

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

In re: Accurate Insulation and Asbestos Removal, Inc.  
formerly known as Accurate Insulation, Inc.

Petition No. 20000406-053-014

**CONSENT ORDER**

WHEREAS, Accurate Insulation and Asbestos Removal, Inc. of Bristol, CT (hereinafter "respondent") has been issued license number 000008 to practice as an asbestos contractor 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 November 1999, respondent was the licensed asbestos contractor for an asbestos abatement project at 816 Bantam Road, Litchfield, CT (hereinafter "the property"). Said project involved the removal of asbestos containing floor tiles and duct paper from a vacant commercial building on the property.
2. On or about November 23, 1999, during a Department inspection of the asbestos abatement project at the property, respondent failed to:
  - a. ensure that all non-movable objects in the work area were covered with a minimum of six mil polyethylene sheeting or the equivalent in that a commercial floor safe in the work area was uncovered during the abatement of floor tile;
  - b. ensure that all openings between the work area and non-work areas were sealed airtight with six mil polyethylene sheeting in there was a six inch hole in the polyethylene sheeting adjacent to the worker decontamination unit; and

- c. properly construct and maintain a worker decontamination facility in that there was a black film on the floor of the clean room.
3. The above described facts constitute grounds for disciplinary action pursuant to Chapter 400a and §§19a-332 and 19a-332a(b) of the General Statutes of Connecticut, taken in conjunction with the Regulations of Connecticut State Agencies, §§19a-332a-1, 19a-332a-2, 19a-332a-5(c), 19a-332a-5(d), 19a-332a-6, 20-440-1 and 20-440-6(b).

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 its right to a hearing on the merits of this matter.
2. Respondent's license number 000008 to practice as an asbestos contractor in the State of Connecticut is hereby reprimanded.
3. Respondent shall pay a civil penalty of one thousand dollars (\$1,000.00) 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 its 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 and ordered 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 its compliance with this Consent Order or with Chapters 400a or 3681 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 it 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 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.
11. Respondent has the right to consult with an attorney prior to signing this document.

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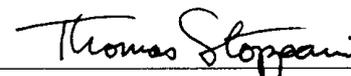
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I, James P. Dagata, President of Accurate Insulation and Asbestos Removal, Inc. formerly known as Accurate Insulation, Inc., have read the above Consent Order, and I hereby represent and warrant that I am fully authorized and empowered to bind said corporation. I hereby stipulate and agree to bind Accurate Insulation and Asbestos Removal, Inc. to the terms as set forth therein. I further declare the execution of this Consent Order to be my free act and deed.

  
James P. Dagata, President

Subscribed and sworn to before me this 28<sup>th</sup> day of June 2000.

  
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 7<sup>th</sup> day of July 2000, it is hereby accepted.

  
Thomas Furgalack, Director  
Division of Environmental Health

s:llf/accurate/co  
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