

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
DEPARTMENT OF BUSINESS REGULATION
1511 PONTIAC AVENUE
BUILDINGS 68-69
CRANSTON, RI 02920**

IN THE MATTER OF: :
 :
 NATIONAL WRECKING CO. INC., : DBR No. 08-L-0184
 :
 RESPONDENT. :

CONSENT ORDER

The Department of Business Regulation ("Department") and National Wrecking, Inc. ("Respondent") hereby propose the following terms to resolve the above-captioned matter:

1. The Respondent acknowledges that the Department has alleged certain facts and statutory and regulatory violations in an Order to Show Cause, Notice of Hearing and Appointment of Hearing Officer ("Order") in this matter. The Order is attached hereto as Exhibit One.
2. The Department represents that had this matter gone to hearing, the Department would have been prepared to present witnesses, documents, and other evidence of Respondent's violations to support the alleged violations in the Order.
3. The Respondent acknowledges that had this matter proceeded to hearing that the Department would have been able to establish a factual basis to support prior violations due to Respondent's unlicensed activity, and the violation of the Department of Environmental Management ("DEM") Consent Agreement due in part to Respondent's inability to remove solid waste from the premises in a timely manner. Respondent acknowledges that this past conduct constitutes evidence that the

Respondent had in the past failed to demonstrate the requisite competence, and business acumen required under R.I. Gen. Laws § 42-14.2-4 and therefore, there is a sufficient basis to have denied Respondent's license application pursuant to R.I. Gen. Laws §§ 42-14.2-9(1) and (3) and CLR 6 Section 6, subsections A(2) and (5) at that time.

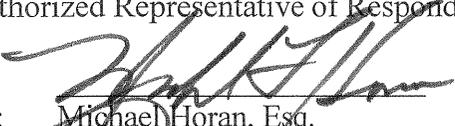
4. Respondent has provided evidence that it has cured the violations cited in Paragraph 3 above and/or has confirmed a willingness to comply with the violations and/or issues cited in the Order.
5. Respondent has cured all outstanding DEM violations (with the exception of a monetary penalty which is under dispute) and the Department has confirmed with DEM counsel that DEM does not object to Respondent being licensed by the Department because there is no longer a threat to public health and safety at Respondent's premises.
6. Respondent voluntarily waives its right to complete the hearing process, voluntarily waives his right to appeal to Superior Court, and acknowledges that it has remedied all alleged violations and has taken all necessary action to allow Respondent to obtain and maintain the License in good-standing.
6. Respondent must:
 - A. Pay a total administrative penalty of five hundred dollars(\$500);
 - B. Maintain and ensure compliance with all statutory and regulatory requirements of R.I. Gen. Laws § 42-14.2-1 et seq. and Commercial Licensing Regulation 6 entitled *Auto Wrecking and Salvage Yards* (CLR 6);

C. Immediately notify the Department of any complaints and/or any notice of violation or other impropriety by any agency with jurisdiction over the Respondent.

7. Upon payment of the administrative penalty, all licensing fees, and completion of all licensing application requirements, Respondent may obtain an automobile wrecking and salvage yard license.
8. Should Respondent fail to comply with the terms of this Consent Order, the Department will initiate further administrative proceedings to impose penalties against Respondent including, but not limited to: i) suspension, ii) revocation, and/or iii) such additional administrative penalties as deemed appropriate by the Department. Respondent shall be provided with notice and opportunity for hearing should the Department decide to take such further action.

CONSENTED TO AS TO FORM AND SUBSTANCE BY:

Authorized Representative of Respondent:

By: 
Michael Horan, Esq.
Counsel for Respondent

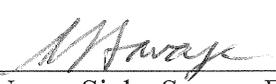
Date: JULY 23, 2012

NATIONAL WRECKING Co. INC
By: Thomas A. D'Agostino

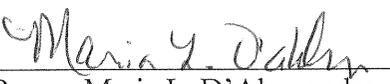
Duly Authorized on behalf of Respondent

Date: JULY 23, 2012

Department:

By: 
Neena Sinha Savage, Esq.
Chief of Legal Services
Department of Business Regulation

Date: Aug. 1, 2012

By: 
Maria L. D'Alessandro, Esq.
Deputy Director
Commercial Licensing Division

Date: 8/1/12

RECOMMENDED BY:


Catharine W. Warren, Esq.
Hearing Officer

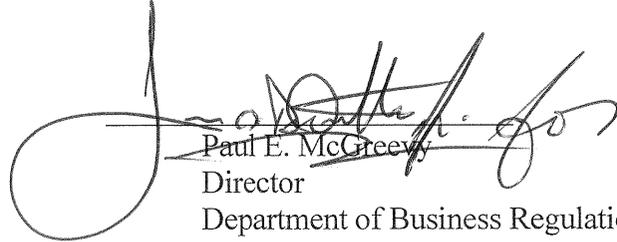
Date: 8/14/12

ORDER

I hereby approve _____ reject the Consent Order as agreed to by and between the parties in the above entitled matter.

Order Number: 12-049

Entered: 8/17, 2012


Paul E. McGreevy
Director
Department of Business Regulation

THIS CONSENT ORDER CONSTITUTES A FINAL ORDER OF THE DEPARTMENT OF BUSINESS REGULATION PURSUANT TO RHODE ISLAND GENERAL LAWS TITLE 42, CHAPTER 35. AS SUCH, THIS ORDER MAY BE APPEALED TO THE SUPERIOR COURT SITTING IN THE COUNTY OF PROVIDENCE WITHIN THIRTY (30) DAYS OF THE DATE OF THIS DECISION. SUCH APPEAL, IF TAKEN, MAY BE COMPLETED BY FILING A PETITION FOR REVIEW OF SAID COURT. HOWEVER, RESPONDENT UNDERSTANDS THAT BY WAIVING ITS RIGHT TO A COMPLETE HEARING AND AGREEING TO THIS CONSENT ORDER, THE ABOVE RIGHTS ARE WAIVED AND IF ANY TERMS OF THIS CONSENT ORDER ARE VIOLATED, RESPONDENT'S LICENSE SHALL BE SUBJECT TO SUSPENSION OR REVOCATION.