



AICHE Orange County

NEWSLETTER OF THE ORANGE COUNTY SECTION, AMERICAN INSTITUTE OF CHEMICAL ENGINEERS

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<http://www.aiche-orangecounty.org>

May 2004

Orange County Meeting MAY DINNER MEETING

SMART DECISIONS FOR A SECURE RETIREMENT

Lance Jencks and Chuck Mihalick

Tuesday, May 25, 2004

5:30 PM

This comprehensive look at your financial future shows decisions you can make today to build a better tomorrow. Learn how to "know your retirement number" from lifetime and variable income sources. Understand early withdrawal rules from tax-deferred accounts. See the impact of asset mix on your retirement. Learn specialized strategies such as Net Unrealized Appreciation (NUA) and the use of "Stretch" IRAs. This information-packed session will give you the tools you need to better plan for the secure and productive retirement you deserve.

Lance Jencks is a Vice President and Senior Financial Advisor with 18 years of service at Merrill Lynch. A Certified Financial Manager, Lance has helped families and individuals identify their financial goal and maintain a steady course through constantly changing conditions. Chuck Mihalick, CFM, is a former Certified Public Accountant who served as Chief Financial Officer and Treasurer of leading manufacturing, distribution and service companies for over 23 years. As a Merrill Lynch Financial Advisor, Chuck now assists individuals, business owners and corporate clients develop, implement and monitor specific strategies to meet stated financial goals.

Meeting Schedule:

5:30 p.m.	Social Hour
6:30 p.m.	Dinner
7:20 p.m.	Break
7:30 p.m.	After-Dinner Program

Place: Wyndham Garden Hotel,
Costa Mesa

Directions: From Interstate 405, go north on Bristol Ave., right on Anton, left on Avenue of the Arts. The Wyndham is on the right at 3350 Avenue of the Arts, Costa Mesa.

Reservations: *Please make a reservation at (949) 261-2622 by voice by Friday, **MAY 21, 2004.** Or, you may email your reservation to west@research.ge.com.*

Cost: Members, \$20 with a reservation, \$25 at the door; Non-Members, \$25 with reservation, \$30 at the door; Students **Free** with reservation, \$5 at the door, Unemployed/Retired, \$5 with reservation, and \$10 at the door.

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Starting with the month of January 2004, every third meeting a member attends is FREE with reservation



STUDENT AWARD SCHOLARSHIPS

LIST OF NOMINEES(Schools in alphabetical order)

1. California Institute of Technology
Department of Chemical Engineering
Megan Greenfield
2. California State Polytechnic University,
Pomona
*Department of Chemical and Materials
Engineering*
Gene Griffith
3. California State University, Long Beach
Department of Chemical Engineering
James Schulz (certificate, \$50)
Diane Agesen (\$50)
Tracy Porter (\$50)
Uduak-Joe Ntuk (\$50)
Matt Keating (\$50)
4. University of California, Irvine
*Department of Chemical Engineering and
Materials Science*
Laura McCormick
5. University of California, Los Angeles
Department of Chemical Engineering
Christopher McCormick
6. University of California, Riverside
*Department of Chemical and Environmental
Engineering*
Sara Kelcher
7. University of Southern California
Department of Chemical Engineering
Marianne Case



Pictures taken from April 04 OC-LA Chapter Joint Meeting at Long Beach, CA.

Society of Women Engineers (SWE) Orange County Section - Upcoming Events

May Member Recognition Banquet

Thursday, 05/20/04, 6:30 p.m.

Location:

Café Hidalgo

305 North Harbor Blvd. Suite 111

Fullerton, CA 92832

(714) 447-3202

Cost: \$25 for Members and Non-members, Free for students but RSVP is required

RSVP with meal selection by Monday, May 17, 2004 to Trish Cabrera at

trishcab@earthlink.net or (562) 945-6898

KeepUS Committee Status (Newsletter FY04-04)

The following are excerpts from a report by Bob Katin, PE who is chairing AICHE's KeepUS lobby group:

The evaluation of the State Engineers' Act by the independent consultant, ISR; results of the 1st three Task Force meetings; and other historical information are posted on the web. (See <http://www.aiche-norcal.org/> and from the home page select the left-hand tab "ADVOCACY". From there, you can read the ISR Report, earlier KeepUs Newsletters, or other historical items).

The Engineering Board (BPELS) formed a Task Force (TF) to advise BPELS how to respond to ISR's report. The 4th TF meeting was in San Diego on 19 DEC 03.

In the 3rd TF meeting, we heard three things:

1. Provide total overlap amongst the engineering disciplines.
2. Make all engineering disciplines practice protected.
3. Allow all engineering disciplines to be in charge of projects and staff.

The 4th TF meeting did not go well for ChEs. The TF said the only way to do Item 2, was to complete

the "Sunrise" process. Sunrise requires:

- a) a lot of effort to develop a stack of paperwork,
- b) finding a State Legislator willing to be the author of a new State Bill (but we would be the sponsor and person that will do ALL the work),
- c) responding to all parties that attend hearings proposing alternative agendas such as no need to recognize chemical engineers, they are only a sub-set of civil engineers, and
- d) getting a bill through both the Senate and Assembly (we have failed to get AB 4002, AB 1354, and SB 704 out of the 1st committee).

Making ChEs 1st class engineers in the eyes of the State law is unattainable if Sunrise is required. If we cannot avoid the Sunrise process, we may have to oppose the ISR Report (which has been so favorable to ChEs) because the TF has taken the tactic that it is Items 1, 2, and 3 or nothing. The next "battle" will take place in the 5th TF Meeting in Monterey on 28 JAN 2004.

In the interim, we need to obtain commitments from companies, organizations, agencies, Deans of Engineering Schools, etc to write letters stating that the practice of ChE: is a unique discipline, not a sub-set of civil; can cause a risk to the public if not performed properly; is desired by companies instead of being told, by State Law, the ONLY discipline that can perform engineering tasks is civil engineering.

Legal Corner

Federal Appellate Court Rules That Sentences Should Be Enhanced Based On Substantial Cleanup Costs

Peter Hsiao and Siegmund Shyu, Morrison & Foerster LLP

Confronting the issue for the first time, the United States Court of Appeals for the Ninth Circuit, which covers California, ruled that courts must enhance sentences and may increase penalties for convicted polluters who cause the government to perform cleanups requiring substantial expenditures. (*U.S. v. Phillips*, Case Number 02-30035). The defendant had bought land along a Montana creek for a new subdivision, and had workers dig twenty ponds and fill the ponds from the creek without permits. Water that flowed off the



property and back into the creek carried mine tailings and other pollutants. The defendant was found guilty of violating the Clean Water Act, and was sentenced to five-year's probation and ordered to pay \$43,000 in restitution. The trial court refused to enhance the defendant's sentence based upon a provision in the federal Sentencing Guidelines that required a four-level enhancement when the government's cleanup "required a substantial expenditure." The trial court had stated that the hundreds of thousands of dollars in extra cleanup costs were incurred because of Superfund and not the Clean Water Act. The government appealed the sentence, and the Court of Appeals found for the government. It stated that the plain meaning of the Sentencing Guidelines, the overall purposes of environmental laws, and case law from other circuits required courts to enhance the sentence because the Guidelines do not limit cleanup costs to the statute of conviction.

EPA Issues Final Rule Increasing Maximum Fines By 17.3 Percent

On February 13, the US EPA issued a final rule increasing the maximum penalties for civil violations of environmental laws by 17.3 percent to account for inflation. The EPA stated that the action was required by the Debt Collection Improvement Act of 1996 (DCIA). EPA had proposed to increase the same penalties by 13.6 percent in June 2002, but withdrew the rule after the US General Accounting Office objected to the EPA's method of rounding the adjusted penalty amounts. For this final rule, the EPA stated that the increase in penalties rose from the 13.6 percent in the previous rule to 17.3 percent because of changes in the consumer price index. It noted that seeking further public comment on the penalty increases was unnecessary because EPA had no discretion under the DCIA. Under the new rule, the highest maximum penalty would be \$1 million for violating the Safe Drinking Water Act by tampering with a public water system.

Something Completely Different

Perhaps Michigan wolverines are not limited to those on the college football field, after all. According to Associated Press, a Michigan biologist confirmed the sighting of an actual Michigan wolverine, almost 200 years after the animal was last seen in the state. Coyote hunters saw the wolverine about 90 miles north of Detroit, and Michigan Department of Natural Resources

biologists were able to take pictures of the animal. The wolverine is a member of the weasel family and grows about 25 pounds. Known for its ferociousness, it was once seen in large numbers in the United States, but is now usually seen only in Canada, northern Idaho, and Alaska. The last spotting of a wolverine in Michigan occurred in the early 1800s by fur traders. A Department of Natural Resources spokesperson called the sighting "unprecedented" which is "up there with having a caribou or a polar bear turn up." A biologist speculated that the animal could have traveled to the state, or been released or escaped from captivity.

Legal Corner reports on recent news, and is not intended to be legal advice. The reader should consult an attorney about the specific facts before acting upon this information.

Newsletter Contributors Wanted

The newsletter editor would like to hear from you if you have one or more brief articles to contribute, especially a review or brief discussion of a good website, technical book, etc.

Professional Engineering Employment Update

Job Seeking Members can receive a list of web sites of area companies that sometimes hire ChEs. Contact the Senior Member Everett Knell at EWKnell@aol.com to receive this list by e-mail. Put "OCAICHE Company List" in the subject line of your email request.

Job Opportunities

Environmental Engineer Torrance, California

An opening exists for an Environmental Engineer at Davenport Co., an environmental consulting firm located in Torrance, California. Davenport Co. focuses on environmental compliance reporting and management for the petroleum industry. Established in 1997, this growing company provides specialized consulting services to refineries and related petroleum facilities.



This engineer will support a variety of emission estimation, permitting, and environmental compliance projects ongoing within the western United States. Project work includes EPCRA SARA 313 toxic release inventory reporting (multi-media), air permitting, SCAQMD Annual Emissions Reporting, wastewater/groundwater compliance reporting, remediation engineering, health risk assessment, and petroleum process engineering.

Qualified candidates must have a BS in Chemical Engineering, BS in Environmental Engineering, or related engineering discipline, and 2-8 years of related work experience. Candidates must have expertise in the areas of EPCRA SARA 313 reporting, air emission calculations, and/or air permitting. Candidates must also have prior experience working as an environmental consultant or within the petroleum industry. Knowledge of California air quality rules and regulations and an eye for detail are essential. Individuals who can foster strong relationships with co-workers and who thrive in a fast paced, team environment are well suited for this position.

Candidates must be self-motivated, well organized, and able to perform effectively to meet deadlines. Ideal candidates will already reside in southern California or be willing to relocate without financial assistance from Davenport Co.

Individuals who meet these specific qualifications should submit an interest letter and resume via e-mail to jobs@davenport-co.com. No phone calls. Identify pertinent work experience and include a current list of references.

- ① If you have an employment opportunity in Southern California for a chemical engineer, the newsletter will advertise it for free.

2004 Orange County AIChE Officers

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