



Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street
Chicago, IL 60611

Legislation Text

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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