

**BEFORE THE ARKANSAS STATE BOARD OF LICENSURE FOR
PROFESSIONAL ENGINEERS AND PROFESSIONAL SURVEYORS**

Complainant:

Arkansas State Board of Licensure for
Professional Engineers and Professional
Surveyors

Case #2010-27

Respondent:

Environmental Services Group, Inc
1818 River Heights
Little Rock, AR 72202

ADMINISTRATIVE HEARING

On February 8, 2011, the Board of Licensure for Professional Engineers and Professional Surveyors (hereinafter “the Board”) held an administrative hearing to consider the referenced matter. Finding proper notice had been given the Respondent, and after considering all evidence presented, the Board issues the following Findings of Fact, Conclusions of Law, and Order:

FINDINGS OF FACT

1. ESGI does not now, nor has it ever, held a valid Certificate of Authorization to offer engineering services in Arkansas.

2. On August 30, 2010, the Board was notified in a written complaint that ESGI had offered and provided engineering services in Arkansas.

3. On April 4, 2009, ESGI submitted a report to the Arkansas Department of Environmental Quality on behalf of All Star Recycling, Inc. The report bore the seal of an Arkansas-licensed Professional Engineer, and the content of the report constituted the practice of engineering in Arkansas.

4. On July 28, 2010, ESGI was served with an order of the Board assessing a \$16,000 civil penalty, after having been found guilty during a formal hearing on March 8, 2010, of six violations of Arkansas Code Annotated §17-30-303, one violation of Arkansas Code Annotated §17-48-207, and one violation of Arkansas Code Annotated §17-30-306.

5. Ingle failed to pay the civil penalty assessed against him by the Board within fifty (50) days of the service of the July 28, 2010, order.

CONCLUSIONS OF LAW

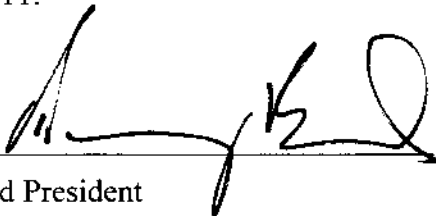
The conduct of the Respondent, as outlined in the Findings of Fact above, constitutes one count of offering to provide engineering services in Arkansas, within the meaning of Arkansas Code Annotated §17-30-101(4)(B)(ii), without a valid Certificate of Authorization, in violation of Arkansas Code Annotated §17-30-303, and one count of failing to pay a civil penalty assessed against him by the Board within fifty (50) days of service, in violation of Arkansas Code Annotated §17-30-306.

ORDER

Based on these Findings and Conclusions, the Respondent shall pay to the Board a civil penalty of \$7,000 for the violations described in the Conclusions of Law above.

Payment must be submitted within fifty (50) days of the service of this Order.

ORDERED this 3rd day of March, 2011.


Board President

APPEALS

This Order may be appealed within thirty (30) days of service upon the Respondent, as specified in the Arkansas Administrative Procedures Act, according to the provisions of Arkansas Code Annotated §25-15-212.

CERTIFICATE OF SERVICE

I, James Atchley, investigator for the Arkansas State Board of Licensure for Professional Engineers and Professional Surveyors, do hereby certify that I have served a copy of the attached order by mailing copies of same, by first class mail and certified mail, with return receipt requested and postage prepaid, on this 3rd day of February, 2011, to:

Mr. Gary Ingle
 Environmental Services Group, Inc
 1818 River Heights
 Little Rock, AR 72202

James H. Atchley

 James Atchley, Board Investigator

**U.S. Postal Service
 CERTIFIED MAIL RECEIPT**
 (Domestic Mail Only; No Insurance Coverage Provided)

Postage \$ 0.44
 Certified Fee 2.33
 Return Receipt Fee (Endorsement Required) 2.80
 Restricted Delivery Fee (Endorsement Required) 5.54
 Total Postage & Fees \$ 11.11

Sent To
 Street, Apt. No., or PO Box No. Ingle
 City, State, ZIP+4

LITTLE ROCK, AR ST CAPITOL
 MAR 9 2011
 Post Office

SENDER: COMPLETE THIS SECTION

Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
 Print your name and address on the reverse so that we can return the card to you.
 Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:
 Mr. Gary Ingle
 Environmental Services Group, Inc
 1818 River Heights
 Little Rock, AR 72202

COMPLETE THIS SECTION FOR DELIVERY

A. Signature *[Signature]* Agent Addressed

B. Received by (Printed Name) *[Signature]* Date of Delivery 3/5/11

D. Is delivery address different from item 1? Yes No
 If YES, enter delivery address below:

RECD MAR 9 2011

2. Service Type Certified Mail Express Mail Registered Return Receipt for Merchandise Insured Mail C.O.D.
 4. Restricted Delivery? (Extra Fee) Yes No

2. Article Number (Transfer from service label) 7002 0510 0001 8878 7020
 PG Form 3821, August 2009