



**National Society of
Professional Engineers®**

June 9, 2016

Administrator Gina McCarthy
US Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC 20460

RE: Docket ID No. EPA-HQ-OAR-2010-0505

Dear Administrator McCarthy:

On behalf of the more than 31,000 members of the National Society of Professional Engineers (NSPE), we strongly commend the US Environmental Protection Agency for its recognition of the vital role that professions engineers play in protecting the public health, safety and welfare in the final rule for *Oil and Natural Gas Sector: Emissions Standards for New, Reconstructed and Modified Sources*. In particular, on page 35883, the EPA asserts a strong, well- reasoned and well-supported rationale for the need for licensed professional engineers to be in responsible charge on all engineering projects, both in an independent third party capacity, as well as in an in-house role. Importantly, the “professional engineering model” put forth by EPA goes beyond the scope of just this rule. EPA clearly asserts the need for the “professional engineer model” on all EPA projects. In this connection, for the reasons and rationale cited by EPA NSPE strongly believes that this model should be applied to all federal engineering projects.

In particular, EPA states that:

“...professional engineers, whether independent or employees of a facility, being professionals, will uphold the integrity of their profession and only certify documents that meet the prescribed regulatory requirements and that the integrity of both the professional engineer and the professional oversight of boards licensing professional engineers are sufficient to prevent any abuses...Also in the Burden Reduction Rule the Agency concluded that a professional engineer is able to give fair and technical review because of the oversight programs established by the state licensing boards that will subject the professional engineer to penalties, including the loss of license and potential fines if certifications are provided when the facts do not warrant it. A qualified professional engineer maintains the most important components of any certification requirement: (1) That the engineer be qualified to perform the task based on training and experience; and (2) that she or he be a professional engineer licensed to practice engineering under the title Professional Engineer which requires following a code of ethics with the potential of losing his/her license for negligence (see 71 FR 16868, April 4, 2006). The personal liability of the professional engineer provides strong support for both the requirement that certifications must be performed by licensed professional engineers.”

NSPE applauds the Environmental Protection Agency for recognizing the full value of engineering licensure and the need to require a licensed professional engineer for all engineering projects. EPA has provided a model that NSPE strongly advocates should be adopted by all other federal agencies. State licensing boards exist in each state and territory to oversee and regulate the practice of engineering. Licensed professional engineers have rigorous education, training and experience requirements. They are bound to hold the public health, safety and welfare above all other considerations.



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Consistent with our recent letters to the Environmental Protection Agency, NSPE continues to offer our full support as a resource on all engineering matters. Please contact Arielle Eiser, NSPE Senior Manager of Government Relations, at aeiser@nspe.org with any comments or questions.

Sincerely,

A handwritten signature in black ink, which appears to read 'Tim Austin', is positioned above the printed name.

Timothy R. Austin, P.E., F.NSPE
President
National Society of Professional Engineers

cc: Amy Hambrick, Office of Air Quality Planning and Standards, US Environmental Protection Agency