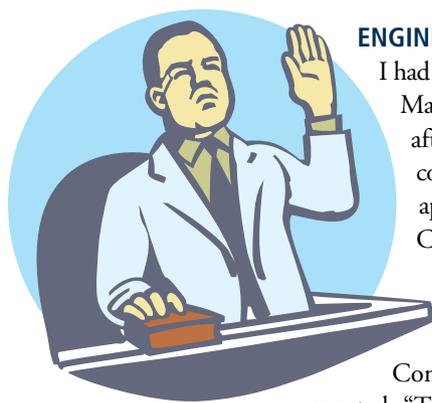


## [ LETTERS ]



### ENGINEERING DISCIPLINE

I had a letter published in *Engineering Dimensions* in May/June 2007 discussing the discipline process, after my hearing and the finding of unprofessional conduct. Since that time I proceeded with an appeal of the decision to the Ontario Superior Court. The appeal hearing was on June 4, 2009, and the decision was issued on August 28.

I was vindicated by the judges. They set aside the decision of the Discipline Committee and dismissed the complaint. They reported: "The evidence does not support a finding of unprofessional conduct...." I received costs in the amount of \$15,000 from PEO. This will cover about 25 per cent of my legal fees.

This complaint could have and should have been resolved without any discipline hearing. The staff investigation was incomplete and the Complaints Committee ruled based on inaccurate information. Why are professional engineers doing investigations? Would it not be better and cheaper to hire trained investigators for this work?

Discipline Committee members were not familiar with forensic engineering. Why have five members? Three would be adequate. That is the number of judges at the Appeal Court.

I recommend that the lawyer hired by PEO to counsel the committee members throughout the hearing be made the chair of the committee. As a lawyer, he is familiar with legal proceedings, dealing with legal arguments, and ruling on evidentiary matters. We are paying this lawyer to be present anyway, so we should make better use of his time. Two engineers could join him to form the committee. The engineers should have experience in the engineering discipline involved. With peers sitting on the committee, it shouldn't be necessary to hire third-party engineering experts to explain the technical issues of the case to them. If we are going to rely on hired experts to interpret evidence, the committee could be all lawyers just as in our court system.

The lawyer representing PEO used a very aggressive style. This is not the best style for such hearings. He went so far as to suggest I was lying under oath when I was giving evidence. This sort of cross-examination has no place in a professional hearing. I have lots of experience as an expert witness and I found this cross-examination to be repugnant.

This process dealt with a report dated September 18, 2003. The complaint was dated March 30, 2004, and the court resolved it on August 28, 2009. The process was very slow, expensive and tortuous. My company suffered financially and I suffered emotionally throughout the ordeal.

PEO must recognize the price members pay for unnecessary proceedings such as this, and must endeavour to make sure it doesn't happen again.

As the legal system proclaims, it is better to free 100 guilty parties than to convict one innocent party. That is the reason our system must be abundantly fair to members, with decisions based on full and complete information that satisfies the required burden of proof.

Rene Caskanette, P.Eng., Kitchener, ON

### RISKS TO OUR HEALTH

As the recipient of Malcolm Hamilton's comments in the last issue of *Engineering Dimensions* ("Unqualified opinions," September/October 2009, p. 64), I would like to suggest that one's work, study and interests can lead to knowledge in new areas. One may gain enough understanding to judge whether appropriate measures have been taken to safeguard life, health, property or the public welfare.

I have a PhD in a fluid mechanics topic and taught the subject area for 34 years. Moreover, for the past 17 years, I have worked closely with atmospheric scientists in developing the use of coupled weather and hydrological models. I have a good understanding of turbulence and the resulting production of noise. Given this background, and reading the literature associated with noise generation from wind turbines and the method of modeling noise propagation from a source to the receptor, I can safely suggest where the shortcomings of this activity may lie and how these deficiencies can lead to the health problems experienced by some living among large wind turbines.

I have reviewed two acoustic assessment reports for proposed wind farms. Nowhere in these reports was it acknowledged that there could even be a risk to human health, while as the scrutinizer for the Wind Concerns Ontario community-based health survey, I acquired first-hand knowledge of health problems directly attributable to wind turbines. As a P.Eng., I am obliged to pass on my findings to the appropriate authorities.

Hazel Lynn, MD, the Grey Bruce medical officer of health, has stated: "There's no disputing that some people living near the turbines are suffering with a variety of health issues, perhaps partly as a result of their outrage, annoyance and helplessness to be able to do anything about the turbines." (*Owen Sound Sun Times*, October 9, 2009)

Sadly, the new Ontario regulations for renewable energy projects do not even mention the need for an assessment of risk to human health! Those impacted by wind turbines ask for nothing more than an independent study into the impact of wind farms on health.

Nicholas Kouwen, PhD, P.Eng., F.ASCE, Flesherton, ON

## [ LETTERS ]

### THE PLANET'S FUTURE

The May/June 2009 version of *Engineering Dimensions* carried an article called "Profession ponders its role in climate change debate" (p. 26). The comment that I found questionable was: "So is the climate change debate really settled? Most agree the science is settled..." I don't know how the author determined the "most," or how he even decided that the "science is settled." Interviewing a few pro-AGW [anthropogenic global warming] supporters does not get at the real issues being debated. If the science is all settled, how come major UK and US media, like BBC, *Mail*, *Telegraph*, *Spectator*, CNN and FOX, are all now carrying headlines like, "What happened to global warming?" and "World's climate could cool first, warm later," "Whatever happened to global warming?" and "How freezing temperatures are starting to shatter climate change theory." A recent Rasmussen Report found the majority of Americans feel long-term, natural Earth cycles are behind global warming, not human causes.

Despite what the Intergovernmental Panel on Climate Change predicted, there has been no major unprecedented or statistically significant global temperature rise, no significant melting of Arctic or Antarctic ice, or any abnormal ocean level rise. The opposite has been happening, despite the continuous rise in greenhouse gas levels. Global temperature anomalies have actually leveled off since 1998 and have been declining since 2001 at the least square trend slope of  $-0.009\text{ C/year}$ . This latest global warming appears to be more the result of the simultaneous peaking of the warm phases of various oceans' sea surface temperatures as measured by Atlantic multi-decadal oscillation (AMO), North Atlantic oscillation (NAO), Pacific decadal oscillation, El Niño-southern oscillation, and changes in deep ocean

currents (meridional overturning current) during the peak period of 1995 to 2008. A similar event happened between 1911 and 1944. The extent of Arctic ice has been again increasing after 2007 and seems to follow more the historical pattern of AMO and NAO than  $\text{CO}_2$  levels. The current Antarctic sea ice extent is above the 1979 to 2000 average. Ocean levels are rising at their long-term rate. So why all the exaggerated hype and alarmism?

Quoting William M. Gray, professor emeritus, atmospheric science, Colorado State University:

"I believe that in the next few years the globe is going to enter a modest cooling period similar to what was experienced in the 30 years between the mid-1940s and the mid-1970s. This will be primarily a result of changes in the globe's deep-ocean circulation. I am convinced that in 15 to 20 years we will look back on this period of global warming hysteria as we now look back on other popular and trendy scientific ideas that have not stood the test of time."

Yet Canada and Ontario are strangely focused on global warming only. Instead of doing a balanced risk analysis for global cooling as well, long-range planning and preparation for possible world energy shortages and farming disruptions, the focus is solely on  $\text{CO}_2$  reduction, which may not be the prime cause of global warming at all. The provinces are being urged by climate alarmists to prematurely shut down coal and fossil power plants when insufficient or reliable replacement energies of comparable size and reliability are not yet in place. Expensive nuclear energy options that we really cannot afford are now touted as "clean energy" saviours when we all know they pose a far greater risk to future humanity than  $\text{CO}_2$ .

Matt Vooro, P.Eng., Campbellville, ON



### A GREEN INNOVATION

I enjoyed reading the promising innovation that has, undoubtedly, enormous potential ("Unleashing the power of our oceans," *Engineering Dimensions*, September/October 2009, p. 48). Kudos to Joe Sieber, P.Eng. I, being 70-plus as well, could not swallow one statement in the article by Sharon Aschaiek. The statement "SIE-CAT flotation arrays in a non-thermodynamic process" was unpalatable. The process, ingenious as it is, is thermodynamic for compressing air and withdrawal of energy from compressed air undergoes a P-V (pressure volume) cycle. When air is compressed, heat is generated and presumably lost to ambient water. Hence, it is a thermodynamic process. Without sounding negative on the idea, I would like to know what the overall efficiency of the system is, and the size of the buoys in the prototype. I shall suppress several other engineering and safety related questions. However, I ask if any economic analysis has been done.

Bravo to a green energy idea.

Narayan S. Rau, PhD, PE, Woodland, CA

Letters to the editor are welcomed, but should be kept to no more than 500 words, and are subject to editing. Publication is at the editor's discretion; unsigned letters will not be published. The ideas expressed do not necessarily reflect the opinions and policies of the association, nor does the association assume responsibility for the opinions expressed. All letters pertaining to a current PEO issue are also forwarded to the appropriate committee for information.

Address letters to [jcoombes@peo.on.ca](mailto:jcoombes@peo.on.ca).