

Monitoring and Research Department News

User Charge Ordinance Revisions and the Blue Ribbon Panel

The Summer 2012 edition of the Monitoring and Research Department News highlighted the formation of a Blue Ribbon Panel (BRP) to provide input on changes to the MWRD's User Charge Ordinance (UCO). This edition presents important changes in the UCO that were adopted by the MWRD's Board of Commissioners on December 20, 2012, and December 5, 2013. The UCO can be found on the MWRD's website at www.mwrdd.org.

User Categories: The MWRD's categorization of Local Government Users is clarified and does not include such institutions as museums, which are publicly owned facilities that are leased to non-public entities.

Definitions: User, Authorized Representative, and Agent are defined clearly to distinguish who may initiate, report, sign or authorize actions related to the UCO.

User Charge Filing Deadline: The updates in the UCO also include an extension from 30 days to 45 days for the period to submit the User Charge Certified Sampling Analysis Reporting Statement (RD-920). There is no change to the deadline for submitting the User Charge Annual Certified Statement (RD-925). Users initially submitting deficient statements may submit revised filings. Any revised filing which is submitted after the filing deadline will be considered late and subject to penalty and interest. However, for users wishing for their revised filing to be considered as timely and complete, the UCO provides the opportunity to go through the User Charge appeal process.

User Charge Payment Arrangements: The threshold for Users whose User Charge is required to be paid on monthly basis has been established as Users whose annual Net User Charge (NUC) is greater than \$12,000.00, a change from the previous NUC threshold of \$4,800.00. Payments are due 45 days after the invoice date, extended from the previous 20 days after the date of the invoice. The revised UCO also provides for retroactive billing for past wastewater treatment services for those Users who were not identified by the MWRD at the onset of wastewater discharge. Billing will start from when the MWRD identified such users.

Reporting Option: A new option has been established for Large Commercial Industrial and Tax Exempt Users who have been approved to report their User Charges based on established historical BOD and SS values (Section 7i), and who have established a uniform flow volume over a period of 5 years. Such Users may petition the MWRD for approval under Section 7i and report their RD-925 based on historical concentrations and an average annual flow established by the MWRD. Those Users approved for this option will **not** be required to sample their discharges or submit annual water volume data documentation. The NUC will be automatically calculated by the MWRD based on the approved concentrations, the approved annual volume, and the User Charge rates in effect for the reporting year.

Appeals: Users will be granted a Director-level Appeal hearing of User Charges or other User Charge-related actions provided the written request is made within 90 days from the date of a bill or notification by the MWRD. Appeals made between 90 and 120 days will require a minimum payment of 50% of the NUC as computed by the MWRD. No appeals will be granted if initiated 120 days after a bill or notification by the MWRD. This is a change from the previous time limit of 180 days. Users who do not agree with the Director's Determination have a maximum of 90 days to Appeal to the Board of Commissioners. This is a change from the previous time limit of 365 days.

Appendix A: Users who are unable to maintain accurate Direct Discharge Measurement will be required to report their annual User Charges based on a MWRD-determined maximum daily discharge. For Users holding a valid Discharge Authorization (DA), the annual volume will be based on the maximum discharge value certified by the User in the DA or DA Request.

Appendix D: The use of results from User samples shall not be permitted for User Charge reporting purposes for Users who have existing approval to report their User Charges based on the provisions of Section 7 of the UCO, specifically, Section 7g (domestic waste concentrations), Section 7h (samples obtained by the MWRD for the User), or Section 7i (historical concentrations)

Appendix E: The table of User Charge Verification charges under Section 2 of Appendix E was eliminated. These charges will be incorporated into the Large Commercial-Industrial User rates as is currently the method for Tax Exempt User rates. The result is one rate for wastewater treatment services (Operation, Maintenance and Replacement).

Appendix F: The User Charge rates applicable to the stated reporting year are now located in an Appendix table. The UCO as amended on December 5, 2013, included the presentation of one set of rates for both the Large Commercial-Industrial and the Tax Exempt Users, and the listing of the OM&R factor to calculate a credit for ad valorem taxes paid to the MWRD. The conclusion of the BRP resulted in a revised methodology, approved by the USEPA, to calculate the User Charge rates for 2014 and beyond. The changes will result in less dramatic annual adjustments in the rates for the next 10 years, as well as lower rates in the near future; a more equitable distribution of shared costs for extraneous flows that require treatment; and a more accurate recovery of administrative costs for the user charge and pretreatment programs.

RD-925s due February 20, 2014

Metropolitan Water Reclamation District of Greater Chicago

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Continued Compliance Reports (RD-115) Due Dates

| 40 CFR Part | Industrial Point Source Category | Semi-Annual Report (RD-115) Due Dates | |
|-------------|--|---------------------------------------|---------------|
| | | First Report | Second Report |
| 403 | Non-Categorical SIU (Appendix B) | June 1 | December 1 |
| 410 | Textile Mills | March 2 | September 2 |
| 413 | Electroplating | April 27 | October 27 |
| 414 | Organic Chemicals, Plastics & Synthetic Fibers | May 5 | November 5 |
| 415 | Inorganic Chemicals Manufacturing | February 12 | August 12 |
| 417 | Soap & Detergent Manufacturing | June 10 | December 10 |
| 419 | Petroleum Refining | June 1 | December 1 |
| 420 | Iron & Steel Manufacturing | January 10 | July 10 |
| 421 | Nonferrous Metals Manufacturing | March 9 | September 9 |
| 423 | Steam Electric Power Generating | January 1 | July 1 |
| 425 | Leather Tanning & Finishing | May 25 | November 25 |
| 430 | Pulp, Paper & Paperboard | January 1 | July 1 |
| 433 | Metal Finishing | February 15 | August 15 |
| 437 | Centralized Waste Treatment | June 22 | December 22 |
| 439 | Pharmaceutical Manufacturing | April 27 | October 27 |
| 442 | Transportation Equipment Cleaning | February 14 | August 14 |
| 455 | Pesticide Chemicals | April 4 | October 4 |
| 463 | Plastics Molding & Forming | January 30 | July 30 |
| 464 | Metal Molding & Casting | April 30 | October 30 |
| 465 | Coil Coating | June 1 | December 1 |
| 466 | Porcelain Enameling | May 25 | November 25 |
| 467 | Aluminum Forming | April 24 | October 24 |
| 468 | Copper Forming | February 15 | August 15 |
| 471 | Nonferrous Metals Forming | February 23 | August 23 |

Primary Measuring Devices: Enforcement or User Charge

Primary Measuring Devices (PMD) are engineered obstructions inserted into a flow stream to calculate flow volume as it passes through known dimensions. Popular PMDs used by industry include 90-degree V-notch and rectangular weirs, Palmer-Bowlus and Parshall flumes. Newer technologies rely on radar or laser imaging of the pipe configuration and convert these measurements and the flow stream into a volume past a specified point. The MWRD Ordinances permit use of approved PMDs to measure flow for pretreatment requirements and user charges. PMDs are used in conjunction with approved secondary flow measurement devices. Flow meters, which take the signals from the flow as it passes the PMD, convert flow into a unit of volume over time (gallons per day, cubic feet per second, etc.). Data recorders (strip chart, circular chart, etc.) take the signals from the flow as it passes the PMD and plot the converted height or volume in a permanent, visual format.

When approved for use by the Enforcement Section in accordance with the Sewage and Waste Control Ordinance, the PMD may be used for flow-proportional sampling for Continued Compliance Report (RD-115) sampling purposes, for semi-annual discharge measurement, and to verify the Discharge Authorization daily average and maximum limits for flow volume.

When approved for use by the User Charge and Technical Services Section in accordance with the User Charge Ordinance, the PMD may be used for flow-proportional sampling for User Charge Certified Sampling Analysis Reporting (RD-920) purposes, and/or annual direct discharge measurement.

Under both Ordinances, the PMD must first be proposed as a written technical proposal, submitted for the MWRD's review. Once the technical aspects are found acceptable and accurate per engineering standards, the MWRD will authorize installation of the PMD and the ancillary equipment (flow meter, strip chart recorder, battery back up). This equipment and its set up are inspected for compliance with the accepted technical proposal. When all aspects are verified, the MWRD will officially approve the PMD for use under the SWCO or UCO. Approval under one Ordinance does not approve it under the other, so be sure both MWRD Ordinance requirements are addressed.

For more information, contact:

- Enforcement Section: 1-312-751-3044; fax 312-751-5960
- User Charge and Technical Services Section: 1-312-751-3000, fax-312-894-2150 or mwr-d-ucts@mwr-d.org