



# Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street  
Chicago, IL 60611

## Legislation Details (With Text)

**File #:** 19-1161      **Version:** 1

**Type:** Agenda Item      **Status:** Adopted

**File created:** 11/13/2019      **In control:** Industrial Waste & Water Pollution Committee

**On agenda:** 11/21/2019      **Final action:** 11/21/2019

**Title:** Authority for the Board of Commissioners to review the petition of Pullman Innovations, 2701 East 100th Street, Chicago, Illinois, to appeal the 2018 User Charge Liability Determination of the Director of the Monitoring and Research Department - Appeal No. 19B-003

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. 11-21-19 Atts Pullman.pdf

Date	Ver.	Action By	Action	Result
11/21/2019	1	Board of Commissioners	Approved	Pass

### TRANSMITTAL LETTER FOR BOARD MEETING OF NOVEMBER 21, 2019

#### COMMITTEE ON INDUSTRIAL WASTE AND WATER POLLUTION

Mr. Brian A. Perkovich Executive Director

Authority for the Board of Commissioners to review the petition of Pullman Innovations, 2701 East 100<sup>th</sup> Street, Chicago, Illinois, to appeal the 2018 User Charge Liability Determination of the Director of the Monitoring and Research Department - Appeal No. 19B-003

Dear Sir:

Pullman Innovations submitted its 2018 User Charge Annual Certified Statement (RD-925) on February 19, 2019, and reported a Net User Charge (NUC) of \$746,759.06. The District revised Pullman Innovations' 2018 NUC from the reported \$746,759.06 to \$839,163.43 and advised Pullman Innovations of this revision in an email sent on March 25, 2019.

Pullman Innovations appealed the revision of its 2018 User Charge liability as determined by the Director of the Monitoring and Research Department (Director), by letter dated April 18, 2019. A meeting was held on June 20, 2019, with representatives from Pullman Innovations, its consultant Environmental Monitoring and Technologies, Inc., and the Monitoring and Research Department, wherein the appeal of Pullman Innovations' 2018 User Charges was presented. The Director, by letter dated August 7, 2019, which was received by Pullman Innovations on August 9, 2019, advised that the NUC was properly calculated and would remain at \$839,163.43.

Pullman Innovations wrote to the Director by letter dated October 17, 2019, which was received by the District on October 21, 2019, advising that Pullman Innovations did not concur with the determination of the Director and, in accordance with Section 9 of the District's User Charge Ordinance (Ordinance), petitioned the Board of Commissioners (Board) for a hearing on its appeal of the Director's determination of this matter. This petition for a hearing was made in a timely manner. As of October 22, 2019, Pullman Innovations has met its obligation under the Ordinance to pay at least 85% of its 2018 User Charge liabilities. Therefore, the petition

for a hearing is in conformance with the provisions of Section 9 of the Ordinance relating to “Appeals to the Board of Commissioners.” Pursuant to the provisions of Section 9b(2) of the Ordinance, the Board shall review the petition for appeal and determine whether it will conduct the hearing itself or delegate same to an assigned hearing officer.

Accordingly, it is respectfully submitted that the Executive Director request that the Board:

1. Set a date certain upon which the Board would hear the appeal of Pullman Innovations while sitting en banc; or
2. Designate that an assigned hearing officer conduct such a hearing on behalf of the Board in accordance with Section 9 of the Ordinance.

Requested, Edward W. Podczerwinski, Director of Monitoring and Research, EWP:JW:EPI:CO:BS:lk

Recommended, Susan T. Morakalis, General Counsel

Disposition of this agenda item will be documented in the official Regular Board Meeting Minutes of the Board of Commissioners for November 21, 2019

Attachments