

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

**IN RE THE MATTER OF:**

**MISTRAS, INC  
DBA CONAM INSPECTIONS &  
ENGINEERING SERVICES INC.**

**Case No. 10-16-C**

**CONSENT ORDER**

MISTRAS, Inc. a non-certificated company (hereinafter referred to as "Respondent") by and through its representative, Groups Executive Vice President, Services, Mr. Mike Lange, hereby stipulates and agrees, subject to approval of the State of Alabama Board of Licensure for Professional Engineers and Land Surveyors (hereinafter referred to as the "Board") as follows:

**STIPULATED FACTS**

Respondent stipulates at no time has it held a valid Certificate of Authorization for engineering from the Board authorizing it to practice or offer to practice engineering in the State of Alabama.

Respondent further stipulates the firm it acquired formerly known as Conam Inspection & Engineering Services, Inc. (CIES) has never been issued a Certificate of Authorization for engineering from the Board and does not employ an Alabama licensed professional engineer.

Respondent stipulates on December 21, 2009, the Board received a complaint from Mr. William C. Ulrich, Jr., an Alabama licensed professional engineer, indicating the company Conam Inspections & Engineering Services, Inc., (CIES) located in Decatur, Alabama may be providing or offering to provide engineering services in the State of Alabama without obtaining a

valid Certificate of Authorization for engineering from the Board or hiring an Alabama Licensed Professional Engineer.

Respondent stipulates it purchased CIES in 2006 in order to conduct business in the State of Alabama. Respondent further stipulates CIES continued to conduct business in Alabama using the name "Conam Inspections & Engineering Services, Inc." in 2008 without employing a licensed Alabama professional engineer and obtaining a valid Certificate of Authorization for engineering from the Board.

Respondent stipulates it maintains an internet website that describes activities a licensed Alabama professional engineer, serving as a Board Technical Advisor, determined are within the practice of engineering and require employment of a licensed Alabama professional and the issuance of a certificate of authorization for engineering in the State of Alabama

#### STIPULATED CONCLUSIONS OF LAW

Respondent, as an un-certificated Firm admits in such capacity it is subject to the provisions of Title 34, Chapter 11, Code of Alabama 1975, § 34-11-11 and the jurisdiction of the Board.

Respondent stipulates its conduct as set forth in the foregoing "Stipulated Facts" constitutes violations of Title 34, Chapter 11, Code of Alabama 1975, § 34-11-15(b), § 34-11-16(a)2.

Respondent stipulates its conduct set forth in the "Stipulated Facts" is a violation of those rules and statues set forth above, and that Firm is subject to disciplinary action under Title 34, Chapter 11, Code of Alabama 1975, § 34-11-11.

#### STIPULATED DISPOSITION

1. Respondent shall not in the future violate the provisions of Title 34, Chapter 11, Code of Alabama 1975.

2. Respondent understands this Consent Order and subsequent Final Order will become a matter of public record.

3. Respondent shall submit to the Board within thirty (30) days of Final Order, a civil penalty of \$1000.00 (one thousand dollars) payable to the General Fund of the State of Alabama.

4. Respondent shall pay to the Board \$154.96 (one hundred and fifty-four dollars and ninety-six cents) for expenses incurred during the investigation within thirty (30) days of date of Final Order.

5. Respondent agrees it shall **cease and desist** using the term "engineering" in the State of Alabama until it employs a licensed Alabama professional engineer and obtains a Certificate of Authorization for engineering from the Board.

6. Respondent agrees it will modify language on its website to indicate the engineering services are not being offered, and will not be rendered where prohibited by law, or where the Company is not licensed to provide such services if a license is required.

7. Respondent understands this Consent Order is subject to the approval of the Board and has no force and effect until a Final Order based upon it is rendered by the Board.

8. Respondent agrees any violation of the terms of this Consent Order, may result in the Board filing additional charges in accordance with the Title 34, Chapter 11, Code of Alabama 1975, § 34-11-11.

9. Respondent understands in order to make a decision relative to approving this Consent Order discussions must take place between Board members, Board Staff and Board Counsel. Respondent understands that this discussion will take place at a regularly scheduled Board meeting in Montgomery Alabama. Respondent understands he has the right to be present when this matter is discussed but hereby waives that right.

10. Respondent understands it has the right to seek the advice of legal counsel. Respondent also understands he has the right to a formal fact finding hearing before the Board, to compel the testimony of witnesses, to cross-examine witnesses against him, and to obtain judicial review of the Board's decision in said formal hearing but expressly waives these rights with execution of this Consent Order and Final Order of the Board.

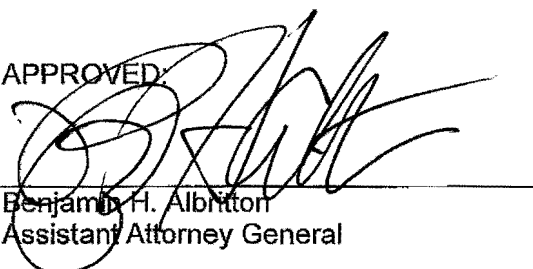
11. Respondent expressly waives all further procedural steps, and expressly waives all rights to seek judicial review or to otherwise challenge or contest the validity of the Consent Order, the stipulated facts, conclusions of law and imposition of administrative action contained herein, and the Final Order of the Board incorporating said Consent Order.

12. Respondent, for the purpose of avoiding further administrative action with respect to this cause executes this Consent Order. Should the Consent Order not be accepted by the Board, it is agreed that presentation to and consideration of the Consent Order by the Board shall not unfairly or illegally prejudice the Board or any of its members from further participation in or resolution of these proceedings. Likewise, if this Consent Order is not accepted, the Board shall not take into consideration the contents of this Order as evidence of an admission.

SIGNED this the 14 day of July, 2010.

By:   
Michael J. Lange, as Group Executive Vice President,  
Service, Mistras Group, Inc.

APPROVED:

  
Benjamin H. Albrighton  
Assistant Attorney General



Alabama State Board of Licensure for  
Professional Engineers and Land Surveyors

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Toll Free: (866) 461-7640  
Fax: (334) 242-5105  
www.bels.alabama.gov

Bob Riley  
Governor

July 16, 2010

Regina A. Dinger  
Executive Director

91 7108 2133 3935 0336 0997

**LETTER TRANSMITTED VIA REGULAR AND  
CERTIFIED MAIL - RETURN RECEIPT REQUESTED**

Mr. Michael Keefe  
Executive Vice President, General Counsel  
MISTRAS Group, Inc.  
195 Clarksville Road  
Princeton Junction, New Jersey 08550

**RE: Case No. 10-16-C**

Dear Mr. Keefe:

The State of Alabama Board of Licensure for Professional Engineers and Land Surveyors accepted an agreed upon Consent Order on July 14, 2010. In the Consent Order your client agreed as follows:

- Your client shall pay to the General Fund of the State of Alabama a civil penalty of \$1,000.00 prior to **August 16, 2010**.
- Your client shall pay to the Board \$154.96 prior to **August 16, 2010** for expenses incurred during the investigation.
- Your client shall **cease and desist** using the term "engineering" in the State of Alabama until it employs a licensed Alabama professional engineer and obtains a Certificate of Authorization for engineering from the Board.
- Your client shall modify language on its website to indicate engineering services are not being offered, and will not be rendered where prohibited by law, or where the Firm is not licensed to provide such services.
- The Consent Order and Final Order will be public record.

If you have any questions, or if I can be of assistance, please contact my office directly at 334-242-5049 or toll free at (866) 461-7640 or email [rick.huett@bels.alabama.gov](mailto:rick.huett@bels.alabama.gov).

Sincerely,

William R. Huett  
Assistant Executive Director

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

IN RE THE MATTER OF:

MISTRAS, INC  
DBA CONAM INSPECTIONS &  
ENGINEERING SERVICES INC.

Case No. 10-16-C

FINAL ORDER

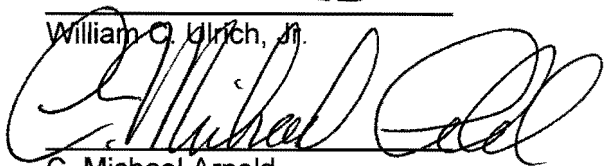
On July 15-16, 2010, the Alabama Board of Licensure for Professional Engineers and Land Surveyors convened for a regularly scheduled Board meeting. The Board Members in attendance at the meeting were: Mr. William C. Ulrich, Jr, Mr. Don T. Arkle, Mr. C. Michael Arnold, Mr. W. Gerald Wilbanks, Dr. Daniel S. Turner, and Mr. Phillip E. Santora, and Mr. Earl R. Foust. Mr. Benjamin Albritton, Assistant Attorney General, appeared as counsel for the Board.

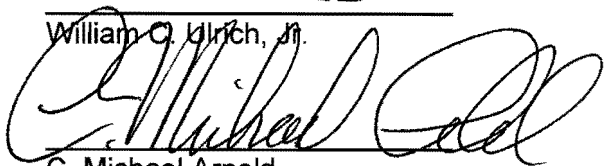
This Final Order is based upon a Consent Order signed by MISTRAS, Inc. (hereafter referred to as Respondent) by and through its representative, Groups Executive Vice President, Services, Mr. Mike Lange and dated July 14, 2010. In the Consent Order, Respondent stipulated it violated the Code of Alabama 1975, § 34-11-15(b), and § 34-11-16(a) (2).

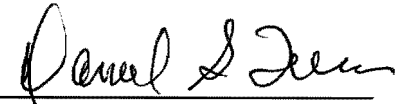
Upon Consideration of the above it is **ORDERED** that the Consent Order dated July 14, 2010 is adopted by the Board and hereby made a part of this Final Order. It is further **ORDERED** that Respondent abide by the Final Order in this manner.

ENTERED this the 16th day of July 2009

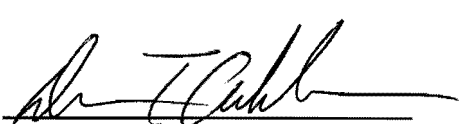
**RECUSED**


  
William C. Ulrich, Jr.

  
C. Michael Arnold

  
Daniel S. Turner

  
Earl R. Foust

  
Don T. Arkle

  
W. Gerald Wilbanks

  
Phillip E. Santora