

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

In re: Astech-Marmon, Inc.

Petition No. 20000327-053-009

CONSENT ORDER

WHEREAS, Astech-Marmon, Inc. of Bridgeport, CT (hereinafter "respondent") has been issued license number 000181 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. On or about June 10, 1999 respondent was the licensed asbestos contractor for an asbestos abatement project at St. Agnes Roman Catholic Church, 400 Merwin Avenue, Milford, CT (hereinafter "the property"). The asbestos abatement project involved the removal of asbestos containing insulation from a boiler room.
2. On or about said date, respondent, in connection with the asbestos abatement project at the property:
 - a. failed to cover all wall surfaces in the work area with a minimum of two layers of four (4) mil polyethylene sheeting. Instead, respondent's workers covered the wall surfaces with one layer of polyethylene sheeting;
 - b. failed to ensure that the work area was isolated from the non-work areas with air-tight barriers attached securely in place in that two (2) areas along the edge of a wall created with polyethylene sheeting were not attached securely to the perimeter walls

of the boiler room in which the asbestos abatement work was being performed. Said breaches were promptly sealed during the Department's inspection; and

c. failed to supply warm water to the worker decontamination shower in that at the time of the Department's inspection there was no water being supplied to the shower.

2. 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 (hereinafter "the Regulations") §§19a-332a-1, 19a-332a-2, 19a-332a-5(c), 19a-332a-5(e), 19a-332a-6(a) and 20-440-6(b). The Regulations were amended on or about June 4, 1999. Unless otherwise noted, all references are to those Regulations in effect after June 4, 1999.

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.

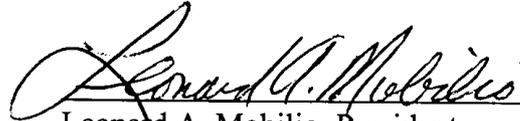
NOW THEREFORE, pursuant to §§19a-14, 19a-17 and Chapter 400a of the General Statutes of Connecticut, respondent hereby stipulates and agrees to the following:

1. Respondent waives its right to a hearing on the merits of this matter.
2. Respondent's license number 000181 to practice as an asbestos contractor in the State of Connecticut is hereby reprimanded.
3. Respondent shall pay a civil penalty of one-thousand and seven-hundred dollars (\$1,700.00) 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.

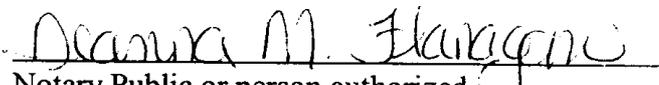
4. Respondent shall comply with all state and federal statutes and regulations applicable to its licensure.
5. Respondent shall pay all costs necessary to comply with this Consent Order.
6. This Consent Order is effective on the date this Consent Order is accepted and ordered by the Department.
7. Respondent 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.

I, Leonard A. Mobilio, President of Astech-Marmon, Inc., have read the above Consent Order, and I affirm that I am fully authorized and empowered to bind said corporation. I hereby stipulate and agree to bind Astech-Marmon, Inc. to the terms as set forth therein. I further declare the execution of this Consent Order to be my free act and deed.


Leonard A. Mobilio, President

Subscribed and sworn to before me this 14th day of May 2000.

DEANNA M. FLANAGAN
NOTARY PUBLIC
MY COMMISSION EXPIRES DEC. 31, 2001


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 18th day of May 2000, it is hereby accepted.


Thomas Furgalack, Director
Division of Environmental Health

s:llf/astech/CO
4/00