

CITY COUNCIL
ATLANTA, GEORGIA

A RESOLUTION BY

CITY UTILITIES COMMITTEE

02-R-1996

A RESOLUTION TO AUTHORIZE PAYMENT OF PENALTIES IMPOSED BY THE ENVIRONMENTAL PROTECTION DIVISION OF THE DEPARTMENT OF NATURAL RESOURCES OF THE STATE OF GEORGIA (EPD) IN THE AMOUNT OF FIVE HUNDRED DOLLARS AND 00/100 (\$500.00) AS A PENALTY FOR AN ALLEGED VIOLATION OF THE GEORGIA WATER QUALITY CONTROL ACT RESULTING FROM A DISSOLVED OXYGEN VIOLATION ON MAY 5, 2002 OCCURRING AT THE SOUTH RIVER WATER RECLAMATION CENTER; TO IDENTIFY THE SOURCE OF FUNDING; AND FOR OTHER PURPOSES.

WHEREAS, on May 5, 2002 the City experienced a violation of permitted effluent limit of 5.0 mg/l for dissolved oxygen at the South River Water Reclamation Center as set out in Exhibit "A" hereto; and

WHEREAS, the EPD Compliance Order requires payment by the City of Atlanta of \$500; and

WHEREAS, the Department of Watershed Management of the City does not dispute the fact this violation of dissolved oxygen did occur; and

WHEREAS, the payment to EPD of this assessment by the City does not constitute a finding or adjudication, is not to be evidence of a violation of state or federal laws by the City, nor does the City by its consent agree to any violations of state or federal laws or admit any liability to any third party or parties; and

WHEREAS, funds for this purpose are available in account number 2J01-529017-M51001; and

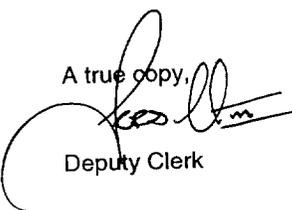
WHEREAS, it is deemed to be in the interest of the City to accept the proposed penalty and to pay the incident assessments to them.

NOW, THEREFORE, BE AND IT IS RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA, as follows:

Section One: That the Chief Financial Officer of the City is authorized to issue a check in the amount of Five Hundred Dollars and 00/100 (\$500.00) payable to the **State of Georgia** for penalties imposed pursuant to the Expedited Enforcement Compliance Order, No. EPD-PCEP-02-357 at the discretion of the Environmental Protection Division of the Department of Natural Resources of the State of Georgia; and

Section Two: That the said payments be chargeable to Account Number 2J01 529017 M51001.

A true copy,


Deputy Clerk

**ADOPTED by the Council
APPROVED by the Mayor**

NOV 18, 2002
NOV 26, 2002

RCS# 4225
11/18/02
2:59 PM

Atlanta City Council

Regular Session

CONSENT I Pgs. 1-9; Except 02-R-1982; 02-O-1882;

ADOPT

YEAS: 13
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 3
EXCUSED: 0
ABSENT 0

NV Smith	Y Archibong	Y Moore	Y Mitchell
Y Starnes	Y Fauver	Y Martin	Y Norwood
NV Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	Y Boazman	NV Woolard

CONSENT I

11/18/02 Council Meeting

**ITEMS ADOPTED ON CONSENT
AGENDA**

1. 02-O-1774
2. 02-O-1972
3. 02-O-1297
4. 02-O-1859
5. 02-O-1860
6. 02-O-1861
7. 02-O-1974
8. 02-O-1979
9. 02-O-1902
10. 02-O-1962
11. 02-O-1971
12. 02-O-1863
13. 02-O-1864
14. 02-R-1924
15. 02-R-1952
16. 02-R-1966
17. 02-R-1996
18. 02-R-2000
19. 02-R-1951
20. 02-R-1954
21. 02-R-1978
22. 02-R-1983
23. 02-R-1984
24. 02-R-1856
25. 02-R-1931
26. 02-R-1932
27. 02-R-1933
28. 02-R-1934
29. 02-R-1935
30. 02-R-1936

**ITEMS ADVERSED
ON CONSENT AGENDA**

31. 02-R-1937
32. 02-R-1938
33. 02-R-1939
34. 02-R-1940
35. 02-R-1941
36. 02-R-1942
37. 02-R-1943
38. 02-R-1944
39. 02-R-1945
40. 02-R-1946
41. 02-R-1947
42. 02-R-1948
43. 02-R-1949
44. 02-R-1950

Consent I Vote: 13 Yeas; 0 Nays (See RCS #4225)
Items Removed from Consent: 02-R-1982; 02-R-1882

02-P-1996
 (Do Not Write Above This Line)

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ADOPTED BY
 NOV 18 2002

- CONSENT REFER
- REGULAR REPORT REFER
- ADVERTISE & REFER
- 1st ADOPT 2nd READ & REFER
- PERSONAL PAPER REFER

Date Referred _____

Referred To: _____

Date Referred _____

Referred To: _____

Date Referred _____

Referred To: _____

Committee _____
 Date _____
 Chair _____
 Referred to _____

Committee CITY UTILITIES
 Date Nov 12, 2002
 Chair Clair Muller
 Action: _____
 Fav, Adv, Hold (see rev. side) _____
 Other: _____
 Members [Signature]
 Refer To _____

Committee _____
 Date _____
 Chair _____
 Action: _____
 Fav, Adv, Hold (see rev. side) _____
 Other: _____
 Members _____
 Refer To _____

First Reading _____

Committee _____
 Date _____
 Chair _____
 Action: _____
 Fav, Adv, Hold (see rev. side) _____
 Other: _____
 Members _____
 Refer To _____

Committee _____
 Date _____
 Chair _____
 Action: _____
 Fav, Adv, Hold (see rev. side) _____
 Other: _____
 Members _____
 Refer To _____

FINAL COUNCIL ACTION
 2nd 1st & 2nd 3rd
 Readings
 Consent V Vote RC Vote

CERTIFIED
 NOV 18 2002

CERTIFIED
 NOV 18 2002
 Randi Daughlin Johnson
 MUNICIPAL CLERK

MAYOR'S ACTION
 NOV 26 2002
 Stanley Frankel
 MAYOR