

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

In re:

Daniel Daignault

Petition No. 871002-33-007

CONSENT ORDER

WHEREAS, Daniel Daignault of Bethel, Connecticut has been issued an apprentice installer permit number IA-1196 to install, construct or repair subsurface sewage disposal systems by the Department of Health Services pursuant to Chapter 393a of the General Statutes of Connecticut, as amended; and

WHEREAS, Daniel Daignault hereby admits and acknowledges that:

1. In 1977 he obtained an Installer Apprentice permit.
2. On or about December 1983, he repaired and/or constructed a subsurface sewage disposal system at 4 Marion Street, in Danbury, Connecticut.
3. At the time said system was repaired and/or constructed:
  - (a) he did not submit a plan to the local health department for the repair and/or construction of the system;
  - (b) he did not obtain a permit to repair and/or construct said system;
  - (c) he did not contact the local health department to inspect the system; and
  - (d) he did not submit an as-built plan to the local health department.

4. By his conduct as set forth in paragraphs 1. though 3. above, he engaged in conduct which violated §20-341f(d) of the Connecticut General Statutes.

NOW THEREFORE, pursuant to §19a-17 and §20-341f(d) of the Connecticut General Statutes, Daniel Daignault 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 assessed a civil penalty of \$100.00. The payment of the \$100.00 fine shall be by certified check and shall accompany this Consent Order upon execution by the respondent. Said check shall be made payable to Treasurer, State of Connecticut.
3. That his apprentice installer permit number IA-1196 is revoked.
4. That a licenced subsurface sewage disposal system installer other than Andrew Daignault may make application to the Department of Health Services for an apprentice installer permit for the respondent. Said permit shall be subject to the terms and conditions set forth below in paragraph 7.
5. The respondent shall be permitted to apply for a license as a subsurface sewage disposal system installer. If the respondent satisfies the requirement of Chapter 393a of the General Statutes of Connecticut he shall be issued a subsurface sewage disposal system installer license subject to the conditions set forth below in paragraph 7.

6. It is understood that he shall not be permitted to install, construct or repair any subsurface sewage disposal system unless he holds a valid apprentice installer permit or a valid subsurface sewage disposal system installer license.
7. That if the respondent obtains an apprentice installer permit or a subsurface sewage disposal system installer license he shall be placed on probation for two years from the date said permit or license is issued subject to the following terms and conditions:
  - (a) he shall not construct, install or repair a subsurface sewage disposal system unless:
    - (1) a plan has been submitted to the local health department;
    - (2) a permit has been obtained to construct, install or repair the system;
    - (3) the local health department has inspected the system after it has been installed, constructed or repaired; and
    - (4) an as-built plan for said system has been submitted to the local health department.
  - (b) during the period of probation he shall prepare a list of all subsurface sewage disposal systems which he installs, constructs or repairs. 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 date(s) system inspected by local health department. Said list shall be submitted each month to:

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

8. Violation of any of the conditions set forth in paragraphs 7.a. through 7.b. without prior written approval of the Department of Health Services shall result in an immediate two year suspension of his apprentice installer permit, or of his subsurface sewage disposal system installer license.
9. He understands that during the period of probation the Department of Health Services may require the town sanitarian or other duly authorized town official in those towns where the respondent has installed, constructed or repaired subsurface sewage disposal systems to provide a report on the quality of the respondent's work.
10. That he understands that this Consent Order is a matter of public record.
11. That nothing in this Consent Order shall be construed as limiting the powers of the Department of Health Services pursuant to §4-182(c) of the Connecticut General Statutes.
12. That he understands that this Consent Order may be considered as evidence of the above admitted violations in any proceeding before the Connecticut Board (1) in which his compliance with this same order is at issue, or (2) in which his compliance with §20-341f(d) of the General Statutes of Connecticut, as amended, is at issue.
13. 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.

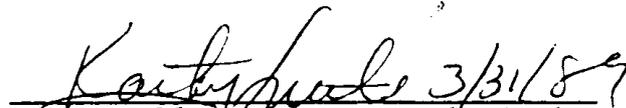
14. That this Consent Order is effective when accepted and approved by the Department of Health Services.

15. That he understands that he has the right to consult with an attorney prior to signing this document.

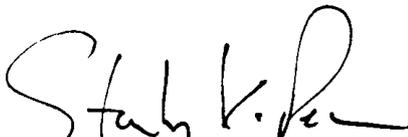
I, Daniel Daignault, have read the above Consent Order, and I agree and admit to the terms and allegations set forth therein. I further declare the execution of this Consent Order to be my free act and deed.

  
Daniel Daignault

Subscribed and sworn to before me this 1<sup>st</sup> day of October 1987.

  
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 Health Services on the 8<sup>th</sup> day of October 1987, it is hereby ordered and accepted.

  
Stanley K. Peck, Director  
Division of Medical Quality Assurance

GGM:aw/jew  
cc adaignault  
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