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Department of Utilities
Wastewater Treatment Plant
2006 E Newberry Street
Appleton, WI 54915
920-832-5945 tel.
920-832-5949 fax

TO: Chairperson Vered Meltzer and Members of the Utilities Committee

CC: Utilities Director Chris Shaw

FROM: Environmental Programs Coordinator Brian Kreski

DATE: February 14, 2022

RE: **Permit transfer approval from Appvion Operations, Inc. n/k/a Appleseed Operations, Inc. (the Prior Owner) to Appvion, LLC (the New Owner) - Pretreatment Program Permit No. 21-03.**

Background:

This memo serves as a formal notification and request by Appvion Operations Inc. on February 10, 2022 to transfer its Industrial User Permit (No. 21-03) to Appvion LLC in accordance with the City of Appleton's Sewer Use Ordinance (SUO), Sec. 20-120:

Sec. 20-120. Wastewater discharge permit transfer.

Wastewater discharge permits may be transferred to a new owner or operator only if the permittee gives at least ninety (90) days advance notice to the Director of Utilities and the Director of Utilities approves the wastewater discharge permit transfer. The notice to the Director of Utilities must include a written certification by the new owner or operator which:

- (1) States that the new owner and/or operator has no immediate intent to change the facility's operations and processes;*
- (2) Identifies the specific date on which the transfer is to occur; and*
- (3) Acknowledges full responsibility for complying with the existing wastewater discharge permit.*

Failure to provide advance notice of a transfer renders the wastewater discharge permit void as of the date of the facility transfer.

(Ord 60-94, §1, 5-4-94)

Recommendation:

The permittee submitted a transfer request on February 10, 2022 and is requesting the committee to waive the 90 day advanced notice and grant approval of the permit transfer. As stated in the formal notification letter (attachment), it is our understanding that the Transferee will operate the facility in the same manner as the permittee and comply with existing wastewater permit requirements. Accordingly, staff recommends the 90-notice requirement in Sec. 20-120 be waived so that the Utilities Director may more immediately approve the transfer. Feel free to contact Environmental Programs Coordinator Brian Kreski at ph: 832-5945.