

**DISCIPLINE COMMITTEE OF THE
ASSOCIATION OF PROFESSIONAL GEOSCIENTISTS OF ONTARIO**

B E T W E E N:

ASSOCIATION OF PROFESSIONAL GEOSCIENTISTS OF ONTARIO

- and -

GEOPRO CONSULTING LIMITED

**NOTICE OF HEARING
(re: C-138)**

The Complaints Committee of the Association of Professional Geoscientists of Ontario (“PGO”) has referred allegations against GeoPro Consulting Limited to the Discipline Committee of the PGO. The allegations were referred in accordance with section 21 of the *Professional Geoscientists Act*. The statement of allegations is attached to this notice of hearing. A discipline panel has the authority to hold a hearing under the authority of sections 24-26 of the *Professional Geoscientists Act* and sections 7-19 of Ontario Regulation 258/02, for the purposes of deciding whether the allegations are true and, if a finding is made, what order to make. A discipline panel will convene by videoconference on a date to be set by the Discipline Committee.

To participate in the hearing, you must log in into the videoconference using the login information that will be provided to you by PGO in advance. If you object to dealing with this matter on the merits by videoconference, you may request a hearing in person by delivering a request in writing within ten days to:

Eilidh Lewis, M.Sc., P.Geo.
Registrar
Association of Professional Geoscientists of Ontario

One Yonge Street, Suite 704
Toronto, ON M5E 1E5
Tel: (905) 244-3857
Fax: (416) 203-6181
Toll Free: 1-877-557-2746
E-mail: elewis@pgo.ca

IF YOU DO NOT ATTEND AT THE HEARING, EITHER ELECTRONICALLY, PERSONALLY, BY AGENT, OR IN ACCORDANCE WITH THE PRECEDING PARAGRAPHS, THE DISCIPLINE PANEL MAY PROCEED IN YOUR ABSENCE AND YOU WILL NOT BE ENTITLED TO ANY FURTHER NOTICE IN THE PROCEEDINGS.

If the discipline panel makes a finding of professional misconduct, negligence or incompetence, it may make one or more of the following orders:

1. Revoke the member's registration or the certificate holder's certificate of authorization.
2. Suspend the member's registration or the certificate holder's certificate of authorization for a specified period or until he, she or it takes specified steps relating to the practice of professional geoscience.
3. Vary or impose terms, conditions or restrictions on the member's membership until the member has successfully completed specified studies or has obtained specified practical experience under the supervision of another member.
4. Vary or impose terms, conditions or restrictions on the certificate holder's certificate of authorization until the certificate holder takes specified steps relating to the practice of professional geoscience.
5. Direct the member or certificate holder to return all or part of the money paid by a person to the member or certificate holder for his or her services relating to the practice of professional geoscience.

6. Reprimand the member or certificate holder.
7. Publish the name of the member or certificate holder.

Parties are required to disclose to the other parties the evidence they intend to introduce at the hearing pursuant to s. 10 of Ontario Regulation 258/02. In addition, PGO discloses the relevant information in its files to permit you to make full answer and defence unless the information is privileged. You, or your representative, may contact the solicitor for the PGO in this matter for disclosure of PGO's information and evidence:

Erica Richler
Steinecke Maciura LeBlanc
401 Bay Street
Suite 2308, P.O. Box 23
Toronto, ON M5H 2Y4
Telephone: (416) 583-2549
Email: erichler@sml-law.com

Date: July 13, 2023



Eilidh Lewis
Registrar, PGO

**TO: GeoPro Consulting Limited
40 Vogell Road, Unit 57
Richmond Hill, ON
L4B 3N6**

STATEMENT OF ALLEGATIONS

1. At all material times, GeoPro Consulting Limited (“GeoPro”) held a certificate of authorization issued by the Association of Professional Geoscientists of Ontario. GeoPro’s certificate of authorization expired on January 1, 2022.
2. At all material times, David Liu was the president of GeoPro.
3. During the material times, from in or around 2019 to 2021, GeoPro offered and provided services that constituted the practice of professional geoscience, including groundwater and soil sampling related to environmental site assessments.
4. It is alleged that David Liu instructed an employee to dilute a water sample prior to submitting the sample to a laboratory for analysis.
5. It is alleged that GeoPro altered information relating to sampling. In particular:
 - a. It is alleged that GeoPro’s staff routinely changed borehole drilling dates on samples that were submitted to the laboratory for analysis after the appropriate hold date. It is further alleged that GeoPro’s management instructed staff to change borehole drilling dates on samples prior to submitting the samples to the laboratory.
6. It is alleged that GeoPro failed to ensure that its staff had adequate training, supervision, standard operating procedures, and/or equipment to perform field investigations and soil and groundwater sampling, including relating to screening for volatile organic compound (VOC) concentrations in soil.
7. It is alleged that GeoPro’s management instructed an employee to avoid sampling dark stained soil in a test pit and to collect only clean samples for analysis.
8. It is alleged that the conduct described above constitutes professional misconduct pursuant to subsection 24(2) of the *Professional Geoscientists Act* and as defined in paragraph 9 of subsection 16(2) of O Reg 258/02 made under the *Professional Geoscientists Act* (engaging in conduct or an act relevant to the practice of professional

geoscience that, having regard to all the circumstances, would reasonably be regarded by the profession as disgraceful, dishonourable or unprofessional).

9. It is further alleged that the conduct described above constitutes negligence as provided for by clause 26(2)(b) of the *Professional Geoscientists Act* and as defined in section 17 of O Reg 258/02.
10. It is further alleged that the conduct described above constitutes incompetence as defined in section 25 of the *Professional Geoscientists Act*.

APPENDIX

1. The documents to be tendered in evidence at the hearing have been or will be disclosed to you.
2. Take notice that the documents that have been or will later be disclosed to you will be tendered as business documents pursuant to the *Evidence Act* of Ontario.
3. All documents that are disclosed to you in this matter are disclosed on the basis that they are to be used solely for the purpose of this proceeding and for no other purpose.

DISCIPLINE COMMITTEE OF THE
ASSOCIATION OF PROFESSIONAL
GEOSCIENTISTS OF ONTARIO

NOTICE OF HEARING
(re: C-138)

STEINECKE MACIURA LEBLANC

Barristers & Solicitors

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Toronto, ON M5H 2Y4

Erica Richler

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Solicitors for the Association of Professional
Geoscientists of Ontario