



**CITY OF HOUSTON - CITY COUNCIL**

Meeting Date: 10/30/2018

ALL

Item Creation Date: 10/9/2018

HPW-20WWO820- Texas Commission on Environmental Quality (TCEQ)'s Annual Consolidated Water Quality (CWQ) fee for FY19

Agenda Item#: 6.

**Background:**

**SUBJECT:** Texas Commission on Environmental Quality (TCEQ)'s Annual Consolidated Water Quality (CWQ) fee, Air Emission fee (AEF) and Air Inspection fee (EIF) that applies to the City of Houston's (City's) wastewater treatment plants for FY19

**RECOMMENDATION:** Authorize payment of the Texas Commission on Environmental Quality (TCEQ) invoices totaling \$1,789,294.72 for the annual Consolidated Water Quality (CWQ) fee, Air Emission fee (AEF) and Air Inspection fee (EIF) that applies to the City of Houston's (City's) wastewater treatment plants.

**SPECIFIC EXPLANATION:**

This is a request to authorize payment of invoices received from the Texas Commission on Environmental Quality (TCEQ) for the annual Consolidated Water Quality (CWQ) fee, Air Emission fee (AEF) and Air Inspection fee (EIF) that applies to the City of Houston's (City's) wastewater treatment plants.

The current invoice covers the period from *September 1, 2018 to August 31, 2019 corresponding to TCEQ's fiscal year 2019*. The annual assessment is based on the wastewater discharge and air permits for each wastewater treatment plant. The CWQ fee rate schedule is found in TCEQ's regulations, - Title 30, Texas Administrative Code (TAC), Chapter 21: Water Quality Fees, Section 21.3 Fee Assessment. This became effective July 30, 2009 and is adjusted annually based on the consumer price index.

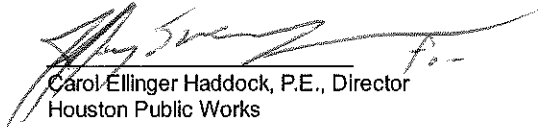
The revenue resulting from the CWQ Fee pays TCEQ's expenses to inspect wastewater treatment facilities and to enforce the provisions of the Texas Water Code. It also funds comprehensive monitoring of water quality for each river basin, conducted under the Texas Clean Rivers Program. The AEF is based on the tons of pollution emitted during the last full calendar year. The authority to collect this fee is granted under the Texas Health and Safety Code Section 382.0621 and the administration of this fee is found in TCEQ's regulations, - Title 30 TAC, Section 101.27. The revenue covers the direct and indirect costs of operating the Title IV and V programs related to the Federal Clean Air Act Amendments of 1990.

The EIF rate is based on the Standard Industrial Classification (SIC) code at an affected regulated entity. The authority to collect this fee is granted under Texas Health and Safety Code Section 382.062, and the administration of the fee is described in 30 TAC 101.24. The inspection fee is collected to recover the costs of the TCEQ air programs.

Recommend that Council approve the Houston Public Works' request to pay TCEQ the invoiced amount of \$1,789,294.72.

**FISCAL NOTE :**

Funding for this item is included in the FY2019 Adopted Budget. Therefore, no Fiscal Note is required as stated in the Financial Policies.

  
Carol Ellinger Haddock, P.E., Director  
Houston Public Works

**Prior Council Action:**

Motion # 2017-0715 December 6, 2017

**Amount of Funding:**

\$1,789,294.72 Water and Sewer System Operating Fund No.8300

**Contact Information:**

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Regulatory Compliance Director  
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**ATTACHMENTS:**

**Description**

Signed Coversheet  
2018 Invoices  
prior motion and RCA  
Budget information  
Fund Reservation Form  
Budgeted Annual Fees

**Type**

Signed Cover sheet  
Backup Material  
Backup Material  
Backup Material  
Backup Material  
Backup Material