

Petroleum Cleanup Program

REMEDIAL ACTION PLAN GUIDELINES

BUREAU OF PETROLEUM STORAGE SYSTEMS

History: New 9/10/93, Revised 5/1/98

Identification No.: BPSS-9

Topic of Guideline: PE Certification Requirements

Signature and Date
PE ADMINISTRATOR

Signature and Date
BUREAU CHIEF

Remedial Action Plans and other "engineering" documents must be prepared by, or under the direct supervision of, a professional engineer and must bear the signature and seal of a Florida registered professional engineer (P.E.). The term direct supervision implies ongoing control over the work. This control should be manifested at all stages of the project, and not simply the review of the finished work of an unlicensed professional. Additionally, it has been determined that no P.E. may practice engineering as an employee or officer of a corporation or partnership unless the corporation or partnership has a certificate of authorization. Attached as Exhibit A are a memorandum and letter from the State of Florida Office of the Attorney General regarding these requirements.

The practical implications of these requirements are that it is not appropriate for a P.E. to provide a professional certification of a RAP or other engineering document if the P.E. is not an employee of the company that prepared the document, or even if the P.E. is an employee of the company that prepared the document, but the company does not have a valid certificate of authorization as an engineering business. Based on the determination of the Office of the Attorney General, the Bureau of Petroleum Storage Systems and contracted local programs will either return unreviewed engineering documents that do not conform with Chapter 471 of the state statutes or continue to review the document but notify the Department of Professional Regulation. This requirement applies to RAPs, RAP Addenda, RAP Modifications, Record Drawings and Site Rehabilitation Completion requests. Monitoring Only Plans may be signed and sealed by a P.E. or Florida Registered Professional Geologist.

It is not appropriate to include any disclaimer language in the RAP or the PE certification which exempts certain aspects of the RAP from the certification. A P.E. certification must be provided which covers all engineering aspects of the proposed design. It is not uncommon to seek the assistance of equipment vendors in determining design criteria and establishing design details for certain system components. The P.E. of record, however, must be knowledgeable and competent in the principles of these design aspects. The engineer of record must verify all design aspects are appropriate and the PE certification must cover these design details.

There is nothing intended in this guidance document to preclude a Professional Geologist from also providing a professional certification of a RAP, RAP Modification, or RAP Addendum in addition to the professional engineer certification, however, a PG certification alone will not be considered adequate for most remedial action related documents.

TC/tc

Attachment