

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

In re: Peter Gervais, S.S.I.

Petition No. 960118-033-002

CONSENT ORDER

WHEREAS, Peter Gervais of Windham, Connecticut (hereinafter "respondent") has been issued license number 003563 to practice subsurface sewage disposal system installation by the Department of Public Health (hereinafter "the Department") pursuant to Chapter 393a of the Connecticut General Statutes, as amended; and,

WHEREAS, the Department alleges that:

1. In or about August of 1995, while working as a licensed subsurface sewage disposal system installer at 194 Hebron Road, Bolton, Connecticut (hereinafter "the premise"), respondent:
 - a. failed to obtain the required permits and approvals from the local health district for work performed at the premise on a subsurface sewage system (hereinafter "the system"); and/or,
 - b. failed to provide 24 hours advance notice to the local health district before starting work on the premise.
2. The above described facts constitute grounds for disciplinary action pursuant to the General Statutes of Connecticut, §20-341f(d), taken in conjunction with Connecticut State Agency Regulations §§19-13-B103e(f)(1)(2) and Technical Standards II, VIII and IX.

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 of the General Statutes of Connecticut.

NOW THEREFORE, pursuant to Chapter 393a and 19a-11 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 003563 to practice as a subsurface sewage system installer in the State of Connecticut is hereby reprimanded.
3. Respondent shall pay a civil penalty of two hundred fifty dollars (\$250) 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. This Consent Order is effective on the first day of the month immediately following the date this Consent Order is accepted and ordered by the Department.
6. 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 §20-341f(d) of the General Statutes of Connecticut, as amended, is at issue.
7. 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

I, Peter Gervais, 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.

Peter M. Gervais
Peter Gervais, S.S.I.

Subscribed and sworn to before me this 8 day of August 1997.

Thomas Fungalaek
Notary Public or person authorized
by law to administer an oath or affirmation
My Comm Exp. 6-30-98

The above Consent Order having been presented to the duly appointed agent of the Commissioner of the Department of Public Health on the 23rd day of SEPTEMBER 1997, it is hereby accepted.

Paul Schur
~~Paul Schur, Director~~ *Thomas Fungalaek, Sup. Env. San.*
Division of Environmental Health