



AICHE Orange County

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

No. 132

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

April 2005

LA-OC Joint Meeting APRIL DINNER MEETING

WILL ChE's BE ALLOWED TO WORK IN CALIFORNIA?

The Battle Continues

Robert A. Katin, PE
Tuesday, April 26, 2005
5:30 PM

For years, we ChE's have been claiming that the State Engineers' Act arbitrarily restricts us from conducting chemical engineering because these activities have been defined by California law to be the exclusive practice of civil engineers (CE's). We were successful in getting a bill passed that tasked an independent consultant, Cal State Sacramento's Institute for Social Research (ISR), to evaluate our claim that the Engineers' Act is broken. We have increased awareness in the State Capital that the Engineering Board is dysfunctional.

The Joint Committee of Boards, Commissions and Consumer Protection (JCBCCP) [formerly known as the Joint Legislative Sunset Review Committee (JLSRC)] conducted a hearing in January 2005 to evaluate the need to recognize the discipline of chemical engineering (ChE). A Senate Bill authored by Senator Liz Figueroa in February 2005 is the tool by which the Engineers' Act will be changed. However, currently we have strong opposition from the Consulting Engineers and Land Surveyors of California (CELSOC), predominately a group of civil engineering firms in Southern California and Professional Engineers in California Government (PECG), predominately CalTrans engineers. They claim there is no public health or safety risk in any work conducted by ChEs.

We have support letters from the California Legislative Council of Professional Engineers (CLCPE), five Deans from Schools of Engineering

(Cal Poly Pomona, UC Davis, UC Riverside, UCSB, and UCLA), some major industry (ChevronTexaco, ConocoPhillips, Goodrich, SAIC, Allergan, Kennedy/Jenks), environmental regulatory agencies (Bay Area Air Quality Management District and Contra Costa Health Services), and some trade associations (Council of Industries and the Industrial Association of Contra Costa County). Meanwhile the State Law is still restricting activities ChE's can perform.

The law currently says that if you write reports, manage employees, manage contractors, or work with equipment that is geographically stationary (such as chemical plants, petroleum refineries, food plants, wastewater treatment plants, biopharmaceutical plants, energy production plants, and other process industries), you must be a CE or be supervised by a CE. By California law, industry cannot hire their favorite consultant unless they are CE's, because after all, only CE's know about process industry. DOES THIS AFFECT YOU?

If this notice got your attention, attend the meeting to learn about the current status of chemical engineering in California and what you can do to promote your future career plans.

Robert A. Katin, PE is California AICHE's Government Relations Committee Chair (affectionately know as KeepUs). He represents us as CLCPE's President and served as NorCal AICHE's Chair twice. He is a licensed chemical engineer with over 30 years of experience. Due to downsizing and company buyouts, Bob not only has changed jobs, he has changed careers. Bob has operated nuclear power plants, chemical plants, and refinery units; been project manager of many jobs including a \$40 million expansion; has been Chief Engineer for environmental firms; and has been General Manager for an Instrument and Electric Contractor. To stay employed, he started his own company. Bob was a key member in the group that brought us AB 1354, SB 704, SB 2069, SB 191 and SB 2030; has testified at numerous hearings in Sacramento; and has met with State



legislators and their consultants to increase their awareness of the ChE employment issues.

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: Khoury's Restaurant.

110 North Marina Dr., Long Beach

Directions: From the north, take the 605 south and take the Seventh Street/Long Beach exit. Go 1.4 miles and take the Studebaker Road exit. Continue south on Studebaker Road for 1.4 miles. Turn right on East Second Street. Continue on another 0.6 miles, then Turn left on Marina Drive at the first signal after PCH. Proceed 1 mile and enter the parking lot for Khoury's.

From Torrance/South Bay, take the 405 south and exit on Studebaker Road. Continue south on Studebaker for 2.1 miles. Turn right on East Second Street. Continue on another 0.6 miles, then Turn left on Marina Drive at the first signal after PCH. Proceed 1 mile and enter the parking lot for Khoury's.

From Orange County, take the 405 north and exit on Westminster Ave. West. Go 1.9 miles until Westminster Ave. becomes Westminster Blvd. Go

an additional 3.9 miles until Westminster becomes East Second Street. Continue on another 0.6 miles, then Turn left on Marina Drive at the first signal after PCH. Proceed 1 mile and enter the parking lot for Khoury's.

Reservations: Leave a message at our 24-hour toll-free number (1-800-274-3847) or place your reservations using the online form at http://www.geocities.com/aiche_sc/reservation.htm. Please make your reservation by Tuesday, April 19, 2005. When making reservations, please include your name and indicate whether you are planning to come for the dinner or for the presentation only. Vegetarian meals will not be available unless ordered one day in advance. No-shows for the dinner will be charged (AIChE is charged), so please cancel your dinner reservation by noon the day before the meeting if you are unable to attend.

Cost: Members and guests, \$20 with a reservation, \$25 at the door; Students \$5 with reservation, \$10 at the door; Unemployed/Retired, \$15 with reservation, and \$20 at the door.

Starting with the month of January 2005, every third meeting a member attends is FREE with reservation

Legal Corner

“KEEPUS” Committee Status (Newsletter FY05-05)

Bob Katin

As a result of a Sunrise Hearing conducted on January 6, 2005 before the Joint Committee on Boards Commissions and Consumer Protection (JCBCCP) we need your letter of support.

The Problem

The definition of civil engineering (CE) is so broad; it includes virtually every activity that chemical engineers (ChE) perform.

The Strategy

We cannot change the definition of civil engineering, which is too large of a political issue. However, since the engineering board (Board of Professional Engineers and Land Surveyors or BPELS) supports the following three issues, it would be just as effective, and significantly easier, to instead obtain State Legislative support to:

- Recognize the practice of ChE. Currently only the practice of CE, ME, and EE are defined in State law.



- Allow Overlap. If the engineer has the ability to conduct a task based on education or experience, allow that recognized engineering discipline to overlap and conduct activities that are currently defined as the exclusive expertise of civil engineering.
- Allow all engineers to be Principal in Charge. If the project is in the area of expertise of an engineer of a recognized engineering discipline, allow that engineer to be the Principal in Charge of the project.

Other Support

We currently have letters of support from the following:

- Mr. Jack Coffey, ChevronTexaco
- Mr. Doug James, ConocoPhillips Los Angeles Refinery
- Dr. Prakash Karpe, ConocoPhillips San Francisco Refinery
- Mr. Clay Hinkle, Goodrich Aerostructures Group
- Ms. Heike Abeck, PE, CHIRON
- Mr. Randy Fischback, PE, Dow Chemical
- Dr. Serge Baghdikian, PE, Science Application International Corporation (SAIC)
- Mr. Bill Sedlak, PE, Kennedy/Jenks Consultants
- Dean Vijay Dhir, School of Engineering at UCLA
- Dean Edward Hohmann, PE, School of Engineering at Cal Poly Pomona
- Dean Enrique Lavernia, School of Engineering at UC Davis
- Dean Mark Matsumoto, School of Engineering at UC Riverside
- Dean Matthew Tirrell, School of Engineering at UC Santa Barbara

Other supporters include:

- Mr. Scott Anderson, PE, Industrial Association of Contra Costa County
- Dr. Jim Bates, Western Contra Costa Council of Industries
- Mr. Randy Sawyer, Contra Costa County Hazardous Materials Program
- Mr. Michael Dorsey, California Certified Unified Program Agencies Forum
- Mr. Brian Bateman, Bay Area Air Quality Management District
- Mr. Andrew Gere, PE, San Jose Water Company
- Mr. Dominic Meo III, PE, Meo & Associates

We are supported by the following organizations:

- The California Legislative Council of Professional Engineers
- Institute of Social Research (ISR) at Cal State Sacramento
- The Board of Professional Engineers and Land Surveyors (BPELS)
- The American Institute of Chemical Engineers (AIChE)

And have commitment to write letters of support from:

- | | | | |
|----------------------------|-------------------------|---------------|------------|
| • Searless Valley Minerals | • Levine Fricke | • Entrix, Inc | • CH2MHill |
| • TRC Environmental | • Aspen Technology, Inc | • Hexcel | • CMTA |

Opposition:

The opposition is basically from two organizations that are made up primarily of civil engineers.

- Consulting Engineers and Land Surveyors of California (CELSOC)
- Professional Engineers in California Government (PECG primarily CalTrans engineers)

It appears to be a “turf” issue. Currently, the State Engineers’ Act grants civil engineers arbitrary exclusive right to practice all engineering activities. A change to the law would result in competition for business to civil engineers.

The Benefit to Industry:

Only civil engineers can conduct civil engineering. That sounds innocent enough until you read the definition of civil engineering. Virtually everything is defined to be civil engineering. Once an activity is defined to be civil



engineering, ONLY civil engineers are allowed to conduct this work. Therefore, if industry obeys the State law, industry would have to hire a civil engineering firm to either learn chemical engineering, or hire a civil engineering firm to subcontract chemical engineering functions. Either approach will incur higher cost for industry.

Furthermore, civil engineering is not included in the Industrial Exemption. So as a result, the employees of industry could not conduct most engineering activities required by an industrial facility unless they were civil engineers or supervised by civil engineers. This would result in higher operating costs for industry.

The Risk to State Government Employees

Engineers employed by the State are members of PECG, an organization that has publicly stated opposition to the need to recognize chemical engineering. Art Duffy (an officer of PECG) and Cindy Tuttle were the only Board members opposed to accepting the recommendations of the Task Force created by BPELS to evaluate the 196-page ISR report. In JAN 2005, a Sunrise Hearing was conducted in the State Capitol to evaluate which engineering disciplines should be recognized. Steve Baker, testifying on behalf of PECG, said that PECG had the same position as CELSOC and recognizing the practice of chemical engineering will not enhance public safety. He recommended only recognizing CE, ME, and EE. To get promoted beyond a certain level as an engineering employee of State government, you need to obtain your license. If chemical engineering is no longer recognized, ChEs could lose out on promotion opportunities.

The Need for Industry

The State Engineers' Act is broken. We need to show that the marketplace (industry) is technically sophisticated and can choose which engineering discipline they need. We need to show support from large companies that ChEs are needed to protect public health and safety. Please contact me for a sample letter, which I would like Senator Liz Figueroa, the Chair of the Senate Business and Professions committee, to receive.

The Need for State Government Employees

If you are a member of PECG and do not concur with the position that has already been publicly stated by PECG, please notify leadership in PECG that perhaps they do not have a full understanding of the issues and have not heard the voice of all members. For PECG to simply agree not to make any additional negative statements is not adequate. PECG is on record as opposing the recognition of ChE's.

Please write a letter to Senator Liz Figueroa, the Chair of the Senate Business and Professions committee.

Her address is The Honorable Liz Figueroa
 California State Senate
 State Capitol, Room 4061
 Sacramento, CA 95814

Please copy me on your letter as I am monitoring the level of support and collecting data that will be needed when we are called upon to testify before the Legislative Committee. My address is listed in the letterhead.

I sincerely appreciate your support.

Robert A. Katin, PE
Chair, California AIChE Government Relations Committee

IN REPLY PLEASE ADDRESS:

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STUDENT CORNER

Please contact the newsletter editor if you would like to publish any AIChE student chapter meeting summary or contribute any articles related to science/engineering.

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 Title: Chemical Engineer

Company info:

A subsidiary of a Multi-billion and international chemical distributor. They have had double digit growth every quarter since their inception in 1999.

Qualifications:

1-4 years of industry experience after college. B.S. in Chemical Engineering, an extremely outgoing and engaging personality, and a strong desire to get into the business and commercial side of your profession. Advancement has been rapid!

Email resume to Huge Collender:

Phone: 877-271-2397, email: hcollender@rwr.com.

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.*

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

2005 Orange County AIChE Officers

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- *Contaminated Soil & Ground Water?*
- *Health Risk Issues?*
- *Compliance Issues?*
- *Suing?*
- *Being Sued?*

We Can Help

- *Turnkey RI, FS, RA*
- *Quantify & Manage Risk*
- *Negotiate with Agencies*
- *Air, Waste Water, Storm Water Permitting*
- *Expert Witness/Litigation Support*



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DATED MATERIAL

ADDRESS SERVICE REQUESTED

