

STATE OF CONNECTICUT
DEPARTMENT OF HEALTH SERVICES
BUREAU OF HEALTH SYSTEM REGULATION
DIVISION OF MEDICAL QUALITY ASSURANCE

Department of Health Services
Carl E. Johnson

In re:

Carl E. Johnson
Subsurface Sewage Disposal System Installer

Petition No. 830819-~~31~~-005

CONSENT ORDER

WHEREAS, Carl E. Johnson of Kensington, Connecticut has been issued License No. I-1185, to install subsurface sewage disposal systems by the Department of Health Services pursuant to Chapter 393a of the General Statutes of Connecticut, revised to 1 January 1977; and

WHEREAS, Carl E. Johnson hereby admits and acknowledges that:

1. On or about 25 May 1978 he installed a "Beehive" drywell at 97 Mt. Vernon Road, Plantsville, Connecticut.
2. In conjunction with the installation of said "Beehive" drywell:
 - a. he failed to make application to the Southington Health Department for a permit to install the "Beehive" drywell.
 - b. he failed to submit to the Southington Health Department the results of a percolation test in the area where the "Beehive" drywell was installed.
 - c. he failed to obtain a permit from the Southington Health Department to install the "Beehive" drywell.
 - d. he failed to have the installation of said "Beehive" drywell inspected and approved by the Southington Health Department.

3. The aforementioned conduct violated §20-341f of the Connecticut General Statutes revised to 1 January 1977, and §19-13-B20c(a) and (e), and §19-13-B20s of the 1978 Public Health Code.

NOW THEREFORE, pursuant to §19a-17 of the Connecticut General Statutes, revised to 1 January 1985, and §20-341f of the Connecticut General Statutes, revised to 1 January 1977, Carl E. Johnson hereby stipulates and agrees to the following:

1. That he waives his right to a hearing on the merits of this matter;
2. That he is hereby reprimanded;
3. That he shall pay to William Barrett, of 97 Mt. Vernon Road, Plantsville, Connecticut, 06479 the amount of two hundred and fifty dollars (\$250.00) within 30 days following the date the last signatory is affixed to this document;
4. That he understands that notice of this Consent Order is matter of public record;
5. That this Consent Order may be considered as evidence of the above admitted violations in any proceeding before the Department of Health Services (1) in which his compliance with this same order is at issue, or (2) in which his compliance with §20-341f of the General Statutes of Connecticut, revised to 1 January 1977, is at issue;
6. That 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, said Consent Order is not subject to appeal or review under the provisions of Chapter 54 of the General Statutes of Connecticut, revised to 1 January 1985, or Chapter 393a of the General Statutes of Connecticut, revised to

1 January 1977, provided that this stipulation shall not deprive him of any other rights that he may have under the laws of the State of Connecticut or of the United States;

- 7. That he has the right to consult with an attorney prior to signing this document.

I, Carl E. Johnson, have read the above Consent Order, and I agree and admit to the terms and allegations set forth therein. I further declare the execution of this Consent Order to my free act and deed.

Carl E. Johnson
Carl E. Johnson

Subscribed and sworn to before me this 29th day of October 1985.

Thomas O'Keefe
~~Notary Public or person authorized by law to administer an oath or affirmation~~
NY Com. Exp 3-31-96

The above Consent Order having been presented to the duly authorized agent of the Commissioner of the Department of Health Services on the 29th day of October 1985, it is hereby ordered and accepted.

Christine B. Spak
Christine B. Spak, Chief
Public Health Hearing Office

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