STATE OF CONNECTICUT
DEPARTMENT OF PUBLIC HEALTH
BUREAU OF REGULATORY SERVICES

In re: Peter D. Douglas, S.S.I. Petition No. 970808-033-014

CONSENT ORDER

WHEREAS, Peter D. Douglas of Fairfield, Connecticut (hereinafter "respondent") has been issued license number 005277 to practice as a subsurface sewage disposal system installer 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. On or about July 31, 1997, he installed a subsurface sewage disposal system at 79 Village Drive, Shelton, Connecticut without a permit.
2. The above described facts constitute grounds for disciplinary action pursuant to the General Statutes of Connecticut, §20-341f(d), including, but not limited to:
    a. §20-341f(d)(2); and/or
    b. §20-341f(d)(3).

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-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 005277 to practice as a subsurface sewage disposal system installer in the State of Connecticut is hereby reprimanded.

3. Respondent shall pay a civil penalty of two hundred dollars ($200.00) 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 including, but not limited to:

   (1) viewing individual plans on file at the office of the local Director of Health prior to commencing performance on any installation, modification, extraction or repair contract;

   (2) acquiring all requisite permits, submitting a plan, and obtaining approval to construct as required by regulation; and,

   (3) notifying the local Director of Health or his/her agent twenty-four (24) hours prior to commencing performance on any installation, modification, extraction or repair contract.

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 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.

8. 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.

9. 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.

10. Respondent has the right to consult with an attorney prior to signing this document.

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I, Peter D. Douglas, 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 D. Douglas, S.S.I.

Subscribed and sworn to before me this 12 day of January 1998.

ANN E. HRADSKY
Notary Public, State of Connecticut
No. 54508
Qualified in Fairfield County
My Commission Expires 11/30/23

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 29th day of JANUARY 19

Thomas Furgalack, Director
Division of Environmental Health

S: gdb/douglas/legal/co
6/98