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Maryland Society of Professional Engineers

A state society of the National Society of Professional Engineers

- Promoting the ethical, competent and licensed practice of engineering
- Enhancing the professional, social and economic well-being of our members

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410-675-8967
tollfree 866-675-8967
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State P.E. Board Imposes \$3,000 in Civil Penalties In Each of Two Cases Involving Engineering Firms

By Robert L. Mead
Executive Director

The Maryland P.E. Board has imposed maximum fines of \$3,000 in each of two cases they have heard this year.

Although Ben Dyer Associates, Inc., had prepared the drawing for a Virginia company, a site plan was submitted to the Prince George's County Planning Commission for a Use and Occupancy Permit signed and sealed by Emil George Germanos, P.E.

Mr. Germanos had never worked for Dyer Associates or had any business connection with them, nor did he identify revisions attributable to him nor distinguish them from the original work when he signed and sealed them.

A professional engineer since 1969, Mr. Germanos testified that he was partially retired and recovering from a stroke. He testified that he had no memory of doing any work on the plans, and he had no business records that established his participation in the project.

He was found guilty of gross negligence in the practice of engineering by the Maryland State P.E. Board, which fined him \$1,000 for each of three counts and suspended his license for 30 days. That was the maximum penalty permitted under the law at the time of the violations. The maximum has since been raised to \$5,000.

In a second recent case before the Board, Bernard Lee Witt presented resumes to Day and Associates, Inc., a land surveying, engineering and land-planning firm in California, and Warner Construction Consultants, Inc., a Rockville construction consulting firm, claiming to be a Maryland-licensed professional engineer.

The resume submitted to Dyer Associates was even sealed with a Maryland State Professional Engineer Seal containing his name and an actual license number. The resume submitted to Warner included a business development plan, preliminary construction cost estimates for a project and cost construction estimates all sealed with the same seal.

As it turns out, it appears that Mr. Witt plucked the license number from the DLLR web site. It is the first number of a New York resident licensed in Maryland.

Again, the Board imposed a maximum fine of \$1,000 per count that was allowable under the law at the time of the violation.



IN THE MATTER OF BERNARD LEE WITT Case No: 01-PE-06

The State Board for Professional Engineers heard this case. The Statement of Charges ordered Mr. Witt to appear before the Board and respond to the charges brought against him.

During the hearing on the charges, Peter Martin, assistant attorney general, appeared

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IN THE MATTER OF EMIL GEORGE GERMANOS Case No: 00-PE-07

The Board for Professional Engineers issued charges against Emil George Germanos, P.E., alleging that he signed and sealed a drawing prepared by Ben Dyer Associates, Inc., without its knowledge or consent, and that Mr. Germanos did not prepare, have responsible control over or authority or permission

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PRESIDENT	Michael L. Clar, P.E. (410) 804-8000 E-mail: mclar@smart.net
PRESIDENT-ELECT	James D. Lesikar II, Ph.D., P.E. (301) 794-2120 FAX (301) 794-8355 Email: jlesikar@csc.com
VICE PRESIDENTS	Don C. Helm, P.E., Ph.D. (443) 885-3183 FAX (410) 319-3843 E-mail: helm@eng.morgan.edu Jonathan Blasco, P.E. (301) 994-1910 FAX 301-994-1912 E-mail: jblasco@starpower.net
SECRETARY	Eduardo Acevedo, P.E. (410) 296-4732 E-mail: eacevedo@starpower.net
TREASURER	Wallace North, P.E. (410) 823-1001 E-mail: wallacen5@comcast.net
PAST PRESIDENT	Robert Sebastian, P.E. (410) 358-7171 E-mail: bob@ebaengineering.com
CHAPTER PRESIDENTS	
Annapolis	Randy Peterson, P.E. (acting) (301) 794-7555 E-mail: RPetersen@lsassociates.net
Baltimore-Howard	Indranil Goswani, Ph.D., P.E. (443) 885-3293 E-mail: indranil@eng.morgan.edu
Chesapeake-Susequehanna	Mark C. Andrews, P.E. (410) 377-4214 E-mail: mcandrews@finsvcs.com
Frederick	Tee Pecora, P.E. (301) 662-4408 FAX (301) 662-7484 E-mail: pecoraeng@aol.com
Hagerstown	Dan Matonak, P.E. (301) 790-0111 E-mail: whseng@aol.com
Potomac	Tom Dixon, P.E. (301) 577-1545 FAX (301) 577-6136 E-mail: tomdixon@bellatlantic.net
Southern Maryland	Jonathan Blasco, P.E. (301) 994-1910 FAX 301-994-1912 E-mail: jblasco@starpower.net
MSPE HEADQUARTERS	
EXECUTIVE DIRECTOR	Robert L. Mead 410-675-8967 Toll-free: 866-675-8967 FAX 410-522-6947 E-mail: mdspeadmin@msn.com

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- August 16**
MDSPE Executive Committee Meeting,
Society Headquarters
- August 21**
State Board for Professional Engineers
Meeting, 500 N. Calvert St., Baltimore
- August 26**
Deadline for applications for P&P Exam
for reexaminations
- August 27**
Deadline for applications for FE Exam for
reexaminations
- September 16**
State Board for Professional Engineers
Meeting, 500 N. Calvert St., Baltimore
- September 16-20**
SFPE Professional Development Week,
Baltimore
- September 21**
MDSPE Society Development Workshop &
Board of Directors Meeting
- October 9**
MDSPE Executive Committee Meeting,
Society Headquarters
- October 16**
State Board for Professional Engineers
Meeting, 500 N. Calvert St., Baltimore
- October 25**
Principles & Practices Examination,
Timonium, Category I (Chemical, Civil,
Electrical, Environmental, Mechanical &
Structures 1) & Category II (Agricultural,
Manufacturing, Control Systems, Metallur-
gical, Mining/Mineral, Fire Protection,
Nuclear, Industrial and Petroleum)
- October 26**
Fundamentals of Engineering Examination,
Timonium
- November 13**
MDSPE Executive Committee Meeting
Society Headquarters
- November 20**
State Board for Professional Engineers
Meeting
500 N. Calvert St., Baltimore
- December (date TBA)**
MDSPE Board of Directors Meeting
College Park
- December 18**
State Board for Professional Engineers
Meeting, 500 N. Calvert St., Baltimore

The Challenges and Opportunities for 2002-2003

Michael L. Clar, P.E.
President



I would like to begin my term as President by acknowledging the outstanding effort provided by our immediate past president Bob Sebastian in leading MDSPE during a very active and successful year. Bob continued the efforts initiated by several past presidents including Robert Gagnon, David Herring, and Marc Hurwitz aimed at making MDSPE a fully functioning society. This has included updating our Constitution, reorganizing Chapters and pursuing legislative initiatives to advance the engineering profession in Maryland.

I would also like to thank the following members of our Society who have selflessly volunteered to serve as officers for the coming year; President-Elect, James Lesikar; Vice-Presidents, Donald Helm and Jonathan Blasco; Secretary, Eduardo Acevedo; Treasurer, Wally North, and Past-President, Bob Sebastian. With the dedication and commitment of these talented individuals, and with your continued assistance and support I feel very confident that we will accomplish all of our goals for the coming year.

As we begin the 2002-2003 year, we are faced with a number of challenges and opportunities. Our major challenge as a Society is the declining membership in the society and even more the decreasing participation by members in society activities. This is a common problem faced by most professional groups across the country and reflects changing trends in behavior patterns in society nationwide.

To address this issue MDSPE has obtained the support of NSPE in preparing a membership challenge plan that we will be refining and implementing throughout the year. More details of this plan will be provided in the newsletter and web site.

I would also like to ask each active member of MDSPE to make a personal commitment to take active part in at least one society activity. This could consist of simply attending a chapter meeting, or participating in one of our many activities, such as MATHCOUNTS, the bridge challenge,

or attending the annual meeting. Your participation in your society is the key to our continued success.

In addition, if you think that there are any personal or general areas or issues that the Society is not adequately addressing, we encourage you to speak out and let us know. We are very interested in any issues or suggestions that you may have for improving the performance of MDSPE. Jim Lesikar and I will make it a point to attend a meeting of each chapter to discuss ongoing programs and solicit your ideas and comments.

MDSPE has identified a need for continuing education programs for practicing engineers and related disciplines; surveyors, landscape architects and environmental science professionals. We have begun to address this need by developing a number of short courses and workshops to help our members meet these needs. Our efforts in this area will be increased during the coming year.

If there are topics of special interest to you that you would like us to address in a seminar or workshop, please let us know. Also if you or your company can provide training in an area of general need or interest, please contact me or our Executive Director, Robert Mead at MDSPE headquarters.



Newly installed MDSPE President Mike Clar (with gavel) and officers for 2002-2003 (l to r) Jonathon Blasco, P.E., vice president; Wally North, P.E., treasurer; Jim Lesikar, P.E., president-elect; Eduardo Acevedo, P.E., secretary; Bob Sebastian, immediate past president; and Don Helm, P.E., vice president.



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Connecticut Office

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Maryland Appeals Court Decision Affirms Certificate of Merit Requirement and Upholds Economic Loss Doctrine

By Spencer K. Stephens, Esq.

Maryland's certificate of merit requirement is triggered in all lawsuits against design professionals that rest on allegations that the defendant breached a tort duty, the Maryland Court of Appeals ruled April 3. The decision includes another pro-designer ruling which broadens application of a rule that prevents parties from suing design professionals for most construction damages unless they have a contract with the design professional.

The case marks the first time a Maryland state court has issued a published decision interpreting Maryland's certificate of merit law, which was enacted in 1998 specifically for the benefit of design professionals.

Factual Background

The rulings grew out of a lawsuit filed by a condominium association against several parties involved in the development of its buildings. The association alleged numerous defects including weak balconies, fire-rated walls that failed to meet building code, and improper installation of a fire protection system. On these allegations, the association asserted a variety of tort claims against the developer.

The developer filed a separate lawsuit against numerous parties it had hired to design and construct the condominium, including several design professionals. It asserted pass-through claims against each of them labeled as "contribution" and "indemnification."

The design professionals who had been sued by the developer filed motions to dismiss the cases against them. They argued that the developer had not complied with Maryland's certificate of merit requirement. They also argued that under a rule of law known as the economic loss doctrine, the developer could not sue them in tort law for what amounted to contract damages. The trial court agreed and granted the motions to dismiss. The Maryland Court of Special Appeals' April 3 ruling affirmed the decision.

Certificate of Merit Ruling

Maryland's certificate of merit law requires any party suing a licensed design professional for professional negligence to file a certificate of merit within 90 days after initiating the lawsuit. A person who is licensed in the same discipline as the defendant must sign the certificate and it must expressly state that the defendant "failed to meet an applicable standard of care." In this case, the developer filed a certificate of merit, but did so 135 days after filing its lawsuit. The certificates did not contain express statements indicating that the relevant defendants had failed to meet an applicable standard of care.

Before the appeals court, the developer argued that it should be granted a grace period – since it had eventually produced certificates of merit. The developer argued that permitting late filing of the certificates would not harm the interests of

the affected design professionals. Further, the developer argued that it was not really alleging professional malpractice – that all of its claims against the design professionals were labeled as either "contribution" or "indemnification."

The appeals court rejected the arguments. It said that the language of the statute was simple and clear: the certificates had to be filed within 90 days. The statute did not contain any allowance for a grace period – unlike a Maryland certificate of merit requirement governing claims filed against physicians. The court reasoned that the legislature must not have meant to grant plaintiffs extra time to file.

The appeals court agreed that none of the claims against the design professionals were expressly labeled as "negligence," the term traditionally used to identify a tort claim. However, the claims all rested on the factual allegation that the design professionals had failed to adequately perform their duties, which amounts to a negligence claim. In accord, it ruled that the developer still had to satisfy the certificate of merit requirement.

Economic Loss Doctrine Ruling

The appeals court also issued an emphatic ruling, reaffirming and broadening the economic loss doctrine. The doctrine provides substantial benefit to the designers because it prevents most parties who incur damages on a construction project from suing them for those damages unless there is a contract linking them.

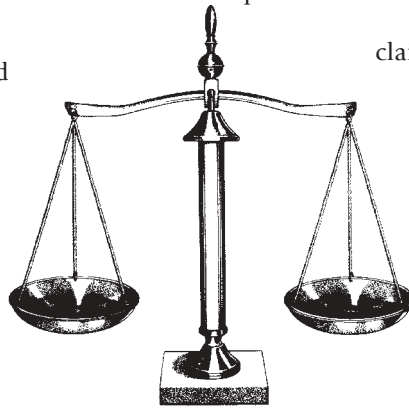
The developer had argued that the economic loss doctrine should not be used to dismiss its case. It noted that in past cases interpreting the doctrine, the courts have allowed cases to proceed, despite the absence of a claim for breach of contract, where a party's conduct was alleged to have created "a clear, serious and unreasonable risk of death or personal injury." Because the problems alleged in this case related to structural integrity of balconies and fire-safety issues, the developer argued, there was an alleged risk of death or personal injury.

The appeals court rejected the argument, stating that the developer would need to allege facts that show "extreme danger and an imminent risk of severe personal injury." While the defects at issue could create a safety risk, such a risk was not "substantial" enough, the court said.

Impact of Rulings

Both rulings clearly favor the design community. The certificate of merit ruling imposes a hard and fast time limit for plaintiffs suing design professionals. Further, it strictly imposes a requirement for a certificate of merit to contain specified content. The court's decision and its rhetoric should make it easier for design professionals to get claims dismissed when plaintiffs fail to specifically meet either requirement.

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MDSPE Installs Officers & Directors

President - Michael L. Clar, P.E., principal engineer, Ecosite, Inc., Ellicott City. A civil and mining engineer, Mike resides in Ellicott City. A member since 1990, Mike received his B.S. in 1971 from University of Maryland College Park, where he also did graduate studies in environmental and water resources engineering. He received his M.S. in Mining Engineering from Pennsylvania State University. His firm is a small business entity that provides a broad range of technical services to industry and government focusing on innovative and holistic watershed-based water resources technologies. Mike serves as Chair of the Urban Water Resources Research Council of ASCE.

President-Elect - James D Lesikar II, Ph.D., P.E., senior analyst, Computer Sciences Corp, Lanham, where he develops ground support systems for scientific and environmental satellites. A member since 1976, Jim earned his B.S. and M.S. in Mechanical Engineering, his M.A. in Physics, and his Ph.D. in Physics at Rice University. He lives in Severna Park.

Vice President - Jonathan Blasco, P.E., vice president, Mehaffey & Associates PC, California, Md. A civil engineer and a member since 1995, Jonathan graduated from the University of Maryland - College Park in 1990.

Vice President - Prof. Donald C. Helm, Ph.D., P.E., professor of civil engineering, Morgan State University, Baltimore. His en-

gineering specialties include geological, civil, environmental, agricultural and mining. Don received his A.B. in Mathematics from Amherst, his M.Div. in Theology from Hartford Theological Seminary, and his M.S. and Ph.D. in Civil Engineering from the University of California, Berkeley. He has also done graduate studies in geophysical engineering at the Colorado School of Mines. A member since 1995, he resides in Baltimore.

Secretary - Eduardo Acevedo, P.E. A civil and environmental engineer, he resides in Baltimore. A member since 1969 and a Past President of MSPE, Ed graduated from the University of Puerto Rico in 1958.

Treasurer - Wallace S. North, Jr., P.E., senior engineer, George Miles & Buhr, Hunt Valley. A civil engineer and a past president of MDSPE, Wally lives in Towson. He has been a member since 1973 and recipient of last year's MDSPE Lifetime Achievement Award.

Past President - Robert G. Sebastian, P.E., vice president, EBA Engineering Inc., Baltimore. His engineering specialties include civil, quality and geotechnical. A resident of White Hall, he has been a member since 1993. He received his engineering degree from Lehigh University in 1974.

James D. Lesikar II Named NSPE Fellow



James D. Lesikar II, Ph.D., P.E., F. NSPE has been selected as one of 48 engineers in the NSPE 2002 class of Fellow Members. The Fellow membership grade honors those active NSPE members who have demonstrated exemplary service to the profession, NSPE, and the community.

He is the second Marylander to achieve the distinction.

"To be named an NSPE Fellow is one of the highest recognitions of an NSPE member's contributions to the engineering profession and his commu-

nity," said NSPE President Daniel D. Clinton, P.E., F. NSPE. "As a Fellow member myself, it is with great pride that I recognize Dr. Lesikar as part of the 2002 Fellow class. I encourage him to continue his remarkable efforts and record of achievement as a professional engineer and an NSPE member."

NSPE's Board launched its Fellow Recognition Program in 2001. Maryland's first NSPE Fellow was Karen Moran, P.E., F. NSPE.

Jim, who is now serving as MDSPE President-Elect, was a member of the Maryland State Board for Professional Engineers from 1996 through July 2001. He chaired the complaints committee of the Board for most of his tenure on the Board and was elected vice chair from 1998 through 2001. As a Board member

he played a major role in crafting the new P.E. Scope of Practice law.

He has chaired NCEES subcommittees on examination administration procedures, uniform procedures and legislative guidelines, continuing professional competency guidelines, and model law/model rule coordination. He is also a member of the mechanical examination group. His work with the NCEES has earned him Emeritus Member status, permitting him continued participation in NCEES activities.

He is a lieutenant colonel in the U.S. Army Reserve, attached to the Defense Intelligence Agency and commanding the 158th IMA Detachment at Severna Park, Md.

A former assistant professor of physics at the U.S. Naval Academy while on active duty with the Army, he is currently a member of the adjunct faculty of Anne Arundel Community College, where he teaches calculus-based general physics to prospective engineering and science majors.

He has authored or co-authored 36 published scientific and technical papers.

His community service activities have included monitoring and proctoring MathCounts competitions at the chapter and state levels, judging the Hubble Space Telescope engineering competition, and the Solar and Heliospheric Observatory engineering competition, speaking at high schools during engineers' week and judging high school science fairs.

Melvin Hotz Receives Distinguished Service Award



MDSPE has honored Melvin Hotz, P.E., with its 2002 Distinguished Service Award for exceptional contributions to the engineering profession.

Upon retiring after 34 years with Westinghouse Electric Corporation in 1988, Mel accepted an appointment to the Maryland State Board for Professional Engineers. He has chaired the Board since 1996 and taken an active role in the National Council of Examiners of Engineers and Surveyors.

He has been active in the NCEES and served on many committees. He was elected a vice president of the NCEES last year and serves on the organization's Board of Directors representing the Northeast Zone.

Mr. Hotz received his BSEE degree from New York University in 1950 after serving two years in the U.S. Navy as an electronic technician.

He worked in the areas of design engineering for power distribution and airborne radiation detection equipment. In 1955 he joined the Westinghouse Defense and Electronics Systems Center. During his career there he held various design positions including test equipment for radar systems and the development and production of torpedo systems for the U.S. Navy. He holds a patent for Airborne Mapping Radar test equipment.

He was program manager for Electronic Counter Measures Systems, used by the U.S. Air Force and foreign customers to protect military aircraft. His last assignment with Westinghouse involved responsibility for the design and production of an airborne radar system used on the B-52 bomber.

His service to IEEE included associate editor for *Transactions on Aerospace and Electronic Systems* for three years, a member of the technical program committees for the Aerospace and Electronic Systems Conventions, every office of the Baltimore Section including Chairman. He is a Life Senior IEEE member and was awarded the Institute's Centennial and Millennium medals in recognition of services to the profession.

All of this for an engineer in industry doing work that was exempt from licensing requirements.

Thomas Timmes Selected as Outstanding Young Engineer



As Chief of the Field Water Section at the U. S. Army Center for Health Promotion and Preventive Medicine, Captain Tom Timmes is responsible for assisting field commanders and their medical staffs in supplying adequate quantities of high quality drinking water to deployed soldiers.

In light of heightened anti-terrorism/force protection and homeland security issues, Capt. Timmes has taken the Agency's lead for water system vulnerabil-

ity assessment planning to ensure the safety and quality of drinking water supplies at Army installations.

Due to his academics and past experience, Capt. Timmes is frequently sought out for advice on a variety of other environmental health issues in broad areas as diverse as hazardous waste minimization, chemical agents surety issues, industrial hygiene, environmental sampling, and field preventive medicine.

His boss, Jerry Valcik, P.E., (who nominated him for the award), describes him as "a true professional engineer, consistently outstanding performer, a selfless and loyal soldier, a team player and an inspirational leader, and a highly competent professional."

Valcik says that Timmes is always seeking opportunities for self-improvement, as well as additional challenges and responsibilities. "His exceptional ability to think on his feet, his meticulous attention to detail, and his analytical capabilities to integrate written and oral information to develop and execute best courses of action, coupled with his total understanding and in-

ternalization of the Army values make a strong and most effective leader."

Capt. Timmes has a number of highly significant accomplishments to his credit; the most notable of those are described below.

- Development of a comprehensive Water Systems Vulnerability Assessment Protocol that is the only such document currently available to the Army's water utilities and public health professionals to identify threats, vulnerabilities, and recommended corrective actions to counter the threats of terrorist activity against the Army's water systems. The guide contains the state-of-the-art information recently developed by the American Water Works Association and the Sandia National Laboratories and is tailored in language and approach for use by the Army. Such accomplishments are not new for Capt. Timmes. He was previously recognized for his pioneering efforts to assess drinking water facilities using the latest EPA protocols. This approach later evolved into a tool that the EPA now requires the Army to use to perform consultative surveys to correct problems in lieu of issuing penalties for any regulatory nonconformance.

- Presenting his WSWA technical paper at a standing-room only audience at the March 2002 National Defense Industrial Association 28th Environmental Symposium in Charleston, South Carolina.

- Conducting WSVAs at select Army installations, and hosting training events for our subordinate command project officers and installation engineers to conduct such assessments throughout the country.

- Successfully pursued the Professional Engineer (PE) registration in the State of Maryland (No. 25421) while completing a Masters Degree in Environmental Engineering from Johns

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IN THE MATTER OF EMIL GEORGE GERMANOS

Case No: 00-PE-07 (continued from page 1)

to make changes to the drawing as prepared by BDAI.

A hearing was held at the Office of Administrative Hearings in Hunt Valley, Md., before John M. Zell, an administrative law judge, on behalf of the Board. Peter Martin, an assistant attorney general, represented the Board. Mr. Germanos was present and represented himself.

The issue presented on appeal is whether the Board's proposed action to reprimand, suspend or revoke the Respondent's professional engineer's license should be upheld.

SUMMARY OF EVIDENCE

The Board submitted three exhibits, which were admitted into evidence: Notice of Hearing, Respondent's licensing history and an Inspection report of Walter C. Nooe, Jr. Mr. Germanos offered no exhibits.

The Board presented the testimony of James D. Hansford, Jr., P. E., president of Ben Dyer Associates, Inc. and Walter Nooe, Jr., an investigator employed by the DLLR.

Mr. Germanos testified on his own behalf and presented no additional testimony.

FINDINGS OF FACT

Judge Zell found these facts by a preponderance of the evidence:

1. A site plan of Berlow's addition to Kenilworth, Bladensburg District No. 2, Prince George's County, Md. was prepared by BDIA for its client, Resource Recycling Inc., a Virginia company, in Sept. 1996, and is identified in the documents title block as plat number J-96112, 6-001-Y.

2. The company approved the plans and BDAI had no further contact with this client.

3. In an unrelated transaction, on Oct. 6, 1998, this site plan was submitted to the PG County Planning Commission for the purpose of acquiring a Use and Occupancy Permit under the seal and signature of Mr. Germanos.

4. Mr. Germanos has never worked or had a business connection with BDAI.

5. Neither BDAI nor its employees placed Mr. Germanos's seal and name on this document.

6. BDAI did not authorize Mr. Germanos to place his name and seal on the document.

7. BDAI was notified by Resource Recycling Inc., its client, that Mr. Germanos was involved in the project.

8. Mr. Germanos did not notify BADI in writing that he was employed to review the project.

9. Mr. Germanos did not identify the revisions attributable to him or distinguish them from the original work completed by others.

10. In Feb. 2000, BDAI became aware of the Oct. 1998 use of drawing J-96112,6-001-Y and filed a complaint with the Board.

11. Mr. Germanos was interviewed by the Board's investigator and he did not answer the Board's questions concerning the signing and sealing of October 6, 1998 of drawing J-96112,6-001-Y.

DISCUSSION

The Code of Ethics for the Board for Professional Engineers limits a licensee's authority to sign and seal plans, specifications,

drawings, reports or other documents, and provides that a licensee may sign and seal plans, specifications, drawings, reports, or other documents that are required to be signed and sealed pursuant to the Business Occupations and Professions Article, §14-403, Annotated Code of Maryland, only if the following requirements are met:

- The licensee is competent in the subject matter of those documents by virtue of education or experience, or both; and
- The licensee either:
 - Personally prepared the documents, or
 - Approved the documents.

For purposes of §A(2)(b) of this regulation, the term "approved" means that the licensee satisfied the following criteria:

- Had technical knowledge and responsible control over the content of technical submissions during their preparation; and
- Performed substantive review and had authority to make revisions with regard to the preparation of submissions described in this regulation.

A licensee may complete, correct, revise, or add to the work performed by another licensee when engaged to do so by a client, if the following requirements are met:

- The client furnishes the documentation of the work submitted to the client by the first licensee;
- The first licensee, if still engaged in a business of providing engineering services, is notified in writing by the second licensee of the engagement referred to in this section immediately upon acceptance of the engagement; and
- The second licensee signs, seals, and is responsible for the completions, corrections, revisions, or additions that the second licensee made.

The basic facts in this matter are not in dispute. Mr. Germanos has been a licensed professional engineer since 1969. He testified at the hearing that he is familiar with the professional ethics requirements. He explained that he is partially retired, 72 years of age, and recovering from a stroke. Although Mr. Germanos did not deny preparing the document, he denied having a memory of doing the work, and further denied having any business records that established his participation in the project. He acknowledged that the signature and seal on the document are his. However, because the original document was not offered at this hearing, he questioned whether his seal and signature were the originals or a tracing. He acknowledged that he has not contacted the planning commission to examine the original document.

After considering the evidence, the judge concluded that both the signature and seal on the Oct. 6, 1998, document are those of Mr. Germanos. He concluded that Mr. Germanos knowingly violated the seal and title block ethical standards contained in the Board's regulations. He further concluded that Mr. Germanos's actions constitute gross negligence and misconduct for the following reasons.

Although not defined in the Engineer Board regulations, gross negligence and misconduct are defined in the Board of Professional Land Surveyors regulations. As defined there, gross negligence means:

" A wrongful act or omission, more culpable in nature than simple inadvertence or mistake, characterized by disregard of the property rights of others. It is conduct which constitutes substantial departure from the standard of care required of professional land surveyors or property line surveyors.

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Misconduct as defined means conduct by a professional land surveyor or property line surveyor which violates the standards of integrity of the profession."

The evidence established that Mr. Germanos sealed a drawing that he did not prepare or approve, the judge found. The drawing that he sealed was identified as prepared by BDAI. Neither BDAI nor its client requested Mr. Germanos's revision. The drawing sealed by Mr. Germanos on Oct. 6, 1998, failed to credit each licensee with his or her work product, and does not place responsibility for the revision on Mr. Germanos.

Judge Zell found that the evidence supports a conclusion that Mr. Germanos is guilty of deceptively using his professional engineer's license in violation of § 14-317(a)(2); that he is guilty of gross negligence and misconduct in violation of § 14-317(a)(4); and that he is guilty of knowingly violating any provision of the Code of Ethics as adopted by the Board in violation of § 14-317(a)(6).

The judge noted that these violations are serious transgressions from the professional standards of engineers who are responsible for the protection of public safety, health, property and welfare. By using drawings prepared by another licensee who continues to be identified in the title block, the other licensee is subjected to liability and the Respondent's activity is not disclosed. "Mr. Germanos has not acted in good faith in the preparation of the document and in his dealings with the Board," the judge wrote. "He failed to respond to the Board's investigator concerning the allegations made by BDAI. Although he acknowledged that the seal and signature are his, he questioned at this hearing whether the signature was a tracing or copy. He offered no evidence to support his assertion and he acknowledged that he has not contacted the county or the client to verify the identity of the engineer. In addition, he testified that he suffered a recent serious illness. Once again he offered no evidence in support of this claim, or its relevance to the charges issued by the Board. The only mitigating factor presented by the Respondent is the absence of a prior history of misconduct in the preparation of drawings, etc."

The judge recommended to the Board that Mr. Germanos be fined \$1,000.00, the maximum monetary sanction for each of the three violations and in addition that his license to practice as a professional engineer be suspended for 30 days.

CONCLUSIONS OF LAW

Based upon the foregoing Findings of Fact and Discussion, Judge Zell concluded, as a matter of law, that Mr. Germanos deceptively used his professional engineers license by presenting as his professional work the product of other licensees; he is guilty of gross negligence or misconduct while practicing engineering; and he knowingly violated the Code of Ethics adopted by the. He further concluded that the Respondent is subject to sanction under Md. Code Ann., Bus. Occ. & Prof. § 14-317(a) (2000 & Supp. 2001) and civil penalties under Md. Code Ann., Bus. Reg. § 14-317' (b) (1998).

RECOMMENDED ORDER

Judge Zell recommended that the Board for Professional Engineers:

ORDER that the Respondent violated Md. Code Ann., Bus. Occ. & Prof. Reg. §§ 14-317(a)(1), (4), & (6) (2000 & Supp. 2001); and COMAR 09.23.03.09 & .10, and be it further

ORDERED that the Respondent be fined \$1,000.00 for each

violation of Md. Code Ann., Bus. Occ. & Prof. §§ 14-317(a)(1), (4), & (6) for a total of \$3,000.00, Md. Code Ann., Bus. Occ. & Prof. § 14-317(b)(1) (2000 & Supp. 2001); and that he pay the amount of this fine to the Board for Professional Engineers within thirty (30) days of the adoption of this Recommended Order by the Board, and be it further

ORDERED that the records and publications of the Board reflect this decision.

ACTION BY BOARD

Mr. Germanos exercised his right to file an exception to the proposed decision and asked to present argument to the Board. However, he failed to appear at the Exception Hearing.

The Board then affirmed the Finding of Fact and the Conclusions of Law in the Recommended Decision and ordered that the Respondent pay the \$3,000.00 fine and suspended his professional engineer's licenses of 30 days.

P.E. BOARD NEWS

P.E. Board Elects Officers

Mel Hotz, P.E., has been reelected chairman of the Maryland State Board for Professional Engineers. He has held the post since 1996. An MDSPE member, Mel was honored by the Society this April with its 2002 Distinguished Service Award.

The Board elected Gene Harvey, P.E., to serve as vice chairman, replacing Bob Evans, P.E., who completed his five-year term on the Board and asked not to be reappointed due to business demands. Gene also chairs the Complaints Committee. George Szego, PhD., P.E., was reelected secretary.

Sallye Perrin, P.E., Named to Board

Gov. Parris Gladdening named Sallye Perrin, P.E., to a five-year term on the Board. She replaces Bob Evans, P.E. Ms. Perrin becomes the second female engineer on the seven member Board. She is Planning Practice Leader for DMJM+HARRIS. In this capacity, she directs planning and environmental programs for the firm nationwide.

Spring Exams Results Announced

One hundred-seventeen Maryland candidates passed the NCEES Principles & Practices examination this spring. Two hundred eighty-three passed the Fundamentals of Engineering exam. See our website for a list of the successful candidates.

IN THE MATTER OF BERNARD LEE WITT**Case No: 01-PE-06 (continued from page 1)**

on behalf of the State and presented evidence against Mr. Witt. This included testimony of the complainant and witnesses. Mr. Witt failed to attend the hearing.

Mr. Witt was charged with violations of the following Sections of Business Occupations and Professions Article, Annotated Code of Maryland:

Section 14-503. Using license of another; impersonating a professional engineer.

A person may not:

(1) use or attempt to use the license of another individual; or

(2) impersonate another individual who holds a license.

Section 14-501. Practicing without license.

Except as otherwise provided in this title, a person may not practice, attempt to practice, or offer to practice engineering in the State unless licensed by the Board.

Section 14-301. License required; exceptions.

Except as otherwise provided in this title, an individual shall be licensed by the Board before the individual may practice engineering in the State.

The Board carefully considered all the evidence presented, including both the testimony of witnesses and the documentary evidence submitted at the hearing. Based on the evidence presented, and considering the demeanor and credibility of the witnesses, the Board makes the following Findings of Fact:

FINDINGS OF FACT

1. Mr. Larry Day, president of Day and Associates, Inc., a land surveying, engineering and land-planning firm in California, Md., testified that Mr. Witt was hired by Day and Associates, Inc., as a CAD operator to prepare construction site and other drawings. Mr. Witt submitted a resume that Mr. Day qualified as "impressive," and which, as Mr. Day stated, carried weight in a hiring decision.

The resume submitted by Mr. Witt contained a State of Maryland professional engineer's seal, No. 19988, with Mr. Witt's name on it. Mr. Day further testified that Mr. Witt was employed at Day and Associates, Inc., between January 17, 2000, and March 14, 2000.

2. Ms. Robin Carter, senior vice president -finance and administration at Warner Construction Consultants, Inc., Rockville, Md., also testified at the hearing. Ms. Carter stated in her testimony that in connection with a hiring process, Mr. Witt submitted a resume that was sealed with a State of Maryland professional engineer's seal, No. 19980, containing Mr. Witt's name on it.

Mr. Witt also submitted at that time: a sealed business development plan; a sealed preliminary construction cost estimate for a project for Tudor Hall Village in Leonardtown; and a sealed cost construction estimates for a Pentagon renovation project. All these documents contained the same seal as Mr. Witt's resume submitted to Warner.

3. The preliminary construction cost estimate for Tudor Hall Village submitted to Day and Associates in conjunction with the interviewing process bears the name of Day and Associates, Inc., and a date of November 17, 1998 on it. Mr. Day testified that Day

and Associates, Inc. did not employ Mr. Witt on November 17, 1998.

4. Ms. Carter further testified that even though Mr. Witt was officially employed by Warner for a period between August 2000, and November 2000, he was actually in the office only for three weeks and one day due to alleged health reasons. While at Warner, Mr. Witt did marketing and as-built analyses. Ms. Carter stated in her testimony that Mr. Witt left Warner's office in the morning of September 11, 2000, and never came back.

5. Ms. Carter testified that as a condition for employment at Warner, Mr. Witt was to provide evidence of his educational and licensing credentials. Despite numerous requests from Warner, Mr. Witt never submitted evidence of his licensing status or educational qualifications.

6. Ms. Carter further stated that Warner's contact of educational institutions that Mr. Witt claimed to have attended revealed that none of these institutions had any record of his attendance. In addition, Ms. Carter testified that Warner learned that Mr. Witt used three different social security numbers.

7. On October 26, 2000, Ms. Carter wrote a letter to the Board requesting confirmation of Mr. Witt's licensing status. The Board's office advised Ms. Carter that Mr. Witt's name does not appear in the Board's licensing records.

8. Upon learning that Mr. Witt is not licensed in Maryland, Ms. Carter filed a complaint with the Board. This complaint was referred by the Board to the Division of Investigative Services of the Department of Labor, Licensing and Regulation ("DIS")

9. Mr. Walter Nooe, an investigator with DIS, testified that while performing an investigation in connection with this case, he drove to the Mr. Witt's residence at the address identified on his resume, 45093 Smith Nursery Road, Hollywood, Md. No one responded to Mr. Nooe when he tried to contact Mr. Witt, but the next-door neighbor told Mr. Nooe that Mr. Witt did in fact live at that address.

10. Mr. Nooe further testified that the license number 19988 used by Mr. Witt on his alleged seal belongs to Mr. Nicholas J. Altebrando, P.E., a professional engineer licensed by the State of Maryland, but having a business address in the State of New York. Mr. Nooe had a telephone conversation with Mr. Altebrando who indicated to Mr. Nooe that he did not allow anyone at any time to use his seal, and that he had no knowledge of the fact that Mr. Witt used his license number. Mr. Altebrando also wrote a letter to DLLR in which he indicated that he did not allow Mr. Witt or anyone else to use his license number. Mr. Altebrando's letter was both sealed with his professional engineer's seal and notarized.

11. Ms. Pamela Edwards, assistant director to the Board, testified that the Board's website allows the public to check the name of individual professional engineers by their name or location. Ms. Edwards further testified that Mr. Altebrando's name was the first to appear under the list of professional engineers licensed in the State of New York.

DISCUSSION

Title 14 of the Business Occupations and Professions Article, Annotated Code of Maryland, contains clear provisions as to the licensing requirements for persons providing engineering services. The licensing law has been established to protect the public and to demonstrate to the public that only competent individuals are

Continued on page 11

licensed to practice, or offer to practice, engineering services.

The evidence clearly indicates that Mr. Witt not only practiced, or attempted to practice, engineering services without a professional engineer's license, but he also used a license number of another professional engineer, Mr. Altebrando, without Mr. Altebrando's knowledge or permission. The Board found that Mr. Witt was clearly in violation of Section 14-503 of the Business Occupations and Professions Article, Annotated Code of Maryland, because he used the license number of another individual, Mr. Altebrando. He is also clearly in violation of Sections 14-501 and 14-301 of the Business Occupations and Professions Article, Annotated Code of Maryland, because he was engaged in the practice of engineering, such as, for example, preparing engineering cost estimates and reviewing construction work schedules, without being licensed as a professional engineer.

Since the Board does not license Mr. Witt, the Board cannot revoke or suspend a license. However, Mr. Witt is subject to a penalty pursuant to Section 14- SO8(b) Business Occupations and Professions Article, Annotated Code of Maryland, which provides as follows:

(b) (1) The Board may impose on a person who violates any provision of this title a penalty not exceeding \$5,000 for each violation.

The Board determined that Mr. Witt committed a very serious offense. He used a license number of another professional engineer without such engineer's knowledge or consent. He used a false seal both in order to obtain employment, and during the employment attempting to provide engineering services. The Board is convinced that Mr. Witt did not act in good faith. Ms. Carter's testimony clearly indicated that he avoided producing verifications of his licensing and educational credentials, despite numerous requests from Warner. Although aware of the fact that Mr. Witt does not have a history of previous violations, the Board also considered, as required by the appropriate statute, other relevant factors with regard to the Respondent's actions, and found his behavior to be totally inexcusable.

Due to the seriousness of violations, and considering all the factors for the imposition of a statutory penalty, the Board concluded that Mr. Witt should be assessed a maximum penalty authorized by the statute.

Until October 1, 2001, the Board's authority to impose fines described above was limited to up to \$1000 for each violation. On October 1, 2001, the authorized amount of penalty was increased to up to \$5000. Due to the fact that the events leading up to the charges in this case occurred prior to October 1, 2001, the Board decided to apply penalty amount that was authorized prior to October 1, 2001, i.e. up to \$1000 for each violation.

Therefore, the Board imposes following penalties on the Respondent: (1) a penalty of One Thousand Dollars as a result of the Board's finding the Respondent guilty of violating Section 14-503 of the Business Occupations and Professions Article, Annotated Code of Maryland; (2) a penalty of One Thousand Dollars as a result of the Board's finding the Respondent guilty of violating Section 14-501 of the Business Occupations and Professions Article, Annotated Code of Maryland; and (3) a penalty of One Thousand Dollars as a result of the Board's finding the Respondent guilty of violating Section 14-301 of the Business Occupations and Professions Article, Annotated Code of Maryland.

CONCLUSIONS OF LAW

Based upon the foregoing Findings of Fact and Discussion, the Board concluded that Mr. Witt is guilty of violating the following provisions of Title 14, Business Occupations and Professions Article, Annotated Code of Maryland:

Section 14-503. Using license of another; impersonating a professional engineer.

A person may not:

(5) use or attempt to use the license of another individual;

or

(6) impersonate another individual who holds a license.

Section 14-501. Practicing without license.

Except as otherwise provided in this title, a person may not practice, attempt to practice, or offer to practice engineering in the State unless licensed by the Board.

Section 14-301. License required; exceptions.

Except as otherwise provided in this title, an individual shall be licensed by the Board before the individual may practice engineering in the State.

The Respondent's violations of these provisions subject him to sanctions of Section 14-508, Business Occupations and Professions Article, Annotated Code of Maryland.

ORDER

Accordingly the Board ordered that:

1 The Respondent, Bernard Lee Witt, is guilty of violating Business Occupations and Professions Article, Annotated Code of Maryland, Section 14-501, 14-503 and 14-301.

2. Mr. Witt be assessed a penalty in the amount of Three Thousand Dollars {\$3,000.00} , pursuant to Section 14-508, Business Occupations and Professions Article, Annotated Code of Maryland.

3. Mr. Witt shall pay the amount of this fine to the Board within sixty (60) days after the date of the adoption of this Order.

4. The records of the Board shall reflect this Memorandum and Order.

Maryland Appeals Court (continued from page 5)

Any such dismissal would be done "without prejudice," which means that the case could be refiled. But for a plaintiff who has a marginal case and has difficulty locating an expert witness to sign a certificate of merit, such dismissal could mean the end of its case. The same would be true for a plaintiff who files its lawsuit just before expiration of the statute of limitations and has to work against the clock to find a new expert after dismissal occurs.

The economic loss doctrine ruling reduces the risk that non-contract cases against design professionals will succeed. Many delay and cost-overrun cases arise on job sites and involve claimants who have no contract with the design professionals who worked on the project. Likewise, in building defect cases involving condominium associations and others where the owner has no direct connection with the project designers, dismissal should be easier to obtain.

Spencer Stephens is a founding principal of Stephens & Associates, a Rockville, Maryland, litigation, contract and estate-planning law firm that serves the needs of design professionals.

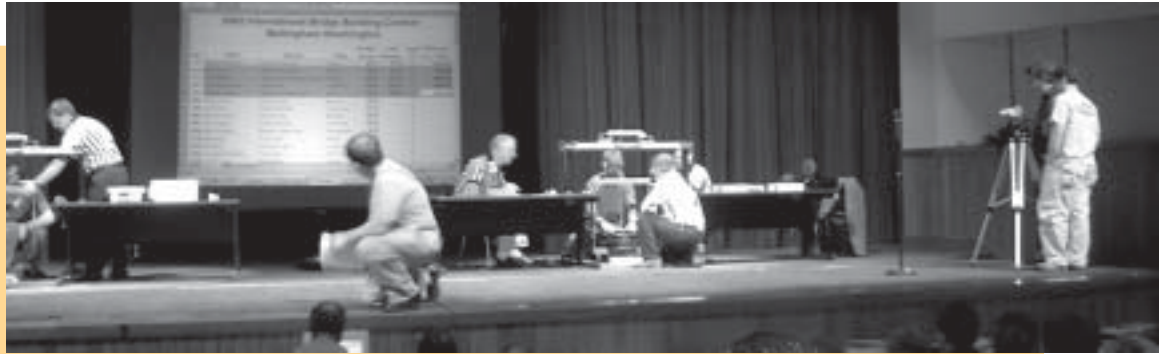
RECOGNIZING NEWLY LICENSED P.E.s—At the annual meeting in April MDSPE recognized newly licensed professionals. Pictured here with President-Elect Jim Lesikar and Past President Bob Sebastian are Heather Audet, P.E., Antonio Delgado, P.E., Kelvin George, P.E., Elliott Gross, P.E., Jack Jester, P.E., Karim Moore, P.E., Derek Morin, P.E., Alex Ollerman, P.E., Ramesh Tiwari, P.E., and Howard Weissberg, P.E.



MATHCOUNTS WINNERS—Three of Maryland's four MATHCOUNTS finalists ranked among the top 25 competitors at the 2002 national competition in Chicago. The Maryland team ranked seventh among 56 state, territory and other teams in the Chicago finals. Congratulations to the entire team. Two hundred twenty-eight students competed in the national finals, while 500,000 students nationwide were exposed to MATHCOUNTS.



NEW MEMBERS OF ORDER OF THE ENGINEER—11 members were inducted into the Order of the Engineer in April at the MDSPE annual meeting. The new members are: Heather Audet P.E., Nicole Johnson, Derek Morin, P.E., Howard Weissberg, P.E., Walter Dixon, PhD, Jack Jester, P.E, Bruce Cranford, P.E., Edwin Strode, P.E., Karim Moore, P.E., Elliott Gross, P.E. and Ramesh Tiwari, P.E.



MARYLAND STUDENTS PLACE 12TH, 22ND, 33ND AND 41ST in the International Wood Bridge Challenge, which was held at Bellingham, Wash. Top prize went to Jaren Szajkowski from Alaska with 4,800 efficiency. His bridge carried 317.5 pounds and failed when he tried to increase the load. Maryland's top efficiency in the national competition was 2,835, which exceeded any efficiency in the local Maryland challenge. Photo shows testing at Bellingham.



A&N ASSOCIATES HOSTED DAUGHTERS OF EMPLOYEES during National Engineers Week. The young ladies spent some time at the office with their parents and fellow employees. The operation of an engineering system currently in use for information security was explained in simple terms and in the form of a game. This allowed the daughters to participate and learn about the type of engineering work that their parents are involved with. MDSPE Secretary Ed Acevedo, P.E., made remarks, showing some basic tools used by engineers, and encouraged the young ladies to pursue engineering careers. Teresa Acevedo and John Nicolettos are owners of the firm.



MDSPE MEMBERS & GUESTS are briefed on a tour of the "nation's greenest office building"—the Chesapeake Bay Foundation's Philip Merrill Environmental Center in Annapolis—site of the 2002 annual meeting.

MDSPE BUDGET

No MSPE Dues Increase This Year

The MSPE Board of Directors voted to hold the line on state society and chapter dues for 2002-2003. State dues for voting members and members will continue at \$70, while dues for recent graduates and retired members will be \$35. Chapter dues for all chapters is \$15.

There will be a 10% increase in NSPE dues.

DESCRIPTION	2002/2003	2001/2002
INCOME		
DUES	39,550.00	36,500.00
ADVERTISING	1,000.00	2,000.00
INTEREST	500.00	600.00
NSPE Membership Development Grant*	3,500.00	0.00
SEMINARS	5,000.00	7,000.00
TOTAL INCOME**	\$49,550.00	\$46,100.00
EXPENSES		
ADMINISTRATION GROUP		
BANK SERVICE CHARGES	500.00	
BOARD EXPENSES	500.00	800.00
EXECUTIVE OFFICE OPERATION	16,000.00	16,000.00
POSTAGE	500.00	400.00
TELEPHONE	1,200.00	1,200.00
OFFICE EXPENSE MISCELLANEOUS	1,500.00	
TOTAL ADMINISTRATION	20,200.00	18,400.00
LEADERSHIP TRAVEL & EXP.		
EXECUTIVE DIRECTOR	300.00	300.00
NATIONAL DIRECTOR		
NORTHEAST REGIONAL V.P.	400.00	
PRESIDENT	500.00	00.00
PRESIDENT-ELECT	500.00	500.00
SUB-TOTAL LEADERSHIP T & E	1,300.00	1,900.00
MEMBER SERVICES		
ANNUAL MEETING	400.00	400.00
CHAPTER AWARDS	100.00	100.00
CHPT OFFICERS WORKSHOP	200.00	200.00
MD PROFESSIONAL ENGINEER	10,000.00	15,000.00
MEMBERSHIP DEVELOPMENT***	6,000.00	
WEB PAGE	1,000.00	500.00
SUB-TOTAL MEMBER SERVICES***	17,700.00	16,200.00
OUTREACH		
ENGINEERS WEEK300.00300.00		
INTER-SOCIETY RELATIONS	150.00	150.00
LEGISLATIVE	7,000.00	8,000.00
MATHCOUNTS	300.00	300.00
BRIDGE CHALLENGE	300.00	300.00
NLE DINNER	2,000.00	2,000.00
QBS PROJECT****	0.00	
EDUCATIONAL FOUNDATION	300.00	300.00
SUB-TOTAL OUTREACH	10,350.00	11,350.00
TOTAL OPERATING EXPENSE**	\$49,565.00	\$45,500.00

* This item added after approval of NSPE Membership Development Plan

** Original total was \$46,050, revised after approval of Development Plan

*** Original item was a float to provide a balanced budget

**** No funds from General Funds, but anticipated \$1,000 from MSPE PEPP

MDSPE NEWS

Outstanding Young Engineer (continued from page 7)

Hopkins University (May 2000).

- Deployment as a member of the SMART-PM (Special Medical Augmentation Response Team – Preventive Medicine) to the Pentagon to conduct comprehensive sampling and assessment of its drinking water supplies in response to the 911 terrorist attack. Capt. Timmes' prior knowledge and understanding of the Pentagon's complex water treatment and distribution system enabled the Team to focus the efficiency and timeliness of the response resulting in a timely and meaningful health risk assessment of the Pentagon's water supply.

- Service as the subject matter expert for drinking water issues in support of Operation Enduring Freedom as well as the activities associated with the CHPPMA's support to the homeland security. Two most notable examples of his recent accomplishments are his prominent role in the development of a fact sheet on "Countering Terrorism of Drinking Water Supplies" and preparation of an "Information Paper on Lightweight Handheld Water Purification Devices for Individuals and Small Units."

- Managed a variety of occupational and environmental health programs for the 240-soldier Chemical Brigade at Johnston Atoll, to include oversight of the strict medical requirements of the Personnel Reliability Program, and served as the Headquarters and Headquarters Detachment Commander to ensure mission success by maintaining discipline among the troops and managing the massive logistics efforts during the deactivation and departure of the unit from the Atoll.

- Conducted drinking water corrosion control studies at two Army installations as a part of his research work as a graduate student in the Environmental Engineering Program at the Johns Hopkins University.

- Deployment as a member of the 82d Airborne Division to conduct extensive water sampling for the 1997 Partnership for Peace exercise with Uzbekistan and Kazakhstan. He deployed twice to these regions, and aggressively coordinated with the Uzbekistan public health officials and the top Kazakhstan Medical General to validate the medical threats, determine medical capabilities, and recommend appropriate preventive medicine countermeasures for the American troops. This information is currently being used to assist medical planners and preventive medicine operators in the ongoing Operation Enduring Freedom.

- Capt. Timmes also deployed to the Former Yugoslav Republic of Macedonia in response to an emergency drinking water crisis at Camp Able Sentry.

- Organized the first-ever field deployment of the Unit personnel in support of a Reserve Navy Unit as part of NATO Exercise "Strong Resolve", while assigned to the CHPPM.

- Developed practical methods to determine the airflow characteristics inside chemical munitions bunkers at all chemical surety sites. His recommendations to the Army and the defense contractors to address health hazards in the design and acquisition of weapon systems are having a lasting impact on the health and safety of the users – the American soldiers.

A resident of Gunpowder, Md., he earned his Bachelor of Science in Civil Engineering, Virginia Military Institute, 1992. His hobby? He is a cellist.

He joined MDSPE in 2001, shortly after receiving his P.E. license.

Welcome New MDSPE Members

- **Steven Clarke**, Environmentally Engineer US Army, Aberdeen. An environmental engineer, he earned an undergraduate degree from Virginia Tech 1990 and an advanced degree from the University of Tennessee in 1966.
- **Wei Dai**, Assistant Professor, Trac Tran at Johns Hopkins University in Baltimore. An Electronic Engineer, he earned an undergraduate degree from Xi'an Jiaotong University in 1996 and a MSE in electrical and computer engineering in 2001 from Johns Hopkins University. He expected to receive his Ph.D. at Hopkins in 2004. He is a member of PEE.
- **Antonio J. Delgado, P. E.**, Manager Operations, Alliance Engineering, Linthicum Heights. A Mechanical Engineer, he earned an undergraduate degree from Catholic University in 1993. He is a member of PEPP. Kevin Kokal, P.E, sponsored him for MSPE membership.
- **Debdas Ghosal, P.E.**, President, CSI Engineering P C, Beltsville. An Electrical Engineer, he is a member of PEG.
- **Gary L. Henson, P.E.**, Project Manager and Director, U.S. Environmental Protection Agency Engineering Planning Branch, Washington. An Electrical Engineer, he earned an undergraduate degree from Howard University in 1974 and an advanced degree from Howard in 1981.
- **Jack D. Jester, P.E.**, Senior Electrical Engineer, Downes Associates, Salisbury. Jack earned an EET majoring in Electronics at DeVry Institute in 1980. A member of PEPP, he was sponsored by George E. Owens, P.E.
- **Wane-Jang Lin, Ph.D., P.E.**, Transportation Engineer, Maryland State Highway Administration, Baltimore. An Agricultural, Civil and Structural Engineer, Dr. Lin earned B.S. in agricultural engineering from the National Taiwan University of Taiwan, R.O.C., in 1988, and his M.S. and Ph.D. in civil/structural from the University of Maryland. He is a member of PEG.
- **Mark S. Lorenz, P.E.**, Fire Protection Program Manager, Federal Bureau of Investigation, Washington, D.C. A Fire Protection Engineer, Mark earned his undergraduate degree from University of Maryland in 1988. He is licensed in Maryland and Tennessee and is a member of PEG.
- **Paul W. Melby, P.E.**, Owner, MLB Enterprises. A Civil Engineer, he earned an undergraduate degree from NEC in 1979. He is a member of PEP.
- **Garrett O. Nelson, P.E.**, Facility Manager, National SemiConductor, Annapolis Junction. A Mechanical Engineer, he earned an undergraduate degree from Old Dominion University in 1984 and an advanced degree from UD 1990. He is a member of PEI.
- **Angela Parker**, Project Engineer, Aeisys Corp., Bowie. An IN and MF engineer, she graduated from LSU in 1993.
- **Clyde C. Richard, P.E.**, President, Chesapeake Engineering Design Inc., Annapolis. A Mechanical Engineer, Clyde earned an undergraduate degree from Rensselaer Polytechnic Institute in 1963 and an advanced degree from the University of Connecticut in 1971.
- **Patrick S. Riechel**, a resident of Potomac, is an undergraduate student at Brown University, where he expects to graduate in 2005. He is a member of PEI.
- **Dennis E. Silvestri, P.E.**, Environmental Engineer, Analytical Services Inc., Fort Detrick. An Environmental Engineer, he earned an undergraduate degree from University of Florida in 1995. He is a member of PEI and is licensed in Maryland and Virginia.
- **Rama Smith, P.E.**, is an administrative assistant at NST Myosenji, Silver Spring. An Electronic Engineer, Mr. Smith is a member of PEC, PEG, PEI and PEPP and is licensed in Wisconsin.
- **Andrew S. Vogel**, of Crownsville, is enrolled as a student member.

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