements of version 1. Upon learning that version 2 only must be used, the ROWP immediately arranged to obtain a copy to begin reviewing it.

DISCUSSION

The amount of missing details in these Filings is concerning and the ROWP admits his Filings were substandard after being given correct examples by ASTTBC staff. The ROWP readily took responsibility for the substandard work and was most cooperative with ASTTBC staff during the investigation process, and there is no suggestion that the ROWP intentionally carried out work to a substandard level.

As the ROWP is not fully familiar with the current requirements of the SPM or with the current information provided within the training, re-attending courses that specifically cover the issues found within the Filings would be of significant benefit.

Of the Filings reviewed, Filing D suggests that the distance from the onsite system to the well is less than the required thirty metres, which is a critical setback requirement under the SPM. All ROWPs must meet critical setbacks and a deviation from them is only permitted if a Professional has reviewed the site and related conditions sufficiently to determine that the reduction in setback does not pose a potential health hazard.

OUTCOME

The ROWP must successfully complete the WOWTC course PLAN201 and PLAN202. Evidence of successful completion is to be submitted to ASTTBC. The ROWP is further required to immediately arrange through the Manager, Onsite Wastewater Registration Program to undertake a Practice Assessment.

The ROWP sent written confirmation stating that he will adhere to the above-mentioned PRB conditions, therefore, no further action is required and this file was closed. Staff will monitor to ensure all conditions are successfully completed.

CASE #09-10

STATEMENT OF COMPLAINT

That a Registered Onsite Wastewater Practitioner (ROWP) was the Planner of an onsite sewage system that used a 'package treatment plant' in the design, also that the ROWP is connected to the business that manufacturers and distributes the plant, and that the plant was found to have inappropriate media that could cause the plant to malfunction. In so doing, the ROWP should have had knowledge of this deficiency, or identified this in the ROWP's capacity as the Planner, and corrected the matter. By not doing so, the ROWP is misrepresenting the product and acted in violation of the Code of Ethics.

BACKGROUND

The complainant is a part owner of a property on an island where several seasonal residences are located. The complainant retained the ROWP to plan an onsite system. A Filing registered by the ROWP with the Health Authority showed it would be a Type 2 system using a package treatment plant to a subsurface drip irrigation dispersal system.

During the installation process, the complainant offered to pick up the package treatment plant and haul it to the site on the island, which was arranged for through the treatment plant manufacturing company connected to the ROWP. A manufacturer's representative attended the site to check that the treatment plant was installed as per the manufacturer's specifications at which time the complainant, with other parties present, opened the lid of the plant and noted what appeared to be a fiberglass insulation in place where the media was to be located. When this was pointed out to the manufacturer's representative, the complainant claims the representative offered to remove and replace it with a plant that contained the proper media material, but the complainant declined the offer.

Following this event, the complainant contacted the out-of-country head office who owns the patent on the treatment plant technology for more details on the media materials used in this particular treatment plant; they were advised the media is a specific material and not a standard type of fiberglass insulation. Based on the information provided by the manufacturer, the complainant believes that the ROWP due to the connection to the family treatment plant business would have had knowledge that an incorrect media material was being used. In so doing, the client alleges that the ROWP "knew, or should have known, that the treatment plant was not a genuine unit" and "complicity in misrepresenting the treatment plant constitutes unethical conduct." He further states that it is "unethical (of the ROWP) to knowingly install a treatment plant that differs from the septic system application" filed with the Health Authority.

INVESTIGATION

ASTTBC staff sent a letter to the ROWP asking for further details on this matter and both the ROWP, as well as the ROWP's family member, separately responded. The ROWP confirmed being originally hired by the client in April 2005 to plan an onsite system for this site and the initial Filing was made in July of

2005. The design did include the use of a package treatment plant and a particular brand was listed that is distributed by a family member's other business.

The ROWP points out that nothing more was heard from the complainant until being contacted by another ROWP Planner/Installer in the area asking for clarification on aspects of the original plan as this other ROWP would be taking over the project. Since 2 years had elapsed since the original Filing was made and it had expired, nothing more was done by the ROWP.

Between May and June of 2008, the complainant contacted the ROWP again requesting an update on the Filing status at which point the ROWP was made aware that the system had not been installed. Further, the complainant required additional changes to the plan, but the overall system was not significantly altered. This included a request by the complainant that a surface mounted tank be used instead of a buried tank where soil would be placed around it. A new plan was created and Filing submitted in July of 2008.

To save costs wherever possible, the complainant requested a list of materials and components that were to be used for the project in order for him to purchase and transport directly to avoid mark-up fees. Some additional features requested were special order items which the ROWP couriered directly to the client in order to prevent delays in the project. As another ROWP was involved with the installation, the ROWP Planner in question was waiting for confirmation that the installation was completed to a point where an inspection of the installation could be made.

In order to provide further clarification on this matter, the ROWP provided a letter to ASTTBC staff that states that the family member is the president of the company which the ROWP is associated with, but the ROWP does not have any official capacity nor a financial interest in the company who is the distributor of the package treatment plant. The family member and another associate are the principals behind this other company and the treatment plant was delivered to the offices of the ROWP's part of the company in order to accommodate an easier pick-up of the unit by the complainant.

The family member attended the site to ensure the treatment plant was connected to the system according to the manufacturer's requirements. He was met on the site by the client and several other people, at which time the lid to the tank was opened and what appeared to the client to be typical fiberglass insulation, which was found inside the treatment plant where the media was to be located. The family member pointed out that a small amount of different material was added on top in order to improve the dispersal of wastewater as it splashes down over the media, but that the media underneath was still the proper material as supplied by the manufacturer from outside Canada.

Following the October 2009 meeting, the complainant contacted the family member by email advising he believed R22 insulation was used inside the treatment plant and now wanted to sever their business dealings. The discussion then focused on sorting out the balance for fees or materials paid.

The complainant contacted the out-of-country manufacturer and provided photos in order to obtain verification whether this treatment plant is in fact consistent with their product or not and a series of emails followed. The family member also provided to ASTTBC staff a copy of emails and pointed out that the photos the complainant sent to the manufacturer were of a completely different site and did not depict the treatment plant that was shipped to the complainant, as well, the family member claims not to recognize the material depicted as coming from his treatment plant. Some portions of the emails were not included in the correspondence submitted to ASTTBC and those which were provided supported contradictory points of view.

ASTTBC staff contacted the ROWP apparently involved in the installation of the system for further clarification and confirmed he in fact had installed the septic tanks and pump chamber in 2005 or 2006 under the original Filing but a different treatment plant was listed on the Filing.

The second ROWP did make an amendment to the original design using a similar type of treatment plant and changed the daily design flow to reflect the standards of Version 2 of the SPM that was just coming into use. The second ROWP states the first ROWP was aware of this.

The second ROWP further states he did not see the treatment plant that was supplied but did attempt to look into the details of the construction to assist the complainant, including contacting the manufacturer directly. The second ROWP states that the information received was inconclusive and there was no proof that the material used in the treatment plant was not correct.

DISCUSSION

During this investigation, the family member provided information that the complainant believes should not be admissible in the complaint process and continues to dispute the family member's comments. ASTTBC staff felt that the information provided by the family member had sufficient merit to determine in what capacity the ROWP acted in this matter, therefore this information is relevant to the investigation.

The second ROWP found no fault with the planning which is contrary to what the complainant is suggesting along with his implication that these delays would add additional costs for what is becoming a third Filing of the system. This project began in early 2005 and the ROWP was not informed of any work being undertaken until almost mid-2008, during which time another ROWP was actively involved.

Based on the information from the other ROWP, there does not appear to be a reason for any significant delay that can be attributed to this ROWP, this project is expected to be completed shortly, and "was largely completed" since it is using the already installed dispersal field. The client's suggestion that the second ROWP had to "redesign the system" because of a different treatment plant is contrary to the information provided by the second ROWP.

The complainant implies that because both businesses share the same address, phone number and president, that the ROWP must also be connected and held responsible for the dealings of the second business. The fact that the ROWP was not involved in the manufacturing of the treatment plant nor was present when the representative for the manufacturer, the family member, was there to confirm proper connection to the system were undertaken by others, makes it unreasonable to state the ROWP should have had knowledge of what was inside the treatment plant at this particular property. While the ROWP should have knowledge of what is inside this model of treatment plant, the ROWP would not have had any opportunity up to this point to confirm whether this was the case and there is no evidence to confirm the ROWP had such knowledge. Therefore, the client's assertion that the ROWP had a duty to report this to the appropriate agencies as illegal and unethical professional decisions or practices by others, cannot be supported when the ROWP was not present to confirm such conditions existed. Even the second ROWP stated he was unable to confirm whether a problem existed or not after engaging in discussions with the out-of-country manufacturer directly.

The complainant's suggestion that because the family member had not purchased the media from the out-of-country manufacturer in the past year indicates they are not using such material at all is difficult to prove, as the family member's company apparently purchases this material in bulk, not on an

individual basis. Whether or not the treatment plants being supplied by this company are constructed fully to the manufacturer requirements is outside the mandate of ASTTBC to investigate, and as the family member is not a ROWP, ASTTBC cannot investigate his conduct either.

Any dispute over payments and/or refunds for services is a civil matter between the complainant and the family member's business, and therefore outside the mandate of ASTTBC.

OUTCOME

Since insufficient evidence exists to support any wrong doing on the part of the ROWP, no further action is required and this file was closed.

CASE #09-13

STATEMENT OF COMPLAINT

That a Registered Onsite Wastewater Practitioner (ROWP) was involved in the planning of onsite systems and did not submit the Letters of Certification to the Health Authority for these systems within the required thirty day time period following completion of work.

BACKGROUND

The EHO had contacted the ROWP by phone and by letter advising of the overdue letters, with a copy of one of the letters provided to ASTTBC when making the complaint against the ROWP.

INVESTIGATION

Immediately upon becoming aware of the complaint being made to ASTTBC by the EHO, the ROWP contacted ASTTBC staff to advise he was sending out by mail copies of the outstanding letters immediately, to both the EHO and to ASTTBC. The ROWP stated he was providing all the letters reportedly outstanding to the Health Authority as well as others in order to ensure all records with the Health Authority were brought up to date.

Upon receipt of the letters by ASTTBC staff, a review of the letters found only a small portion being signed off by ROWP Installers. The majority were signed off by people who are not ROWPs and written to a Professional Engineer, with a second letter from the Engineer taking responsibility for the installation as carried out by the non-ROWPs.

ASTTBC staff sent the ROWP Planner in question a letter requesting further explanation as to who was actually undertaking the installation of the onsite systems for these sites. A further clarification was also requested as to why the ROWP was creating "Letters of Assurance" with different phrasing and content that the normally accepted Letters of Certification. When the Professional Engineer signed off on the installation, it was with a Letter of Certification but also included other details listed that are normally included by the ROWP Planner.

The ROWP responded to ASTTBC staff, explaining that he works for "seven different builders on a regular basis and they like to use contractors they are familiar with." He further stated that he "provides

Filings for some fifteen installers; nine are registered, four have taken the required courses and are in the process of registration and two would prefer to have a Professional supervise their installations. I have associations with Professionals who are willing to install a sewerage system. I have provided a copy of the Standard Practice Manual (at my expense) to all of the installers and Professionals in order that installations and assurances (certifications) are clearly understood and defined.”

An attached form was also supplied as an example of what the property owner would receive as part of a Filing which contains most of the expected items, but does not mention an O&M Plan. Within an example of Filings submitted to the Health Authority, ASTTBC staff noted that there was the inclusion of a very small and simple O&M Plan, but significantly less than currently expected by WOWTC training and the Standard Practice Manual.

DISCUSSION

The ROWP Planner does not dispute that a number of his Filings during the past year were submitted past due and he did respond with the letters once he was aware the EHO was lodging a complaint with ASTTBC. Delays in submitting Letters of Certification by ROWPs is a significant problem to the consumer who may be relying upon such documents to receive finals on building permits, obtain occupancy permits, and even mortgages. Timely submission of such paperwork is a requirement of the Sewerage System Regulations.

With many of the Filings in question it was noted that the ROWP Planner passed off his planning work to a Professional Engineer to sign off for the installation of the onsite systems. In so doing, the Professional Engineer assumes all responsibility not only for the installation but also the planning and maintenance plan, yet the initial Filing appears to show the ROWP in question as the Planner, not the Professional Engineer.

Dates shown on the letters of certification as signing off, as well as scratched out portions of the letters that indicate whether the installer submitted the letter to the Professional Engineer, instead of being directed to the ROWP Planner, is confusing and concerning. The relationship and subsequent responsibility between who is actually planning and who is taking responsibility for the planning work was ‘blurred’ except for those few Filings that show only the ROWP in question as the Planner and another ROWP as the Installer, and those Filings were noted to be late as well! It was also noted that when a Letter of Certification was filled out by an ROWP Installer, the letter suggests that the Installer is responsible for some aspects that are entirely the ROWP Planners responsibility. In such cases, there is also no letter from the ROWP Planner in question taking responsibility for the planning work. Therefore, when an ROWP Installer is used, there is insufficient assurance from the Planner that he is taking responsibility for his work.

The ROWP Planner must start to ensure there is more clarity in who is actually undertaking the planning work and ensure that if a Professional Engineer will ultimately being signing off that it is made clear in all aspects of the Filing; to prevent any future confusion to all parties involved. In such circumstances this must be made especially clear to the client, that when they hire the ROWP Planner that they are in fact hiring a middle-man. As a similar complaint was made in the past year against this ROWP, the confusion within the Filings appears to be continuing as well as the Letters of Certification being submitted late.

In discussions with ASTTBC staff, the ROWP admits aspects of his paperwork may be less than expected by today’s requirements which he blamed on an allegation of lack of standards and assistance during the initial training in 2005. To assist with eliminating the confusion and improving the overall quality of the

paperwork submitted for Filing, the ROWP should re-attend courses specific to the items of concern found during this investigation.

OUTCOME

The ROWP is required to successfully complete the WOWTC course PLAN201 and PLAN207. Evidence of successful completion is to be submitted to ASTTBC. The ROWP is further required to immediately arrange through the Manager, Onsite Wastewater Registration Program to undertake a Practice Assessment.

The ROWP sent written confirmation stating that he will adhere to the above-mentioned PRB conditions, therefore, no further action is required and this file was closed. Staff will monitor to ensure all conditions are successfully completed.

CASE #09-16

STATEMENT OF COMPLAINT

That a Registered Onsite Wastewater Practitioner (ROWP) allowed the occupants of a home to use an onsite sewage system before the work was completed and did not respond to the occupants complaints of a performance malfunction that caused sewage to escape the system. Further, the ROWP refuses to complete the system due to a contract dispute over outstanding fees.

BACKGROUND

The client purchased a property on an island where they wished to construct a home. During discussions with the Health Authority staff, site constraints required a Type 3 system be installed and they contacted a Professional Engineer to discuss options. A plan for the home and property was provided to the Professional Engineer in July 2006 and he attended the site in the fall of 2006 where a closer evaluation determined the best choices for locating the onsite system. The Professional Engineer selected a particular treatment process for this location, created a plan and was under contract to the clients by December 5, 2007 as efforts to construct the home moved forward.

On January 14, 2008 the client picked up the ROWP and his work crew by boat and brought them to the site to review the property and mark where the system was to be located. The client states this is the only time that the ROWP was on the property during the entire project and it was for an hour at the most.

Work on the onsite sewage system commenced shortly after this meeting and was completed on January 20, 2008 at which point the ROWP advised the homeowners by telephone that they could begin using the onsite sewage system. Soon after, a dispute over costs for the project began as the project took longer than planned, due in part to delays with the barge delivering materials, a drainage pipe damaged during construction of the onsite system, and poor weather conditions that made the installation difficult.

By May 2008 the client began noticing odours and called the ROWP about these concerns. They were advised that someone would attend to inspect the system as well as install both a battery and a sensor unit inside the control panel. A subsequent letter to the client from the ROWP's business advised that any

warranty deficiencies and full activation of the system will not be provided until overdue amounts were paid.

The client called the Engineer to attend to inspect the system. On August 12, 2008 the Professional Engineer attended and noted that sewage was leaking from a pipe connection to one of the two plastic tanks used in the system and advised the client that repairs were needed. According to the client, the Engineer was going to contact the ROWP and would get back to them, but no response from either the Engineer or ROWP were received.

In October of 2008, the client went to the Health Authority office and met with an EHO who stated he would look into the matter. The EHO contacted the client stating there was no paperwork at his office to show the onsite system was completed. The client then sent a letter to both ROWP and the Engineer advising that he expected these repairs to be completed before settling the matter of outstanding payments. Delayed responses from the ROWP conveyed no further action should be expected until full payment for services is received.

The client attempted to find someone to correct the apparent problems with the onsite system but found that no ROWPs in the area were familiar with this particular proprietary system except for a former employee of the ROWP's. This non-ROWP attended the site in February and confirmed that leaks were visually apparent at the connections between the septic tank and the pump chamber and at the rear of the pump chamber. Part of the leakage at the pump chamber was due to the pump not drawing down the fluids to within the normal operating range. At the control panel, a fuse had blown which prevented the Programmable Logic Controller from carrying out the timed dosing required by this system's particular design.

The non-ROWP repaired the leaks and had arranged with the client to replace the fuse, at which point the system appeared to be functioning, however he recommended to the client that due to the complex nature of the control panel, someone from the ROWP's business would need to attend to fully test the system. The non-ROWP did note that the secondary battery back-up alarm had not been installed and, that if it had, it might "have given warning of the high effluent levels much earlier and the issues with the system."

Upon the ROWP becoming aware that someone other than himself or an employee of his business had attended the site and carried out repairs, the ROWP stated that work done by others voids any warranty on the system. He reiterated to the client that "rectification and repair of appropriate deficiencies pursuant to the contract will occur once the owners have themselves complied with the contract and paid as required. If a warranty repair is required, so long as the warranty terms have not been breached, I will be happy to immediately have such repairs carried out upon payment of the original invoice."

Due to the ROWP's refusal to carry out any further work on the system, and problems with the system appearing to still be present, the property owners contacted Health Authority staff for assistance who in turn brought this matter to the attention of ASTTBC.

INVESTIGATION

In co-ordination with Health Authority staff, ASTTBC staff attended the site, examined accessible system components and the surrounding area of the property. Both the septic tank and pump chamber are sitting on a bedding of sand with the majority of the vessels above the surface and exposed on all sides.

The home is constructed on wood support posts and beams leaving a large crawlspace area accessible from the south side. The main sewer pipe from the home to the septic tank is fully exposed and supported by straps to posts and beams for some 7 metres before reaching the septic tank. An obvious grade to the pipe was noted and confirmed with a hand level, with no leakage of sewage from the pipe apparent up to the septic tank.

The plastic tank itself was clearly not level and the hand level confirmed that the inlet side of the tank was lower than the outlet side by six to eight centimeters, contrary to proper installation and operation requirements. Immediately next to the septic tank is the pump chamber, constructed of the same material, sitting on the same sand bedding, and separated from the septic tank by less than 1 metre. A plastic pipe connects both tanks, but the outlet side of the septic tank is lower than the inlet side of the pump chamber by several centimeters, again contrary to proper installation and operation requirements.

The pipe connections between both tanks were also examined, and while not leaking at the time of the inspection, repairs to the joints were evident. According to the client, this is where wastewater was observed seeping out soon after the installation was completed and only noticed because of the odours in the area of the tanks. On the east side of the pump chamber, a further repaired area was noted. The repairs were reportedly carried out by a former employee of the ROWP's business and the repairs appeared to be holding although a slight curve on the pipe was noted. This may be due to stress on the pipe as the septic tank settled.

Odours were occasionally encountered by ASTTBC staff in the vicinity of the septic tank and pump chamber with no specific location identified. Constant breezes off the ocean at the time of the inspection further hindered the search for the source of the odours.

The dispersal area is directly to the east of the home along a narrow section of the property next to a property line. Three dispersal areas are installed within the two tiered sections of the new grass covering the top of the dispersal area. Checks found fluid levels normal and when the test button was pushed for several seconds the pump chamber did send effluent to each in a normal manner. Some wet areas around the toe of the mound nearest the home were noted but it was not clear whether this was a breakout. Dye testing by the EHO had not shown up anywhere in the 24 hours since it was added. However, the small number of occupants and light usage from the home might result in the dye not emerging at the dispersal area.

By all appearances, the system appears substantially completed as the ROWP claims except for corrective action to the pipes and the septic tank where reverse grades were found. Checks were made of the surrounding properties to see if any odours originate from those properties. None were found.

A letter was directed to the ROWP by ASTTBC requesting an explanation of this matter. The ROWP's response stated he would not undertake any further work at this property as a dispute over payments was in progress, and that the client had hired an Unauthorized Person to carry out work without the ROWP's knowledge or consent. This violated the contract between the ROWP and the client. The ROWP states that this Unauthorized Person was a former employee of his who "worked under my supervision and my ROWP license" and who has teamed up with another former employee to service, repair and maintain his proprietary onsite sewage systems. The ROWP then states that the former employee was "responsible for the original installation, and as such, many of the issues listed, if they are even accurately reported, were created by his own negligence."

The ROWP also stated he did attend for more than an hour at the start of the project and was in frequent phone contact with his “most senior employee” through the project. He did not have concerns as the staff had experience undertaking many installations in the past and he was confident they knew what they were doing. As for allowing the client to use the system prior to completion, he states only that “We completed the installation and provided a temporary activation as the owners were on an outhouse system and pressured me to have the system up and running as soon as possible.”

The response letter from the ROWP was provided to the client who replied with more information challenging the ROWP’s letter including information from the former employee outlining the work undertaken to repair the onsite system. This information was provided to the ROWP for additional comment, and he states that he became aware of the employees allowing the client to use the onsite system only at a later date and he suggests the smell is due to venting problems with the house plumbing.

A subsequent letter to the ROWP from ASTTBC pointed out that while disputes over contracts are not within the purview of ASTTBC to resolve, ensuring compliance with the SSR, SPM and Code of Ethics is. The concern to ASTTBC is over his approving of the use of this onsite system despite having no Letter of Certification issued or apparently without the Professional Engineer’s knowledge, and that a resulting malfunction allowed wastewater to escape to the surface in a manner contrary to the SSR. Further, that when advised of this condition, the ROWP did not respond in a timely manner. The letter requested confirmation of his intent to complete this installation.

Further correspondence was received by ASTTBC from the ROWP who advised he would arrange to have the repairs done shortly but was just out of town completing a project at that moment. The expected time period he suggested was within one week after the fax was received.

ASTTBC staff were in regular contact with the client, however when the ROWP failed to arrive at the property or inform ASTTBC staff of being delayed, another letter was issued asking the ROWP to confirm in writing that he has fulfilled his commitment and the project was completed. A warning was included that failing to respond would be reported to the PRB for action and possible censure.

Through the following months, ASTTBC staff were contacted by several people who stated they were contacted by the ROWP and asked to attend this site and make necessary repairs. One particular ROWP known by both the client and the ROWP in question began undertaking regular visits to the property searching for possible clues as to the source of the odours. He replaced short sections of pipe from the house to the septic tank where glued joints were questionable, corrected pipe grades and re-sealed all possible sources of odours, and set up a test to verify if venting from the house plumbing was the issue, which he concluded afterwards that it did not appear to be. The tanks were tested for leakage and none was found. He also made enquires with the neighbours to confirm if they had noticed the odours and none reportedly did. The names of the neighbours along with the phone numbers to contact them were also offered to ASTTBC staff for verification. No other ideas on possible sources for these odours were found and that rarely was this even noted beyond faint levels during any of the testing and repair work being undertaken. A more noticeable odour was coming from the decking being built over top the septic tank and pump chamber from wood preservatives.

The client was also in frequent contact with ASTTBC staff advising that periods of strong odours were noted at various times each day, sometimes to the point that the doors and windows would have to be closed, making it very uncomfortable during the hot periods of the summer. The client also arranged for first a local plumber and later for a building inspector from the regional district to check the plumbing and both wrote letters attesting to the plumbing in the home working properly and that house venting was not

an issue. According to the client, even the neighbours are complaining to her about the odours. She also made numerous demands to ASTTBC staff that she wants to see the ROWP attend and deal with this matter as she had expected him to do as he is the ROWP Installer she hired.

At this time, it is unclear if odours are occurring, how often, to what degree, and what the cause might be.

DISCUSSION

The ROWP owns the Canadian rights to market a sewage treatment process, which includes the installation and maintenance of these systems. When the new system malfunctioned, the client was not able to choose another ROWP to undertake the work as few have any knowledge of the system due to its proprietary nature. This is especially true of the control panel that regulates the micro-dosing of the system.

By chance, the client was able to contact several former employees of the ROWP who were also the ones involved with the installation of this particular system, and one offered to undertake a check of the system to help the client out. In so doing, this non-Authorized Person made repairs that stopped sewage from leaking out from the areas of the septic tank and pump chamber as well as brought the control panel back into operation by having a fuse replaced. This non-Authorized Person points out that a more thorough testing of the system will require access to specialized software that only the ROWP has, and advised the homeowners that he could not ensure no other problems may be present with the control panel. They would still need to have the ROWP, or an employee of his business, attend to conduct further testing.

As this person is a non-Authorized Person, and was not undertaking the work with the knowledge of the Professional Engineer in charge of the project, a question about the legality of his doing so was raised by the ROWP. Health Authority staff are dealing with that issue and a letter was sent warning the non-Authorized Person against carrying out such work as it is contrary to the Sewerage System Regulation. This matter is outside the scope of ASTTBC.

The ROWP points out that the former employee used in the installation of the system is now suggesting faults with the installation. Correspondence from both parties suggests a grudge between them may be present but it does help in clarifying that the ROWP was hired to be and did assume the lead role as the ROWP Installer, but did not provide direct supervision of the project. He admits to being in contact with only one staff member and this was done over the phone, not by a presence on the site. He admits that his employees are working under his "ROWP license" suggesting a misunderstanding of his responsibilities for directly supervising his employees who were not ROWPs. In a response letter that points out these former employees are responsible for the resulting problems with the system, he appears to cast blame onto his employees on one hand while in another letter mentions their considerable experience being sufficient to leave them un-attended. The change in attitude was only after the ROWP was provided a response letter from the client that contained a statement from his former employee.

The ROWP acknowledges having allowed the client to use the onsite system stating it was not a common practice of him to do so and it was for "temporary" purposes. No explanation was provided to define what temporary was intended to be. The more important point is that the Professional Engineer supervising this project was not the one providing the authorization to the client and it is unclear as to if and when the ROWP informed the Professional Engineer of his action. By doing so, the ROWP assumes the liability that the onsite system is functioning properly and will not cause or contribute to a health hazard, as required under the SSR. The ability to allow the use of a system does not ever rest with the Installer.

Only a few months later, the system appears to malfunction and the client attempts to have this condition corrected by first informing the ROWP and then the Professional Engineer, the latter being the one who confirms that sewage is leaking out of the tanks in a manner that would be contrary to the SSR. The Professional Engineer also contacts the ROWP, but the ROWP insists no further attendance to the site will be forthcoming until the outstanding balance of the work, which is in dispute, is paid in full.

ASTTBC staff sent a letter to the ROWP by courier which stated:

“With regards to yourself as an ROWP, there is cause for concern that Principle 1 of the Code of Ethics may not have been followed, namely to “hold paramount the safety, health and welfare of the public, the protection of the environment” even if requires to “rank it ahead of expediency or economic gain to either client or self.” Whether or not this Principle has indeed been breached, will be determined by the Practice Review Board.

For this reason, it is strongly advisable that you complete this project in order that a Letter of Certification can finally be provided to the Health Authority as required within 30 days of completion. This system must be completed so that it will not cause or contribute to a health hazard in the future and such work should be completed immediately.”

The letter points out that the financial dispute itself is not within the purview of ASTTBC to resolve and he still has legal remedies available to him, however that is separate and apart from the matter of completing the project to render the system safe for use and providing the installation LoC to the Professional Engineer as an ROWP Installer to confirm this. His response was received by ASTTBC staff and work was undertaken, although not in the time frame suggested and by other parties, not by the ROWP directly.

Based on the information gathered during the investigation, the ROWP did not carry out direct or sufficient supervision of employees as required by OWRB Policy and the Sewerage System Regulation. In recent discussions with Ministry of Healthy Living & Sport staff, their interpretation of the Sewerage System Regulation is that a ROWP Installer must be on site at all times if a non-Authorized person is involved with the work.

Unsupervised non-authorized persons working for the ROWP “under his license” led to the settling of a septic tank and resulting strain to pipes causing wastewater to escape in a manner contrary to the Sewerage System Regulations. Upon being advised by the client of the problem, the ROWP failed to take immediate action to investigate and implement corrective action to prevent the continuation of the escape of wastewater from components of the onsite system. His reason for not attending or completing the project is based upon a financial dispute over the contract even though he had approved the system for their immediate use and did not take any measures to inform them not to use the system until all aspects of the project were completed. As this onsite sewage system was proprietary in nature, the client was forced to comply with the ROWP’s demands unless they chose to use a non-Authorized Person to at least repair the system to sufficiently safe level of operation while “voiding their warranty.”

As for the client, ASTTBC staff are concerned that the original complaint, while valid and justified, may have become exaggerated toward the end of the investigation in an effort to ensure the ROWP did not avoid discipline by ASTTBC. The inconsistent pattern of when the odours are present, despite corrective action taken by a contactor assigned to the task by the ROWP, are very unusual and without a clear explanation.

Once the system is operable, there remains the issue of maintenance. Due to the proprietary nature of the ROWP's system, the client must utilize the ROWP or one of his employees to maintain their system. Using another Maintenance Provider would void any warranty, and few people in BC other than the ROWP or his employees know enough about the system to maintain it. The client is beginning to realize that this may become an ongoing issue, which they did not understand prior to contracting with the ROWP.

OUTCOME

The ROWP must immediately complete all outstanding required installation work for this onsite sewage system and provide a Letter of Certification for the installation of the system to the Professional Engineer who submitted the Filing, a copy of which is to be provided to ASTTBC. The ROWP must immediately upon receipt of notice submit his Professionalism in Practice Module to the Registrar. The ROWP must successfully complete the WOWTC course WOWTC101 (classroom version only – not Fast Track) to relearn the fundamentals of the SSR and SPM, and both INSTALL201 and INSTALL202 to relearn the fundamentals of installation practices and expectations of all ROWP Installers. Proof of successful completion of all courses is to be submitted to ASTTBC. Immediately upon receipt of notice arrangements are to be made with the Manager, Onsite Wastewater Registration Program to undertake a Practice Assessment

The ROWP sent written confirmation stating that he will adhere to the above-mentioned PRB conditions, therefore, no further action is required and this file was closed. Staff will monitor to ensure all conditions are successfully completed.

CASE #09-17

STATEMENT OF COMPLAINT

That a Registered Onsite Wastewater Practitioner (ROWP) stamped and signed off as the Planner of an onsite sewage system which he did not personally plan or conduct a site assessment for, and that the onsite system constructed was not appropriate for the site conditions.

BACKGROUND

The complainant resides next to the subject property and was aware that his neighbour required a new onsite system. According to the complainant, he was under the impression that a "raised bed" was needed as "hard pan is eighteen inches down with surface water running nine months out of the year". The exact source of this information was not disclosed, but appears to be from an ROWP who first attended this property to conduct a site assessment.

The property owner hired an ROWP, who carried out the planning of an onsite system and registered a Filing with the Health Authority in March of 2008. The system was to be a Type 2 using a package treatment plant to a drip irrigation dispersal method due to the shallow depth of soils to a water table.

The complainant states that a different ROWP registered a different Filing in October containing stamped and signed plans for a different system that did not use a treatment plant or a sand mound. This caused the

complainant concern as the water table in this area is known to be a problem. For this reason, the complainant contacted ASTTBC.

Although minimal details were provided within the Filing, ASTTBC staff became concerned that the onsite system appeared undersized according to the SPM as well as potentially unsuitable for the site if seasonal high water tables were present.

INVESTIGATION

During the investigation, a review of the second Filing associated to the property confirmed that the second ROWP had registered a Filing that contained substantially different information than that was found in the review of the Filing by the first ROWP. The second ROWP's Filing showed the Daily Design Flow to be lower and incorrect for the size of the home, a depth to water table substantially greater, an average 'perc' rate 3.5 times faster, and no mention of a breakout point that was listed in the original Filing.

The drawing of the site had minimal details, but showed laterals in the field with varying lengths and no details on how the Planner determined the loading rates or doses. The soil description provided lists "sandy" but no other details such as consistency, texture, colour, presence of mottles, roots or changes in soil horizon were included; unlike the first Filing, that gives more clues as to the site conditions. Even the O&M Plan had virtually no details and was completely insufficient for an ROWP Maintenance Provider to follow: Overall, the Filing was very poorly done. Of particular note throughout the Filing were references to a company that is associated with an ROWP Installer who had already become a person of interest to ASTTBC staff.

ASTTBC staff sent a letter to the second ROWP asking for further details on what this site and system were about, pointing out the differences between his Filing and one done earlier by another ROWP. This ROWP responded by both phone and email stating he did not actually plan this system but went over a design by the former ROWP Installer who was formerly employed by this ROWP's father "so that is why I gave him my trust."

The reasons provided were similar as for a previous complaint under investigation by ASTTBC at the same time involving both this ROWP and the former ROWP Installer. According to the ROWP, the former ROWP Installer stated that his Planner registration was soon to come through but was not available at this time. Since the ROWP had already stamped and signed off on another system by the former ROWP Installer, the ROWP felt fine undertaking this project as well but admitted all the site assessment and related planning work was carried out by the former ROWP Installer alone.

The ROWP was advised by ASTTBC staff that the lack of details and differences in these two Filings were a major concern and it would be necessary to clarify this in order to ensure that any Filing registered with the Health Authority is accurate in all respects. The ROWP was arranging to gather this information when information was received by ASTTBC staff from an EHO that a report has come to his attention of sewage breaking out to the surface at this property. The EHO attended to conduct a dye test and evaluate whether a health hazard had occurred, and it was conveyed by ASTTBC staff to the ROWP that an immediate response to this site was prudent. The ROWP at first began to provide excuses for why he could not make the time to check this out, until ASTTBC staff reminded the ROWP that the design of the system is already suspect and this latest information adds considerably to the concern that it may be creating a health hazard contrary to both the SSR and Code of Ethics. The ROWP became motivated to address this concern.

After the EHO was briefed on the general nature of the investigation already in progress by ASTTBC staff for this property, the EHO attended and carried out a dye test and evaluation which confirmed groundwater near the septic tank or pump chamber may be entering the system due to what may be damage to pipes from a vehicle driven through the area. The ROWP also conveyed information back to ASTTBC staff that a vehicle appears to have damaged the system but repairs were being made to correct this shortly. The EHO was notified and appeared satisfied that such work had taken care of the immediate problem.

The ROWP was then advised by ASTTBC staff to ensure the missing details of his Filing were provided to the Health Authority and that it is best to ensure it continues through to the EHO who is already familiar with this site. It was stressed by ASTTBC staff that such missing information is also necessary for ASTTBC in order to complete the review before the matter can be closed. At that time no further information had been received from the ROWP despite attempts to contact him for an update.

DISCUSSION

The ROWP admits he did not carry out the planning work for this site and relied upon the former ROWP Installer's word that a full and proper assessment was carried out. The ROWP did not know that the former ROWP Installer had no training as a Planner and was not attempting to become registered as a Planner either, but now suspects he was deceived. Despite having an opportunity to review the plans created by the former ROWP Installer, the ROWP did not recognize obvious problems with the documentation.

Based on the lack of understanding in his roles and capabilities, the ROWP stamped and signed off work performed by another person's work that had numerous obvious flaws. This negligence in the performance of his duties is a clear contravention of the Code of Ethics. It would also appear that the ROWP is not fully comfortable or competent in his role as a Planner.

The malfunction of the onsite system that caused sewage to flow to the surface in this case was due to circumstances out of the control of the ROWP. The property owner is responsible for the abuse of the onsite system and the ROWP's efforts to attend and correct the problem were appropriate under the circumstances. It also allowed the ROWP the opportunity to confirm soil details and site conditions in person, as well as other factors that were to be forwarded to ASTTBC for review. The lack of such information being provided to date is still a serious concern.

OUTCOME

The ROWP's Planner status was suspended due to the previous complaint. The ROWP had to successfully complete the course WOWTC101 and immediately return his Professionalism in Practice Module. Proof of successful completion of all courses and a Practice Assessment must be submitted to ASTTBC before consideration of re-instating his Planner status. Further, that all Health Authorities throughout BC be informed of the PRB decision that the ROWP's Planner status has been suspended.

The ROWP has since successfully completed the courses and the Filings submitted for review through the Practice Assessment now meet all requirements, therefore, no further action is required and this file was closed.

CASE #09-21

STATEMENT OF COMPLAINT

That a Registered Onsite Wastewater Practitioner (ROWP) undertook the planning and partial installation of an onsite sewage system, but failed to provide the Letter of Certification upon completion of the project.

BACKGROUND

An ROWP was hired in 2007 to undertake the planning of an onsite sewage system for a property owned by the complainant. The system was installed in 2008 but the ROWP had not submitted a Letter of Certification to the Health Authority even though a reminder notice was sent by the Health Authority to the ROWP in July of 2008. The complainant reports making numerous attempts to contact the ROWP as well with no response to date.

INVESTIGATION

While in the area, ASTTBC staff were contacted by the ROWP who had just received the ASTTBC complaint notification letter and wanted to have a meeting immediately. During the meeting on May 15, 2009, the ROWP acknowledged he had not completed the LoC as he has not completed his final inspection and was not intending to due to a dispute regarding costs for the project and whether the complainant had completed portions of the work or not.

According to the ROWP, he agreed to undertake the planning work and a portion of the installation leaving other portions of the work for the complainant to complete. The costs for the onsite sewage system was part of a larger project to clear and prepare the property for building a home, driveway and related services not specific to the onsite system itself. Responsibility to supply and install a pump, float control, electrical work, risers and assorted other aspects of the project were apparently given to the complainant at his request and no mention was made by the ROWP of supervision during this work. At the conclusion of the meeting, the ROWP advised ASTTBC staff that he would carry out the final inspection and sign off the LoC if he was permitted to enter the property to do so.

The ROWP states that the home is being rented out and the system was in use for the past year even though no LoC was provided. ASTTBC staff agreed to coordinate the means of access for the ROWP to complete his work. The ROWP apologized for not responding to the complainant's calls as he just returned from a vacation overseas but stated he was not attempting to ignore the complainant.

In discussions with the complainant on May 18, 2009, ASTTBC staff were advised that the entire planning and installation work was to be carried out by the ROWP and he has never prevented the ROWP from attending the property to complete any work. The complainant stated that the ROWP can attend any time and that he would not be present or interfere in any manner when he does attend, nor will it interfere with anyone else as no tenants are in the home currently.

The ROWP was immediately contacted by ASTTBC staff following this conversation and advised that attending the site would not be a problem. The ROWP stated he could attend as early as the next day, May 20, to complete the final inspection. The ROWP was strongly advised that to resolve this matter the LoC and all outstanding documents related to the Filing must be delivered to the Health Authority, and in particular, a particular EHO who the ROWP had apparently contacted shortly after receiving the

ASTTBC complaint letter. Upon the EHO being satisfied that the Filing has the necessary documents and LoC attached, that a copy of this be forwarded to ASTTBC immediately for both our file as well as for the complainant. The ROWP understood and fully agreed to this and stressed that he wanted to have this matter resolved immediately.

During the next 2 weeks, the ROWP made several promises to ASTTBC staff that he would attend the site but various reasons were given for not being able to and no date was provided that he would be attending. As of June 2009, ASTTBC staff left a final message advising his response to the complaint letter or full documentation including the LoC for this site was to be provided to ASTTBC by 3 pm as this case was being forwarded to PRB. No further responses from the ROWP were forthcoming.

DISCUSSION

According to the SSR, Letters of Certification need to be submitted to the Health Authority where the Filing was registered within 30 days of the work being completed. Whether the system is completed or not is unclear since the ROWP has not re-attended nor was intending to since a dispute over payments for site preparation work in general is being used as an excuse not to complete the LoC.

The ROWP was advised by ASTTBC staff that the dispute over payment is a civil matter and one that he can resolve through various legal processes, however the completion of the onsite system is a contractual matter that must be completed. Withholding an LoC is not an acceptable practice.

There is also concern over whether the ROWP allowed the complainant to undertake work on the onsite system or not, and to what degree. The complainant denies he was to undertake any work, and the ROWP has not provided any proof that such an agreement was made. There is even a question as to whether any written contract was ever made between the two parties or if it was verbal in nature. A misunderstanding of duties and expectations is clearly at hand.

The lack of response to repeated calls was also a concern. Not only was this mentioned by the complainant, it was also becoming apparent in the last week of May and early June of 2009 with ASTTBC staff and even Health Authority staff reporting difficulty in reaching the ROWP.

The ROWP has since completed the LoC and submitted the paperwork to the Health Authority as of June 9, 2009. ASTTBC staff contacted Health Authority staff to confirm the LoC had arrived. A copy of the LoC was subsequently forwarded to ASTTBC staff for confirmation and the complainant was contacted to confirm that all paperwork was completed.

The complaint also confirmed that the ROWP had attended and completed his inspection and signing off, and the complainant is now satisfied that this matter is resolved.

OUTCOME

The ROWP must successfully complete the WOWTC course PLAN201 as a review of fundamental duties and responsibilities expected of all planners. Evidence of successful completion is to be submitted to ASTTBC. The ROWP must immediately arrange through the Manager, Onsite Wastewater Registration Program to undertake a Practice Assessment.

The ROWP has confirmed he will complete the above-noted conditions set by the PRB, no further action was required and this file was closed. Staff will monitor to ensure all conditions are successfully completed.

CASE #09-23

STATEMENT OF COMPLAINT

That a Registered Onsite Wastewater Practitioner (ROWP) submitted a Filing for a Type 1 system which contradicts the requirements set out in a previous Filing created by a Professional Engineer for the same property where a Type 3 was deemed necessary. This property is owned by the ROWP and his newer Filing would result in a lesser treatment standard and a lesser cost to the ROWP.

BACKGROUND

As a result of another PRB matter, a review of other Filings by this ROWP was carried out by ASTTBC staff to determine if concerns raised during the initial PRB complaint were a single incident or more common practice. Health Authority staff provided a selection of Filings for the review and ASTTBC staff noted two particular Filings for the same property that also happened to be owned by the ROWP.

INVESTIGATION

The original Filing was made by a Professional Engineer who determined that a Type 3 system was necessary due to the site conditions, but the system was not installed. Another Filing was registered showing the ROWP as the Planner but the system was to be a Type 1 system. While the Engineer's Filing indicates a drainage course runs through the property that may impact the location of the onsite system and features or components used, the ROWP's plan does not show the drainage course is present. The ROWP's plan also states that the discharge area is to be a bed but the drawing attached to the Filing does not indicate whether the system uses a bed or a mound due to insufficient information within the Filing to confirm details of the construction. The Filing also has conflicting information on the soil conditions when compared to the original Filing.

The information contained within the Filing does not meet the requirements as set out in the Standard Practice Manual and a further assessment of the ROWP's Filing was attempted through a Technical Reviewer, but could not be carried out due to insufficient details.

A letter from ASTTBC was sent to the ROWP and the ROWP responded with further details and clarification on his Filing. According to the ROWP, the Professional Engineer was over-designing for the site conditions and that what the ROWP filed was in accordance with the SPM.

The additional information was forwarded to a Technical Reviewer who agreed that the Type 1 was appropriate for the site and setbacks were properly addressed, however other significant issues with the plan were identified.

DISCUSSION

In a separate recent PRB matter, the ROWP fully admitted to submitting a Filing with insufficient documentation and errors within the documentation that was provided, accepted full responsibility for his actions, and was extremely cooperative to see the matter resolved in a timely manner. During the investigation of this matter, the ROWP was just as cooperative and expressed his willingness to do the work correctly.

During the previous investigation, ASTTBC staff felt some areas of his basic planning skills were weak and his drawing skills to develop site plans and system layouts were poor. Re-attending courses that specifically cover these issues found within the Filing would be of significant benefit but the recommendations were for general planning and drawing and did not include more advanced planning concepts such as pressure distribution and sand mounds. The concerns raised based on this Filing are related to advanced planning knowledge.

OUTCOME

The ROWP must successfully complete the WOWTC course PLAN204 as a review of pressure distribution systems as well as course PLAN205 in order to more effectively plan sand mounds. Evidence of successful completion is to be submitted to ASTTBC.

The ROWP has sent a letter confirming that he will adhere to the requirements of the PRB, therefore no further action is required at this time and this file was closed. Staff will monitor to ensure that all conditions are successfully completed.

CASE #09-24

STATEMENT OF COMPLAINT

That a Registered Onsite Wastewater Practitioner (ROWP) was involved in the maintenance of an onsite system for a commercial facility that was suspected to be malfunctioning.

BACKGROUND

An ROWP stopped by a gas station early one afternoon and parked next to what appeared to be a mound for an onsite sewage system. On top of the grass covered mound were three points where ponding of what appeared to be wastewater was noted and pronounced green patches of grass in other areas. A check with Environment Canada Weather indicated no rain had fallen for at least 4 days prior that might have contributed to the ponding.

As ponding could create a potential health hazard, the ROWP contacted the Health Authority about this matter. It is necessary that an Environmental or Medical Health Officer determine if in fact a health hazard exists or not. A subsequent conversation with an EHO at the Langley office, confirmed that a previous complaint of a similar nature had been received and that a particular ROWP was the ROWP Maintenance Provider for this commercial facility's onsite wastewater system.

INVESTIGATION

The EHO phoned the complainant advising that he had notified the ROWP Maintenance Provider of this most recent possible malfunction and that the Maintenance Provider was in the process of determining what the cause(s) for this condition were in order to take corrective action. Since this system apparently malfunctioned within the past year and an ROWP Maintenance Provider was involved with the system, a letter from ASTTBC was directed to the ROWP Maintenance Provider asking them to provide details and explain the cause(s) and measures being taken to correct these conditions.

The ROWP Maintenance Provider responded to ASTTBC's request and confirmed he did receive a phone call from the EHO and attended the site the next day. During the maintenance visit, the ROWP Maintenance Provider found the aerator blower was not functioning and confirmed that the field areas were "showing signs of stress loading with a slight amount of ponding" near the southwest corner of the field. A sample of the ponding fluids was taken but apparently no odours were noted. The ROWP Maintenance Provider returned to obtain another sample of the ponding fluids and arranged for the septic tanks and treatment mound to be vacuumed out until the blower and test results were received.

Lab results indicated the ponding fluids had a fecal content of less than 1000 CFU per 100 ml. A sample taken from the pump chamber was also taken for analysis showed BOD of 1530 mg/L, TSS of 305 mg/L, and pH of 4.87. Based on the results, especially the low pH levels, the ROWP Maintenance Provider consulted with various parties on whether the low pH could be a problem with the system and options for other sanitizing products that would have less impact on the onsite system.

DISCUSSION

From the ROWP Maintenance Provider's response, there is confirmation that a ponding of fluids was noted on the surface of the field area, but the amount of fecal content within the test results are confusing and unclear. It is possible that the method of gathering the sample did not allow the lab to accurately determine the results and there was no indication from the EHO that he took a sample when attending the site. Therefore, no confirmation of a health hazard was made in this case.

On the issue of the system malfunctioning, the ROWP Maintenance Provider confirms that aspects of the wastewater quality were concerning and is seeking guidance from others to minimize the impact. There is no reference in his response as to whether the wastewater quality has changed since the system was installed and placed into operation, but this should be an item of concern to any Maintenance Provider dealing with commercial facilities.

The quantity of wastewater being handled by a system is also important to monitor to ensure it stays within the designed capabilities of the system. The ROWP Maintenance Provider does not mention whether high flow rates were occurring but does mention signs of "stress loading" were observed during this recent maintenance visit in response to the complaint. Whether this was noted by himself previously or not is not mentioned nor when the last visit to the site was actually carried out.

Along with his response letter, the ROWP MP provided copies of weather information suggesting that showers had occurred around this time period that the ponding was first noted, but the weather details for show a total precipitation of zero centimeters for both days, although light snow flurries were noted on the 27th and light rain showers occurring towards 7 pm on the 28th and continuing through the evening. Whether the ponding noted on February 28th or a week later on March 7th was ponding effluent or simply rainwater is not clear, but suggestions that "stress loading" was possibly occurring was made by

the ROWP Maintenance Provider and it is possible that some overflowing of wastewater from the monitoring caps had resulted.

Since this system was installed prior to the SSR and SPM, the degree of maintenance and monitoring was set by the Professional Engineer who designed the system, in consultation with the supplier of the treatment process being used within the system. The same condition applies today where a Professional designs a system for high strength and/or flows, as would be the case with this system, which is considerably different than when an ROWP is involved with planning a system since the ROWP is to follow the SPM while the Professional has the choice to follow it.

The ROWP Maintenance Provider states he does an annual site visit and carries out maintenance when he is “apprised of any problems” which is fine if that is what the operating and maintenance requirements are for this system as set out in the pre-SSR constructed system. However, since this system has had previous similar conditions occur as noted by the EHO, the current level of maintenance and monitoring may be insufficient. As a ROWP Maintenance Provider, the requirements for carrying out maintenance and monitoring tasks as set out in Section 3.3.3.5 of the SPM must still be met. The minimum monitoring interval period should be discussed with the Professional Engineer to determine if it is still sufficient or if a more frequent interval should be considered.

OUTCOME

The ROWP must contact the Professional Engineer responsible for this onsite system to review and determine if the current level and degree of maintenance and monitoring is sufficient or whether an updated Operation & Maintenance Plan is prudent. The ROWP is to provide evidence that a review of the Maintenance Plan was completed and submit the updated Plan to the Practice Review Board. As an appropriate letter was received by the Registrar, the conditions were met and this file was closed.

CASE #09-25

STATEMENT OF COMPLAINT

That a Registered Onsite Wastewater Practitioner (ROWP) planned and installed an onsite system improperly that does not allow the homeowner to use the system.

BACKGROUND

The owner retained an ROWP to plan and install an onsite sewage system for a cottage he owns along the shoreline of a lake. The ROWP proposed to construct two types of systems on the property, one being a pump to distribution box style, in order to take advantage of a small area on the property that provided greater vertical separation to the seasonal water table, or a second option that provided gravity flows from the house to the dispersal field but could be difficult to achieve without adding some soil over top the lower portion of the field.

The owner preferred that the gravity system be installed in order to save money. The only condition that the owner had was that the sewer pipe connection from the septic tank back to the foundation of the home was to be at a certain depth in order for the sewer pipe within the home to match up properly. As the sewer pipe was not extended from the home prior to starting the installation of the onsite system, the

ROWP estimated where the pipe would be coming out under the foundation and set depths of all components from the septic tank out to the dispersal field accordingly. No actual plans were provided by the ROWP to the owner and a very simple contract was prepared by the ROWP with limited details.

The owner was only able to attend towards the end of the project at which time he dug down along the foundation wall and exposed the extension of pipe that the ROWP left in place from the inlet of the septic tank back towards the cottage. Besides the pipe being in a reverse grade, the elevation of the pipe would not allow a connection of a sewer pipe from the home to the septic tank with a proper grade. To overcome this would require chiseling or coring through the foundation with little to no soil cover from the surface.

The ROWP was asked to lower the onsite system, but this was not possible due to the minimal vertical separation between the dispersal pipes in the field and the water table that seasonally fluctuates due to the lake levels close by. Due to these events, the owner now has a system he cannot connect to and use and he contacted ASTTBC to file a complaint.

INVESTIGATION

ASTTBC staff sent several letters to the ROWP and made numerous phone calls in order to obtain information regarding the circumstances surrounding this event. The ROWP admitted he did not open these letters or even a registered letter sent by the owner, as he was tied up with several other PRB matters until recently. He also admitted dealings with the owner have not gone well and was concerned that further discussions would devolve further.

According to the ROWP, there was no exact measurement given to him by the owner that the pipe from the septic tank had to meet, but rather a general ability to get under the footing. However, when the onsite system was finally installed and it was clear that the sewer pipe connection to the home could not be made under the footing, the ROWP states a verbal agreement was made whereby the owner would chisel through the foundation from the footing up until the required grade was reached.

The owner denies this and points out that it would require the sewer pipe to nearly be at the surface of the lawn in order to make the grade and that the ROWP suggested that extra soil be used to build up over top or insulation used to provide freeze protection. This suggestion was reportedly unacceptable to the owner and no payment for the project would occur.

Attempts were made by ASTTBC staff to foster dialogue between the two parties by acting as a neutral party in an exchange of letters. Despite these efforts to work towards a resolution, it became clear that at best a stalemate had occurred.

ASTTBC staff attended the site to examine conditions surrounding the onsite system and confirmed that the gravity system was installed similar to the plan provided by the ROWP, but only received by the owner in the mail along with the Letter of Certification. This was shortly after ASTTBC staff advised both parties that an investigator would be attending the site within a week. The plan and Letter of Certification were also noted to have arrived at the Health Authority office to be added to the Filing about the same time.

The sewer pipe connection in the first metre from the septic tank heading back to the cottage foundation was clearly not at grade, but as the ROWP stated, it was not intended to be perfectly to grade until the sewer pipe from the home extended out from the foundation. Checking the grade did confirm that the pipe would need to be raised significantly and would result in minimal soil cover over the pipe.

The layout of the system was tightly set within the property in order to just meet the required horizontal setbacks but the vertical separation was found to be a problem. Fluid levels in the monitoring wells at two points within the system were compared back to the elevation of the lake and found to be essentially identical confirming the influence of the lake does affect the entire area of the onsite system. When the depths of the fluids from the surface were compared to the position of the dispersal pipes within the field, approximately twenty centimeter difference was found, far short of the requirements under the Standard Practice Manual. When the difference in elevation was checked to the foundation of the cottage, it would require the entire onsite system to be lowered by seven to nine centimeters giving even less vertical separation in the field.

The ROWP stated that when he carried out his site assessment he estimated the seasonal water table levels were lower than that which was found during an inspection of the system by ASTTBC staff. To determine whether this was the case, checks were made by ASTTBC staff with local Ministry of Environment contacts, they confirmed that the lake was at the highest seasonal levels in many years and was remaining at these high levels for very prolonged periods and that occasional short-term levels would not be much lower. The ROWP suggested that beaver dams near the outlet end of the lake may also be causing these higher levels, but Ministry of Environment staff did not know to what degree these dams were currently affecting the lake. If the beaver dams were the cause, it would continue as there were no intentions to remove beaver dams unless more serious flooding might occur. The suggestion by MoE staff that the lake does sometimes rise to levels near what was observed during the site visit matches the observed erosion features of the shoreline which would only occur from prolonged periods of higher water levels.

The second option for an onsite system that the ROWP proposed and the owner declined was to use a pump to a distribution box with the gravity pipes set into a narrow but noticeably higher portion of the property running parallel with the roadway. If carefully done it would provide between fifty five and sixty additional centimeters of separation. However, creating a sand mound would be more effective yet, but as the ROWP has a Planner practice restriction, he would not be able to undertake this work himself and would need to refer it to a non-restricted Planner.

DISCUSSION

The lack of a proper contract and fully detailed plans prior to construction resulted in various misunderstandings and unfulfilled expectations between both parties eventually leading to a dispute. Providing written options to the client from which they can make an informed choice is always preferred, but where a choice is not practical or realistic for a site, the ROWP should not even present it as it can create false hope for a client. The choice of using a gravity system over a system with a pump will certainly be favoured if only on the basis that it is less costly to install, however this site does not lend itself to a gravity dispersal method.

The gravity system as installed cannot be used by the cottage owner because it is not low enough to allow the sewer pipe from the home to be connected to the septic tank, not without a hole chiseled or cored through the foundation to a much higher level; something that the owner refuses to do. Even if the owner did agree to this, the gravity system does not meet the required vertical separation requirements from the seasonal high water table. Essentially, the owner has an onsite system installed that is not usable during 'all periods of the year' and is one reason why he refuses to pay the ROWP for installing the system.

There is concern that the ROWP did not accurately assess the soil conditions at this site that would have given him clues as to where the seasonal water table may extend to. Another concern is that the site would

have benefited from a sand mound with pressure distribution and the use of a pump system was suggested to avoid losing the job; the ROWP is restricted from pressure distribution systems.

Following the visit to this site, ASTTBC staff encouraged further discussions between both parties. This included the ROWP proposing to lower the septic tank, install a pump chamber, remove pipes and infiltration chambers from the existing field and use them to construct a pump to distribution box system on the higher area of the property. This was to be done for the difference in the costs as originally proposed with the owner supplying the pump and related electrical/hardware components through his contacts from suppliers that can offer him discounts. These proposals with adjustments were provided to the owner who in the end declined the offers for several reasons including that since his recent retirement, he cannot afford the additional costs. In conclusion, no resolution could be reached that was satisfactory to both parties.

OUTCOME

The ROWP must successfully complete the WOWTC course SOIL201 to re-learn fundamentals of site and soil assessments. Evidence of successful completion is to be submitted to ASTTBC. The ROWP must immediately arrange through the Manager, Onsite Wastewater Registration Program to undertake a Practice Assessment.

The ROWP confirmed in writing that he will adhere to the conditions of the PRB, therefore no further action is required at this time and this file was closed. Staff will monitor to ensure that all conditions are successfully completed.

CASE #09-26

STATEMENT OF COMPLAINT

That a Registered Onsite Wastewater Practitioner (ROWP) was the Planner and Installer of an onsite sewage system that has malfunctioned in a manner creating a potential health hazard.

BACKGROUND

An Environmental Health Officer received a complaint that sewage was escaping from an onsite sewage system. Upon attending the site to investigate, tests confirmed sewage was reaching the surface of the lawn and escaping the property from various points. The cause was unclear but a drainage ditch in close proximity was suspected to be causing groundwater levels to be elevated.

A records check at the Health Authority showed that a particular ROWP had carried out a repair (replaced an existing system) on this property and registered a Filing on the repair in August 2005. With this information, the Health Authority contacted ASTTBC staff who in turn contacted the ROWP.

The ROWP responded soon afterwards, conveying he was out of the country on a project and would be flying up as soon as possible to sort out the matter. In the meantime, the ROWP had arranged for a Professional Engineer to assist. He noted modifications made to the property after he had last seen it, in the photographs supplied by the EHO that caused him concern that system components may have been damaged or modified.

INVESTIGATION

The EHO contacted ASTTBC staff advising that the homeowner had undertaken work on the system himself in a manner contrary to the Sewerage System Regulation and the EHO would be dealing with him accordingly. The homeowner is now arranging for an Authorized Person to correct the work and it appears an entirely new system will be required as a result of the work by the homeowner. The drainage ditch in close proximity to the onsite system also appears to be due to the action of the homeowner and may have contributed to the malfunction.

As a result of these new circumstances, the EHO advises no further action is required from the ROWP and that the matter will be closed, while action against the homeowner will proceed instead. ASTTBC staff notified the ROWP accordingly that the matter is being closed.

DISCUSSION

The cause of the malfunction was identified as being recent actions taken by the homeowner and not the ROWP.

OUTCOME

Since insufficient evidence exists to support any wrong doing on the part of the ROWP, no further action was required and this file was closed.

CASE #09-27

STATEMENT OF COMPLAINT

That a Registered Onsite Wastewater Practitioner (ROWP) is suspected of being involved with the planning and/or installation of an onsite system which had serious deficiencies in the planning and/or installation of the system resulting in a dispute between the property owner and the business hired to undertake the work.

BACKGROUND

A property owner retained the services of a local drainage/plumbing contractor business to replace a malfunctioning onsite sewage system on her property. In her contacts with the business, she recalled phone discussions with several people including this ROWP.

Over the coming months, work began on replacing the onsite system but problems arose with the design and installation resulting in extra costs to the property owner and disputes on the size, features and location of the system as the plans changed during construction. Setback to the neighbour's well was one concern.

During the property owner's attempts to resolve this matter, she learned that a Professional Engineer was involved with some portion of the design but it appears the Engineer relied upon a person(s) within the drainage/plumbing business to carry out site assessment work. During the installation, there were

concerns the Engineer did not actually attend the site, as problems with the installation causing design changes would have been noted.

The property owner had hired another Professional Engineer to assess the design and installation of the system and the report from that Engineer confirmed serious miscalculations and methods of installation had occurred. EHO's from the local Health Authority office were also made aware of the situation due to problems with setbacks not being met.

The property owner is unable to obtain information from the Engineer hired by the drainage/plumbing contractor but thought some employees of this company may be ROWPs based on information she learned about this business through others. In her efforts to determine if any ROWPs were involved, the property owner contacted ASTTBC for assistance.

INVESTIGATION

The property owner could only recall one name in particular based on her phone calls to the drainage/plumbing company during this period of time. ASTTBC staff confirmed that a particular ROWP was an ROWP for this business, so a letter was sent to the ROWP by ASTTBC asking if he had any involvement in the planning or installation of any onsite system at this property.

A response in writing from the ROWP stated he was not involved in either the planning or installation, so ASTTBC staff called the ROWP asking if he had knowledge of any other ROWPs, whether connected to this business or not, who were involved. The ROWP advised none were but perhaps the Professional Engineer involved could be of more help as to who actually undertook the work.

Attempts to reach the Professional Engineer associated to this project, by ASTTBC staff were not successful and further investigation revealed he has recently retired.

A check of the ROWP registration list revealed only this ROWP's contact information attached to the drainage/plumbing business. In canvassing other EHO's and ROWPs in the area, no names appeared other than the ROWP's who had already denied involvement.

In discussions with the property owner, ASTTBC staff could not determine other possible sources for names of ROWPs and advised the complainant the file would need to be closed if no further names can be found to follow-up with.

DISCUSSION

The property owner cannot confirm the ROWP was involved with the actual planning or installation of the onsite system that is under dispute and it is very possible that non-ROWPs were used by this business to undertake the work under the direction of the Professional Engineer. Despite attempts by ASTTBC staff to find any links of an ROWP to this project, none are evident at this time. Under these circumstances, the case should be closed unless further information becomes available that ASTTBC can act upon.

OUTCOME

Since insufficient evidence exists to support any wrong doing on the part of any ROWP, no further action was required and this file was closed.

CASE #09-33

STATEMENT OF COMPLAINT

That a Registered Onsite Wastewater Practitioner (ROWP) was involved in the planning and installation of an onsite sewage system but did not submit the Letter of Certification to the Health Authority for this system within the required 30 day time period following completion.

BACKGROUND

The owners contracted an ROWP in 2005 to replace a malfunctioning onsite system on their property. The system was planned and installed with work completed by July of 2006 at which time the owners paid the ROWP for his work. The ROWP reportedly promised to provide the appropriate Filing documents soon after but none was provided and attempts to contact the ROWP for them were unsuccessful. After 3 years of no further contact with the ROWP and not wanting to wait any longer, the owners contacted ASTTBC for assistance.

INVESTIGATION

ASTTBC notified the ROWP of the complaint by letter. In response, the ROWP stated that immediately upon receipt of the complaint letter by ASTTBC he ensured the Filing documents were registered with the Health Authority and that the owners personally received the Letter of Certification. In the ROWP's explanation for the delay, he cites that serious medical conditions, including a massive heart attack, were affecting his wife at that period of time. In a phone conversation with ASTTBC staff, the ROWP readily admits some aspects of his business were neglected while he was tending to his wife in an out-of-town hospital for a lengthy period of time. It would appear that the attempts by the owners to contact the ROWP were occurring in the time period the ROWP had shut down his business and was out of town to deal with the medical emergency.

The ROWP stated that all his paperwork as in fact completed with the exception of the Letter of Certification as he was waiting for advice from an Environmental Health Officer due to irregularities in the old permit on record. The ROWP was originally contacted by the owners to only pump out the septic tank on their rural property but in the process of attempting to do so the ROWP found that a significant portion of the system was not present and sewage was escaping in a manner that required immediate corrective action. During this process, the ROWP's check with the Health Authority found records for a system permitted and signed by an EHO, but the system did not match these records.

While waiting for a response by Health Authority staff on concerns over the original permit documents and ensuring the new Filing documents were connecting with the previous documents, the medical emergency occurred and the Letter of Certification "fell through the cracks".

In a phone conversation by ASTTBC staff with the owners, they confirmed that the ROWP contacted them soon after the complaint was made and all paperwork, including the Letter of Certification, is now in their possession. They are satisfied the matter is resolved and stated they have no further issues with the ROWP.

DISCUSSION

Timely submission of such paperwork is a requirement of the Sewerage System Regulations, especially the completion of the Letter of Certification. The ROWP fully understood the need for ensuring such documents are submitted within the required time period after a project was completed and stated that he has reviewed all his files and Health Authority records to ensure no other similar cases have occurred. None were found.

The delay appears to be due to an exceptional and unfortunate event affecting a family member that lead the ROWP to forget to check on the status of a Filing and ensure his Letter of Certification was completed. This appears to be an isolated case, not indicative of his general business practice or lack of knowledge or training, and this matter was resolved immediately upon learning of the complaint.

OUTCOME

The ROWP was advised by letter that he must ensure all future Letters of Certification are completed in a timely manner. No further action is required in the matter and this file was closed.

CASE #09-34

STATEMENT OF COMPLAINT

That a Registered Onsite Wastewater Practitioner (ROWP) registered Filings with the Health Authority which contained insufficient and incorrect information.

BACKGROUND

During a random check of Filings at the Health Authority by ASTTBC staff, three Filings by the ROWP were reviewed and found to contain various missing or incorrect information. These included:

Filing A

Filing has no rationale for why system was selected, has a survey plan showing only general details of the properties in the area but is unclear as to which property this system is located on. There is no detailed plan showing the system design or construction features specific to the property, no indication of where soil observations holes or percolation tests were conducted, no information on direction or degree of slope across the property: It is also unclear where the proposed home is to be located on this property. Pressure distribution is listed on the Record of Sewerage System (RSS) form but no calculations or details on dosing volumes or cycles, float control settings or other aspects expected within a plan. No soils log or percolation test results provided or details on where the testing was carried out in relation to the onsite system.

Filing B

Filing is for an alteration, but no rationale is provided, and only vague details are found to suggest an office is to be constructed on a residential property. The office would have what appears to be a two compartment septic tank that would also serve as a pump chamber and it would discharge into an existing onsite system serving the residence on this property. No information on the condition of the existing system is listed including any permit or Filing details, and the location of the system is approximate: No

verification of location appears was done. The pumped discharge from the new tank would lead into the existing septic tank before arriving to the existing onsite dispersal area but no information on what precautions would be taken to prevent disturbing the solids within the existing septic tank from washing through during a pump cycle. Site plan also has minimal details and no cross-sectional construction details. No information on how dosing was determined or a pump selection was made found within the technical specs of the Filings.

Filing C

Filing includes an amendment and Letter of Certification for a system planned by the ROWP almost a year prior. RSS form still shows the system to be a Type 1 but included details of the package treatment plant. No soils log or percolation test results provided or details on where the testing was carried out in relation to the onsite system. Site plan has more technical details than newer Filings examined but no cross-sectional construction details. No information on how dosing was determined or a pump selection was made found within the technical specs of the Filings.

In review of this Filing, the amount of information was substantially less than set out under the SSR and SPM and is insufficient for an Installer to use as is for the purposes of estimating and constructing the system according to the Planner's requirements.

INVESTIGATION

As a result of the incorrect and missing information, ASTTBC staff contacted the ROWP by letter requesting clarification and details concerning this Filing. The ROWP responded stating that while he thought the information provided was sufficient, he was never advised by the Health Authority staff that the Filings were missing details as required by the SPM.

The ROWP was in the process of moving and may not be undertaking planning and/or installation work for a while.

DISCUSSION

The ROWP appeared unclear as to the level of detail expected within a Filing and degree of due diligence required to carry out site evaluations and calculations for pressure distribution systems, even though these requirements are clearly stated in the Standard Practice Manual. Examples of good documentation were provided by ASTTBC staff as further guidance.

As the ROWP does not appear to be fully familiar with the current requirements of the SPM or with the current information provided within the training, re-attending courses that specifically cover the issues found within the Filings would be of significant benefit.

OUTCOME

The ROWP is required to successfully complete the WOWTC course PLAN201 (or equivalent acceptable to the Manager, OWRP) as a review of fundamental duties and responsibilities expected of all Planners as well as course PLAN204 (or equivalent acceptable to the Manager, OWRP) as a review of fundamentals to calculate and plan pressure distribution systems. Evidence of successful completion is to be submitted to ASTTBC. The ROWP is further required to immediately arrange through the Manager, Onsite Wastewater Registration Program to undertake a Practice Assessment.

The ROWP has sent written confirmation that he will complete the courses and adhere to the conditions of the PRB, no further action is required at this time and this file was closed. Staff will monitor to ensure that all conditions are successfully completed.

CASE #09-35

STATEMENT OF COMPLAINT

That a Registered Onsite Wastewater Practitioner (ROWP) registered Filings with the Health Authority which contained insufficient and/or incorrect information.

BACKGROUND

During a random check of Filings at the Health Authority by ASTTBC staff, four Filings by an ROWP were reviewed and found to contain various missing or incorrect information. These included:

Filing A

No rationale provided to explain how the system would accommodate a new suite as well as the current residence, RSS lists that the discharge area is a trench with C-33 sand added instead of describing it as a sand mound, no calculations for pressure distribution, insufficient soil details, insufficient O&M plan, and insufficient details on the site plan.

Filing B

No rationale provided to explain why new system could be located within the area of existing system, insufficient soil details, no calculations for pressure distribution, insufficient O&M plan, insufficient details on the site plan.

Filing C

No rationale provided, RSS lists that the discharge area is a trench with C-33 sand added instead of describing it as a sand mound, RSS states a covenant is present where the system is to be located but no details or copy of the covenant included in the Filing, no calculations for pressure distribution, insufficient soil details, insufficient O&M plan, and insufficient details on the site plan.

Filing D

No rationale was provided, RSS lists that the discharge area is a trench with C-33 sand added instead of describing it as a sand mound, no calculations for pressure distribution, insufficient soil details, insufficient O&M plan, and insufficient details on the site plan.

In review of these Filings, the amount of information contained in all cases was substantially less than set out under the SSR and SPM.

INVESTIGATION

As a result of the incorrect and/or missing information, ASTTBC staff contacted the ROWP by letter requesting clarification and details concerning these Filings. The ROWP responded, acknowledging that

details were missing but was following what he was originally taught through WOWTC courses during 2005 when the majority of his courses were completed.

DISCUSSION

The ROWP admits his Filings were insufficient or missing details in many areas as pointed out during the review process and stated he will improve his future Filings as a result. Examples of good documentation were also provided by ASTTBC staff to provide further guidance.

As the ROWP is not fully familiar with the current requirements of the SPM or with the current information provided within the training, re-attending courses that specifically cover the issues found within the Filings would be of significant benefit. In one of his comments he even mentions is that “more education is required”, so directing the ROWP to undertake courses would not be unwelcome or unnecessary.

OUTCOME

The ROWP is required to successfully complete the WOWTC course PLAN201 (or equivalent acceptable to the Manager, OWRP) as a review of fundamental duties and responsibilities expected of all planners as well as course SOIL201 (or equivalent acceptable to the Manager, OWRP) as a review of soil identification, testing and site assessment procedures. Evidence of successful completion is to be submitted to ASTTBC. The ROWP is further required to immediately arrange through the Manager, Onsite Wastewater Registration Program to undertake a Practice Assessment.

The ROWP has sent written confirmation that he will complete the courses and adhere to the conditions of the PRB, no further action is required at this time and this file was closed. Staff will monitor to ensure that all conditions are successfully completed.

CASE #09-36

STATEMENT OF COMPLAINT

That a Registered Onsite Wastewater Practitioner (ROWP) registered Filings with the Health Authority, which contained insufficient and incorrect information and may have practiced outside of the limitations of his registration as an ROWP.

BACKGROUND

During a random check of Filings within the Health Authority by ASTTBC staff, four Filings by an ROWP were reviewed and found to contain various missing or incorrect information. These included:

Filing A

Site information states this is a permanent camp but does not indicate the number of workers, whether a commercial kitchen or other factors may be present that results in high-strength wastewater conditions. Unclear as to how the Daily Design Flow for the operation was established and no rationale provided to assist with this determination. ROWP did not include his ROWP registration number into the RSS form. No soil log or other details including texture and structure, no percolation or permeameter test results, and

the RSS form does not have these two check boxes ticked off suggesting such information was not even available. RSS form indicates the system is a Type 1 yet listed details on a package treatment plant making this a Type 2 system.

Filing B

RSS form shows the system is for a three bedroom single family residence but does not list the DDF or the total living area of the home. Lot size, depth to highest water table, slope, size of septic tank, distance to own or neighbouring wells and any water lines is not provided. Further verification from the plan attached was not helpful as it related to a completely different site and circumstances than this residence. RSS form does not include his ROWP registration number. No soil log or other details including texture and structure, no percolation or permeameter test results, and no design rationale provided.

Filing C

The RSS form indicates this onsite system is for a five bedroom home using a Type 3 package treatment plant. The Filing is stamped by the ROWP but the details of who the Authorized Person is contains only a business name and no ROWP registration number. No evidence in the Filing to show a Professional was involved as required with this Type 3 system. Method of dispersal shows a sub-surface pressure distribution system but the plan contained minimal details and is substantially less than required by the SPM. No scale of the area, slope degree and direction, or distances of any form are included. Contrary to the RSS form, the plot plan provided is not consistent with the SPM. There is a reference to thirty centimeters of fill material over the discharge area but no further information is provided.

Filing D

RSS form shows this system is for a four bedroom home but does not list the Daily Design Flow or total living area for the home. Site information does not list distances to water lines, wells, breakout points or other features on or around the property and the drawing provided lacks any further legible details. Scale used is "1 meter = 1 millimeter" [sic] resulting in very poor accuracy. This scale is an incorrect statement of scale, as well as spelling of units.

In review of these Filings, the amount of information contained in all cases was substantially less than set out under the SSR and SPM.

INVESTIGATION

As a result of the incorrect and/or missing information, ASTTBC staff contacted the ROWP requesting clarification and details concerning these Filings. Information received from the ROWP supplied missing details to all four Filings under review. These include:

For the 'A' Filing work camp, the facility is a thirty man industrial work camp including a dormitory, full service kitchen and laundry. Also included are detailed soil log and permeameter results, some site assessment details, and details of the distribution method, stating it was based on the current version of the Alberta At-Grade guideline. This dispersal system was installed to replace an existing lagoon, which was not noted in the original Filing details. The Letter of Certification shows the system was installed August 21, 2008 but there is no stamp and date showing the LoC was ever registered with the Health Authority.

The vertical separation listed on the RSS form states thirty centimeters yet the soils log suggest that the restrictive layer starts at five to seven inches/twelve to seventeen centimeters. The Kfs appears very low at 40-60mm/day and the HLR at 4 L/m² is very conservative. However, based on the trench area and

design flow, the HLR is 118 L/m², which is not even permissible for Type 3 effluent to gravelly sand. One comment by a technical reviewer “I’ll be very surprised if this system works for more than a couple of weeks. Camps are notoriously hard on treatment plants. Based on the soil description he has provided, an HLR of 24-40 L/m² is appropriate.”

For the ‘B’ Filing, the DDF and total living area details were added along with the size of the septic tank. A soils log and permeameter results were also included along with a series of different site plans of varying quality. Letter of Certification shows installation signed off on November 17, 2008 but no stamp and date showing the LoC was ever registered with the Health Authority.

For the ‘C’ Filing, sticky notes were placed over the page identifying that errors were originally made. This is a Type 2 system, not a Type 3, and that no fill was found in the discharge area. Some site assessment details are included along with soils log and permeameter results, but the details in the plans are better described as a schematic or sketch than a construction plan. It would be very difficult for any Installer to build a system based on the minimal information provided.

The dispersal system is listed as using the Alberta At-Grade method, stating it was at the insistence of the client not to have a mound. The Letter of Certification shows the system was installed 19th July 2007 but the stamp and date from the Health Authority shows it was received on 9th January 2008. This is well beyond the thirty day time limit for registering an LoC.

The vertical separation shows more than three hundred centimeters, yet his soils log sheets shows a restrictive layer at sixty to sixty six centimeters and this does not include the potential for a seasonal perched water table. The HLR is reported to be 4 L/m² on the RSS form yet the actual HLR is 28 L/m², which is on the higher side recommended under the Alberta At-Grade guidelines.

For the ‘D’ Filing, sticky notes were added identifying that no effluent pump was installed and the loading rate is fifteen litres per square metre per day, not the 24.58 rating on the form. These “were errors made by admin. in completing the form”... suggesting someone other than the ROWP was filling in these forms. Soils log and permeameter tests are included as well as a limited rationale that states the at-grade system was selected to “accommodate home owner’s intense desire to not have a mound.” A cleaner plan was provided that includes labels on structures around the property and a reference to the scale was removed and replaced with “not to scale” instead. Another plan is provided with more details including the layout of the dispersal pipes within the absorption field.

DISCUSSION

The initial documentation on file with the Health Authority shows frequent inaccurate or incomplete details are provided including Letters of Certification missing stamps or being submitted beyond the thirty day maximum limit after completion. Even when provided with an opportunity to compile improved documentation, various problems were found on the revised documentation.

The use of the Alberta At-Grade dispersal method for industrial work camps is currently under review by the Health Authority, in part due to the number of systems they have noted with effluent breaking out to the surface. Whether the HA will consider allowing such methods in the future is yet to be determined but HA senior management have made it clear that anyone submitting an application for a permit to construct an onsite sewage system under the Industrial Work Camp Regulation will be held to much higher standards than in the past; essentially at the same standards expected of Authorized Persons under the SSR.

The use of the Alberta At-Grade dispersal method for residential systems is another matter entirely. The concept of the Alberta version may be acceptable for temporary work sites but it is not considered to be an accepted practice for long-term wastewater treatment. This was confirmed through discussions with representatives of the BC Onsite Sewage Association who just recently stated that such a system would not be considered standard practice for use on residential properties, a view that technical reviewers with ASTTBC also agreed with.

Regardless of whether the ROWP submitted documents that fall under the Industrial Work Camp Regulations or the Sewerage System Regulations, the quality of the documents being provided and evidence that the ROWP is acting within the scope of registration and training is very much under the purview of ASTTBC. Ensuring that an ROWP does not undertake work which they are not competent and qualified to do is within the regulatory authority applied to all ASTTBC members. Based on the review of both residential systems under the SSR and systems under a different regulation, there is cause for concern that the ROWP is unable to apply fundamental planning concepts in accordance with the regulation, and to suggest that the errors in the documentation are the fault of his administrative staff is highly concerning. If the paperwork was filled out by his staff, the ROWP clearly did not review the contents or was unable to identify the errors.

Re-attending courses that specifically cover the issues found within the Filings would be of significant benefit. The greater concern is whether some of these systems are still operating as a technical review identified concerns over the suitability of such a system, especially for long-term use. An independent confirmation by either a Professional or an Environmental Health Officer of whether the system is still in operation and that it is appropriately designed for long-term operation is recommended.

OUTCOME

The ROWP is to successfully complete the WOWTC course PLAN201 (or equivalent acceptable to the Manager, OWRP) as a review of fundamental duties and responsibilities expected of all planners as well as WOWTC course SOIL201 (or equivalent acceptable to the Manager, OWRP) as a review of soil and site assessment requirements. Evidence of successful completion is to be submitted to ASTTBC.

With regards to the two industrial work camps noted in the Filings reviewed, the ROWP is to verify in writing whether these camps are still operating or were removed. If the work camps are still operating, the ROWP is to arrange at his expense for a Professional or an Environmental Health Officer to review the onsite sewage systems and provide verification by letter that the systems will not cause, or contribute to, a health hazard. For any residences within B.C. where the ROWP has utilized the Alberta At-Grade method of dispersal, a review and report is also required.

The ROWP is further required to immediately arrange through the Manager, Onsite Wastewater Registration Program to undertake a Practice Assessment.

The ROWP has confirmed he will adhere to the requirements of the PRB, no further action is required at this time and this file was closed. Staff will monitor to ensure all conditions are successfully completed.

CASE #09-37

STATEMENT OF COMPLAINT

That a Registered Onsite Wastewater Practitioner (ROWP) registered Filings with the Health Authority which contained insufficient and/or incorrect information.

BACKGROUND

During a random check of Filings with the Health Authority by ASTTBC staff, a Filing by this ROWP was reviewed and found to contain various missing or incorrect information. This included no rationale provided that would help explain how and why this particular system was determined best suited for the site and the client; insufficient soil log or related details, no construction details sufficient for an Installer to carry out a proper installation of the system, and very minimal information within the O&M Pan.

In review of this Filing, the amount of information contained in all cases was less than set out under the SSR and SPM.

INVESTIGATION

As a result of the incorrect and/or missing information, ASTTBC staff contacted the ROWP requesting clarification and details concerning these Filings. The ROWP responded and acknowledged that details were missing and could be improved but was not clear on what the current requirements under the SPM were.

DISCUSSION

The ROWP admits his Filings were insufficient and missing details in many areas as pointed out during the review process and stated he will improve his future Filings as a result. Examples of good documentation were also provided by ASTTBC staff as further guidance.

As the ROWP is not familiar with some aspects of the current requirements of the SPM or with the current information provided within the training, re-attending courses that specifically cover most of the issues found within the Filings would be of benefit.

OUTCOME

The ROWP is to successfully complete the WOWTC course PLAN201 (or equivalent acceptable to the Manager, OWRP) as a review of fundamental duties and responsibilities expected of all planners as well as WOWTC course SOIL201 (or equivalent acceptable to the Manager, OWRP) as a review of soil and site assessment requirements. Evidence of successful completion is to be submitted to ASTTBC. The ROWP is further required to immediately arrange through the Manager, Onsite Wastewater Registration Program, to undertake a Practice Assessment.

The ROWP has confirmed in writing that he will adhere to the requirements of the PRB, no further action is required at this time and this file was closed. Staff will monitor to ensure all conditions are successfully completed.

CASE #09-39

STATEMENT OF COMPLAINT

That a Registered Onsite Wastewater Practitioner (ROWP) registered a Filing with the Health Authority which contained insufficient and/or incorrect information.

BACKGROUND

During a random check of Filings at the Health Authority by ASTTBC staff, a Filing by this ROWP was reviewed and found to contain various missing or incorrect information. According to the Filing, this was for a new construction of a single family residence with “4+2” bedrooms but no explanation as to whether the “2” was for a suite or other use.

In addition no rationale was provided to help interpret how or why the system was to be constructed on this property in the manner proposed. Pressure distribution is to be used but no calculations are provided to explain how the Hydraulic Loading Rate, Linear Loading Rate and dosing per pump cycle was determined. A reference was made to adding sand within the field area to fill in depressions but no construction details are included to show just how much might be required and where it would be placed. No soils log providing details such as texture, consistency, structure, presence of mottles or other required items were found in the Filing.

In review of this Filing, the amount of information was substantially less than set out under the SSR and SPM and is insufficient for an Installer to use as is for the purposes of estimating and constructing the system according to the Planner’s requirements.

INVESTIGATION

As a result of the incorrect and/or missing information, ASTTBC staff contacted the ROWP requesting clarification and details concerning this Filing. The ROWP responded, stating that while he thought the information provided was sufficient, he would ensure future Filings contained more details and would strive to achieve this. He admits to consulting the SPM throughout the planning process but does not seem to be aware of the need to ensure it is clearly documented and this may be due to the time period in which he completed WOWTC courses some years ago. This is especially clear when he points out he uses a checklist provided during the WOWTC courses in the past which met old requirements instead of referring to what the SPM sets out currently in Version 2.

For example, there is a reference where he only approximates the size of the pump required rather than carrying out the actual calculations; reliance is placed upon his pump supplier for the final determination. Concerning the ability to calculate pressure distribution...insufficient information was provided through the Filing or his response letter to verify this.

DISCUSSION

The ROWP admits his Filings were insufficient and missing details in the many areas as pointed out during the review process and has stated he will improve his future Filings. Examples of good documentation were also provided by ASTTBC staff as further guidance to that end.

As the ROWP does not appear to be fully familiar with some aspects of the current requirements of the SPM or with the current information provided within the training, re-attending courses that specifically cover most of the issues found within the Filings would be of benefit.

OUTCOME

The ROWP is required to successfully complete the WOWTC course PLAN201 (or equivalent acceptable to the Manager, OWRP) as a review of fundamental duties and responsibilities expected of all planners as well as course PLAN204 (or equivalent acceptable to the Manager, OWRP) as a review of fundamentals to calculate and plan pressure distribution systems. Evidence of successful completion is to be submitted to ASTTBC. The ROWP is further required to immediately arrange through the Manager, Onsite Wastewater Registration Program to undertake a Practice Assessment.

The ROWP has confirmed in writing that he will adhere to the requirements of the PRB, no further action is required at this time and this file was closed. Staff will monitor to ensure all conditions are successfully completed.

CASE #09-42

STATEMENT OF COMPLAINT

That a Registered Onsite Wastewater Practitioner (ROWP) registered a Filing with the Health Authority, which contained insufficient and/or incorrect information.

BACKGROUND

During a random check of Filings with the Health Authority by ASTTBC staff, a Filing by an ROWP was reviewed and found to contain various missing and incorrect information. The Filing shows an alteration to made to a system but no rationale is provided that explains what was to be done or why. The septic tank is less than the required sizing for a four bedroom home, there are no details about the dosing per pump cycle, and most of the permeameter tests are not completed fully, including the calculations for HLR. No construction details are provided and no O& M Plan included.

In review of these Filings, the amount of information contained in the Filing was less than set out under the SSR and SPM.

INVESTIGATION

As a result of the incorrect and missing information, ASTTBC staff contacted the ROWP by letter requesting clarification and details concerning the Filing. The ROWP responded and acknowledged that details were missing and could be improved but was not clear about the current requirements under the SPM.

DISCUSSION

The ROWP admits his Filing was insufficient and missing details in many areas as pointed out during the review process and stated he will improve his future Filings as a result. Examples of good documentation

were also provided by ASTTBC staff as further guidance. He has arranged with another ROWP to be a mentor and was starting to amend the Filing to incorporate the items that were missing.

As the ROWP is not familiar with some aspects of the current requirements of the SPM or with the current information provided within the training, re-attending a course that specifically covers the issues found within the Filings would be of benefit.

OUTCOME

The ROWP is required to successfully complete the WOWTC course PLAN201 (or equivalent acceptable to the Manager, OWRP) as a review of fundamental duties and responsibilities expected of all planners. Evidence of successful completion is to be submitted to ASTTBC.

The ROWP has confirmed in writing that he will adhere to the requirements of the PRB, no further action is required at this time and this file was closed. Staff will monitor to ensure all conditions are successfully completed.

CASE #09-47

STATEMENT OF COMPLAINT

That a Registered Onsite Wastewater Practitioner (ROWP) registered Filings with the Health Authority which contained insufficient and/or incorrect information.

BACKGROUND

During a random check of Filings with the Health Authority by ASTTBC staff, a Filing by this ROWP for an industrial work camp was reviewed and found to contain various missing or incorrect information.

The file did not include rationale to explain what the number of occupants in the facility were expected to be and how the sizing of the system was determined based on the needs of the facility. The Daily Design Flow shows 5,000 litres per day and the treatment plant being used is rated for slightly more capacity, yet a total of four camp trailers are shown on the sketched plan and there are no details if a commercial kitchen or other source of high-strength wastewater may enter the system.

No soils log, percolation or permeameter tests are included in this Filing and the RSS form does not have check marks for these items to suggest this was even determined. Without this information, suitable and safe loading rates cannot be calculated.

No calculations for pressure distribution, an insufficient site plan, and no construction details to show how the discharge area was to be constructed were provided. There is a reference to an 'at-grade' method of discharge and it may be utilizing the Alberta guidelines for their particular version of an At-Grade dispersal method but this is a guideline only and not included within the Standards of Practice for Alberta.

In review of this Filing, the amount of information contained was substantially less than set out under the SSR and SPM.

INVESTIGATION

As a result of the incorrect and/or missing information, ASTTBC staff contacted the ROWP requesting clarification and details concerning this Filing. The ROWP responded by letter dated 9th June 2009 acknowledging that details were missing in some areas but was taking the position that they were not necessary as the system was installed under the Industrial Work Camp Regulation and not under the Sewerage System Regulation.

Under the Industrial Work Camp Regulation, a permit from the local Health Authority is necessary. However, the ROWP submitted a Filing to the Health Authority and stated on the RSS form under item #10 that the “plans and specifications attached to this form are consistent with standard practice.” He further includes a “Sewerage System Letter of Certification” and explicitly states that the system is consistent with standard practice.

The ROWP’s response letter also contained a reference to a letter with Ministry of Health staff in 2004 (before this program existed) in which he was advised that the concept or methods of treatment proposed appeared acceptable to the Ministry’s Project Manager for Land Use, but the ROWP was to contact the local Health Authority who would give direction. As pointed out by ASTTBC staff in a response letter to the ROWP, the Ministry staff member was describing to the ROWP how applications were undertaken at that time and it is important to note this was prior to the implementation of the SSR by almost a year.

ASTTBC staff further advised the ROWP that the practices and conduct of our members can be reviewed at any time and ASTTBC is not limited to matters strictly related to the SSR and SPM. It involves professionalism in practice and especially when an ROWP stamps and signs their work and makes statements about compliance with standard practice.

DISCUSSION

Prior to the SSR, the amount of information required to be supplied to the Health Authority for the installation of an onsite system serving an industrial work camp was often minimal and usually carried out by a Professional Engineer. Once the SSR came into effect, Health Authority staff were under the impression that such work could be done by an ROWP and ROWPs who were involved with the installation of such systems prior to the SSR appeared to continue completing Filings in the same manner as old permits, even after the SSR came into effect. With Health Authority staff not familiar with the SSR, or the duties and limitations of an ROWP, Filings appear to be accepted by the Health Authority even when significant deficiencies or inaccuracies were present.

During this investigation, ASTTBC staff began holding many conference calls that included input from the BC Onsite Sewage Association and the Ministry of Healthy Living & Sport as part of the efforts to find a solution to the problems around industrial work camps. Work camp regulations make it clear that the local Health Authority is to determine the accepted practices and issue a permit for onsite systems that serve a work camp. Therefore a Filing is not to be made and no reference should be listed within any forms used in an application for the permit to imply that it is a Record of Sewerage System under the SSR. Health Authority staff are working to develop a permit form specifically for the work camps.

During discussions with ASTTBC staff, Health Authority staff will review each application and have an EHO attend the site prior to issuing any permit, although they have stated they will expect applications to be fully detailed, plans accurate, and all other aspects as expected under the SPM to be met as if it were a Filing, in order to ensure the best possible information is presented in the permit application. For liability

reasons, Health Authority staff will not be accepting a lower quality of documentation simply because it is not a Filing under the Sewerage System Regulation.

In the future, the Health Authority will be working out new policies and procedures to ensure a smooth application process is in place for work camps and the Health Authority still sees ROWPs as a vital part of that. Hence, the ability of ROWPs to properly complete applications for permits will still be a subject for review and monitoring jointly by the Health Authority and ASTTBC staff.

Since the SPM does not provide guidance on work camp systems and high strength applications are not included within the required education, any ROWP will need to exercise considerable caution to ensure these systems for work camps are appropriately planned and installed. ASTTBC will also reexamine the proposed role of ROWPs as the Health Authority completes their application process.

The ROWP admits his Filing was insufficient and missing details in some areas but was defending this on the basis that he did not need to complete the Filing to the level required under the SSR and SPM because the system was serving a work camp which is subject to the Industrial Work Camp Regulations and he utilized the standard practice for such facilities.

To suggest that the past 'common practice' could be deemed 'standard practice' is debatable, but that does not imply it is 'best practice.' Health Authority staff are aware of numerous work camps using the Alberta version of the 'at-grade' dispersal method where wastewater was observed to be breaking out to the surface but there are no confirmed explanations as to why these are occurring. The high loading rates, as noted in this Filing, may be related to the older version of the Alberta At-Grade Guidelines (2002) but the more current version from 2008 certainly has a much lower rate, which may explain the breakouts. What the Health Authority determines to be 'best' or 'accepted' practice is still being decided.

With regards to this particular Filing, the overall quality and quantity of information provided is highly concerning and it does not matter whether this is a Filing under the SSR and SPM or under a permit process through a Health Authority. The expectation is that sufficient information is collected about a site and the client's needs from which an appropriate means of treatment and dispersal is determined on a case-by-case basis. Justification and explanations for choosing one method over another are still expected in order to prove the ROWP was working in the best interests of the client while still protecting the health and safety of the public and the environment. A level of care is expected from all ROWPs and will continue to be expected by the Health Authorities approving permits for work camps; a lesser standard is not acceptable.

The missing and/or incorrect information within the Filing may best be corrected by directing the ROWP to re-attend WOWTC courses specific to the perceived misunderstandings found during this investigation.

OUTCOME

The ROWP sent a letter confirming that the work camp in question was installed in November 2007 and removed on or about January 3, 2008, thus not a health hazard. The ROWP resides and works in Alberta and has therefore decided that rather than take the WOWTC courses recommended by the PRB or proceed with a Practice Assessment, he will resign his ROWP certification in order to close this file. No further action is required and this file was closed.

The Health Authorities were notified that he is no longer an ROWP, and a notation was added to his database record to identify his outstanding PRB requirements, which must be addressed before any future reinstatement of membership.

CASE #09-49

STATEMENT OF COMPLAINT

That a Registered Onsite Wastewater Practitioner (ROWP) registered a Filing with the Health Authority which contained insufficient and/or incorrect information.

BACKGROUND

During a random check of Filings with the Health Authority by ASTTBC staff, a Filing by this ROWP was reviewed and found to contain various missing or incorrect information. This included no rationale provided to explain how and why this shows two separate homes and two lagoons side by side, including any means to determine the appropriate size of the lagoons for each home. The site plan does not show slope direction, location of the wells or other details expected on a plan and no construction details of the lagoon are included; such that an Installer could follow to estimate and construct the system to the Planner's specifications.

In review of the Filing, the amount of information contained was less than set out under the SSR and SPM.

INVESTIGATION

As a result of the incorrect and/or missing information, ASTTBC staff contacted the ROWP requesting clarification and details concerning the Filing. The ROWP responded, acknowledged that details were missing and could be improved but was not clear on what the current requirements under the SPM were. He was also most cooperative to begin correcting information in the Filing where problems were noted.

DISCUSSION

The ROWP admits his Filings were insufficient and missing details in many areas as pointed out during the review process and stated he will improve his future Filings as a result. Examples of good documentation were also provided by ASTTBC staff as further guidance.

As the ROWP is not familiar with some aspects of the current requirements of the SPM or with the current information provided within the training, re-attending a course that specifically covers the issues found within the Filing would be of benefit.

OUTCOME

The ROWP is to successfully complete the WOWTC course PLAN201 (or equivalent acceptable to the Manager, OWRP) as a review of fundamental duties and responsibilities expected of all planners. Evidence of successful completion is to be submitted to ASTTBC.

The ROWP has confirmed in writing that he will adhere to the requirements of the PRB, no further action is required at this time and this file was closed. Staff will monitor to ensure all conditions are successfully completed.

CASE #09-53

STATEMENT OF COMPLAINT

That a Registered Onsite Wastewater Practitioner (ROWP) undertook the planning of at least seventeen onsite systems for which he failed to file Letters of Certification.

BACKGROUND

During a review of Filings by ASTTBC staff, information was received from Health Authority staff that an ROWP had at least seventeen Filings that did not have Letters of Certification attached. Shortly thereafter, several homeowners contacted ASTTBC staff advising they were attempting to obtain these LoC's in order to complete their building permits, occupancy permits, mortgages, or home insurance coverage.

INVESTIGATION

ASTTBC staff learned that the ROWP had left the province during the fall of 2008 but had not completed the final documentation upon completion of the onsite systems. Health Authority staff provided a list from their records to ASTTBC staff to confirm who these people might be, in order that anyone contacting ASTTBC could be verified against the current list. Based on these records, Filings going back to 2006 were found ranging both around the region as well as points to the north and east.

In conjunction with Health Authority staff, ASTTBC staff contacted the ROWP who was out of province and were told by the ROWP that he is willing to resolve this matter by completing all outstanding LoC's as quickly as he could however he would need a little time to organize himself and find his paperwork after having moved: the ROWP seemed sincere in his desire to resolve this matter.

Based on this information, the Registrar of ASTTBC took immediate action by suspending the ROWP's status in order that no further work could be carried out, but allowing the ROWP the opportunity to complete the outstanding LoC's before full removal of his registration occurred.

The Registrar further brought this to the attention of the Practice Review Board for their information stating that the matter required immediate attention under the circumstances. The risk to public safety was foremost. The Registrar also had all Health Authorities notified of the ROWP's registration being removed.

Over the following seven months, both ASTTBC and HA staff were repeatedly in contact with the ROWP to encourage completion of the outstanding LoC's and were also able to obtain from the ROWP Installers of these systems their respective LoC's. As of 31st May 2009, a total of five LoCs appear to be outstanding but two of these may be for systems installed by others, including possibly a homeowner in one case, and others are in a dispute for other reasons. Based on this information, and the lack of contact with the ROWP since, it appears unlikely that further LoC's will be forthcoming.

DISCUSSION

According to the SSR, Letters of Certification need to be submitted to the Health Authority where the Filing was registered within 30 days of the work being completed. Delays in submission of Letters of Certification can have an enormous impact to the property owner, as noted in several cases related to the ROWP. Occupancy permits, mortgages and even the ability to obtain home insurance were not possible without the LoC being submitted.

The ROWP Installers involved were most cooperative to assist with getting these matters resolved and the one who was involved with most of the systems in question delayed going on vacation in order to ensure all paperwork from him was in place with the Health Authority beforehand. Recognition should also go to Health Authority staff who made repeated efforts to contact the ROWP to encourage the outstanding paperwork to continue coming forward.

The ROWP has stated to ASTTBC staff that he would never be coming back to this province and has no interest in attempting to pursue such work in the future.

OUTCOME

The individual's ROWP registration was cancelled and all Health Authorities in British Columbia were informed of this fact.

CASE #09-61

STATEMENT OF COMPLAINT

That a Registered Onsite Wastewater Practitioner (ROWP) registered a Filing with the Health Authority which contained insufficient and/or incorrect information.

BACKGROUND

During a review of Filings, ASTTBC staff identified a Filing made by an ROWP as having incorrect and/or insufficient information. This included:

- The Daily Design Flow does not match the SPM requirements for size of home
- The site information indicates "less than 100 ft" to all items in this category which would be contrary to SPM requirements
- The loading rate does not appear to match the soils log details but very minimal details are contained in the soils description
- The soils log does not state consistency, texture or other key descriptors as per SPM requirements
- The vertical separation is listed as "+ 5ft" yet soil log suggests a restrictive layer (till) at "3.6 to 5 ft"
- No site plan or construction details provided.
- Insufficient O&M plan provided.
- No rationale for system design provided
- Letter of Certification signed off same day as system installed

In review of this Filing, the amount of information contained was less than set out under the SSR and SPM.

INVESTIGATION

As a result of the incorrect and/or missing information, ASTTBC staff contacted the ROWP requesting clarification and details concerning this Filing. The ROWP responded and acknowledged that he confirmed “a number of errors or misunderstandings regarding SPM and Guidelines”, apologizes for this and states he will “make a better effort to see that my site information is logged in a more thorough and efficient way.”

In regards to the soil testing, the ROWP states he carried out the soil assessment as per “Environmental Health requirements for building approval and septic permit approval” along with other statements that suggest he does not understand his role as a Planner and how assessments are to be completed as of 31st May 2005.

The amount of detail contained in his Filing was not an uncommon amount requested by Health Authorities under the previous regulation but is substantially less than required by the SPM under today’s regulation.

The ROWP also confirmed he completed the Letter of Certification prior to the system being installed and that the system actually has yet to be installed.

DISCUSSION

The purpose of a Letter of Certification is to confirm, in writing, that the actual system that was installed meets all requirements of the SSR and SPM and acts as a final confirmation of the responsibility of the Planner and Installer. Such letters are only to be completed upon completion of a system and certainly not prior to an installation as you cannot certify something that does not yet exist.

The ROWP acknowledges that all points identified as missing or incorrect in the review were in fact the case and he would strive to improve his future Filings. Examples of good documentation were provided by ASTTBC staff as further guidance. However, the ROWP appears to have a fundamental misunderstanding of the planning and soil assessment process and this is not a problem that would be solved simply by improving his documentation.

As the ROWP is not familiar with some aspects of the current requirements of the SPM or with the current information provided within the training, re-attending courses that specifically cover the issues found within the Filing would be of benefit.

OUTCOME

The ROWP has decided that rather than take the two courses required by the PRB, he will voluntarily give up his Planner status, retaining his Installer status only. The ROWP states that he cannot afford to take the courses nor does he have the time or interest to take them.

Since the ROWP has advised that he will voluntarily cancel his Planner status, no further action was required and this file was closed. The appropriate Health Authorities have been so advised and a notation was added to his database record to identify his outstanding PRB requirements, which must be addressed before any future membership reapplication.