

**BEFORE THE BOARD OF COMMISSIONERS
OF THE METROPOLITAN WATER RECLAMATION
DISTRICT OF GREATER CHICAGO**

MWRDSC
FINANCE DEPARTMENT
2015 NOV 13 A.M. 3:31

**METROPOLITAN WATER RECLAMATION)
DISTRICT OF GREATER CHICAGO,)**

Complainant,

v.

**DENORMANDIE TOWEL & LINEN SUPPLY)
COMPANY a/k/a DENORMANDIE TOWEL &)
LINEN, INC.,)**

Respondent.

Enforcement Action No. 91652

7780 S. Dante Avenue, Chicago, IL

Hearing Officer Franklin A. Abel, Jr.

**HEARING OFFICER'S REPORT CONSISTING OF FINDINGS OF FACT,
CONCLUSIONS OF LAW, AND ORDER, FOLLOWING EXPEDITED HEARING**

This matter coming to be heard upon the Oral Motion for Judgment made by the Complainant, Metropolitan Water Reclamation District of Greater Chicago, ("District"), and the Hearing Officer being advised in the premises;

THE HEARING OFFICER FINDS AND CONCLUDES that:

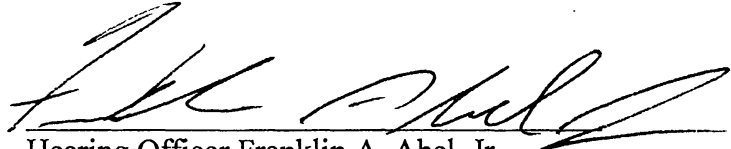
1. The District filed a Verified Show Cause Complaint in this cause, arising out of alleged violations of the District's Sewage & Waste Control Ordinance, on July 2, 2015;
2. On September 25, 2015, the Hearing Officer entered a Report Consisting of Findings of Fact, Conclusions of Law, and Order, ("Report") and said Report was approved and adopted as the Final Order ("Final Order") of the Board of Commissioners of the Metropolitan Water Reclamation District of Greater Chicago on October 15, 2015. (A copy of the Legislation Details, with text, and the Hearing Officer's Report are attached hereto and made a part hereof.);

3. The Final Order of the Board of Commissioners revoked the Industrial User Discharge Authorization of DeNormandie Towel & Linen Supply Company a/k/a DeNormandie Towel & Linen, Inc. ("DeNormandie") and prohibited DeNormandie from causing or allowing the discharge of any process wastewater into a sewerage system under the District's jurisdiction;
4. A copy of the Final Order of the Board of Commissioners was personally served upon Richard DeNormandie, DeNormandie's General Manager, by District Environmental Specialist, Romero Powell, on October 15, 2015;
5. Multiple inspections of DeNormandie's facility, including an inspection on November 12, 2015 by District personnel, revealed that DeNormandie is continuing to discharge process wastewater to a sewer under the District's jurisdiction in violation of the Final Order of the Board of Commissioners;
6. On November 3, 2015, the District's Executive Director notified DeNormandie that it is in violation of the Final Order of the Board of Commissioners and ordered that an expedited hearing be held on November 13, 2015 before the Hearing Officer for the purpose of determining whether DeNormandie has violated the Final Order of the Board of Commissioners;
7. A copy of the Executive Director's notification to DeNormandie was personally served upon Edward DeNormandie, President, by District Environmental Specialist, Franklin Hayes, on November 3, 2015 and Respondent failed to appear at the expedited hearing on November 13, 2015;
8. Based upon a preponderance of the evidence in the record, Respondent, DeNormandie Towel & Linen Supply Company a/k/a DeNormandie Towel & Linen, Inc., is continuing to discharge process wastewater to a sewer under the District's jurisdiction and is in significant violation of the Final Order of the District's Board of Commissioners.

THE HEARING OFFICER ORDERS that:

1. Pursuant to Article VI, Section 6, of the Sewage & Waste Control Ordinance, DeNormandie's sewer(s) shall be plugged such that process wastewater shall not be discharged to a sewer under the District's jurisdiction.

NOW, THEREFORE, THE HEARING OFFICER RECOMMENDS THAT THE DISTRICT'S BOARD OF COMMISSIONERS ENTER A BOARD ORDER AGAINST DENORMANDIE TOWEL & LINEN SUPPLY COMPANY A/K/A DENORMANDIE TOWEL & LINEN, INC. APPROVING AND ADOPTING THE FOREGOING FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER.


Hearing Officer Franklin A. Abel, Jr.

Entered: November 13th, 2015

Ronald M. Hill
Lisa Luhrs Draper
James J. Zabel
Yatanya A. Thompson
Attorneys for Complainant
100 East Erie Street
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312.751.6594



Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street
Chicago, IL 60611

Legislation Details (With Text)

File #: 15-1149 **Version:** 1
Type: Agenda Item **Status:** Adopted
File created: 10/5/2015 **In control:** Judiciary Committee
On agenda: 10/15/2015 **Final action:** 10/15/2015
Title: Request for Order approving and adopting Hearing Officer's Report Consisting of Findings of Fact, Conclusions of Law, and Order to the Board of Commissioners for the Verified Show Cause Complaint and Motion for Default Judgment in the matter of Metropolitan Water Reclamation District of Greater Chicago v. DeNormandie Towel & Linen Supply Company a/k/a DeNormandie Towel & Linen, Inc., Enforcement Action No. 91652

Sponsors:

Indexes:

Code sections:

Attachments: 1. aeab176c-6d48-4a65-bd73-5bf61358340f

Date	Ver.	Action By	Action	Result
10/15/2015	1	Board of Commissioners	Approved	Pass
10/15/2015	1	Committee of the Whole	Recommended	Pass

TRANSMITTAL LETTER FOR BOARD MEETING OF OCTOBER 15, 2015

COMMITTEE ON JUDICIARY

Mr. David St. Pierre, Executive Director

Request for Order approving and adopting Hearing Officer's Report Consisting of Findings of Fact, Conclusions of Law, and Order to the Board of Commissioners for the Verified Show Cause Complaint and Motion for Default Judgment in the matter of Metropolitan Water Reclamation District of Greater Chicago v. DeNormandie Towel & Linen Supply Company a/k/a DeNormandie Towel & Linen, Inc., Enforcement Action No. 91652

Dear Sir:

DeNormandie Towel & Linen Supply Company a/k/a DeNormandie Towel & Linen, Inc. ("DeNormandie") operates a commercial laundry facility located at 7780 South Dante Avenue, Chicago, Illinois. DeNormandie is classified as a Significant Industrial User under the Metropolitan Water Reclamation District of Greater Chicago's ("District") Sewage and Waste Control Ordinance ("S&WCO") and is subject to the terms and conditions of Industrial User Discharge Authorization No. 15912-6.

On July 2, 2015, the District filed a Verified Show Cause Complaint against DeNormandie seeking the revocation of DeNormandie's Industrial User Discharge Authorization ("DA") arising out of alleged violations of the S&WCO and/or DeNormandie's DA. Specifically, the Complaint alleged that DeNormandie failed to pay its outstanding User Charges for 2010 through 2014 and 2015 year-to-date in the approximate amount of \$267,509.31 in violation of the S&WCO and/or DeNormandie's

DA. Previous attempts to contact DeNormandie and resolve DeNormandie's outstanding User Charge liability were unsuccessful. On October 24, 2014, the District filed a collection lawsuit in the Circuit Court of Cook County that resulted in the entry of a default judgment against DeNormandie on January 29, 2015 in the amount of \$234,378.92 that remains unsatisfied thereby giving rise to the present Show Cause action.

The District caused the Verified Show Cause Complaint, Notice of Pre-Hearing Conference setting the matter for July 30, 2015 before Hearing Officer Franklin A. Abel, Jr., and Rules Governing the Proceedings, Assessment of Civil Penalties, and Issuance of Orders Under the Sewage and Waste Control Ordinance, to be served upon DeNormandie. DeNormandie failed to attend the Pre-Hearing Conference on July 30, 2015 and as of August 24, 2015, DeNormandie had not filed an Appearance with the Clerk of the District or answered or otherwise filed a responsive pleading to the District's Verified Show Cause Complaint. On August 26, 2015, the District filed a Motion for Default Judgment seeking the issuance of a Report to the District's Board of Commissioners, including findings of fact, conclusions of law, and order, finding DeNormandie in violation of the S&WCO and its DA, and revoking DeNormandie's DA and such other relief as the Hearing Officer deemed appropriate.

On September 25, 2015, Hearing Officer Abel issued a Report Consisting of Findings of Fact, Conclusions of Law, and Order in this matter (a copy of which is attached hereto and made a part hereof) wherein it is recommended that the District's Board of Commissioners enter a Board Order finding DeNormandie to be in violation of the S&WCO and its DA and revoking DeNormandie's DA, including prohibiting DeNormandie from causing or allowing the discharge of any process wastewater into any sewerage system under the District's jurisdiction.

The Law Department requests that the Board of Commissioners approve and adopt the attached Hearing Officer's Report Consisting of Findings of Fact, Conclusions of Law, and Order, including the revocation of DeNormandie's Industrial User Discharge Authorization and prohibiting DeNormandie from causing or allowing the discharge of any process wastewater into any sewerage system under the District's jurisdiction, as and for the Final Order of the Board of Commissioners.

Requested, Ronald M. Hill, General Counsel, RMH:LLD:JJZ:crb
Recommended, Dr. Thomas C. Granato, Director of Monitoring and Research
Respectfully Submitted, Mariyana T. Spyropoulos, Chairman Committee on Judiciary
Disposition of this agenda item will be documented in the official Regular Board Meeting Minutes of the Board of Commissioners for October 15, 2015

Attachment

BEFORE THE BOARD OF COMMISSIONERS
OF THE METROPOLITAN WATER RECLAMATION
DISTRICT OF GREATER CHICAGO

MWRDGC
FINANCE DEPARTMENT
2015 SEP 25 A 10:34

METROPOLITAN WATER RECLAMATION)
DISTRICT OF GREATER CHICAGO,)

Complainant,)

v.)

DENORMANDIE TOWEL & LINEN SUPPLY)
COMPANY a/k/a DENORMANDIE TOWEL &)
LINEN, INC.,)

Respondent.)

Enforcement Action No. 91652

7780 S. Dante Avenue, Chicago, IL

Hearing Officer Franklin A. Abel, Jr.

**HEARING OFFICER'S REPORT CONSISTING OF FINDINGS OF FACT,
CONCLUSIONS OF LAW, AND ORDER**

This matter coming to be heard upon the Motion for Default Judgment filed by the Complainant, Metropolitan Water Reclamation District of Greater Chicago, ("District"), the Respondent having notice of same and the Hearing Officer being advised in the premises;

THE HEARING OFFICER FINDS AND CONCLUDES that:

1. The District filed a Verified Show Cause Complaint in this cause, arising out of alleged violations of the District's Sewage & Waste Control Ordinance, on July 2, 2015;
2. The District caused the Verified Show Cause Complaint, Notice of Pre-Hearing Conference setting the matter for July 30, 2015 at 2:00 P.M., and Rules Governing the Proceedings, Assessment of Civil Penalties, and Issuance of Orders Under the Sewage & Waste Control Ordinance, ("Rules Governing the Proceedings"), to be served upon the Respondent, DeNormandie Towel & Linen Supply Company a/k/a DeNormandie Towel & Linen, Inc.;
3. The Respondent failed to appear at the Pre-Hearing Conference on July 30, 2015;

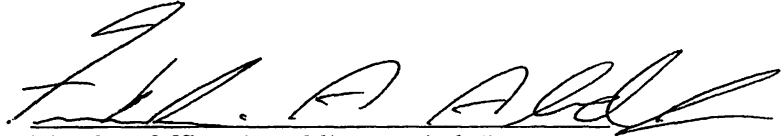
4. As of August 24, 2015, Respondent has not filed an appearance with the Clerk of the District or answered or otherwise filed a responsive pleading to the District's Verified Show Cause Complaint;
5. The Respondent, DeNormandie Towel & Linen Supply Company a/k/a DeNormandie Towel & Linen, Inc., is in default;
6. Pursuant to the Rules Governing the Proceedings, each allegation in the Verified Show Cause Complaint is admitted;
7. The Respondent, DeNormandie Towel & Linen Supply Company a/k/a DeNormandie Towel & Linen, Inc. is in violation of the District's Sewage & Waste Control Ordinance;
8. The Respondent, DeNormandie Towel & Linen Supply Company a/k/a DeNormandie Towel & Linen, Inc. is in violation of Section B, Standard Condition 5 of Respondent's Discharge Authorization No. 15912-6;

THE HEARING OFFICER ORDERS that:

1. Respondent, DeNormandie Towel & Linen Supply Company a/k/a DeNormandie Towel & Linen, Inc., is in violation of the Sewage and Waste Control Ordinance of the Metropolitan Water Reclamation District of Greater Chicago, ("District");
2. Respondent, DeNormandie Towel & Linen Supply Company a/k/a DeNormandie Towel & Linen, Inc., is in violation of Section B, Standard Condition 5 of Respondent's Discharge Authorization No. 15912-6;
3. Respondent's, DeNormandie Towel & Linen Supply Company a/k/a DeNormandie Towel & Linen, Inc., Industrial User Discharge Authorization No. 15912-6 is revoked;
4. Respondent, DeNormandie Towel & Linen Supply Company a/k/a DeNormandie Towel & Linen, Inc., is prohibited from causing or allowing the discharge of any process wastewater into any sewerage system under the jurisdiction of the Metropolitan Water Reclamation District of Greater Chicago.

NOW, THEREFORE, THE HEARING OFFICER RECOMMENDS THAT THE DISTRICT'S BOARD OF COMMISSIONERS ENTER A BOARD ORDER AGAINST DENORMANDIE TOWEL & LINEN SUPPLY COMPANY A/K/A DENORMANDIE

TOWEL & LINEN, INC. APPROVING AND ADOPTING THE FOREGOING
FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER.



Hearing Officer Franklin A. Abel, Jr.

Entered: September 25th, 2015

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