



Legislation Details (With Text)

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Type: Ordinance **Status:** Passed

File created: 10/15/2021 **In control:** Public Utilities Committee

On agenda: 11/22/2021 **Final action:** 11/24/2021

Title: To authorize the Director of Public Utilities to pay the annual Discharge Fees for Fiscal Year 2021 to the Treasurer of State of Ohio, Ohio Environmental Protection Agency for the Division of Sewerage and Drainage; and to authorize the expenditure of \$82,800.00 from the Sewer Operating Sanitary Fund and \$10,000.00 from the Storm Sewer Operating Fund. (\$92,800.00)

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD 2738-2021 Financial Coding - OEPA Annual Discharge Fees - 2021, 2. ORD 2738-2021 OEPA Annual Discharge Fee Permit - Jackson Pike, 3. ORD 2738-2021 OEPA Annual Discharge Fee Permit - Southerly, 4. ORD 2738-2021 OEPA Annual Discharge Fee Permit - Stormwater

Date	Ver.	Action By	Action	Result
11/24/2021	1	CITY CLERK	Attest	
11/23/2021	1	MAYOR	Signed	
11/22/2021	1	COUNCIL PRESIDENT	Signed	
11/22/2021	1	Columbus City Council	Approved	Pass
11/15/2021	1	Columbus City Council	Read for the First Time	

The purpose of this legislation is to authorize the Director of Public Utilities to pay the State of Ohio, Ohio Environmental Protection Agency (OEPA) Annual Discharge Fees for the Jackson Pike and Southerly Wastewater Treatment Plants, and the Storm Water MS4 Annual Discharge Fee for fiscal year 2021.

House Bill 152 became law in July 1993. This law created a series of fees to provide financial support for the Ohio Environmental Protection Agency. Included in these fees are an annual Wastewater Treatment Plant Discharge Fee, and an annual Municipal Storm Water Discharge Fee, assessed to public dischargers and required to be paid by holders of National Pollutant Discharge Elimination System (NPDES) permits.

The Division of Sewerage and Drainage holds two such Wastewater Treatment Plant Discharge permits: Jackson Pike Permit Number 4PF00000 and Southerly Permit Number 4PF00001. The Jackson Pike Wastewater Treatment Plant and the Southerly Wastewater Treatment Plant each have discharge fees totaling \$41,400.00, and payment is due on January 30, 2022. A ten percent (10%) penalty is assessed if payment is not received on or before January 30, 2022, by the Ohio EPA.

The fees for calendar year 2021 are based upon the average volume of wastewater discharged by each facility during the previous year (2020) between May 1 and October 31. During this period, the Jackson Pike Wastewater Treatment Plant averaged 69.831 million gallons per day (MGD) and the Southerly Wastewater Treatment Plant averaged 96.2099 MGD.

The Division of Sewerage and Drainage, Stormwater Section holds one such permit: Municipal Storm Water Discharge Permit Number 4PI00000*CD. The Stormwater section has discharge fees totaling \$10,000.00, and payment is due on January 30, 2022. A ten percent (10%) penalty is assessed if payment is not received on or before January 30, 2022 by

the Ohio EPA.

The Municipal Storm Water Discharge fees for calendar year 2021 are based upon the Area Permitted (square miles) of 225.79 x \$100 (not to exceed \$10,000) for the previous year (2020).

SUPPLIER: Treasurer of State of Ohio, Ohio Environmental Protection Agency (31-1334820) DAX #005089, Governmental Entity

FISCAL IMPACT: \$92,800.00 is needed and budgeted to pay these fees.

\$92,800.00 was paid in 2020

\$92,800.00 was paid in 2019

To authorize the Director of Public Utilities to pay the annual Discharge Fees for Fiscal Year 2021 to the Treasurer of State of Ohio, Ohio Environmental Protection Agency for the Division of Sewerage and Drainage; and to authorize the expenditure of \$82,800.00 from the Sewer Operating Sanitary Fund and \$10,000.00 from the Storm Sewer Operating Fund. (\$92,800.00)

WHEREAS, House Bill 152 became law in July 1993 and created a series of fees which provide financial support for the State of Ohio, Ohio Environmental Protection Agency; and

WHEREAS, included in these fees are an annual Wastewater Treatment Plant Discharge Fee and an annual Municipal Storm Water Discharge Fee, assessed to public dischargers and to be paid by holders of NPDES permits; and

WHEREAS, the Division of Sewerage and Drainage holds such permits for the Jackson Pike and Southerly Wastewater Treatment Plants, and the Stormwater Section; and

WHEREAS, the fees for calendar year 2021 are based upon the average volume of wastewater discharged by each facility during the previous year (2020), between May 1 and October 31. During this period, the Jackson Pike Wastewater Treatment Plant averaged 69.831 MGD and the Southerly Wastewater Treatment Plant averaged 96.2099 MGD; and

WHEREAS, the Municipal Storm Water Discharge fee for calendar year 2021 is based upon the Area Permitted (square miles) of 225.79 x \$100 (not to exceed \$10,000) for the previous year (2020), and

WHEREAS, the Wastewater Treatment Plant fees were first paid in January 1994, and the Municipal Storm Water Discharge fees and annual Public Discharger fees were first paid in January 2004. With the exception of the annual Public Discharger fee which is no longer charged, all fees have been paid each year thereafter, and have been budgeted for the 2021 payments; and

WHEREAS, payment is due on or before January 30, 2022 to prevent a ten percent (10%) penalty; and

WHEREAS, it has become necessary in the usual daily operation of the Department of Public Utilities, Division of Sewerage and Drainage, to authorize the Director of Public Utilities to pay for the annual Discharge Fees for 2021 with the State of Ohio, Ohio Environmental Protection Agency; now, therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That the Director of Public Utilities be and is hereby authorized to pay the Ohio Environmental Protection

Agency, through the Treasurer, State of Ohio, Ohio EPA, P. O. Box 77005, Cleveland, OH 44194-7005 for annual Discharge Fees for 2021 upon receipt of proper invoices.

SECTION 2. That the expenditure of \$92,800.00, or so much thereof as may be needed, is hereby authorized, in Fund 6100 Sewer Operating Sanitary Fund in object class 03 Services in the amount of \$82,800.00, and in Fund 6200 Storm Sewer Operating Fund in object class 03 Services in the amount of \$10,000.00, per the accounting codes in the attachment to this ordinance.

SECTION 3. That the funds necessary to carry out the purpose of this ordinance are hereby deemed appropriated, and the City Auditor shall establish such accounting codes as necessary.

SECTION 4. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.