



Legislation Details (With Text)

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Type: Ordinance **Status:** Passed

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On agenda: 11/23/2015 **Final action:** 11/24/2015

Title: To authorize the Director of Public Utilities to pay the annual Discharge Fees for Fiscal Year 2015 to the 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 Sewerage System Operating Fund and \$10,180.00 from the Storm Sewer Operating Fund, and to declare an emergency. (\$92,980.00)

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD 2627-2015 OEPA Annual Discharge Fees - 2015

Date	Ver.	Action By	Action	Result
11/24/2015	1	CITY CLERK	Attest	
11/24/2015	1	MAYOR	Signed	
11/23/2015	1	COUNCIL PRESIDENT	Signed	
11/23/2015	1	Columbus City Council	Approved	Pass

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, Municipal Storm Water Discharge fee and a Public Discharger fee for fiscal year 2015.

House Bill 152 became law in July 1993. This law created a series of fees which provides financial support of the Ohio Environmental Protection Agency. Included in these fees are an annual Wastewater Treatment Plant Discharge Fee, an annual Municipal Storm Water Discharge Fee and an annual Discharger Fee, assessed to public dischargers, that needs to be paid by holders of NPDES permits.

The Division of Sewerage and Drainage holds two such Wastewater Treatment Plant Discharge permits, Jackson Pike Permit Number 4PF00000, Southerly Permit Number 4PF00001. The Jackson Pike Wastewater Treatment Plant has discharge fees totaling \$41,400.00 and the Southerly Wastewater Treatment Plant has discharge fees totaling \$41,400.00, and payment is due on January 31, 2016. A ten percent (10%) penalty is accessed, if payment is not received on or before January 31, 2016, by the Ohio EPA.

The fees for calendar year 2015 are based upon the average volume of wastewater discharged by each facility during the previous year (2014) between May 1 and October 31. During this period, the Jackson Pike Wastewater Treatment Plant averaged 71.9543 MGD and the Southerly Wastewater Treatment Plant averaged 94.4569 MGD.

The Division of Sewerage and Drainage, Stormwater Section holds two such permits, Municipal Storm Water Discharge Permit Number 4PI00000*CD, Public Discharger Permit Number 4PI00000*CD. The Stormwater section has discharge fees totaling \$10,000.00 and public discharger fees totaling \$180.00, payment is due on January 31, 2016. A ten percent (10%) penalty is accessed if payment is not received on or before January 31, 2016 by the Ohio EPA.

The Municipal Storm Water Discharge fees for calendar year 2014 are based upon the Area Permitted (square miles) of

190.9 x \$100 (not to exceed \$10,000). The annual Public Discharger fee is \$180.00.

SUPPLIER: State of Ohio, Ohio Environmental Protection Agency (31-6402047-185), Governmental Entity

FISCAL IMPACT: \$92,980.00 is needed and budgeted to pay these fees.

\$92,980.00 was paid in 2014

\$92,980.00 was paid in 2013

EMERGENCY DESIGNATION: This ordinance is being submitted as emergency to allow for the direct and timely payment of the fees prior to the closing of the books for 2015, to avoid any delays and possible penalties, as a result of the switch from the City's current accounting system to the new system in January 2016.

To authorize the Director of Public Utilities to pay the annual Discharge Fees for Fiscal Year 2015 to the 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 Sewerage System Operating Fund and \$10,180.00 from the Storm Sewer Operating Fund, and to declare an emergency. (\$92,980.00)

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

WHEREAS, included in these fees is an annual Wastewater Treatment Plant Discharge Fee, an annual Municipal Storm Water Discharge Fee and an annual Discharger Fee assessed to public dischargers, 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 2015 are based upon the average volume of wastewater discharged by each facility during the previous year (2014), between May 1 and October 31. During this period, the Jackson Pike Wastewater Treatment Plant averaged 71.9543 MGD and the Southerly Wastewater Treatment Plant averaged 94.4569 MGD; and

WHEREAS, the Municipal Storm Water Discharge fees for calendar year 2015 are based upon the Area Permitted (square miles) of 190.9 x \$100 (not to exceed \$10,000). The annual Public Discharger fee is a set rate fee, 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, and all fees have been paid each year thereafter, and have been budgeted for the 2015 payments; and

WHEREAS, payment is due on or before January 31, 2016 to prevent a ten percent (10%) penalty; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Utilities, Division of Sewerage and Drainage in that it is immediately necessary to allow for the direct and timely payment of the fees prior to the closing of the books for 2015, to avoid any delays and possible penalties, as a result of the switch from the City's current accounting system to the new system in January 2016; 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 Office Fiscal Administration, Dept. L-2711, Columbus, OH 43260-6711, for annual Discharge Fees for 2015 upon receipt of proper invoices.

SECTION 2. That the expenditure of \$92,980.00, or so much thereof as may be needed, is hereby authorized, as follows:

Jackson Pike Wastewater Treatment Plant

Dept./Div. 60-05
Fund: 650
OCA: 605014
Object Level One: 03
Object Level Three: 3401
Amount: \$41,400.00

Southerly Wastewater Treatment Plant

Dept./Div. 60-05
Fund: 650
OCA: 605048
Object Level One: 03
Object Level Three: 3401
Amount: \$41,400.00

Stormwater

Dept./Div. 60-15
Fund: 675
OCA: 675002
Object Level One: 03
Object Level Three: 3401
Amount: \$10,180.00

Total Amount: \$92,980.00

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 for the reasons stated in the preamble hereto, which is hereby made a part hereof, this Ordinance is hereby declared to be an emergency measure, and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.