

RESOLUTION No. 1509

A RESOLUTION OF THE COUNCIL OF THE CITY OF SALISBURY FOR THE PURPOSE OF AMENDING RESOLUTION NO. 1437 TO MAKE A TEXT CORRECTION TO THE PRETREATMENT INDUSTRIAL / COMMERCIAL USER FEE STRUCTURE APPEAL PROCESS.

WHEREAS, the City amended Resolution No. 1437 on August 14, 2006 revising the pretreatment industrial / commercial user fee structure to establish a new fee structure, classification system, and appeal process; and

WHEREAS, it was the intent of amended Resolution No. 1437 to establish an approved process to allow significant and minor industrial users to appeal their pretreatment fee classification; and

WHEREAS, the Resolution No. 1437 Appeals Process contained the word “minor” in a manner that limited the users of the appeals process; and

WHEREAS, such text excludes the significant industrial users by limiting the appeal process to minor industrial users.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Salisbury, Maryland, that Resolution No. 1437 is hereby amended by deleting the word “minor” in the text of the Appeal Process as shown by the following bold and strikethroughs:

**~~MINOR~~ INDUSTRIAL/COMMERCIAL USER
CLASSIFICATION APPEAL PROCESS**

*If **an ~~minor~~** industrial / commercial user desires to appeal its classification it may do so by submitting a letter to the Pretreatment Coordinator containing the following:*

- *A description of types of processes employed at the facility, including equipment used, chemicals kept on site, pretreatment systems in use (grease interceptors, oil water separators, sand traps, etc.), documentation of maintenance performed for any pretreatment systems used, hours of operation, and proof of gallons of water used per day.*

This description will be compared with standards for the classification, and revisions will be made if appropriate. The results of this evaluation will be reported in writing to the user. If the user still considers the classification to be inaccurate, it may within 30 days of the date of the Pretreatment Coordinator’s response to the initial evaluation, submit the following information to the Superintendent, Wastewater Treatment Branch

(WWTB), for detailed review. The results of the review will be reported to the user in writing within 15 days.

- Submit an evaluation of the wastewater discharge for the facility conducted by a certified sanitarian at the owner's expense. This evaluation must include analysis of the wastewater discharge for all pollutants as listed in City of Salisbury Municipal Code 13.12.070 (E). All sampling and analysis shall be completed in accordance with the procedures set forth in Section 13.12.120(H).

Final appeal: If the user is not satisfied with the initial two steps, it may within 15 days of the Superintendent WWTB's response, file a written appeal in writing with any additional data appropriate to the Director of Public Works. The decision of the DPW Director is final.

Please Note: If the facility is granted a reclassification, this reclassification will be contingent on the facility continuing to meet all the requirements listed in the City of Salisbury Municipal Code.

THE ABOVE RESOLUTION was introduced at a regular meeting of the Council of the City of Salisbury held on this ____ day of _____, 2007, and is to become effective immediately upon adoption.

ATTEST:

Brenda J. Colegrove
CITY CLERK

Michael P. Dunn
PRESIDENT, City Council

APPROVED by me this ____ day of _____, 2007

Barrie P. Tilghman
MAYOR, City of Salisbury