

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

In re: Peter Shannon

Petition No. 2002-1115-042-003

CONSENT ORDER

WHEREAS, Peter Shannon of Stamford, CT (hereinafter "respondent") has been issued license number 000264 to practice as an asbestos consultant - project monitor by the Department of Public Health (hereinafter "the Department") pursuant to Chapter 400a of the General Statutes of Connecticut, as amended; and,

WHEREAS, respondent admits that:

1. In or about October 2002, respondent was the licensed asbestos consultant – project monitor for an asbestos abatement project at 26 Surrey Street, Cheshire, CT (hereinafter “the property”). The asbestos abatement project involved the removal of approximately 254 square feet of asbestos containing floor tile and 15 square feet of asbestos containing sheet rock.
2. Respondent was hired to perform a final visual inspection and to conduct post abatement reoccupancy air sampling at the property.
3. On or about October 3, 2002, respondent failed to ensure that the abatement project was properly completed by the asbestos contractor in that he failed to ensure that there was no visible residue in the work area before collecting post abatement air samples. A Department investigator observed visible residue in the work area in the vicinity of copper pipes and along the perimeter where sheet rock was removed. Samples of debris were subsequently analyzed and determined to contain asbestos.



4. The above described facts constitute grounds for disciplinary action pursuant to Chapter 400a and §§19a-332 and 19a-332a of the General Statutes of Connecticut, taken in conjunction with §§19a-332a-1, 19a-332a-2, 19a-332a-5(g), 19a-332a-12(b), 20-440-1, 20-440-3(a), 20-440-3(b)(4) and/or 20-440-6 of the Regulations of Connecticut State Agencies.

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, 19a-14 and Chapter 400a of the General Statutes of Connecticut.

NOW THEREFORE, pursuant to §§19a-14, 19a-17 and Chapter 400a 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 000264 to practice as an asbestos consultant – project monitor in the State of Connecticut is hereby reprimanded.
3. Respondent shall pay a civil penalty of two hundred and seventy-five dollars (\$275.00) 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.
5. Respondent shall pay all costs necessary to comply with this Consent Order.
6. This Consent Order is effective on the date this Consent Order is accepted by the Department.
7. 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 Chapters 400a or 368l of the General Statutes of Connecticut, as amended, is at issue.

8. 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.
9. 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.
10. Respondent permits a representative of the Legal Office of the Bureau of Healthcare Systems 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.
11. Respondent has the right to consult with an attorney prior to signing this document.

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I, Peter Shannon, 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.

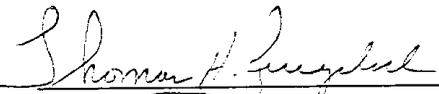

Peter Shannon

Subscribed and sworn to before me this 7th day of April 2003.


Notary Public or person authorized
by law to administer an oath or affirmation

BEVERLY B. NOBLE
NOTARY PUBLIC
MY COMMISSION EXPIRES FEB. 28, 2007

The above Consent Order having been presented to the duly appointed agent of the Commissioner of the Department of Public Health on the 17th day of April 2003, it is hereby accepted.


Thomas H. Furgalack, Director
Division of Environmental Health
Bureau of Regulatory Systems

s:llf/Shannon/CO