

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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**STATE OF WISCONSIN
BEFORE THE EXAMINING BOARD OF ARCHITECTS, LANDSCAPE
ARCHITECTS, PROFESSIONAL ENGINEERS, DESIGNERS AND LAND
SURVEYORS-PROFESSIONAL ENGINEERS SECTION**

**IN THE MATTER OF THE DISCIPLINARY :
PROCEEDINGS AGAINST :
: FINAL DECISION AND ORDER
JENNIFER A. DRESSLER. :
RESPONDENT. : ORDER0000048
:**

Division of Enforcement Case File #: **06 ENG 026**

The parties to this action for the purpose of Wis. Stat. § 227.53 are:

Jennifer A. Dressler
Symbiont Science Engineering & Construction Inc.
6737 W. Washington Avenue
Suite 3440
West Allis, WI 53214

Department of Regulation and Licensing
Division of Enforcement
P.O. Box 8935
Madison, WI 53708-8935

Examining Board of Architects, Landscape Architects, Professional Engineers,
Designers and Land Surveyors-Professional Engineering Section
P.O. Box 8935
Madison, WI 53708

PROCEDURAL HISTORY

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final disposition of this matter, subject to the approval of the Wisconsin Professional Engineering Section ("Section"). The Section has reviewed this Stipulation and considers it acceptable.

Accordingly, the Section in this matter adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. Jennifer A Dressler ("Respondent"), date of birth: 12/05/71, is registered in the State of Wisconsin as a professional engineer having registration #06-34388. This registration was first granted on 09/20/00.

2. Respondent's last reported business address on file with the Department of Regulation and Licensing ("Department") is: 6737 W. Washington Street, Suite 3440, West Allis, Wisconsin 53214.

3. Respondent is employed as an engineer at Symbiont Science Engineering and Construction, Inc. ("Symbiont Science"). Symbiont Science is duly registered as an architecture or engineering corporation having registration #011-1339. This license was first granted on 05/20/81.

4. The current address on file with the Department for Symbiont Science is: 6737 W. Washington Street, Suite 3440, West Allis, Wisconsin 53214.

5. On or about December 6, 2006, the Department received a consumer complaint alleging the Respondent provided an inaccurate professional engineering report to the Wisconsin Department of Natural Resources (DNR) on four rebuilt United Liquid Waste Recyclers (ULWR) waste storage tanks, located in Clyman, Wisconsin. The matter was subsequently opened for investigation.

6. On or about June 9, 2006, Symbiont Science contracted with ULWR to provide an inspection report on four waste storage tanks. The Respondent served as the professional engineer who prepared the inspection report. On July 12, 2006, the report was filed with the DNR's Bureau of Watershed Management and sealed by the Respondent.

7. The Respondent certified to the DNR that the four waste storage tanks: (1) were in good structural condition and (2) had been properly erected in accordance with the design drawings furnished by the manufacturer. A true and correct copy of the June 9, 2006 contract and July 12, 2006 tank inspection report are attached as **Exhibits A and B** and are incorporated herein by reference.

8. During the Department's investigation, it was revealed that the four waste storage tanks structural condition, design drawings and usage was considered questionable because the manufacturer (Engineered Storage Products Company or its predecessor, A.O. Smith Harveststore Products, Incorporated) of the tanks had not provided anyone with designs for a structure that is similar to the four waste storage tanks.

9. Because the manufacturer had not provided anyone with the type of designs discovered in the storage tanks, a conclusion was reached by the Department that the tanks had not been erected in accordance with the design drawings of the manufacturer.

10. On or about March 15, 2007, Symbiont Science provided a written letter to the DNR in which it rescinded the certification of all four waste storage tanks. A true and correct copy of the March 15, 2007 letter is attached as **Exhibit C** and is incorporated herein by reference.

11. During the Department's investigation, it was discovered that the Respondent and Symbiont Science may have relied on inaccurate information to reach the conclusions set forth in **Exhibit B**.

12. In resolution of this matter, the Respondent, Jennifer A. Dressler, consents to the entry of the following Conclusions of Law and Order.

CONCLUSIONS OF LAW

1. The Wisconsin Professional Engineers Section of the Examining Board of Architects, Landscape Architects, Professional Engineers, Designers and Land Surveyors has jurisdiction to act in this matter pursuant to Wis. Stat. § 443.11.

2. The Wisconsin Professional Engineers Section of the Examining Board of Architects, Landscape Architects, Professional Engineers, Designers and Land Surveyors are authorized to enter into the attached Stipulation pursuant to Wis. Stat. § 227.44(5).

3. Respondent, Jennifer A. Dressler has violated:

- Wis. Stat. § 443.11(d)(e) and Wis. Admin. Code §§ A-E 8.04(3) and 8.06(1) by failing to use reasonable care and competence in providing a professional engineering report on a subject where sufficient knowledge had not been established.

ORDER

NOW THEREFORE, IT IS HEREBY ORDERED that the attached Stipulation is hereby accepted.

IT IS FURTHER ORDERED that Respondent, license # 006-34388 be, and hereby is **REPRIMANDED**.

IT IS FURTHER ORDERED that the Respondent, within nine months of the dating and signing of this Order, successfully complete the following course: an on-line engineering ethics class offered by the Murdough Center for Engineering Professionalism at Texas Tech University. Proof of continuing education requirements must be submitted in the form of verification from the institution providing the education to the address stated below.

IT IS FURTHER ORDERED that Respondent pay to the Department of Regulation and Licensing **COSTS of FIVE HUNDRED DOLLARS (\$500.00).**

IT IS FURTHER ORDERED, that a down payment of **FIVE HUNDRED DOLLARS (\$500.00)** shall be submitted within ninety (90) days from the date of this order. Payment shall be made by **certified check or money order**, payable to the Wisconsin Department of Regulation and Licensing and sent to:

**Department Monitor
Division of Enforcement
Department of Regulation and Licensing
P.O. Box 8935
Madison, WI 53708-8935
Telephone (608) 267-3817
Fax (608) 266-2264**

IT IS FURTHER ORDERED that in the event Respondent fails to pay the **FIVE HUNDRED DOLLARS (\$500.00)** costs within the time and in the manner as set forth above, then and in that event, and without further notice to the Respondent, her license #06-34388 shall be **SUSPENDED** without further hearing and without further Order of the Board, and said suspension shall continue until the full amount of said costs has been paid to the Department of Regulation and Licensing. Failure to pay the costs shall be considered a violation of this Order by the Board.

IT IS FURTHER ORDERED, that file, **06 ENG 026** be, and hereby is, closed as to the Respondent, Jennifer A. Dressler.

Dated this 4 day of Feb, 2009.

PROFESSIONAL ENGINEERS SECTION

By: _____

A member of the Section