

LOUISIANA PROFESSIONAL ENGINEERING  
AND LAND SURVEYING BOARD  
9643 BROOKLINE AVENUE, SUITE 121  
BATON ROUGE, LOUISIANA 70809-1443  
(225) 925-6291

IN THE MATTER OF: )  
 )  
NCR ENVIRONMENTAL AND ENGINEERING )  
CONSULTING, INC. )  
 )  
RESPONDENT )  
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CASE NO.: 2008 - 89

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**CONSENT ORDER**

The Louisiana Professional Engineering and Land Surveying Board [hereinafter the "Board"], by and through its Executive Secretary, pursuant to authorization by the Board, and NCR Environmental and Engineering Consulting, Inc. [hereinafter "Respondent"], by and through its authorized representative, pursuant to authorization by its Board of Directors, hereby agree to the following:

Respondent is not licensed, nor has it ever been licensed, in the State of Louisiana as a professional engineering firm, and therefore it is not now, nor has it ever been, authorized to practice and/or offer to practice engineering in the State of Louisiana.

An investigation was opened based upon the Board's receipt of information and documents which suggested that Respondent may have engaged in the unlicensed practice of and/or offering to practice of engineering in Louisiana. The information, documents and subsequent investigation disclosed that in 2008 Respondent's unlicensed employee (Nathan C. Redwine), on behalf of and in the name of Respondent, issued business cards to persons in Louisiana and prepared engineering plans and specifications related to the Chaplans Lake Sludge Removal project for the City of Natchitoches, Louisiana. The investigation also disclosed that Respondent is neither incorporated nor authorized to transact business in the State of Louisiana.

La. R.S. 37:681 and 37:700(A)(1) and (7) prohibit the practicing of and/or offering to practice engineering and the use of the word "engineering" in a person's name or form of

business or activity in the State of Louisiana without proper licensure. La. R.S. 37:700(H) permits the Board to take enforcement action against persons who violate La. R.S. 37:681 and 37:700(A)(1) and (7) upon a finding of guilt following the preferral of charges, notice and hearing and a majority vote of its entire membership authorized to participate in the proceeding. La. R.S. 37:681, 37:700(A)(1) and (7) and 37:700(H) were in effect at all times material hereto.

It is undisputed that (a) Respondent has never been licensed to practice and/or offer to practice engineering or use the word "engineering" in its firm name in the State of Louisiana; (b) in 2008 Respondent's unlicensed employee (on behalf of and in the name of Respondent) issued business cards to persons in Louisiana and prepared engineering plans and specifications related to the Chaplans Lake Sludge Removal project for the City of Natchitoches, Louisiana; and (c) Respondent is neither incorporated nor authorized to transact business in the State of Louisiana.

By letter dated August 25, 2008, the Board gave notice to Respondent that it was considering the preferral of charges against Respondent on the grounds that it may have violated La. R.S. 37:681 and 37:700(A)(1) and (7), relative to the practicing of and/or offering to practice engineering and the use of the word "engineering" in a person's name or form of business or activity in the State of Louisiana without proper licensure.

Pursuant to La. R.S. 37:700(D)(1), by a unanimous vote at its regular meeting on January 12, 2009, the Board (a) preferred charges against Respondent for allegedly violating the provisions of La. R.S. 37:681 and 37:700(A)(1) and (7), and (b) directed that an enforcement hearing be held on March 23, 2009 in order that the Board may determine whether or not Respondent is in fact guilty of violating the above cited statutes and/or rules and what, if any, enforcement action is appropriate. The March 23, 2009, hearing date was continued.

On April 9, 2009, Respondent's unlicensed employee, Nathan Redwine, was arrested and accused of filing false public records misrepresenting himself as a professional engineer on documents submitted to the Louisiana Department of Environmental Quality.

By Bill of Information filed in the Nineteenth Judicial District Court, Parish of East Baton Rouge, State of Louisiana, on August 25, 2009, in Docket No. 8-09-0834, Redwine was

charged with three felony counts of filing false public records in violation of La. R.S. 14:133. On July 6, 2010, Redwine entered guilty pleas to these charges.

On September 7, 2010, Redwine was sentenced by the Nineteenth Judicial District Court to the custody of the Department of Public Safety and Corrections for three years at hard labor on each count, to run concurrent. The Court suspended the execution of sentence and placed Redwine on active, supervised probation for a period of five years. In addition to the general terms and conditions of probation as provided in La. C.Cr.P. Art. 895, the Court imposed special conditions of probation that Redwine (1) pay \$55.00 per month to the Department of Public Safety and Corrections, Division of Probation and Parole, to defray the cost of supervision; (2) do not engage in any work that requires a professional license or any special certification; (3) take out one 8-page ad in the major newspapers in Shreveport, Natchitoches and Baton Rouge indicating the conviction for filing false public records and that Redwine claimed to be an engineer, but is not and never has been an engineer; (4) serve 250 hours of litter detail; (5) pay \$1,000.00 fine on each count and court costs of \$227.25.

The hearing in the captioned matter was rescheduled for November 23, 2010.

Wishing to dispense with the need for further enforcement action and to conclude the instant proceeding without further delay and expense, for the purpose of this proceeding only, Respondent and the Board do hereby enter into this Consent Order, in which Respondent of its own free will consents to the issuance of a Consent Order by the Board, wherein Respondent agrees that (a) Respondent is assessed a fine of \$5,000.00, the payment of which is suspended provided Respondent fully complies with all terms of this Consent Order and the Consent Order issued in Case No. 2008-12, the default of which shall result in the immediate reinstatement of the \$5,000.00 fine, said fine reinstatement can be imposed by action of the Board Executive Secretary subject to the discretionary review of the Board; (b) Respondent will pay administrative costs of \$770.33, (c) Respondent will immediately cease and desist the practice of and/or offering to practice engineering and the use of the word "engineering" in its firm name or in describing its business or activities in the State of Louisiana until such time as it is duly licensed by the Board, and (d) a summary of this matter will be published in the Board's official journal, the Louisiana Engineer and Surveyor Journal.

and reported to the National Council of Examiners for Engineering and Surveying (NCEES), identifying Respondent by name.

Respondent admits to violations of the referenced statutes and/or rules regarding the practicing of and/or offering to practice engineering and the use of the word "engineering" or any modification or derivative thereof in a person's name or form of business or activity in the State of Louisiana without proper licensure. Respondent acknowledges awareness of said laws and/or rules and states that it will comply with all applicable laws and rules henceforth. Respondent has been advised of its right to be represented by counsel before the Board and/or to appear at any hearing personally or by counsel and present witnesses and evidence in its own behalf, and it hereby waives this right and its right to appeal; and it states affirmatively that it has been afforded all administrative remedies due it under the law.

Therefore, in consideration of the foregoing and by its signing this Consent Order, Respondent does hereby waive its right to a hearing before the Board, to the presenting of evidence and witnesses in its behalf, to Findings of Fact and Conclusions of Law in this case, and to judicial review of this Consent Order.

Respondent hereby represents (a) that it fully understands the meaning and intent of this Consent Order, including but not limited to its final and binding effect, (b) that it has voluntarily entered into this Consent Order and that no other promise or agreement of any kind has been made to or with it by any person whatsoever to cause the execution of this instrument and (c) that the sanctions set forth in this Consent Order do not prevent the Board from taking further disciplinary or enforcement action against Respondent on matters not specifically addressed in this Consent Order.

WHEREFORE, the Louisiana Professional Engineering and Land Surveying Board and Respondent agree that:

1. Respondent is ordered to pay a fine of \$5,000.00, the payment of which is suspended provided Respondent fully complies with all terms of this Consent Order and the Consent Order issued in Case No. 2008-12, the default of which may result in the immediate reinstatement of the \$5,000.00 fine, said fine reinstatement can be imposed by action of the Board Executive Secretary subject to the discretionary review of the Board; and

2. Respondent shall pay administrative costs of \$770.33, which shall be tendered to the Board by certified check payable to the Board, due upon the signing of this Consent Order; and

3. Respondent shall immediately cease and desist the practice of and/or offering to practice engineering and the use of the word "engineering" in its firm name or in describing its business or activities in the State of Louisiana until such time as Respondent is duly licensed by the Board; and

4. A summary of this matter shall be printed in the official journal of the Board, the Louisiana Engineer and Surveyor Journal, and reported to the National Council of Examiners for Engineering and Surveying (NCEES), identifying Respondent by name; and

5. This Consent Order shall not become effective unless and until it is accepted and signed by and on behalf of the Board. Should the Board not accept and sign this Consent Order, it is agreed that presentation of this matter to the Board shall not prejudice the Board or any of its members from further participation, consideration or resolution of any further proceedings herein.

LOUISIANA PROFESSIONAL ENGINEERING  
AND LAND SURVEYING BOARD

DATED 11/22/2010

BY: Donna D. Sentell  
DONNA D. SENTELL, Executive Secretary

NCR ENVIRONMENTAL AND  
ENGINEERING CONSULTING, INC., Respondent

DATED Nov 9<sup>th</sup> 2010

BY: Nathan C. Redwine  
NATHAN C. REDWINE

Witnesses to the signature of  
NCR Environmental and Engineering  
Consulting, Inc.

Donna Redwine  
Print Name: Donna Redwine

Glen R. Petersen  
Print Name: Glen R. Petersen

Glen R. Petersen  
GLEN R. PETERSEN  
Bar Roll No. ~~14073~~ 10473  
10602 Coursey Blvd.  
Baton Rouge, LA 70816  
Telephone: (225) 298-8118

Attorney for Respondents, Nathan C.  
Redwine and NCR Environmental and  
Engineering Consulting, Inc.