

**Board for Geologists and Geophysicists**

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Enforcement Action

Richard Kahle

The Board for Geologist and Geophysicists (Board) issued a Citation and Fine of \$2,500 on September 19, 2007 to Mr. Kahle for violation of sections 7872(a) and 7872(h) of the Business and Professions Code (unlicensed professional practice of geology).

Mr. Kahle prepared a letter report entitled "Identification of Gasoline Plume South of Civic Center Plaza Building at 427-455 N. Escondido Blvd., Escondido, CA," dated September 6, 2006 (Letter Report) signed as "Richard Kahle, P.E., R.E.A.1". This Letter Report was submitted to the San Diego County, Department of Environmental Health on September 7, 2006.

The aforementioned Letter Report signed by Mr. Kahle demonstrates that he practiced geology in the State of California without a California Professional Geologist license. Consequently, Mr. Kahle violated Business and Professions Code section 7872(a) when he engaged in the practice of geology without a license.¹ These violations constitute grounds for disciplinary action under Business and Professions Code section 7872(a) and section 7872(h).

Mr. Kahle demonstrated cooperation with the Board's goal of public protection by identifying facts during his citation informal conference on November 28, 2007 related to his unlicensed practice of geology identified in the citation issued to him. Mr. Kahle proposed solutions to avoid possible future violations of the Business and Professions Code. Consequently, Mr. Kahle's fine amount was reduced to \$2,000.

In accordance with section 125.9(d) of the Business and Professions Code, payment of the fine does not constitute admission of the violation charged and represents satisfactory resolution of the matter. Mr. Kahle paid the reduced fine and the case was closed on February 5, 2008.

¹ The Registered Environmental Assessor (REA) program "Performance Standards" under Title 22 California Code of Regulations, Chapter 52, sections 69200-69214 specifically state: "All engineering and geologic work *shall* be performed by a registered professional in compliance with the requirements of the Professional Engineers Act, Business and Professions Code sections 6700-6799 and the Geologists and Geophysicists Act, Business and Professions Code sections 7800-7887" (italic added).

Protection of the public shall be the highest priority of the Board for Geologists and Geophysicists in exercising its licensing, regulatory, and disciplinary functions. Whenever the protection of the public is inconsistent with other interests sought to be promoted, the protection of the public shall be paramount. (Business and Professions Code §7810.1)