



# Orange County Sanitation District

Administration Building  
10844 Ellis Avenue  
Fountain Valley, CA 92708  
(714) 593-7433

## Agenda Report

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**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 \$653,081 for annual NPDES (ocean discharge) permit fees.

**BACKGROUND**

Under the Clean Water Act, Orange County Sanitation District's (Sanitation District) discharge to the ocean requires an NPDES permit, which is jointly administered by the Santa Ana Regional Water Quality Control Board and the USEPA. The payment of annual permit fees is required by Sections 13260 & 13269 of the California Water Code in order to maintain this permit. The fee is based on the Sanitation District's facility design flow for dry weather.

Sanitation District staff has verified this year's fee amount is consistent with the 13.4% increase presented by the State Water Resources Control Board during their August 2019 Water Quality Fees Stakeholder Workshop. The anticipated fee increase for next year is 4%.

**RELEVANT STANDARDS**

- Comply with California Water Code Sections 13260 & 13269
- Comply with environmental permit requirements
- Maintain collaborative and cooperative relationships with regulators, stakeholders, and neighboring communities

**PROBLEM**

N/A

**PROPOSED SOLUTION**

N/A

## **TIMING CONCERNS**

If not paid in a timely manner, the Sanitation District may be subject to late fees.

## **RAMIFICATIONS OF NOT TAKING ACTION**

If not paid, the Sanitation District would be subject to penalties under provision of the Water Code Section 13261. These actions could include daily penalties in addition to the fee or other actions deemed appropriate by the Regional Board.

## **PRIOR COMMITTEE/BOARD ACTIONS**

This fee is invoiced and paid annually per approval by the Sanitation District's Board.

## **ADDITIONAL INFORMATION**

N/A

## **CEQA**

N/A

## **FINANCIAL CONSIDERATIONS**

This request complies with authority levels of the Sanitation District's Purchasing Ordinance. This item has been budgeted. (Budget Update FY2019-20, Line item: Page 43, Operating Expense, Other).

## **ATTACHMENT**

*The following attachment(s) may be viewed on-line at the OCSD website ([www.ocsd.com](http://www.ocsd.com)) with the complete agenda package:*

N/A