



Legislation Details (With Text)

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File created: 10/20/2022 **In control:** Public Utilities Committee

On agenda: 12/12/2022 **Final action:** 12/14/2022

Title: To authorize the Director of Public Utilities to pay the annual discharge fees for fiscal year 2022 to the State of Ohio, Ohio Environmental Protection Agency, for the Division of Sewerage and Drainage and the Division of Stormwater; and to authorize the expenditure of \$103,500.00 from the Sewer Operating Sanitary Fund and \$10,000.00 from the Storm Sewer Operating Fund. (\$113,500.00)

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD 2905-2022_Ohio EPA 1516689 SWWTP Discharge Fee Permit 4PF00001, 2. ORD 2905-2022 Financial Coding - OEPA Annual Discharge Fees, 3. ORD 2905-2022_Ohio EPA Stormwater MS4 Discharge Fee Permit 4PI00000DD, 4. ORD 2905-2022_Ohio EPA 1516688 JPWWTP Discharge Fee Permit 4PF00000

Date	Ver.	Action By	Action	Result
12/14/2022	1	CITY CLERK	Attest	
12/13/2022	1	MAYOR	Signed	
12/12/2022	1	COUNCIL PRESIDENT	Signed	
12/12/2022	1	Columbus City Council	Approved	Pass
12/5/2022	1	Columbus City Council	Read for the First Time	

This legislation authorizes 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 Municipal Separate Storm Sewer System (MS4) annual discharge fee for fiscal year 2022.

House Bill 152 of the 120th Ohio General Assembly became law in July 1993. This law created a series of fees to provide financial support for the OEPA, including an annual wastewater treatment plant discharge fee and an annual municipal stormwater discharge fee assessed to holders of National Pollutant Discharge Elimination System (NPDES) permits.

The Division of Sewerage and Drainage (DOSD) holds two such wastewater treatment plant discharge permits: Jackson Pike permit number 4PF00000 and Southerly permit number 4PF00001. The Jackson Pike Wastewater Treatment Plant discharge fee is \$41,400.00, while the Southerly Wastewater Treatment Plant discharge fee is \$62,100.00. Each payment is due by January 30, 2022. A ten percent (10%) penalty is assessed if payment is not received on or before that date.

The fees for 2022 are based upon the average daily discharge flow in million gallons per day (MGD) for each facility using flow data between May 1 and October 31 for the previous year. During this period, the Jackson Pike Wastewater Treatment Plant averaged 69.46 MGD and the Southerly Wastewater Treatment Plant averaged 108.04 MGD.

The Division of Stormwater also holds a discharge permit: municipal storm water discharge permit number 4PI00000*DD. Fees for this permit are calculated as ten dollars per one-tenth of square mile of area permitted (not to exceed \$10,000) for the previous year. The total area of the Columbus MS4, 225.79 square miles of area permitted, is well above the threshold for this cap, so the Stormwater section's discharge fee is \$10,000.00. This payment is also due

on January 30, 2022 and is subject to the same ten percent (10%) penalty if it is not paid by that date.

SUPPLIER:

Treasurer of State of Ohio, Ohio Environmental Protection Agency | Federal EIN: 31-1334820 | D365 Vendor #005089 | Governmental Entity

FISCAL IMPACT:

\$92,800.00 was budgeted to pay these fees. The average daily discharge flow for the Southerly Wastewater Treatment Plant increased from the prior year levels, pushing it into a higher fee tier. The section has enough estimated surplus in object class 3, Services, to cover the \$20,700.00 difference.

\$92,800.00 was paid in 2021

\$92,800.00 was paid in 2020

To authorize the Director of Public Utilities to pay the annual discharge fees for fiscal year 2022 to the State of Ohio, Ohio Environmental Protection Agency, for the Division of Sewerage and Drainage and the Division of Stormwater; and to authorize the expenditure of \$103,500.00 from the Sewer Operating Sanitary Fund and \$10,000.00 from the Storm Sewer Operating Fund. (\$113,500.00)

WHEREAS, House Bill 152 of the 120th Ohio General Assembly became law in July 1993 and created a series of fees to provide financial support for the 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 holders of National Pollutant Discharge Elimination System (NPDES) permits; and

WHEREAS, the Division of Sewerage and Drainage (DOSD) holds such permits for the Jackson Pike and Southerly Wastewater Treatment Plants, and the Division of Stormwater holds one such permit for municipal storm water discharge; and

WHEREAS, the DOSD wastewater treatment plant discharge fees for calendar year 2022 are based upon the average daily discharge flow in million gallons per day (MGD) for each facility using flow data between May 1 and October 31 for the previous year, and during this period, the Jackson Pike Wastewater Treatment Plant averaged 69.46 MGD and the Southerly Wastewater Treatment Plant averaged 108.04 MGD; and

WHEREAS, these average daily discharge flow rates result in fees of \$41,400.00 for Jackson Pike and \$62,100.00 for Southerly; and

WHEREAS, the municipal storm water discharge fee for calendar year 2022 is calculated as ten dollars per one-tenth of square mile of area permitted (not to exceed \$10,000) for the previous year; and

WHEREAS, the total area of the Columbus MS4, 225.79 square miles of area permitted, is well above the threshold for this cap, so the Stormwater section's discharge fee equals \$10,000.00; and

WHEREAS, both types of discharge fees are due on or before January 30, 2022 to prevent a ten percent (10%) penalty; and

WHEREAS, the expenditure of \$113,500.00, or so much thereof as may be needed, is hereby authorized in Fund 6100,

Sewer Operating Sanitary Fund, as \$103,500.00 from object class 03, Services, and in Fund 6200, Storm Sewer Operating Fund, as \$10,000.00 from object class 03 Services, per the accounting codes in the attachment to this ordinance.

WHEREAS, it has become necessary in the usual daily operation of the Department of Public Utilities, Division of Sewerage and Drainage and Division of Stormwater, to authorize the Director of Public Utilities to pay annual discharge fees for 2022 to 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 is hereby authorized to pay the Ohio Environmental Protection Agency, P. O. Box 77005, Cleveland, OH 44194-7005, the annual wastewater treatment plant and municipal stormwater discharge fees for fiscal year 2022.

SECTION 2. That the expenditure of \$113,500.00, or so much thereof as may be needed, is hereby authorized in Fund 6100, Sewer Operating Sanitary Fund, as \$103,500.00 from object class 03, Services, and in Fund 6200, Storm Sewer Operating Fund, as \$10,000.00 from object class 03 Services, 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.