



5. He installed the sewage disposal system at Lot No. 30 Pheasant Drive, Ridgefield, Connecticut, at an improper elevation.
6. He installed the sewage disposal system at Lot No. 15 Pheasant Drive, Ridgefield, Connecticut with leaching trenches too close to the property line.
7. He improperly installed a pistol tube system at Lot No. 14 Pheasant Drive, Ridgefield, Connecticut.
8. By his conduct as set forth in paragraphs 1. through 7. above, he engaged in conduct which violated §20-341(d) of the Connecticut General Statutes; and

WHEREAS, the actions as described in paragraphs 1 through 7 were corrected prior to final approval by the Town of Ridgefield.

NOW THEREFORE, pursuant to Section 19a-17 and Section 20-341f(d) of the General Statutes of Connecticut, Lawrence McSwiggan 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 assessed a civil penalty of \$400.00 for failing to comply with §20-341f of the Connecticut General Statutes said fine shall be paid to:

"Treasurer, State of Connecticut"  
Department of Health Services  
Public Health Hearing Office  
150 Washington Street  
Hartford, Connecticut 06106

A certified check for said amount shall accompany this Consent Order upon execution by the respondent, Lawrence McSwiggan.

3. That his license, number I-1817, to practice as a subsurface sewage disposal system installer in Connecticut is hereby suspended. The suspension is stayed immediately and he is placed on probation for four years subject to the following conditions:
  - a. He shall conform to the standards of the licensed subsurface sewage disposal system installer profession including, but not limited to, the following:
    - (i) follow the instructions or orders of the sanitarian or agents of local department of health,
    - (ii) follow the requirements of the Connecticut Public Health Code and the Technical Standards for the Design and Construction of Subsurface Sewage Disposal System,
    - (iii) subsurface sewage disposal systems shall only be installed pursuant to plans approved by the local department of health,
    - (iv) trenches shall be installed with sufficient crushed stone throughout its entire length and at a proper elevation,
    - (v) trenches shall only be installed when their location has first been appropriately marked off by an engineer.
  - b. He shall not install a pistol tube system.

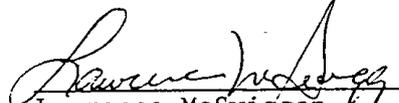
- c. He shall prepare a list of all subsurface sewage disposal systems which he installs. Said list shall include the name of the property owner, location of the property, including street address and town, date permit obtained, date system completed and dates(s) system inspected by the town. Said list shall be submitted monthly to:

Frank Schaub  
Department of Health Services  
On Site Sewage Disposal Section  
150 Washington Street  
Hartford, Connecticut 06106

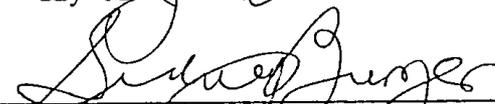
4. That violation of any of the conditions set forth in paragraphs 3a. through 3c. inclusive, shall result in an immediate six month suspension of his subsurface sewage disposal system installer license.
5. That this consent order is effective the first day of the month immediately following the date said Consent Order is ordered and accepted by the Connecticut Department of Health Services.
6. That he understands that notice of this Consent Order is a matter of public record.
7. That he understands that this Consent Order may be considered as evidence of the above admitted violations in any proceeding before the Connecticut Department of Health Services (1) in which his compliance with this same order is at issue, or (2) in which his compliance with Section 20-341f(d) of the General Statutes of Connecticut, as amended, is at issue.

8. 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, that said 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 him of any rights that he may have under the laws of the State of Connecticut or of the United States.
9. That he understands that he has the right to consult with an attorney prior to signing this document.

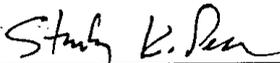
I, Lawrence McSwiggan, have read the above Consent Order, and I agree and admit to the terms and allegation set forth therein. I further declare the execution of this Consent Order to be my free act and deed.

  
\_\_\_\_\_  
Lawrence McSwiggan

Subscribed and sworn to before me this 1<sup>st</sup> day of June 1988.

  
\_\_\_\_\_  
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 Health Services on the 29<sup>th</sup> day of August 1988, it is hereby ordered and accepted.

  
\_\_\_\_\_  
Stanley K. Peck, Director  
Division of Medical Quality Assurance

co McSwiggan  
C025  
SJV:dm  
co disc