

**VIRGINIA:**

**SEWAGE HANDLING AND DISPOSAL APPEAL REVIEW BOARD**

BILL SCUTERI, )  
 )  
 Appellants, )  
 )  
 v. )  
 )  
 VIRGINIA DEPARTMENT OF HEALTH, )  
 )  
 Appellee. )

**ORDER**

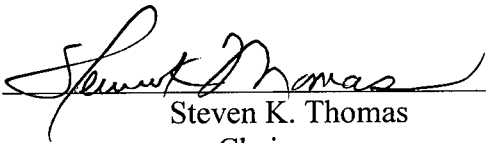
This matter comes before the Sewage Handling and Disposal Appeal Review Board (“Board”) pursuant to Virginia Code § 32.1-163 *et seq.* and § 2.2-4000 *et seq.* Based upon the entirety of the record of this matter presented at the August 5, 2009 hearing, the Board finds as follows:

**FINDINGS OF FACT**

1. This case is an administrative appeal of the decision of the State Health Commissioner for the Virginia Department of Health (“Department”) to deny a sewage disposal system permit pursuant to Virginia Code § 32.1-163 *et seq.* and 12 VAC 5-610 *et seq.* Mr. Scuteri did not appear at the hearing, and neither an attorney nor a representative appeared on his behalf. The Department was present.

Because Mr. Scuteri did not appear, the Board hereby dismisses the appeal of Bill Scuteri without prejudice.

**If the Appellants wish to appeal this ORDER, they may do so pursuant to Va. Code § 2.2-4000 et seq. and the Rules of the Supreme Court of Virginia by: (1) filing a Notice of Appeal with the Secretary of the Board within thirty (30) days of service of this ORDER as required by Rule 2A:2; and (2) filing a Petition for Appeal in the Circuit Court within (30) days of filing the Notice of Appeal in accordance with Rule 2A:4 of the Rules of the Supreme Court of Virginia.**

  
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Steven K. Thomas  
Chairman

Dated: September 8, 2009

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