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 is Arkansas without a valid Certificate of Authorization), one violation of Arkansas Code Annotated §17-48-207 (offering or providing surveying services is 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.
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.

[Signature]
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, Board Investigator