



OFFICE OF THE CITY ATTORNEY

Scott E. Post
City Attorney

Sheryl L. Kuhary
Jeffrey J. Warchol
Jenna R. Merten
Assistant City Attorneys

October 29, 2015

Alderman Thomas Lajsic
West Allis Common Council
Safety and Development Committee

Re: In the Matter of the Complaint against CWT
City's Notice of Non-Compliance with Stipulation

Dear Alderman Lajsic:

On August 6, 2015, the Safety and Development Committee approved a stipulation between the City Attorney's Office and John Scherff of Central Wastewater Treatment of Wisconsin, LLC ("CWT") in regard to the summons and complaint filed against CWT.

As of today's date, CWT is not in compliance with said stipulation and City employees have reported the following violations:

- in paragraph 7 of the stipulation, CWT agreed to correct all code violations set forth in paragraph 16 of the Complaint on or before August 14, 2015. 8 of those violations are not corrected: An office being constructed without any building, electrical or HVAC permits, inspections, or approvals; An exterior door cut into the east elevation of the building to provide access to the unauthorized office without a building permit or building inspector approval; An extension cord being improperly used to supply electricity from the office to the holding tank area; A motor on a storage barrel being wired with a flexible cord; A cover on an outlet box being damaged and missing screws on the south wall of the building; A tankless water heater being installed without a permit and improperly supplied by a cord; the RP valve was not tested and was instead replaced without a permit; The existing reduced pressure backflow preventer and all non-potable piping downstream of the backflow preventer not being labeled and tagged.
- in paragraph 8 of the stipulation, CWT agreed to implement and adhere to the Short Term Maintenance Plan by October 1, 2015. CWT has not completed the following:
 - 1)oil/water separator item: 1(g) not installed
 - 2)Holding Tanks (T-1 through T-6): item 3(b) not installed
 - 3) pH Adjust and UF Process Tanks: item 4(c) not completed
 - 4) Permeate Transfer Sump: item 6(a) not installed

- 5) General Facility, paragraph (7): did not hire a company to clean; has reported doing some cleaning on his own.
- 6) The CWT Maintenance Schedule referenced in 1(h), 2(e), 3(d), 4(d) and 5(b) has not been implemented.

Accordingly, due to CWT's non-compliance with the stipulation, the City is requesting that the matter be set again before the Safety and Development Committee for continuation of the hearing.

Very truly yours,


Jenna Merten
Assistant City Attorney

CC: Attorney Dean Delforge
Ed Lisinski
Sally Nusslock