

## **TRANSMITTAL LETTER FOR BOARD MEETING OF FEBRUARY 5, 2026**

### COMMITTEE ON INDUSTRIAL WASTE AND WATER POLLUTION

Mr. John P. Murray, Executive Director

..Title

Request Authority to Amend the Sewage and Waste Control Ordinance of the Metropolitan Water Reclamation District of Greater Chicago and Procedural Rules Governing All Administrative Proceedings Before Board-Appointed Hearing Officers Brought Pursuant to the Amended Ordinance

..Body

Dear Sir:

An in-house review of the Metropolitan Water Reclamation District of Greater Chicago's (District) Sewage and Waste Control Ordinance (Ordinance) by the Monitoring and Research and Law Departments determined the need to amend certain provisions of the Ordinance. After a 30-day public comment period closed August 21, 2025, the Board of Commissioners (Board) granted authority to transmit the proposed Ordinance to the United States Environmental Protection Agency, Region 5 (USEPA) for final approval on September 18, 2025. The USEPA issued its approval on December 1, 2025, so it is recommended that the Board consider the adoption of the revised Ordinance at the regular Board Meeting on February 5, 2026.

The proposed amendment consists mainly of changes to reorganize, streamline, and clarify existing language, with the major changes consisting of the following:

1. Added Article V, Section 14 to require that USEPA reporting requirements, such as those for dental amalgam, be submitted to the District as the Local Control Authority.
2. Added Article V, Section 15 to classify Non-Discharging Categorical Industrial Users and require that they annually certify to the District that they have not discharged regulated process wastewater to the District's sewerage system.
3. Streamlined existing administrative appeal rights throughout the Ordinance by adding Article VI, Section 7, which introduces a two-level administrative appeal process including a conference with the Director of Monitoring and Research and, if further review is requested, an administrative hearing before an impartial hearing officer.
4. Added Article IX, which streamlines the process for how notices are served under the Ordinance.
5. Added Article IV, Section 7, prohibiting interference with District monitoring activities.

Attached is "The Metropolitan Water Reclamation District of Greater Chicago's Sewage and Waste Control Ordinance, As Amended February 5, 2026."

Also attached are "Procedural Rules Governing All Administrative Proceedings Before Board-Appointed Hearing Officers Brought Pursuant to the District's Sewage and Waste Control Ordinance" (Rules). The Rules supersede and replace the previous procedural rules in place for administrative proceedings under the Ordinance approved by the Board on July 9, 1998, which were more tailored towards administrative show cause proceedings and less tailored for administrative appeals. The Rules address both show cause proceedings and administrative hearings commenced pursuant to Article VI, Section 7.

It is recommended that the Board adopt the Ordinance, as herein amended, and the Rules. The Ordinance, as amended, and the Rules will take effect on February 5, 2026.

Requested, Edward W. Podczerwinski, Director of Monitoring and Research, EWP:JW:tj

Susan T. Morakalis, General Counsel

Jacqueline Torres, Clerk/Director of Finance

Disposition of this agenda item will be documented in the official Regular Board Meeting Minutes of the Board of Commissioners for February 5, 2026.

Attachments