

January 10, 2005

## Changes To Sewage & Waste Control Ordinance

The Metropolitan Water Reclamation District has adopted amendments to the Sewage and Waste Control Ordinance.

### Clarification On Self Reporting Of Violations

**A wastewater violation must be reported within 24 hours of the laboratory approval and release of the analyses indicating the violation.** In other words, the date on the signed laboratory report will start the 24-hour period. The District has tried to enforce this in the past, but the ordinance was not specific enough. Therefore, your laboratory and consultant must be quicker to notify you of a violation.

### Non-Compliance Enforcement Charges

Several years ago, the District implemented a **Non-Compliance Enforcement Charge for pollution violations**. However, they put this into the User Charge Ordinance which meant that companies with enough excess real estate tax credit did not have to pay the charge.

Now the District has moved the entire section on Noncompliance Enforcement fees into the Sewage and Waste Control Ordinance. And they have increased the fees, again. The District will send the violator a separate invoice for these fees.

A Notice of Noncompliance for one site will cost \$1,420. Cease & Desist Orders will start at \$2,270. This is in addition to your own costs to sample and report on achieving compliance. Repeated violations will cost companies a lot of money.

### Elimination Of Appendix G

Appendix G was only added three years ago, principally for Project XL. This was an attempt to reward companies for voluntary higher environmental achievement. The XL program was burdened with paperwork and vague requirements, so industry was not interested in pursuing this.

However, Appendix G also offered reduced sampling and reporting requirements to small users classified as Non-Significant Categorical Industrial Users (NCIU) or as De minimis Categorical Industrial Users (DCIU). The NCIU and the DCIU classifications have been eliminated, along with the sampling reduction.

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P.S. Please call if you would like additional information.