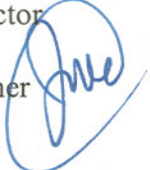


## Memorandum

To: Christine Thompson, Director  
Roger Thompson, Program Manager  
Sal Spinosa, Enforcement Director

From: Jeffrey Wennberg, Commissioner 

Date: January 5, 2007

Re: Limitation of enforcement against installers and licensed designer under 10 V.S.A. §1975(f) and section 1-314 of the Wastewater System and Potable Water Supply Rules.

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As of this date I have rescinded the limitation imposed on enforcement actions against designers and installers that was issued by Christopher Recchia on October 31, 2002.

While I anticipate the situations in which a penalty should be requested will be rare, it is important that the programs have the full range of compliance tools available as we move in the direction of significantly increased reliance on the designer's or the installer's certifications.

If, as part of a recommendation for enforcement action against a designer or an installer you include a request for a penalty, I will expect clear justification of that request.

Referral to the appropriate designer licensing authority may occur in addition to enforcement taken under the authorities referenced above.

Any enforcement proposal including a request for penalties shall be based on actions occurring after this date. All proposed enforcement actions against designers or installers shall be approved by the Commissioner prior to referral.

Copy: Robert E. Dufresne, P.E.  
John Forcier, P.E.  
Anne Whiteley, Agency Counsel  
Warren Coleman, Deputy Chief Counsel

enforcement limitations 2007-1-4.doc

