

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

In re: Oscar R. Ardon d/b/a Oscar's Abatement

Petition No. 2001-0316-053-006

CONSENT ORDER

WHEREAS, Oscar R. Ardon d/b/a Oscar's Abatement of Hartford, CT (hereinafter "respondent") has been issued license number 000304 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 February 2001, respondent was the licensed asbestos contractor for an asbestos abatement project at 348 Sigourney Street, Hartford, CT (hereinafter "the property"). Said project involved the removal of approximately 144 square feet of asbestos containing floor covering, six (6) square feet of asbestos containing flue cement and 75 square feet of asbestos containing duct insulation in connection with the demolition of a fire damaged house on the property.
2. On or about February 16, 2001, in connection with the asbestos abatement project at the property, respondent:
 - a. failed to provide negative pressure ventilation units with high efficiency particulate air (hereinafter "HEPA") filtration in sufficient number to allow at least one (1) air change every fifteen minutes in that the unit serving a basement work area was unplugged at the time of the Department's inspection;

- b. failed to properly utilize a remote decontamination system in that the basement work area did not contain a HEPA vacuum for the workers to use to remove visible asbestos debris from their persons. In addition, the basement work area did not contain clean disposable coveralls for the workers to don before proceeding to a remote decontamination system to shower and change clothes; and
 - c. failed to use a glove bag or a similar airtight barrier when performing a spot repair of duct fittings installed in the joists of the basement ceiling.
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 §§19a-332a-1, 19a-332a-2, 19a-332a-5(h), 19a-332a-6(b), 19a-332a-10(a), 20-440-1 and 20-440-6(b) 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 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 000304 to practice as an asbestos contractor in the State of Connecticut is hereby reprimanded.
3. Respondent shall pay a civil penalty of seven hundred dollars (\$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.

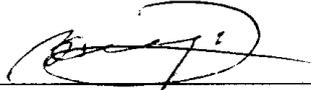
4. Respondent shall comply with all state and federal statutes and regulations applicable to his licensure.
5. Respondent shall pay all costs necessary to comply with this Consent Order.
6. This Consent Order is effective on the date this Consent Order is accepted by the Department.
7. Respondent understands 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 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, Oscar R. Ardon d/b/a Oscar's Abatement, 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.



Oscar R. Ardon d/b/a Oscar's Abatement

Subscribed and sworn to before me this 10th day of December 2001.

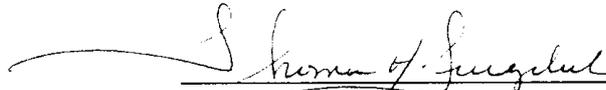


Notary Public or person authorized
by law to administer an oath or affirmation
BERNARD N. DIEGO
NOTARY PUBLIC
MY COMM. EXPIRES 6/30/04

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

December 2001, it is hereby accepted.



Thomas H. Furgalack, Director
Division of Environmental Health