

STATE OF CONNECTICUT
DEPARTMENT OF PUBLIC HEALTH
REGULATORY SERVICES BRANCH

In re: Bojan Developments L.L.C.

Petition No. 2005-1118-053-017

STATEMENT OF CHARGES

Pursuant to the General Statutes of Connecticut, §§19a-10 and 19a-14, the Department of Public Health (hereinafter "the Department") brings the following charges against Bojan Developments L.L.C.:

1. Bojan Developments L.L.C. of Belleville, NJ (hereinafter "respondent") is, and has been at all times referenced in this Statement of Charges, the holder of Connecticut asbestos contractor license number 000408.
2. In or about the summer of 2005, respondent was the licensed asbestos contractor for an asbestos abatement project performed in connection with the renovation of the Kendall Elementary School, Norwalk, CT (hereinafter "the school").
3. On or about June 30, 2005, in connection with the asbestos abatement project at the school, respondent violated Connecticut's standards applicable to the performance of asbestos abatement, which standards are found at §§19a-332a-1 to 19a-332a-16, inclusive, of the Regulations of Connecticut State Agencies (hereinafter, collectively "Connecticut Standards"), in one or more of the following ways, in that it:
 - a. failed to isolate the work area from the non-work area with airtight barriers, in violation of §19a-332a-5(c) of the Connecticut Standards, in that a metal hatch in the floor of a classroom work area was not sealed with a polyethylene barrier;
 - b. failed to cover all floor and/or wall surfaces with two (2) layers of polyethylene sheeting or the equivalent, in violation of §19a-332a-5(e) of the Connecticut Standards, in that a waste dumpster incorporated into a work area had a single polyethylene liner, which was serving as a primary containment barrier and was collapsing;
 - c. failed to restrict work area access to authorized personnel afforded proper protective clothing, in violation of §19a-332a-5(f) of the Connecticut Standards, in that workers wore street clothing and/or shoes into the work area(s);
 - d. failed to label approximately fifty (50) bags of asbestos containing waste with applicable generator information, in violation of §19a-332a-5(k) of the Connecticut Standards;
 - e. failed to properly construct a worker decontamination system, in violation of §19a-332a-6(a) of the Connecticut Standards, in that the shower room was constructed in a

manner that allowed worker(s) to by-pass the shower upon entering or exiting the work area; and/or

- f. failed to ensure that all asbestos containing materials to be removed or disturbed by removal are adequately wetted, in violation of §19a-332a-7(a) of the Connecticut Standards, in that there was no source of water supplying a work area and/or no water being used by respondent's workers.
4. The above described facts constitute grounds for disciplinary action pursuant to, without limitation, the General Statutes of Connecticut, §§20-440 and/or 19a-332a(b), taken in conjunction with §§19a-332a-1, 19a-332a-2, 19a-332a-5(c), 19a-332a-5(e), 19a-332a-5(f), 19a-332a-5(k), 19a-332a-6(a), 19a-332a-7(a) and/or 20-440-6(b) of the Regulations of Connecticut State Agencies.

THEREFORE, the Department prays that:

The Commissioner or his designee, as authorized in §19a-17 of the General Statutes of Connecticut and/or §20-440-6(b) of the Regulations of Connecticut State Agencies, revoke or order other disciplinary action against the asbestos contractor license of Bojan Developments L.L.C. as it deems appropriate and consistent with law.

Dated at Hartford, Connecticut this 3rd day of May 2007.



Suzanne Blancaflor, Section Chief
Environmental Health Section
Regulatory Services Branch

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