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WV PE BOARD

BEFORE THE WEST VIRGINIA STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS

IN RE: CONSOLIDATED ENGINEERING COMPANY, INC. **C2026-01**

CONSENT ORDER

Comes now the West Virginia State Board of Registration for Professional Engineers (hereinafter "the Board") by Garth E. Thomas, Jr., P.E., its President, for the purpose of agreeing to resolve a Complaint seeking disciplinary action against Consolidated Engineering Company, Inc., (hereinafter "Respondent Firm"). As reflected in this document, the parties have reached an agreement concerning the proper disposition of this matter, and the Board, upon approval of this agreement, does hereby **FIND** the following:

1. The matters set forth herein are within the jurisdiction of the Board, which is the state entity with the power and duty to regulate the practice of engineering in the State of West Virginia.
2. Respondent Firm is a corporation organized under the laws of the State of Georgia, with its principal place of business in Kennesaw, Georgia.
3. At all times material hereto, Respondent Firm has not held a West Virginia Certificate of Authorization ("COA") issued by the Board.
4. At all times material hereto, no servant, agent, employee and/or officer of Respondent Firm held a West Virginia Professional Engineer registration ("license").
5. In or around September 2023, Consolidated Engineering Company, Inc., by John A. Letson, CFO, its employee, contacted the Board seeking a "Business Entity – D.B.A. Waiver" in order to pay taxes owed to the State of West Virginia for goods sold to a company located in West Virginia.
6. In January 2024, Respondent Firm filed its application for a Business Entity – D.B.A. Waiver from the Board. The Board reviewed this application at its January 16, 2024 Board Meeting and voted to deny the application. The denial was conveyed to Respondent Firm.

7. On or about July 1, 2025, Board Staff was informed by an employee of Constellium Rolled Products Ravenswood, LLC ("Constellium") that Constellium had purchased from Respondent Firm a custom, engineered furnace ("furnace") made specifically for Constellium's plant located in/near Ravenswood, Jackson County, West Virginia ("Ravenswood, WV plant" or "plant"), that Respondent Firm's servants, agents and/or employees had designed the custom furnace and provided on-site engineering for the furnace's startup and initial tuning.

8. This resulted in a Board-initiated investigation, which resulted in the following allegations: 1) Respondent Firm had offered to provide engineering services to a West Virginia client for a West Virginia project at a time when it did not hold a West Virginia COA; 2) Respondent Firm had provided engineering services for a West Virginia client for a West Virginia project at a time when it did not hold a West Virginia COA; and 3) Respondent Firm had aided or assisted a person, not duly registered or licensed in West Virginia, in providing engineering services to a West Virginia client for a West Virginia project,

9. The Board initiated Complaint Number C2026-01 at its regular meeting on July 16, 2025, which was filed and served on said date.

10. The Board and Respondent Firm have agreed to settle this matter through the entry of this Consent Order wherein Respondent Firm would make certain admissions as set forth herein, forego its right to an administrative hearing, and its right to appeal.

11. The Board has taken into account the following factors in reaching this settlement: Respondent Firm's offer to provide engineering services for this West Virginia project did not pose any harm to the public and Respondent Firm has cooperated in the resolution of this Complaint.

12. The Board, in its discretion, will not assess administrative costs. However, it is within its power to assess such costs incurred in the investigation, initiation, and resolution of this Complaint.

CONCLUSIONS OF LAW

13. The Board is the state entity with the power and duty to regulate the practice of engineering in the State of West Virginia, and matters related to such practice are within the jurisdiction of the Board. W.Va. Code §30-13-1 *et seq*.

14. John A. Letson, CFO of Respondent Firm, has the power and authority to make admissions and otherwise act on behalf of Respondent Firm, and for Respondent Firm he makes such admissions, knowingly, freely, voluntarily, and without any threat of harm or act of coercion.

15. Failure to comply with any of the provisions of W.Va. Code §30-13-1 *et seq*., or any of the rules promulgated under West Virginia Code Chapter 30, Article 13, is a basis for disciplinary action by the Board. W.Va. Code §30-13-21 (a)(4).

16. The Board is authorized to "assess civil penalties against any person who violates any provision of this article or any rule promulgated by the board for each offense in an amount determined by the board." W.Va. Code §30-13-21(b); see also W.Va. Code §30-13-21(d)(4) and W.Va. Code R. §7-1-15.

17. The Board may reprimand, suspend or revoke or refuse to issue, restore or renew a certificate of registration or authorization, or place on probation, impose a civil penalty or reprimand any professional engineer or firm, who has failed to comply with any of the provisions of this article or any of the rules promulgated under it. W.Va. Code §30-13-21(a)(4), (b) and (d), and §30-13-22(d).

18. It is unlawful for any firm to offer to practice engineering, as defined by West Virginia Code §30-13-3(e), in the State of West Virginia unless that firm has obtained a COA under the provisions of West Virginia Engineering Law. W.Va. Code §30-13-17.

19. Offering to practice engineering as defined by W.Va. Code §30-13-3(e), without a valid COA is an action that may subject a firm to discipline by the Board, including a civil penalty up to Five Thousand Dollars ($5,000.00) for each offense. W.Va. Code R. §7-1-15.1.

20. It is unlawful for any firm to practice engineering, as defined by West Virginia Code §30-13-3(e), in the State of West Virginia unless that firm has obtained a COA under the provisions of West Virginia Engineering Law. W.Va. Code §30-13-17.

21. Practicing engineering as defined by W.Va. Code §30-13-3(e), without a valid COA is an action that may subject a firm to discipline by the Board, including a civil penalty up to Five Thousand Dollars ($5,000.00) for each offense. W.Va. Code R. §7-1-15.1.

22. It is unlawful for any person to practice or offer to practice engineering, as defined by West Virginia Code §30-13-3(e) in the State of West Virginia unless that person is duly registered under the provisions of West Virginia Engineering Law. W.Va. Code §30-13-2

23. Practicing engineering, or offering to practice engineering, as defined by W.Va. Code §30-13-3(e), without a license is an action that may subject a person to discipline by the Board, including a civil penalty up to Five Thousand Dollars ($5,000.00). W.Va. Code R. §7-1-15.1.

24. It is unlawful for any person to aid or assist the unlicensed offer of engineering services, and/or the unlicensed practice of engineering. W.Va. Code §30-13-2 and W.Va. Code §30-13-21(a)(8).

25. The penalty for aiding and assisting a violation of engineering law and its rules shall be no more than the maximum penalty set forth in the Board rule, W.Va. Code R. §7-1-15.1. W.Va. Code R. §7-1-15.2.

26. A person, so aiding or assisting, shall be disciplined in the same manner and extent as the actor committing the offense. In this case, the underlying violation is offering to practice engineering, as defined by W.Va. Code § 30-13-3(e), without a license. Such action subjects a person to discipline by the Board, including a civil penalty up to Five Thousand Dollars ($5,000.00). W.Va. Code R. §7-1-15.1.

27. The provisions of W.Va. Code §30-13-21(a) are applicable as appropriate to unlicensed persons and firms. W.Va. Code §30-13-21(b) and (d).

28. In determining the amount of a civil penalty to be assessed, the Board may consider such factors as the circumstances leading to the violation; the nature and severity of the violation and the risk of harm to the public; the extent to which the cited person or firm has cooperated with the Board and the Board's investigation; and other matters as may be appropriate. W.Va. Code R. §7-1-15.4.

29. The assessment of administrative costs is within the Board's sole discretion. W.Va. Code §30-13-21(d)(4) and W.Va. Code R. §7-1-14.4.

CONSENT OF RESPONDENT FIRM

John A. Letson, CFO of Respondent Firm, by affixing his signature hereon, agrees to the following on behalf of Consolidated Engineering Company, Inc.:

30. Respondent Firm is aware of its rights to be represented by counsel in this matter and to pursue this matter through appropriate administrative and/or court proceedings, including its right to a formal hearing before the Board, and after having the opportunity to consult with its counsel, Respondent Firm knowingly, freely, voluntarily, and without any threat of harm or act of coercion, waives its rights to a formal hearing and any subsequent appeal therefrom, and enters into this Consent Order to resolve Complaint C2026-01; provided the Board accepts the terms and conditions set forth in this Consent Order.

31. Respondent Firm admits that it made an offer to provide engineering services for an engineering project located in Jackson County, West Virginia in 2021, and that it provided engineering services for this West Virginia project in 2022, at times when it did not hold a Certificate of Authorization. In addition, Respondent Firm further admits that during the aforesaid time periods, it aided and assisted its non-licensed employees to provide engineering services for the production of a custom, engineered furnace for this West Virginia project, all at times when its employees did not hold a registration from the Board.

32. Respondent Firm acknowledges that the Board may reject this proposal, notice and hold a hearing, and, upon adjudication, impose such sanctions of a disciplinary nature as it deems appropriate.

33. If the Board does reject this proposal, any admissions made herein by Respondent Firm are deemed null and void.

34. Should the Board not approve this Consent Order, Respondent Firm waives any objections to the Board or any of its members participating in the adjudication of this matter. This paragraph is binding on Respondent Firm even if the Board does not approve this Consent Order.

35. Respondent Firm acknowledges that this Consent Order is being executed for the purpose of avoiding further administrative action with respect to the above-styled matter. In this regard, Respondent Firm authorizes the Board to review and examine all investigative file materials concerning Respondent Firm's activities in West Virginia in consideration of this Consent Order.

36. Respondent Firm understands that this Consent Order constitutes a full and final settlement of this matter, and nothing in this Consent Order or the circumstances giving rise to the same may be the subject of any appeal or other civil or administrative actions except an action by the Board to enforce the terms of this Consent Order, but that nothing in this Consent Order prohibits the Board from considering this disciplinary action or the circumstances giving rise to same with regard to any future disciplinary matter involving Respondent Firm which may be before this Board.

37. Respondent Firm understands that the Complaint and this Consent Order are public records which, together with other public documents in the file, must be made available upon legal request in accordance with the State's Freedom of Information Act.

38. Respondent Firm agrees that the sum and substance of the Complaint and this agreement in part or in their entirety will be set forth in Board publications and on the Board's website, as well as other appropriate placements, including the non-public enforcement exchange

database administered by the National Council of Examiners for Engineering and Surveying (NCEES).

39. Respondent Firm acknowledges that non-compliance with this Consent Order may result in the rescission of this agreement, the reinstatement of the Complaint, the summary revocation, non-renewal or non-reinstatement of any Certificate of Authorization issued to Respondent Firm by the Board, and the addition of any other charges which may arise or ensue from Respondent Firm's non-compliance with this Consent Order.

40. Respondent Firm acknowledges that proof of any material misstatement or misrepresentation made in connection with this matter will result in the rescission of this agreement, the reinstatement of the Complaint, the summary revocation, non-renewal or non-reinstatement of any Certificate of Authorization issued to Respondent Firm by the Board, and the addition of any other charges which may arise or ensue from providing false information to the Board in violation of West Virginia Engineering Law.

ORDER

After due and mature consideration of the facts, the statements, and the applicable law governing this action, and being, otherwise fully informed of the premises, the Board hereby **DISCIPLINES** Consolidated Engineering Company, Inc., Respondent Firm, for violating West Virginia Engineering Law as follows:

1. On the basis of the foregoing, and upon entry of this Consent Order, the Board hereby **ORDERS** that this Consent Order shall serve as settlement of Complaint Number C2026-01 pursuant to West Virginia Code §30-13-22(b).

2. The Board **ORDERS** Respondent Firm to pay a civil penalty in the amount of Two Hundred Fifty Dollars ($250.00) for offering engineering services without a Certificate of Authorization.

3. The Board **ORDERS** Respondent Firm to pay a civil penalty in the amount of Two Hundred Fifty Dollars ($250.00) for providing engineering services without a Certificate of Authorization.

4. The Board **ORDERS** Respondent Firm to pay a civil penalty in the amount of Two Hundred Fifty Dollars ($250.00) for aiding or assisting a person in the practice of engineering in West Virginia without a license.

5. The civil penalty imposed herein totaling Seven Hundred and Fifty Dollars ($750.00), must be paid within thirty (30) days of the date of entry set forth below, such amount to be made payable to the "**W. Va. P.E. Board**" for transfer to the general fund of the State of West Virginia upon receipt.

6. The sum and substance of the Complaint and this agreement in part or in their entirety shall be set forth in Board publications and on the Board's website, as well as other appropriate placements, including the non-public enforcement exchange database administered by the National Council of Examiners for Engineering and Surveying (NCEES).

7. Any violation of the terms of this Consent Order shall be immediate cause for further disciplinary action by the Board.

8. If the civil penalty imposed herein is not paid within thirty (30) days of the date of entry set forth below, then Respondent Firm's COA, if applicable, is hereby **ORDERED REVOKED**. Said revoked COA may be restored once the civil penalty is paid, and Respondent Firm pays the appropriate fees, and is otherwise in good standing with the Board. West Virginia Code §30-13-21(d)(1).

9. This Consent Order may be summarily enforced in the Circuit Court of Kanawha County, West Virginia, without further notice to Respondent Firm upon application by the Board for the entry of a Judgment Order for the total amount of payment agreed to herein of Seven Hundred and Fifty Dollars ($750.00), together with pre-judgment interest from the date of the Board President's signature hereon, post-judgment interest from the date of

entry of the Judgment Order, and all costs of any enforcement action(s), which judgment shall be fully executable in accordance with applicable law.

10. This matter shall be closed upon execution of this Consent Order by both parties and the full payment of the civil penalty agreed to herein.

11. This Consent Order constitutes a full and final settlement of this matter, and nothing in this Consent Order or the circumstances giving rise to the same may be the subject of any appeal or other civil or administrative actions except an action by the Board to enforce the terms of this Consent Order. This shall not prohibit the Board from considering this disciplinary action or the circumstances giving rise to the same with regard to any future disciplinary matter involving Respondent Firm which may come before this Board.

12. This Consent Order relates solely to matters set forth in West Virginia Engineering Law and does not evidence compliance with any other laws of the State of West Virginia or its political subdivisions, nor should any such compliance be implied.

AGREED TO BY:

RESPONDENT FIRM

J. Allen Letson

CONSOLIDATED ENGINEERING COMPANY, INC.
By: JOHN A. LETSON, CFO

8/6/25
DATE

ENTERED into the records of the West Virginia State Board of Registration for Professional Engineers this 27th day of August, 2025.

WEST VIRGINIA STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS

By: Garth E Thomas Jr

GARTH E. THOMAS, JR., P.E.
BOARD PRESIDENT