
File #: 2023-2694

Agenda Date: 12/15/2022

Agenda Item No: 29.

FROM: James D. Herberg, General Manager
Originator: Lan C. Wiborg, Director of Environmental Services

SUBJECT:

PAYMENT OF ANNUAL NATIONAL POLLUTANT DISCHARGE AND ELIMINATION SYSTEM (NPDES) PERMIT FEES

GENERAL MANAGER'S RECOMMENDATION

RECOMMENDATION:

Approve payment of \$828,779 for the annual National Pollutant Discharge Elimination System (NPDES) ocean discharge permit fees for Fiscal Year 2022-2023.

BACKGROUND

Under the Clean Water Act, the Orange County Sanitation District (OC San) lawfully discharges treated wastewater into the Pacific Ocean under its NPDES ocean discharge permit which is jointly administered by the Santa Ana Regional Water Quality Control Board (RWQCB) and the USEPA. In accordance with Sections 13260 and 13269 of the California Water Code, an annual fee is required to maintain this permit. The fee is based on OC San's facility design flow.

On December 6 2022, OC San received an invoice from the State Water Resources Control Board (SWRCB) in the amount of \$828,779 for fiscal year 2022-2023. This amount is approximately a 4% increase from fiscal year 2021-2022.

RELEVANT STANDARDS

- Comply with environmental permit requirements
- 24/7/365 treatment plant reliability
- California Water Code Sections 13260 & 13269

PROBLEM

OC San is required by California Water Code Sections 13260 and 13269 to pay an annual fee to maintain our ocean discharge permit.

PROPOSED SOLUTION

Approve payment of the annual NPDES ocean discharge permit fees in the amount of \$828,779 as invoiced by the SWRCB for Fiscal Year 2022-2023.

TIMING CONCERNS

If the invoice is not paid in a timely manner, OC San may be subject to late fees.

RAMIFICATIONS OF NOT TAKING ACTION

If payment is delayed, OC San would be subject to penalties under provisions of the Water Code Section 13261. These actions could include daily penalties in addition to the fee or other actions deemed appropriate by RWQCB.

PRIOR COMMITTEE/BOARD ACTIONS

This fee is invoiced and paid annually.

CEQA

N/A

FINANCIAL CONSIDERATIONS

This request complies with authority levels of OC San's Purchasing Ordinance. This item has been budgeted. (Line item: Section 6, Page 48).

ATTACHMENT

The following attachment(s) may be viewed on-line at the OC San website (www.ocsan.gov) with the complete agenda package:

N/A