

DOCKET NO. HHD-CV15-6057167-S

STATE OF CONNECTICUT COMMISSIONER :	SUPERIOR COURT
OF THE DEPARTMENT OF PUBLIC HEALTH :	
<i>Plaintiff</i> :	JUDICIAL DISTRICT OF
	HARTFORD AT HARTFORD
v. :	
GENTRY, INC. :	
27 MAPLE DRIVE :	
MONROE, CT 06468 :	
<i>Defendant</i> :	May 18, 2015

REVISED ORDER

The Court, after review, finds the following:

1. Plaintiff is the commissioner of the Connecticut Department of Public Health ("Commissioner").
2. The Connecticut Department of Public Health ("Department") and the Commissioner have jurisdiction over all matters concerning the purity and adequacy of any water supply source.
3. Defendant is Gentry, Inc., 27 Maple Drive, Monroe, Connecticut 06468.
4. Defendant is a public water system as it serves at least twenty-five (25) residents. Regulations of Connecticut State Agencies § 19-13-B102(a)(92).

With respect to Count One, the court finds:

5. On July 23, 2013, pursuant to Conn. Gen. Stat. §§ 19a-2a, 19a-36, 25-32, 25-34 and 25-36, the Department issued an Order to defendant requiring that he verify in writing to the Department that an operator has been employed or

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- retained who is certified to operate a small water system pursuant to the requirements of the Regulations of Connecticut State Agencies ("Regulations") § 25-32-11a. Order DWS 13-049-027, attached as Exhibit A to the Complaint.
6. Defendant was advised that he had a right to a hearing and that could contest this Order and have a hearing by filing a written request for a hearing. Exhibit A.
 7. Defendant did not request a hearing.
 8. Defendant failed to comply with the Order.
 9. The court orders Defendant to comply with Order No. DWS 13-049-027 by June 12, 2015.
 10. Failure of defendant to comply by June 12, 2015 shall result in a penalty of \$250.00 per day until defendant complies.

With respect to Count Two the Court finds:

11. On July 23, 2013, pursuant to Conn. Gen. Stat. §§ 19a-2a, 25-32, 25-34 and 25-36, the Department issued an Order to defendant requiring that defendant comply with the Regulations by monitoring and reporting various water quality tests. Order DWS 13-085-064, attached as Exhibit B to the Complaint.
12. Defendant was advised that he had a right to a hearing and that he could contest this Order and have a hearing by filing a written request for a hearing. Exhibit B.
13. Defendant did not request a hearing.
14. Defendant failed to comply with the Order.

15. The Court orders the Defendant to immediately comply with the Public Health Code regarding all monitoring of the water system and Order No. DWS 13-085-064.
16. Failure of defendant to comply by June 12, 2015 shall result in a penalty of \$250.00 per day until defendant complies.

With respect to Count Three, the Court finds:

17. In February of 2013, the Department issued a Notice of Violation and Civil Penalty/Final Order. Order DWS 13-085-004, attached as Exhibit C to the Complaint.
18. The Order required defendant to submit test results for various water quality testing.
19. Defendant was advised that he had a right to a hearing and that he could contest this Order and have a hearing by filing a written request for a hearing. Exhibit C.
20. Defendant did not request a hearing.
21. Defendant failed to comply with the Order.
22. For the violations found in Count Three with respect to Order No. DWS 13-085-004, the Court orders that Defendant shall pay one million seven hundred twenty-one thousand one hundred twenty dollars (\$1,721,120.00) on or before June 12, 2015.
23. Failure of defendant to pay such amount by June 12, 2015 shall result in a penalty of \$250.00 per day until defendant pays said amount in full.

With respect to Count Four, the Court finds:

24. In April of 2013, the Department issued a Notice of Violation and Civil Penalty/Final Order. Order DWS 13-085-035, attached as Exhibit D to the Complaint.
25. The Order required defendant to submit test results for various water quality testing.
26. Defendant was advised that he had a right to a hearing, and that he could contest this Order and have a hearing by filing a written request for a hearing. Exhibit D.
27. Defendant did not request a hearing.
28. Defendant failed to comply with the Order.
29. For the violations found in Count Four with respect to Order No. DWS 13-085-035, the Court orders that Defendant shall pay one million seven hundred fourteen thousand nine hundred eighty dollars (\$1,714,980.00) on or before June 12, 2015.
30. Failure of defendant to pay such amount by June 12, 2015 shall result in a penalty of \$250.00 per day until defendant pays said amount in full.

With respect to Count Five, the Court finds:

31. In July of 2013, the Department issued a Notice of Violation and Civil Penalty/Final Order. Order DWS 13-085-051, attached as Exhibit E to the Complaint.

32. The Order required defendant to submit test results for various water quality testing.
33. Defendant was advised that he had a right to a hearing and that he could contest this Order and have a hearing by filing a written request for a hearing. Exhibit E.
34. Defendant did not request a hearing.
35. Defendant failed to comply with the Order.
36. For the violations found in Count Five with respect to Order No. DWS 13-085-051, the Court orders that Defendant shall pay two million five hundred ninety nine thousand forty dollars (\$2,599,040.00) on or before June 12, 2015.
37. Failure of defendant to pay such amount by June 12, 2015 shall result in a penalty of \$250.00 per day until defendant pays said amount in full.

With respect to Count Six, the Court finds:

38. In October 2013, the Department issued a Notice of Violation and Civil Penalty/Final Order. Order DWS 013-085-071, attached as Exhibit F to the Complaint.
39. The Order required defendant to submit test results for various water quality testing.
40. Defendant was advised that he had a right to a hearing and that he could contest this Order and have a hearing by filing a written request for a hearing. Exhibit F.
41. Defendant did not request a hearing.
42. Defendant failed to comply with the Order.

43. For the violations found in Count Six with respect to Order No. DWS 13-085-071, the Court orders that Defendant shall pay one million one hundred one thousand one hundred twenty dollars (\$1,101,120.00) on or before June 12, 2015.
44. Failure of defendant to pay such amount by June 12, 2015 shall result in a penalty of \$250.00 per day until defendant pays said amount in full.

With respect to Count Seven, the Court finds:

45. In January 2014, the Department issued a Notice of Violation and Civil Penalty/Final Order. Order DWS 014-085-012, attached as Exhibit G to the Complaint.
46. The Order required defendant to submit test results for various water quality testing.
47. Defendant was advised that he had a right to a hearing and that he could contest this Order and have a hearing by filing a written request for a hearing. Exhibit G.
48. Defendant did not request a hearing.
49. Defendant failed to comply with the Order.
50. For the violations found in Count Seven with respect to Order No. DWS 014-085-012, the Court orders that Defendant shall pay nine hundred seventy nine thousand one hundred eighty dollars (\$979,180.00) on or before June 12, 2015.
51. Failure of defendant to pay such amount by June 12, 2015 shall result in a penalty of \$250.00 per day until defendant pays said amount in full.

With respect to Count Eight, the Court finds:

52. In September 2014, the Department issued a Notice of Violation and Civil Penalty/Final Order. Order DWS 014-085-057, attached as Exhibit H to the Complaint.
53. The Order required defendant to submit test results for various water quality testing.
54. Defendant was advised that he had a right to a hearing and that he could contest this Order and have a hearing by filing a written request for a hearing. Exhibit H.
55. Defendant did not request a hearing.
56. Defendant failed to comply with the Order.
57. For the violations found in Count Eight with respect to Order No. DWS 014-085-057, the Court orders that Defendant shall pay two-hundred eighty-five thousand six hundred dollars (\$285,600.00) on or before June 12, 2015.
58. Failure of defendant to pay such amount by June 12, 2015 shall result in a penalty of \$250.00 per day until defendant pays said amount in full.

With respect to Count Nine, the Court finds:

59. In September 2014, the Department issued a Notice of Violation and Civil Penalty/Final Order. Order DWS 014-085-125, attached as Exhibit I to the Complaint.
60. The Order required defendant to submit test results for various water quality testing.

61. Defendant was advised that he had a right to a hearing and that he could contest this Order and have a hearing by filing a written request for a hearing. Exhibit I.
62. Defendant did not request a hearing.
63. Defendant failed to comply with the Order.
64. For the violations found in Count Nine with respect to Order No. DWS 014-085-125, the Court orders that Defendant shall pay three hundred twenty eight thousand two hundred eighty dollars (\$328,280.00) on or before June 12, 2015.
65. Failure of defendant to pay such amount by June 12, 2015 shall result in a penalty of \$250.00 per day until defendant pays said amount in full.

Dated this 22nd day of MAY, 2015.


Honorable Judge Robaina
Judge of the Superior Court

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