

JUL 27 2010

**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 #2009-23

Respondent:

Mr. Gary F. Ingle, President/CEO
Environmental Services Group, Inc
2300 Cottondale Lane, Suite 260
Little Rock, AR 72202-2051

DISCIPLINARY HEARING

On March 8, 2010, the Board of Licensure for Professional Engineers and Professional Surveyors (hereinafter “the Board”) held a formal 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. The Board has jurisdiction over the Respondent and the subject matter of this complaint.
2. The Respondent’s firm, Environmental Services Group, Inc, does not now, nor has it ever, held a valid Certificate of Authorization to offer engineering or surveying services in Arkansas.
3. On September 3, 2009, a visit by the staff of the Board to the firm’s webpage found that “ENGINEERING DESIGN” was one of the services offered in advertising by the Respondent’s firm.

4. In a letter to the Board dated August 12, 2009, the Respondent admitted that his firm had provided engineering services to clients in Arkansas, and had a project currently underway. The Respondent named Michael Bolin (AR-PE #4197) and Raymond Hickey (AR-PE #7730) as having done the actual engineering work.

5. In testimony during the hearing, Mr. Bolin confirmed that he had performed engineering work for fifteen projects for the Respondent's clients, and was paid for the work by the Respondent.

6. In testimony during the hearing, Mr. Hickey confirmed that he had performed surveying work for a project for the Respondent's client, and was paid for the work by the Respondent.

7. On October 12, 1998, the Respondent was served with an order of the Board assessing a \$4,000 civil penalty, after having been found guilty during a formal hearing on September 30, 1998, of two counts of representing himself as an engineer without registration by the Board.

8. The Respondent failed to pay the civil penalty assessed against him by the Board within fifty (50) days of the service of the order, in violation of Arkansas Code Annotated §17-30-306(f).

CONCLUSIONS OF LAW

The conduct of the Respondent, as outlined in the Findings of Fact above, constitutes six violations of Arkansas Code Annotated §17-30-303 (offering or providing engineering services in Arkansas without a valid Certificate of Authorization), one violation of Arkansas Code Annotated §17-48-207 (offering or providing surveying services in Arkansas without a valid Certificate of Authorization), and one violation of Arkansas Code Annotated §17-30-306 (failure to pay a civil penalty assessed by the Board).

In addition, the penalty assessed by the Board on October 12, 1998, remains due and payable.


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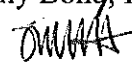
ORDER

Based on these Findings and Conclusions, the Respondent shall pay to the Board a civil penalty of \$2,000 for each of the eight violations described in the Conclusions of Law above, for a total of \$16,000, in addition to the \$4,000 previously assessed in 1998.

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

ORDERED this 28th day of July, 2010.



Tommy Bond, Board Vice-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 28th day of July, 2010, to:

Mr. Gary F. Ingle, President/CEO
 Environmental Services Group, Inc
 2300 Cottondale Lane, Suite 260
 Little Rock, AR 72202-2051

James Atchley

 James Atchley, Board Investigator

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

7002 0510 0001 8878 5309

Postage	\$.61
Certified Fee	2.80
Return Receipt Fee (Endorsement Required)	2.30
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 5.71

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

Postmark: ST CAPITOL STA, H99, 28 JUL 2010, LITTLE ROCK, AR

PS Form 3800, January 2007 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

1. Article Addressed to:
 Mr. Gary F. Ingle, President/CEO
 Environmental Services Group, Inc
 2300 Cottondale Lane, Suite 260
 Little Rock, AR 72202-2051

2. Article Number (Transfer from service label)
 7002 0510 0001 8878 5309
 PS Form 3811, August 2007 Domestic Return Receipt

COMPLETE THIS SECTION ON DELIVERY

A. Signature *James Martin* Agent Addressee

B. Received by (Printed Name) _____ C. Date of Delivery _____

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

REC'D AUG 1 2010

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes No

102595-02-M-1540