

**Metropolitan Water Reclamation District of Greater Chicago**

INDUSTRIAL WASTE DIVISION

111 EAST ERIE STREET CHICAGO, ILLINOIS 60611-2893 p: 312.751.3044 p: 312.751.3000

**Thomas C. Granato, Ph.D., BCES**

Director of Monitoring and Research

June 6, 2016

Mr. Grant DeNormandie  
Owner  
Dustcatchers, Inc.  
8801 South Chicago Avenue  
Chicago, Illinois 60617-2445

Dear Mr. DeNormandie:

Subject: Appeal No. 16D-004 – Revision of the 2015 Net User Charge in the Amount of \$4,095.55 for Dustcatchers Inc., U26606, Located at 8801 South Chicago Avenue, Chicago, Illinois

The Metropolitan Water Reclamation District of Greater Chicago (District) acknowledges a letter dated May 19, 2016, from Mr. Ankur Shah, regarding the subject appeal and the appeals of Dustcatchers Inc. (Dustcatchers) classification as a Large Commercial Industrial User (LCIU), and Dustcatchers potential categorization as a Significant Industrial User (SIU).

**The request to appeal Dustcatchers' Net User Charges for the reporting year 2015 is granted. An Authorized Representative of Dustcatchers, as defined in Section 2 of the User Charge Ordinance (Ordinance), is required to appear at the Industrial Waste Division, Third Floor, 111 East Erie Street, Chicago, Illinois, on June 27, 2016, at 10:00 a.m.** The Authorized Representative may be accompanied by persons familiar with the operations of the facility and the technical matters appealed. Please note that Director-level Appeal Meetings are technical in nature and not formal hearings. Therefore, recordings and transcripts are not allowed during the appeal meeting.

In accordance with Section 9.a.(2) of the Ordinance, the Director of Monitoring and Research (Director) or his designee will respond to a User's request for an appeal and schedule a meeting, after which a final determination will be made. The User may request to reschedule the appeal meeting prior to the original meeting date per Section 9.a.(2a) of the Ordinance.

Failure to attend, or to notify the District of your inability to attend, may result in cancellation of this appeal unless a request is made in accordance with Section 9.a.(2e) of the Ordinance. The approval of the second appeal meeting request will be at the discretion of the Director. The rescheduled or second appeal meeting must occur no later than 30 calendar days from June 27, 2016. Otherwise, the appeal will be considered closed and the determination will be made in accordance with Section 9.a.(2g) of the Ordinance.

Pursuant to Section 9.a.(2) of the Ordinance, you must submit the following:

1. All data pertinent to the appeal including all sampling data collected by or for the User during the year or years under appeal and all other data the User wishes to base the appeal on. This data must be submitted to the Director at least 14 calendar days prior to the scheduled appeal meeting.

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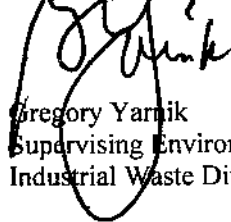
2. A written, unqualified certification on forms supplied by the District that all relevant technical information, flow data or User Charge sampling data for all samples taken for the year under appeal have been provided. Failure to do so shall result in rejection of the appeal by the Director. Enclosed with this letter is a blank Certification of Completeness of User Charge Data form for your use. You are required to complete, sign, and return this form prior to or at the meeting.

**The appeal request regarding Dustcatchers classification as an LCIU is denied.** The District notified Dustcatchers of its LCIU classification on January 21, 2010. Section 4.b. of the Ordinance states that classification determination forms requesting a change of classification must be submitted within 45 calendar days of the District's change of the User's classification status. Section 9.a.(c) of the Ordinance states that no request for an appeal will be accepted if it is made beyond 120 calendar days of the issuance of a User Charge related action. Your appeal request of the LCIU classification exceeds both the 45 and 120 calendar day deadlines and is therefore denied. Section 9 of the Ordinance allows Users to appeal their classification. However, the District has reviewed the analytical data collected at Dustcatchers during 2015, and finds that it still exceeds the LCIU loading threshold of 25 pounds per day for biochemical oxygen demand. Therefore the classification of Dustcatchers as an LCIU remains appropriate.

**The appeal request regarding Dustcatchers' potential categorization as an SIU is denied.** Neither the User Charge nor the Sewage and Waste Control Ordinances (Ordinances) allow for the appeal of a determination not yet finalized by the District. Since Dustcatchers is not currently categorized as an SIU, an appeal is not appropriate.

The Ordinances are available on the District's website at [www.mwr.org](http://www.mwr.org). If you have any questions regarding this matter, please contact Ms. Lolita Thompson, Environmental Specialist, at (312) 751-3009.

Very truly yours,



Gregory Yarnik  
Supervising Environmental Specialist  
Industrial Waste Division

GY:LT:mjb  
Enclosure  
cc: Mr. Ankur Shah  
Certified No. 7015 1520 0002 4684 0191  
U26606/#2001

**CERTIFICATION OF COMPLETENESS OF USER CHARGE DATA**

**FURNISHED TO THE**

**METROPOLITAN WATER RECLAMATION DISTRICT  
OF GREATER CHICAGO**

I hereby certify that all relevant User-established technical data and/or laboratory analytical data (biochemical oxygen demand, suspended solids) for the year(s) \_\_\_\_\_ have been submitted to the District.

I understand that subsequent to the furnishing of District laboratory analytical data (biochemical oxygen demand, suspended solids) to the User for the year(s) \_\_\_\_\_ no additional User-established technical data or laboratory analytical data (biochemical oxygen demand, suspended solids) will be accepted by the District for these years.

Date \_\_\_\_\_

Signature \_\_\_\_\_  
(Company official or owner)

Name (Print) \_\_\_\_\_  
(Company official or owner)

Title \_\_\_\_\_

Company \_\_\_\_\_

Address \_\_\_\_\_

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State of Illinois  
County of Cook

This instrument was acknowledged before me on \_\_\_\_\_ (date) by

\_\_\_\_\_ (name of person) as \_\_\_\_\_

(type of authority, e.g. officer, trustee, etc.) of \_\_\_\_\_  
(name of party on behalf of whom instrument was executed)

\_\_\_\_\_  
(Signature of Notary Public)

(SEAL)

Personally Known \_\_\_\_\_ OR Produced Identification \_\_\_\_\_

Type of Identification Produced \_\_\_\_\_