



Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street
Chicago, IL 60611

Legislation Details (With Text)

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Title: Settlement of Electronic Plating Co. v. the Metropolitan Water Reclamation District of Greater Chicago and the Metropolitan Water Reclamation District of Greater Chicago v. Electronic Plating Co. Enforcement Action Nos. 92403 and 92305

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Attachments:

Date	Ver.	Action By	Action	Result
7/12/2018	1	Board of Commissioners	Approved	Pass
7/12/2018	1	Committee of the Whole	Recommended	Pass

TRANSMITTAL LETTER FOR BOARD MEETING OF JULY 12, 2018

COMMITTEE ON JUDICIARY

Mr. John P. Murray, Acting Executive Director

Settlement of Electronic Plating Co. v. the Metropolitan Water Reclamation District of Greater Chicago and the Metropolitan Water Reclamation District of Greater Chicago v. Electronic Plating Co. Enforcement Action Nos. 92403 and 92305

Dear Sir:

The Metropolitan Water Reclamation District of Greater Chicago (“District”) and Electronic Plating Co. (“Electronic Plating”) have reached a settlement of Electronic Plating’s appeal arising out of the denial of Electronic Plating’s Request for Renewal of Discharge Authorization Number (“DA”) 12222-7.7 by the Director of Monitoring and Research (“M&R”). The settlement will eliminate the need for a formal hearing to be held before the Board of Commissioners. The settlement also resolves the District’s Verified Show Cause Complaint arising out of alleged violations of the Sewage & Waste Control Ordinance (“S&WCO”).

By way of background, on May 13, 2016, Electronic Plating appealed the denial of its request to renew its DA due to unresolved exceedances in violation of the S&WCO. On June 2, 2016, the District filed a Verified Show Cause Complaint against Electronic Plating arising out of these alleged violations. A Pre-Hearing Conference on these matters was held before Hearing Officer Frederic H. Everly, Jr. on June 21, 2016 and continued from time to time for frequent status hearings until March 9, 2018.

In an effort to comply with the S&WCO, Electronic Plating made certain improvements in plant infrastructure, including wastewater treatment equipment, plumbing modifications, structural improvements and electrical modifications, and implemented best management practices applicable to the metal finishing industry.

The settlement includes Electronic Plating’s agreement to pay a balance due in the amount of \$22,716.66.

Furthermore, Electronic Plating agrees to pay \$250.00 to \$1,000.00 per day for any S&WCO violation that occurs after March 9, 2018, through six months after the Board enters an Order approving the settlement. The settlement also provides that administrative costs (Noncompliance Enforcement Charges) will be assessed for such violations.

M&R has reviewed the settlement and has no objections. Hearing Officer Frederic H. Everly, Jr. has approved the settlement on these terms, and Electronic Plating has executed a Settlement Agreement.

Accordingly, the General Counsel respectfully requests that the Board of Commissioners approve the settlement of Electronic Plating Co. v. the Metropolitan Water Reclamation District of Greater Chicago and the Metropolitan Water Reclamation District of Greater Chicago v. Electronic Plating Co. Enforcement Action Nos. 92403 and 92305 upon the terms stated herein and for authority to execute such documents as may be necessary to effect same.

Requested, Susan T. Morakalis, General Counsel, STM:BO'C:JJZ:PS:nm

Recommended, John P. Murray, Acting Executive Director

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 July 12, 2018