



# **APEGA RECOMMENDED ORDER TO THE DISCIPLINE COMMITTEE**

IN THE MATTER OF THE *ENGINEERING,  
AND GEOSCIENCE PROFESSIONS ACT*

AND

IN THE MATTER OF THE CONDUCT OF

Coil Solutions Inc.

Permit No. P13334

IC File: 23-31

# **APEGA RECOMMENDED ORDER TO THE DISCIPLINE COMMITTEE**

**In the Matter of the *Engineering and Geoscience  
Professions Act***

**and**

**In the Matter of the Conduct of  
Coil Solutions Inc.**

The Investigative Committee of the Association of Professional Engineers and Geoscientists of Alberta (APEGA) has investigated the conduct of Coil Solutions Inc. (the Permit Holder) with respect to a complaint initiated by Mr. John Corriveau, P.Eng., Deputy Registrar and Chief Regulatory Officer, APEGA (the Complainant).

## **A. Complaint**

The Complainant filed a complaint alleging the Permit Holder engaged in unprofessional conduct and/or unskilled practice as defined at section 44(1) of the *Engineering and Geoscience Professions Act*, RSA 2000, c E-11 (*EGP Act*) with respect to the Permit Holder's authentication and validation policy and procedure.

The Investigative Committee's investigation focused on the following allegation:

Whether the Permit Holder failed to ensure that drawings were being authenticated and validated prior to their release for manufacturing.

## **B. Agreed Statement of Facts**

### **(i) Background:**

1. The Permit Holder has been registered with APEGA since 2016.
2. The Permit Holder manufactures oil field equipment in Red Deer and Calgary, Alberta.
3. The Permit Holder has cooperated with the investigation.

**(ii) Facts Relating to the Allegation:**

Whether the Permit Holder failed to ensure that drawings were being authenticated and validated prior to their release for manufacturing.

4. In 2022 and 2023, Responsible Members reviewed and updated the Permit Holder's Professional Practice Management Plan (PPMP) to include policy for the authentication and validation of professional work products (PWP). Also in 2022, one of the Responsible Members initiated contact with APEGA's Professional Practice Department and requested advice on updating the Permit Holder's PPMP.
5. In 2023, one of the Responsible Members became embroiled in an argument with the Permit Holder's operations manager who erroneously told the Responsible Member that authentication and validation of drawings would not be occurring at the company.
6. In 2023, the Responsible Member's employment was terminated. The Responsible Member reported the lack of authenticating and validating of PWPs and other concerns to APEGA.
7. The Responsible Member did not wish to be the primary Complainant in this matter. However, they did cooperate with the investigation as a witness. As such, APEGA's Deputy Registrar and Chief Regulatory Officer became the Complainant.
8. The APEGA investigation included a review of the Permit Holder's 2016 to 2021 PPMPs. It was determined that the initial versions of the PPMPs did not include a process for the authentication and validation of PWPs. The 2022 to present versions of the PPMP do include authentication and validation policies and procedures.
9. The APEGA investigation included a review of all drawings completed by the Permit Holder between January 2021 to February 2024. These hundreds of drawings can be categorized as follows:
  1. Designs drafted by a CAD (computer-aided design) technician and approved by a draftsman or CAD technician.
  2. Designs drafted by a CAD technician and authenticated by an out-sourced professional engineer.
  3. Designs drafted by a CAD technician and authenticated by a former Responsible Member.
10. Members of the Permit Holder's design team expressed concern to a former Responsible Member that a professional engineer was not reviewing and authenticating all designs.
11. The current Responsible Member has implemented a quality assurance / compliance process to ensure that no drawings are released for manufacturing without prior authentication and validation.

### **C. Conduct by the Permit Holder**

12. The Permit Holder freely and voluntarily admits that at all relevant times the Permit Holder was registered with APEGA and was thus bound by the EGP Act and the APEGA Code of Ethics.

13. The Permit Holder acknowledges and admits that the conduct described in the allegation amounts to unprofessional conduct as defined in section 44(1) of the EGP Act:

*Section 44(1) Any conduct of a professional member, licensee, permit*

*holder, certificate holder or member-in-training that in the opinion of the Discipline committee or the Appeal Board,*

- a) is detrimental to the best interests of the public,*
- b) contravenes a code of ethics of the profession as established under the regulations,*
- c) harms or tends to harm the standing of the profession generally,*
- d) displays a lack of knowledge of or lack of skill or judgement in the practice of the profession, or*
- e) displays a lack of knowledge of or lack of skill or judgement in the carrying out of any duty or obligation undertaken in the practice of the profession*

*whether or not that conduct is disgraceful or dishonorable, constitutes either unskilled practice of the profession or unprofessional conduct, whichever the Discipline Committee or the Appeal Board finds.*

14. The Permit Holder acknowledges that the conduct described above is conduct that is detrimental to the best interests of the public, contravenes the code of ethics of the profession, and harms or tends to harm the standing of the profession generally.

15. The Permit Holder admits that their conduct was also contrary to Rule of Conduct 1 and 4 of the APEGA Code of Ethics, which state:

- 1. Professional engineers and geoscientists shall, in their areas of practice, hold paramount the health, safety and welfare of the public and have regard for the environment.*
- 4. Professional engineers and geoscientists shall comply with applicable statutes, regulations and bylaws in their professional practices.*

16. The Permit Holder admits that their conduct was also contrary to:
- a. The EGP Act, section 78, which states in part:
- “(1) A professional member, licensee or restricted practitioner shall, in accordance with the regulations, (a) sign documents or records, and (b) stamp or seal documents or records.”
- “(2) A permit holder shall affix its permit number on documents or records in accordance with the regulations.”
- b. The EGP Act *General Regulation*, section 49, which states in part:
- “When the practice of engineering or geoscience is carried on by a partnership, corporation or other entity pursuant to a permit under section 48, all final plans, specifications, reports or documents of a professional nature must, (a) be signed by and be stamped or sealed with a stamp or seal of (i) the professional member or licensee who prepared them or under whose supervision and control they were prepared, or (ii) in the case of plans, specifications, reports or documents that were prepared by other persons, the professional member or licensee who thoroughly reviewed and accepted professional responsibility for them, and (b) show the permit number issued to the partnership, corporation or other entity under section 48.”
- c. The APEGA *Professional Practice Management Plan* practice standard, November 2022, which states, in part:
- “A Permit Holder must assign a senior officer to be accountable for its compliance to APEGA’s Permit to Practice requirements;”
  - “The senior officer, on behalf of the Permit Holder, must:
    - ...be accountable for the creation, revision, implementation, and continual improvement of the PPMP, and ensure it is followed;
    - assign, direct, and support Responsible Members to create, revise, implement, and follow the PPMP;
    - provide written direction to the Responsible Member to validate engineering and geoscience professional work products;
    - assign Responsible Members to be accountable for the quality control and assurance processes under which licensed professionals practice engineering and geoscience;

- ensure adherence to relevant statutes, regulations, bylaws, standards, and codes....”
- d. The declaration by the chief executive officer (CEO) of the Permit Holder pursuant to its 2015 application to APEGA for a Permit to Practice which states, in part, that the CEO will:
  - “undertake to maintain an organization in which the practice of the professions...can be conducted in accordance with requirements described in the EGP Act...;”
  - “ensure that the partnership, corporation, or other entity has in place and will follow a PPMP that is appropriate to its professional practice.”

#### **D. Recommended Orders**

17. On the recommendation of the Investigative Committee, and by agreement of the Permit Holder, and following a discussion and review with the Discipline Committee Case Manager, the Discipline Committee hereby orders that:

- a. The Permit Holder shall be reprimanded for their conduct and this Order shall serve as the reprimand.
- b. The Permit Holder’s chief operating officer or designated senior officer shall provide written confirmation to the Discipline Manager within six (6) months of being notified that the Recommended Order has been approved by the Discipline Committee Case Manager, that they have:
  - i. Reviewed the EGP Act and EGP Act *General Regulation* and will comply with the requirements therein;
  - ii. Reviewed the following APEGA publications:

Guideline for *Professional Practice*, v1.2,  
January 2013;

Professional Practice Standard, *Professional Practice Management Plan*, November 2022;

Professional Practice Standard, *Authenticating Professional Work Products*, January 2022;

Professional Practice Standard, *Relying on the Work of Others and Outsourcing*, May 2021.

And that the Permit Holder will comply with the requirements therein;

- c. The Permit Holder's chief operating officer or designated senior officer shall provide written confirmation to the Discipline Manager within twelve (12) months of being notified that the Recommended Order has been approved by the Discipline Committee Case Manager, written confirmation that they have attended the APEGA Permit to Practice webinar.
- d. The Permit Holder's chief operating officer or designated senior officer shall provide written confirmation to the Discipline Manager within six (6) months of being notified that the Recommended Order has been approved by the Discipline Committee Case Manager, that they have ensured:
  - i. All managers and owners associated with the Permit Holder, have read and acknowledged the contents of the Permit Holder's Professional Practice Management Plan (PPMP);
  - ii. The names and dates of all managers and owners associated with the Permit Holder, who have read and acknowledged the content of the Permit Holder's PPMP are provided to the Discipline Manager.
- e. The Permit Holder's chief operating officer or designated senior officer shall provide written confirmation to the Discipline Manager within six months of being notified that the Recommended Order has been approved by the Discipline Committee Case Manager, that the Responsible Member for the Permit Holder has conducted an in-person or online presentation to all staff members regarding the authentication and validation of professional work products. This shall include a letter signed by the Responsible Member confirming that the above noted presentation was completed.
- f. If there are extenuating circumstances, the Permit Holder may apply in writing to the Discipline Manager for an extension prior to the deadlines noted above. The approval for extending a deadline is at the discretion of the Discipline Manager. If such an application is made, the Permit Holder shall provide the Discipline Manager the reason for the request, a proposal to vary the deadline, and any other documentation requested by the Discipline Manager.
- g. If the Permit Holder fails to provide the Discipline Manager with proof that they have completed the requirements noted above within the timelines specified or any extended timeline granted, the Permit Holder shall be suspended from the practice of engineering for a minimum of 30 days. If the requirements are not completed within 6 months of the suspension date, the Permit Holder shall be cancelled. In the event the Permit Holder is cancelled they will be bound by APEGA's reinstatement policy.
- h. This matter and its outcome will be published by APEGA as deemed appropriate and such publication will name the Permit Holder.

I, Cecil Hassard, acknowledge that before signing this Recommended Order, I consulted with legal counsel regarding my rights or that I am aware of my right to consult legal counsel and that I hereby expressly waive my right to do so. I confirm that I agree to the facts as set out above in this Recommended Order and the admissions set out in Section B, and that I agree with the Orders in Section D that are jointly proposed.

Further to the above, I acknowledge that a copy of this Order and my identity shall be provided to the APEGA Practice Review Board.

IN WITNESS WHEREOF the undersigned agrees with the Agreed Statement of Facts and Acknowledgment of Unprofessional Conduct in its entirety.

**Cecil Hassard**  
Signed with ConsignO Cloud (2024/07/05)  
Verify with verifio.com or Adobe Reader. 

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**Cecil Hassard**  
**President & CEO Coil Solutions Inc.**

**Ian Butterworth, P.Eng.**  
Signed with ConsignO Cloud (2024/07/06)  
Verify with verifio.com or Adobe Reader. 

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**Ian Butterworth, P.Eng. (Panel Chair)**  
**APEGA Investigative Committee**

**APEGA Discipline Committee**

Approved this 11 day of Oct, 2024.

**Maliha Zaman**  
Signed with ConsignO Cloud (2024/10/11)  
Verify with verifio.com or Adobe Reader. 

By: \_\_\_\_\_

Case Manager