

Agenda Report

File #: 2020-1363, **Version:** 1

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: Recommend to the Board of Directors to:

Approve payment of \$712,888 for annual NPDES ocean discharge permit fees.

BACKGROUND

Under the Clean Water Act, Orange County Sanitation District (Sanitation District) lawfully discharges treated wastewater into the Pacific Ocean by 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 the Sanitation District's facility design flow.

On December 1, 2020, the Sanitation District received an invoice of \$712,888 from the State Water Resources Control Board for payment. This amount is approximately a 9.2% increase from 2019.

RELEVANT STANDARDS

- Comply with environmental permit requirements
- 24/7/365 treatment plant reliability

PROBLEM

The Sanitation District 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 fee in the amount of \$712,888 for Fiscal Year 2020-21.

TIMING CONCERNS

May be subject to late fees if not paid in a timely manner.

RAMIFICATIONS OF NOT TAKING ACTION

If payment is delayed, 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 RWQCB.

PRIOR COMMITTEE/BOARD ACTIONS

This fee is invoiced and paid annually.

FINANCIAL CONSIDERATIONS

This request complies with authority levels of the Sanitation District'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:

- Invoice No. WD-0180692