

**STATE OF ALABAMA
BOARD OF LICENSURE FOR
PROFESSIONAL ENGINEERS AND
LAND SURVEYORS**

IN RE THE MATTER OF:

**M.A. BAHETH DBA
BAHETH ENVIRONMENTAL CONSULTANTS, INC.**

CASE NO. 04-19-C

ORDER

On June 5, 2008 at 9:00 a.m. the Alabama Board of Licensure for Professional Engineers and Land Surveyors (hereinafter referred to as "Board") convened for an Administrative Hearing concerning the allegations filed against Mr. M.A. Baheth (hereinafter referred to as "Respondent") dba Baheth Environmental Consultants, Inc. (hereinafter referred to as "Firm"): The Board Members in attendance at the meeting were: Mr. Veston W. Bush, Mr. Preston L. Jackson, Mr. William C. Ulrich, Jr., and Mr. Al I. Reisz. The Honorable, Tori Adams Administrative Law Judge for the Administrative Hearings Division of the Attorney General's Office, presided over the Hearing. Also present at the Board Meeting were Ms. Regina Dinger, Executive Director of the Board (hereinafter referred to as "Claimant"), and Mr. William R. Huett, Assistant Executive Director and Investigator for the Board. Mr. Benjamin Albritton, Assistant Attorney General, represented the Board at the hearing. Mr. M.A. Baheth was absent from this hearing.

FINDINGS OF FACT

On February 6, 2004 the Board received a complaint alleging that the Respondent, through Firm, had provided or offered to provide engineering services in the State of Alabama without employing a licensed Alabama professional engineer and obtaining the required Certificate of Authorization for engineering. In August of 2003 the Respondent, through his Firm, presented a proposed contract to the Pritchard Water and Sewer Board to provide professional services including scientific, environmental, compliance, engineering, construction, employee training and design services associated with meeting the Consent Decree requirements without employing a licensed Alabama professional engineer and obtaining a Certificate of Authorization authorizing Firm to offer to provide or provide engineering services in the State of Alabama. This is a violation of Title 34, Chapter 11, Code of Alabama 1975 § 34-11-9(a)(1), § 34-11-15(a), and § 34-11-16.

Respondent signed a contract with the Mobile Area Water and Sewer System EPA Self-Audit Program Development dated June 2, 2000 in which he, through his Firm, offered to provide engineering services at a rate of \$90.00 per hour. Respondent signed the contract and indicated his title as Principal Scientist/Chief Operating Officer of Firm. Respondent did so without employing a licensed Alabama professional engineer and obtaining a Certificate of Authorization authorizing his Firm to offer to provide or provide engineering services in the State of Alabama. This is a violation of Title 34, Chapter 11, Code of Alabama 1975 § 34-11-9(a)(1), § 34-11-15(a), and § 34-11-16.

CONCLUSIONS OF LAW

The Board hereby stated that Respondent is subject to Title 34, Chapter 11, Code of Alabama 1975, § 34-11-9(a)(1) and § 34-11-15(a), § 34-11-16.

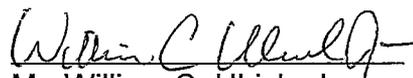
CONCLUSION

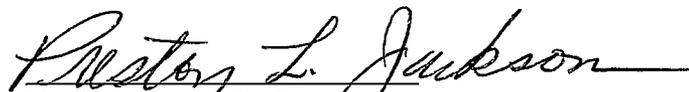
After hearing the testimony of all the witnesses presented and after considering all the evidence presented in the above-referenced case, the Board finds the Respondent **Guilty** of the allegations made against him. Therefore, pursuant to *Administrative Code* § 330-X-16.06, the Board hereby **Orders** as follows:

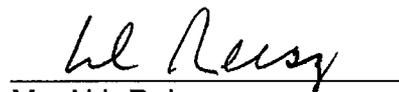
Respondent shall pay a \$5,000.00 civil penalty to the State of Alabama General Fund. Respondent shall pay the Board \$342.00 as cost of the hearing. The ordered civil penalty and costs shall be submitted to the Board within thirty days of the date of this Order.

Done this the 5th day of JUNE 2008.


Mr. Veston W. Bush, Jr.


Mr. William C. Ulrich, Jr.


Mr. Preston L. Jackson


Mr. Al I. Reisz

ABSENT
Mr. Don T. Arkle