



MEMORANDUM

DATE: January 22, 2018
TO: Public Utilities Board
FROM: P.S. Arora, Director Wastewater Utilities
SUBJECT: TCEQ Permit Fee

Texas Commission on Environmental Quality (TCEQ) charges an annual Consolidated Water Quality (CWQ) fee for operation of the Pecan Creek Water Reclamation Plant. The fee is based on the permitted plant capacity of 21 million gallons per day average daily flow and the pollutant loading in the plant effluent. The CWQ fee payment is mandatory to continue the wastewater plant operation, and if the TCEQ does not receive payment by the end of the month, penalties and interest can be charged. Due to the time spend in transport via the mail and the January schedules of the Public Utility Board (PUB) and the City Council, staff did not have time to bring this item to the PUB for a recommendation and the Council for approval before the end of January. Staff therefore presented the item to the City Council on January 16, and the Council approved the payment unanimously. This memorandum is intended to update the PUB on this action. The Agenda Information Sheet, TCEQ Invoice, and Ordinance are included as attachments.

OUR CORE VALUES

Integrity • Fiscal Responsibility • Transparency • Outstanding Customer Service



City of Denton

City Hall
215 E. McKinney Street
Denton, Texas
www.cityofdenton.com

AGENDA INFORMATION SHEET

DEPARTMENT: Utility Administration

CM/ DCM/ ACM: Mario Canizares

DATE: January 16, 2018

SUBJECT

Consider adoption of an ordinance of the City of Denton, Texas authorizing the expenditure of funds for payment by the City of Denton for the annual consolidated water quality fee to the Texas Commission on Environmental Quality for operation of the Pecan Creek Water Reclamation Plant; and providing an effective date (File 6693-Consolidated Water Quality Fee in the amount of \$110, 257.93).

BACKGROUND

The Texas Commission on Environmental Quality (TCEQ) charges an annual Consolidated Water Quality (CWQ) fee for operation of the Pecan Creek Water Reclamation Plant. The fee is based on the permitted plant capacity of 21 million gallons per day average daily flow, and the pollutant loading in the plant effluent included in the plant's discharge permit (Exhibit 1). The CWQ fee payment is mandatory to continue the wastewater plant operation. If TCEQ does not receive payment within 30 days, penalties and interest are charged along with the possible denial of the plant discharge permit.

CWQ fees are used to fund the State Water Resources Management Account, which supplements expenses for the following programs:

- Water quality administration, including, but not limited to, inspection of wastewater treatment facilities and enforcement of the provisions of Texas Water Code Chapter 26, the rules and orders of the Commission related to wastewater discharges and waste treatment facilities, and the provisions of Commission permits governing wastewater discharges and wastewater treatment facilities;
- The Texas Clean Rivers Program, which monitors and assesses water quality conditions that support water quality management decisions necessary to maintain and improve the quality of the state's water resources; and
- Any other water resource management programs reasonably related to the activities of the persons required to pay a fee under TWC, §26.0291

RECOMMENDATION

Staff recommends approval of the TCEQ CWQ fee.

ESTIMATED SCHEDULE OF PROJECT

N/A

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

This item will be retroactively reported to the PUB on January 22, 2018.

FISCAL INFORMATION

The fee will be paid from Operating Budget Account number 640100.7805. Requisition# 137266 has been entered in the Purchasing software system.

STRATEGIC PLAN RELATIONSHIP

The City of Denton's Strategic Plan is an action-oriented road map that will help the City achieve its vision. The foundation for the plan is the five long-term Key Focus Areas (KFA): Organizational Excellence; Public Infrastructure; Economic Development; Safe, Livable, and Family-Friendly Community; and Sustainability and Environmental Stewardship. While individual items may support multiple KFAs, this specific City Council agenda item contributes most directly to the following KFA and goal:

Related Key Focus Area: Public Infrastructure

Related Goal: 2.3 Promote superior utility services and City facilities

EXHIBITS

Exhibit 1: Agenda Information Sheet

Exhibit 2: Invoice

Exhibit 3: Ordinance

Respectfully submitted:

Karen Smith

Purchasing Manager

For information concerning this acquisition, contact: P.S Arora at 940-349-7189.

DETACH BOTTOM PORTION AND RETURN ORIGINAL COUPON WITH PAYMENT

PAGE 1


ACCOUNT NO.	INCLUDES PAYMENTS THROUGH:	COLL COST RECOVERY	LATE FEES	BALANCE DUE
23006607	JAN08 ,18	0.00	0.00	110,257.93

[illegible]

Please return the original coupon with payment. For questions concerning calculations or site location, please call 512-239-4671.

110,257.93

See REVERSE SIDE for Explanation of Charges and TCEQ Contact Telephone Numbers.

PLEASE PAY THIS AMOUNT 
INCLUDE ACCOUNT NUMBER ON CHECK

TCEQ VIPP Form AR41A 02-17-2011

JAN08, 18

DETACH THIS PORTION AND RETURN WITH
CHECK OR MONEY ORDER PAYABLE TO:



**TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY**

ACCOUNT NO.	BALANCE DUE
23006607	110,257.93

☐ CHECK HERE IF YOUR ADDRESS HAS CHANGED.
PLEASE INDICATE ADDRESS CHANGE ON BACK

**INVOICES NOT PAID WITHIN
30 DAYS OF INVOICE DATE WILL
ACCRUE PENALTIES**

CITY OF DENTON
ASSISTANT DIRECTOR WASTEWATER
901 TEXAS ST STE A

DENTON TX 76209-4354

0023006607 1533360 00110257930131182

PAYMENT INFORMATION

	INVOICES NOT PAID BY DUE DATE WILL ACCRUE PENALTIES	
DETACH PAYMENT COUPON FROM BOTTOM OF FORM AND RETURN WITH PAYMENT IN THE ENVELOPE ENCLOSED.		

Your check, certified check or money order should be made payable to the **Texas Commission on Environmental Quality**. Please include your account number on your check to ensure that payment is properly credited. You may also pay this account in full by credit card or electronic check using the following internet address: www.tceq.texas.gov/epay/

If you think your billing is wrong, or if you need more information about a transaction, please address your questions to:

Texas Commission on Environmental Quality
Financial Administration Division, MC-214
P.O. Box 13088
Austin, Texas 78711-3088

In your correspondence, please give us the following information:

- | | |
|---------------------------------------------|--------------------------------------------------------------------|
| 1. Your name and account number | 3. The date and reference number of the transaction(s) in question |
| 2. The dollar amount of the suspected error | 4. Description of the suspected error |

The payment due date is 30 days from the invoice date. Penalty and interest charges assessed will be adjusted for fees not due. Failure to pay by the due date may result in return or denial of applications for licenses, permits, registrations, and certifications.

*** For technical questions, please call the telephone number on the front of bill. For accounting questions, please call: ***

Petroleum Storage Tank Fees	(UST & AST)	512/239-0366
Waste Fees	(VCP, ILP, RLA, FTA)	512/239-0548
	(HWG, NWG, HWF, NWF)	512/239-0343
	(SWD, WMS, SWM)	512/239-0366
	(WMB, BLP, SDP, WTR)	512/239-0366
	(TOX, T2M, T2NM, T2PE)	512/239-0366
Water Fees	(GPS, GPW, PHS, RAF)	512/239-0355
	(BWM, CRW, RGR, STX)	512/239-0355
	(CWQ, WQA, WWI, WWIR, EAP)	512/239-0355
	(WUF)	512/239-0366
Air Fees	(AEF, EIF)	512/239-0366
Admin Penalties	(CAV, DCP, WDV, WQV, QWV)	512/239-0548
Dry Cleaning Fees	(DCR)	512/239-0343

TCEQ VIPP FORM AR41A1 02-17-2011

EXPLANATION OF CHARGES

The basis for each charge is identified by the facility, permit, application or other appropriate activity. The state fiscal year (**FY**) and the quarter of the year (**QTR**) to which the payment will be credited are shown where applicable. Delinquent fees are subject to a penalty of 5% per month for the first two months after the due date, after which an interest charge for CY 2018 of 5.5% per annum will be assessed.

In accordance with Government Code 2107.003(d), collection costs up to 30% may be assessed.

TCEQ understands the account party may be a debtor in a pending bankruptcy proceeding. The portion of this invoice, if any, that represents pre-petition fees due is sent for informational purposes only and is not an attempt to recover a claim against the debtor. TCEQ will file an appropriate proof of claim with the bankruptcy court for such pre-petition fees. Any post-petition fees due and owing as shown on this invoice should be paid in accordance with this invoice.

IMPORTANT: TO CHANGE A BILLING ADDRESS FOR A GPS OR GPW FEE (SEE INVOICE DESCRIPTION ON FRONT SIDE), CALL 512/239-4671 FOR GPW & CALL 512/239-3700 OR EMAIL SWPERMIT@TCEQ.TEXAS.GOV FOR GPS

PLEASE INDICATE BILLING ADDRESS CHANGE BELOW

Address: _____

City: _____

State & Zip Code: _____

Phone: () FAX: ()

(Note: TO CHANGE ACCOUNT NAME,)

(A CORE DATA FORM MUST BE SUBMITTED.)

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
PO BOX 13089
AUSTIN TX 78711-3089



ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF DENTON, TEXAS AUTHORIZING THE EXPENDITURE OF FUNDS FOR PAYMENT BY THE CITY OF DENTON FOR THE ANNUAL CONSOLIDATED WATER QUALITY FEE TO THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY FOR OPERATION OF THE PECAN CREEK WATER RECLAMATION PLANT; AND PROVIDING AN EFFECTIVE DATE (FILE 6693-CONSOLIDATED WATER QUALITY FEE IN THE TOTAL AMOUNT OF \$110,257.93).

WHEREAS, Section 26.0291 of the Texas Water Code requires each wastewater discharge permit holder to pay a Water Quality Fee in order for the State to cover costs of inspections and enforcement of the Water Code; and

WHEREAS, the City of Denton operates the Pecan Creek Water Reclamation Plant within the City of Denton and holds a wastewater discharge permit for such operation; therefore, the City of Denton is required to pay such fees imposed by the Texas Commission on Environmental Quality set forth in Exhibit A; and

WHEREAS, the City Manager has reviewed and recommended that the City Council approve and authorize the immediate payment of these required fees to continue wastewater plant operation; NOW, THEREFORE,

THE COUNCIL OF THE CITY OF DENTON HEREBY ORDAINS:

SECTION 1. That the expenditure of funds in the amount of \$110,257.93 to be paid to the Texas Commission on Environmental Quality in the specified amount shown on Exhibit A, which is attached to and made a part of this ordinance for all purposes is hereby authorized.

SECTION 2. That this ordinance shall become effective immediately upon its passage and approval.

PASSED AND APPROVED this the _____ day of _____, 2018.

CHRIS WATTS, MAYOR

ATTEST:
JENNIFER WALTERS, CITY SECRETARY

BY: _____

APPROVED AS TO LEGAL FORM:
AARON LEAL, CITY ATTORNEY

BY: 

EXHIBIT A



COMPANY: CITY OF DENTON
ACCOUNT: 23006607

PAGE 1



**TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY**

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