

**STATE OF CONNECTICUT  
DEPARTMENT OF PUBLIC HEALTH  
BUREAU OF REGULATORY SERVICES**

In re: Briant Bell

Petition No. 2000-0810-032-001

**CONSENT ORDER**

WHEREAS, Briant Bell of East Greenwich, Rhode Island (hereinafter "respondent") has been issued license number 005179 to practice as a subsurface sewage disposal system cleaner by the Department of Public Health (hereinafter "the Department") pursuant to Chapter 393a of the General Statutes of Connecticut, as amended; and,

WHEREAS, respondent admits that:

1. Respondent was issued an initial license to practice as a subsurface sewage disposal system cleaner on or about July 18, 2000;
2. On or about May 2, 2000, he pumped a septic tank at 450 Hemlock Point Lane, Coventry, Connecticut, without having a valid license to do so;
3. On or about June 28, 200, he pumped a septic tank at 5 Maple Corners Road, Gales Ferry, Connecticut, without having a valid license to do so;
4. When respondent pumped the septic tanks described in paragraphs 2 and 3 above, he engaged in the practice of a subsurface sewage disposal system cleaner without having a valid license to do so; and
5. The above described facts constitute grounds for disciplinary action pursuant to the General Statutes of Connecticut, §§20-341a, 20-341f(a) and 20-341f(d).

WHEREAS, respondent, in consideration of this Consent Order, has chosen not to contest this matter and agrees that for purposes of this or any future proceedings before the Department, this Consent Order shall have the same effect as if proven and ordered after a full hearing held pursuant to §§19a-10, 19a-14 and 20-341f(d) of the General Statutes of Connecticut.

NOW THEREFORE, pursuant to §§19a-14, 19a-17 and 20-341f(d) of the General Statutes of Connecticut, respondent hereby stipulates and agrees to the following:

1. Respondent waives his right to a hearing on the merits of this matter.
2. Respondent's license number 005179 to practice as a subsurface sewage disposal system cleaner in the State of Connecticut is hereby reprimanded.
3. Respondent shall pay a civil penalty of two-hundred and fifty dollars (\$250.00) by certified or cashier's check payable to "Treasurer, State of Connecticut." The check shall reference the Petition Number on the face of the check, and shall be payable at the time respondent submits the executed Consent Order to the Department.
4. Respondent shall comply with all state and federal statutes and regulations applicable to his licensure.
5. Respondent shall pay all costs necessary to comply with this Consent Order.
6. This Consent Order is effective on the date this Consent Order is accepted and ordered by the Department.
7. Respondent understands this Consent Order may be considered as a public document and evidence of the above admitted violations in any proceeding before the Department in which his compliance with this Consent Order or with Chapter 393a of the General Statutes of Connecticut, as amended, is at issue.
8. This Consent Order and terms set forth herein are not subject to reconsideration, collateral attack or judicial review under any form or in any forum. Further, this Order is not subject

to appeal or review under the provisions of Chapters 54 or 368a of the General Statutes of Connecticut, provided that this stipulation shall not deprive respondent of any rights that he may have under the laws of the State of Connecticut or of the United States.

9. This Consent Order is a revocable offer of settlement which may be modified by mutual agreement or withdrawn by the Department at any time prior to its being executed by the last signatory.
10. Respondent permits a representative of the Legal Office of the Bureau of Regulatory Services to present this Consent Order and the factual basis for this Consent Order to the Department. Respondent understands that the Department has complete and final discretion as to whether this executed Consent Order is approved or accepted.
11. Respondent has the right to consult with an attorney prior to signing this document.

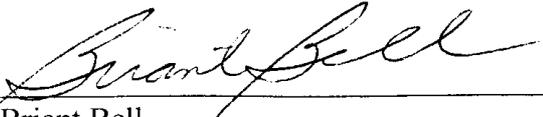
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I, Briant Bell, have read the above Consent Order, and I stipulate and agree to the terms as set forth therein. I further declare the execution of this Consent Order to be my free act and deed.

  
Briant Bell

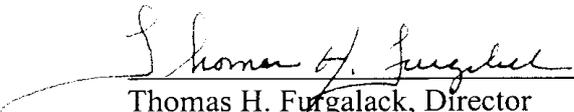
Subscribed and sworn to before me this 21<sup>st</sup> day of December 2000.

**Keith Compart**  
**Notary Public, State of Rhode Island**  
**My Commission Expires April 26, 2004**

  
Notary Public or person authorized  
by law to administer an oath or affirmation

The above Consent Order having been presented to the duly appointed agent of the  
Commissioner of the Department of Public Health on the 29<sup>th</sup> day of

December 2000, it is hereby accepted.

  
Thomas H. Furgalack, Director  
Division of Environmental Health

s:HF/bell/co  
11/00