

**AN ORDINANCE TO AMEND
THE SEWAGE AND WASTE CONTROL
ORDINANCE OF THE METROPOLITAN
WATER RECLAMATION DISTRICT
OF GREATER CHICAGO**

BE IT ORDAINED by the Board of Commissioners of the Metropolitan Water Reclamation District of Greater Chicago that the Sewage and Waste Control Ordinance of the Metropolitan Water Reclamation District of Greater Chicago, as amended, is hereby further amended as follows:

That Appendix F of the Sewage and Waste Control Ordinance of the Metropolitan Water Reclamation District of Greater Chicago, as amended, is hereby further amended as follows:

**APPENDIX F
to the
SEWAGE AND WASTE CONTROL
ORDINANCE
ENFORCEMENT RESPONSE PROCEDURE**

TYPES OF ENFORCEMENT RESPONSES

Industrial Users (IU) found in noncompliance with any of the terms or conditions of the Ordinance are subject to enforcement action under the ERP. Enforcement actions such as Notices of Noncompliance and Cease and Desist Orders are determined by the District's Executive Director and are administered through the office of the Director of Monitoring and Research (Director). Show Cause proceedings and legal actions are administered by the District's Attorney upon recommendation from the Director.

F. Show Cause Proceedings (SC)

When it has been determined that any person has failed to comply with a Cease and Desist Order, the Executive Director of the District may order an IU who engages in activity or conduct prohibited by the Ordinance to Show Cause before the District's Board of Commissioners (Board), or its hearing officer designee, why such prohibited activity or conduct should not be discontinued.

I. Noncompliance Enforcement (NCE) Activities

**Noncompliance Enforcement (NCE) Charges
Effective January 1, 2011**

Enforcement Level	Sampling Charge	Administrative Cost
Notice of Noncompliance	\$809 <u>\$712</u>	\$958 <u>\$843</u>
Cease & Desist Order (Single-sample SNC)	\$1,867 <u>\$1,643</u>	\$958 <u>\$843</u>
Cease & Desist Order (Chronic/Acute SNC)	\$4,725 <u>\$4,158</u>	\$958 <u>\$843</u>
Recurring Cease & Desist Order (Per each C&D Order)	\$4,725 <u>\$4,158</u>	\$958 <u>\$843</u>
Show Cause or Legal Action	To be addressed in resolution of the enforcement action	

The NCE charges, where applicable, will be assessed by invoice issued to the person found in noncompliance. If the person disputes the NCE charges, the person must notify the Director of Monitoring and Research, in writing, of such dispute within 30 days of receipt of the NCE invoice, together with the reasons why the person disputes the charges. All disputes regarding NCE charges will be handled in accordance with Article V, Section 10 of this Ordinance.

Dated: November 18, 2010, to become effective January 1, 2011

Approved:

HON. TERRENCE J. O'BRIEN, President
Board of Commissioners, Metropolitan Water
Reclamation District of Greater Chicago

Approved as to Form & Legality:

Deputy General Counsel

General Counsel