State of Kansas
Department of Health and Environment

Public Notice Concerning Kansas / Federal
Water Pollution Control Permits and Applications

State of Kansas
Department of Health and Environment
Division of Environment-Bureau of Water
1000 SW Jackson St., Suite 420
Topeka, Kansas 66612-1367
Telephone: (785) 296-6432 - Ag Permits
(785) 296-5517 - All Others

Public Notice No. KS-AG-19-315/318
Public Notice No. KS-Q-19-264/275

Beginning Date: October 24, 2019
Comments Due: November 23, 2019

In accordance with Kansas Administrative Regulations 28-16-57 through 63, 28-18-1 through 17, 28-18a-1 through 33, 28-16-150 through 154, 28-46-7, and the authority vested with the State by the administrator of the U.S. Environmental Protection Agency, various draft water pollution control documents (permits, notices to revoke and reissue, notices to terminate) have been prepared and/or permit applications have been received for discharges to waters of the United States and the state of Kansas for the class of discharges described below.

The proposed actions concerning the draft documents are based on staff review, applying the appropriate standards, regulations, and effluent limitations of the state of Kansas and the Environmental Protection Agency. The final action will result in a Federal National Pollutant Discharge Elimination System Authorization and/or a Kansas Water Pollution Control permit being issued, subject to certain conditions, revocation, and reissuance of the designated permit or termination of the designated permit.
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Public Notice No. KS-AG-19-315/318
Pending Permits for Confined Feeding Facilities

Name and Address of Applicant	Legal Description	Receiving Water
Roy Buessing Buessing Dairy 1083 29th Rd. Axtell, KS 66403	SW/4 of Section 23 and SE/4 of Section 22 T02S, R10E Marshall County	Big Blue River Basin

Kansas Permit No.: A-BBMS-M014

This permit is being modified and re-issued for an existing dairy facility. The facility is expanding to have a capacity of 450 head (630 animal units) of mature dairy cattle, 225 head (225 animal units) of dairy heifers weighing more than 700 pounds and 225 head (112 animal units) of dairy heifers weighing less than 700 pounds. The proposed facility wide total would be for up to 900 head (967 animal units). The west side heifer area consists of a new proposed 60 x 330-foot Mono-slope barn to be added to the existing ~1.3 acres of confinement lots, 2 existing cattle sheds, and a 1.6 acre grassed buffer area. The east side milking dairy operation area consists of ~4.8 acres a milking parlor, free stall barns, commodity storage areas, and waste storage/handling facilities. The waste storage/handling facilities are being expanded with a new retention control structure (RCS) replacing the four-cell existing RCS/ Wetlands structures. A second larger solid manure storage structure is also planned. Two existing RCSs will be

re-used for wet sediment and parlor process waste. Waste transfer pipelines and grassed waterways are also planned.

Michael Arndt Michael Arndt 2124 Deerbrook Emporia, KS 66801	NE/4 of Section 10 T20S, R10E Lyon County	Neosho River Basin

Kansas Permit No.: A-NELY-B008

This is a renewal permit for an existing facility for 999 head (999 animal units) of cattle weighing more than 700 pounds. There is no change in the permitted animal units. The facility has been re-approved to construct an open lot pen within the footprint of the facility. This facility has an approved Nutrient Management Plan on file with KDHE.

Warren Hornbaker Hornbaker Farms 1752 180th Ave. Lewis, KS 67552	NW/4 of Section 25 T25S, R18W Edwards County	Arkansas River Basin

Kansas Permit No.: A-ARED-B001

This is a renewal permit for an existing facility for 700 head (350 animal units) of cattle weighing 700 pounds or less. There has been no change in animal numbers from the last permit.

Steven Vaughn Vaughn Feedlot 655 Woofter Ave Colby, KS 67701	NW/4 of Section 13 T07S, R31W Thomas County	Solomon River Basin

Kansas Permit No.: A-SOTH-B002

This is a renewal permit for an existing facility for 900 head (450 animal units) of cattle weighing 700 pounds or less. There is no change in the permitted animal units. This facility has an approved Waste Management Plan on file with KDHE.

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Public Notice No.: KS-Q-19-264/275

The requirements of the draft permit public noticed below are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28 (b-g), and Federal Surface Water Criteria.

NAME AND ADDRESS OF APPLICANT	RECEIVING STREAM	TYPE OF DISCHARGE
Chapman, City of PO Box 321 Chapman, KS 67431	Smoky Hill River	Treated Domestic Wastewater

Kansas Permit No. M-SH04-OO01 Federal Permit No. KS0029114

Legal Description: NE¼, NE¼, SW¼, S32, T12S, R4E

The proposed action is to reissue an existing State/NPDES permit for an existing facility. The existing facility consists of a bar screen, grit removal with an air lift pump, aeration basin, aerobic digester, final clarifier, and UV disinfection. This permit includes a schedule of compliance to implement requirements of a consent order and any amendments or replacements thereto. The proposed permit contains limits for biochemical oxygen demand, total suspended solids, pH, ammonia and E. coli, as well as monitoring for total phosphorus, nitrate + nitrite, total Kjeldahl nitrogen, total nitrogen, arsenic, chlorides, sulfates and flow.

Eastborough, City of #1 East Douglas Avenue Eastborough, KS 67207	Arkansas River	Stormwater Point Source

Kansas Permit No. M-AR31-SU01 Federal Permit No. KSR410041
Facility Name: Eastborough Municipal Separate Storm Sewer System

The proposed action is to issue a new individual NPDES Municipal Separate Storm Sewer System (MS4) permit from an existing MS4 general permit. The proposed MS4 permit requires the permittee to develop, implement, and enforce a stormwater management program designed to reduce the discharge of pollutants from the MS4 to the maximum extent practicable, to protect water quality, and to satisfy the appropriate water quality requirements of the Clean Water Act and Kansas surface water quality statutes and regulations. The proposed permit requires the permittee to update the Stormwater Management Program document, implement six minimum control measures and implement best management practices to reduce any identified total maximum daily load (TMDL) regulated pollutants if listed in the permit (TMDL Table). If there is an identified TMDL regulated pollutant, surface water monitoring may be required on the impaired water body to evaluate performance of the best management practices. Monitoring of industrial stormwater discharges and oversite of construction activities within the MS4 may be required if it is applicable. The proposed permit requires the submittal of an annual report that addresses all compliance requirements for the previous year.

Edwardsville, City of 690 South 4th Street Edwardsville, KS 66113	Kansas River	Stormwater Point Source

Kansas Permit No. M-KS14-SU01 Federal Permit No. KSR410040
Facility Name: Edwardsville Municipal Separate Storm Sewer System

The proposed action is to issue a new individual NPDES Municipal Separate Storm Sewer System (MS4) permit from an existing MS4 general permit. The proposed MS4 permit requires the permittee to develop, implement, and enforce a stormwater management program designed to reduce the discharge of pollutants from the MS4 to the maximum extent practicable, to protect water quality, and to satisfy the appropriate water quality requirements of the Clean Water Act and Kansas surface water quality statutes and regulations. The proposed permit requires the permittee to update the Stormwater Management Program document, implement six minimum control measures and implement best management practices to reduce any identified total maximum daily load (TMDL) regulated pollutants if listed in the permit (TMDL Table). If there is an identified TMDL regulated pollutant, surface water monitoring may be required on the impaired water body to evaluate performance of the best management practices. Monitoring of industrial stormwater discharges and oversite of construction activities within the MS4 may be required if it is applicable. The proposed permit requires the submittal of an annual report that

addresses all compliance requirements for the previous year.

Garden Plain, City of 600 S Main Garden Plain, KS 67050	Clearwater Creek via Polecat Creek	Treated Domestic Wastewater

Kansas Permit No. M-AR35-OO02 Federal Permit No. KS0100111
Legal Description: SW¼, SE¼, SE¼, S31, T27S, R3W, Sedgwick County, Kansas

The proposed action is to reissue an existing State/NPDES permit for an existing facility. The existing facility is a mechanical wastewater treatment plant consisting of influent lift station, headworks, activated sludge aeration carousel, anaerobic and aerobic basins for biological nutrient removal, waste activated sludge holding basin, final clarification, UV disinfection, and two polishing ponds. This permit has a schedule of compliance stating the facility shall have a KDHE-certified operator to supervise the facility. The proposed permit contains limits for biochemical oxygen demand, total suspended solids, pH, ammonia and E. coli, as well as monitoring for total phosphorus, total Kjeldahl nitrogen, nitrate + nitrite, and flow.

Fiber Glass Systems, LP 2501 Southwest Street Wichita, KS 67217	Arkansas River via Big Slough via City Storm Sewer	Process Wastewater

Kansas Permit No. I-AR94-PO39 Federal Permit No. KS0087807
Legal Description: NE¼, S2, T28S, R1W, Sedgwick County, Kansas

The proposed action is to reissue an existing State/NPDES permit for an existing facility. This facility manufactures fiberglass reinforced pipe and fittings by filament winding and compression molding process. Ancillary operations include machining and grinding. The discharge consists of non-contact cooling water from the pipe winding mandrels after the cure cycle and the non-contact cooling water used for one pass cooling of hydraulic units. The proposed permit contains limits for total residual chlorine and pH, as well as monitoring for flow and temperature.

Goddard, City of PO Box 667 Goddard, KS 67052	Arkansas River	Stormwater Point Source

Kansas Permit No. M-AR37-SU01 Federal Permit No. KSR410043
Facility Name: Goddard Municipal Separate Storm Sewer System

The proposed action is to issue a new individual NPDES Municipal Separate Storm Sewer System (MS4) permit from an existing MS4 general permit. The proposed MS4 permit requires the permittee to develop, implement, and enforce a stormwater management program designed to reduce the discharge of pollutants from the MS4 to the maximum extent practicable, to protect water quality, and to satisfy the appropriate water quality requirements of the Clean Water Act and Kansas surface water quality statutes and regulations. The proposed permit requires the permittee to update the Stormwater Management Program document, implement six minimum control measures and implement best management practices to reduce any identified total maximum daily load (TMDL) regulated pollutants if listed in the

permit (TMDL Table). If there is an identified TMDL regulated pollutant, surface water monitoring may be required on the impaired water body to evaluate performance of the best management practices. Monitoring of industrial stormwater discharges and oversite of construction activities within the MS4 may be required if it is applicable. The proposed permit requires the submittal of an annual report that addresses all compliance requirements for the previous year.

Phillipsburg, City of PO Box 447 Phillipsburg, KS 67661-0447	Plotner Creek via Unnamed Tributary	Treated Domestic Wastewater

Kansas Permit No. M-SO31-OO02 Federal Permit No. KS0097331
Legal Description: SW¼, SW¼, SW¼, S35 T3S, R18W, Phillips County, Kansas
Facility Location: 19 E Santa Fe Road, Phillipsburg, KS 67661

The proposed action is to reissue an existing State/NPDES permit for an existing facility. The existing facility is a mechanical wastewater treatment plan consisting of screening and grit removal, extended aeration activated sludge AeroMod system, UV disinfection, cascade reaeration, and sludge belt filter press. The proposed permit contains limits for biochemical oxygen demand, total suspended solids, ammonia, pH, and E. coli, as well as monitoring for total phosphorus, nitrate + nitrite, total Kjeldahl nitrogen, total nitrogen, selenium, sulfate, arsenic and flow.

Pottawatomie County Commission PO Box 187 Westmoreland, KS 66549	Kansas River	Stormwater Point Source

Kansas Permit No. M-KS38-SU03 Federal Permit No. KSR410047
Facility Name: Pottawatomie County Municipal Separate Storm Sewer System

The proposed action is to issue a new individual NPDES Municipal Separate Storm Sewer System (MS4) permit from an existing MS4 general permit. The proposed MS4 permit requires the permittee to develop, implement, and enforce a stormwater management program designed to reduce the discharge of pollutants from the MS4 to the maximum extent practicable, to protect water quality, and to satisfy the appropriate water quality requirements of the Clean Water Act and Kansas surface water quality statutes and regulations. The proposed permit requires the permittee to update the Stormwater Management Program document, implement six minimum control measures and implement best management practices to reduce any identified total maximum daily load (TMDL) regulated pollutants if listed in the permit (TMDL Table). If there is an identified TMDL regulated pollutant, surface water monitoring may be required on the impaired water body to evaluate performance of the best management practices. Monitoring of industrial stormwater discharges and oversite of construction activities within the MS4 may be required if it is applicable. The proposed permit requires the submittal of an annual report that addresses all compliance requirements for the previous year.

Riley County Commission 6215 Tuttle Creek Boulevard Manhattan, KS 66503	Kansas River	Stormwater Point Source

Kansas Permit No. M-KS38-SU04 Federal Permit No. KSR410048

Facility Name: Riley County Municipal Separate Storm Sewer System

The proposed action is to issue a new individual NPDES Municipal Separate Storm Sewer System (MS4) permit from an existing MS4 general permit. The proposed MS4 permit requires the permittee to develop, implement, and enforce a stormwater management program designed to reduce the discharge of pollutants from the MS4 to the maximum extent practicable, to protect water quality, and to satisfy the appropriate water quality requirements of the Clean Water Act and Kansas surface water quality statutes and regulations. The proposed permit requires the permittee to update the Stormwater Management Program document, implement six minimum control measures and implement best management practices to reduce any identified total maximum daily load (TMDL) regulated pollutants if listed in the permit (TMDL Table). If there is an identified TMDL regulated pollutant, surface water monitoring may be required on the impaired water body to evaluate performance of the best management practices. Monitoring of industrial stormwater discharges and oversite of construction activities within the MS4 may be required if it is applicable. The proposed permit requires the submittal of an annual report that addresses all compliance requirements for the previous year.

Spring Hill, City of PO Box 424 Spring Hill, KS 66083-0424	Ten Mile Creek via Sweetwater Creek	Treated Domestic Wastewater

Kansas Permit No. M-MC45-OO01 Federal Permit No. KS0048143
Legal Description: SW¼, SE¼, SW¼, S13, T15S, R23E, Johnson County, Kansas
Facility Name: Spring Hill Wastewater Treatment Facility #1

The proposed action is to reissue an existing State/NPDES permit for an existing facility. This facility is a four-cell wastewater stabilization lagoon system that serves a nearby subdivision and is mainly used during high flow events. The lagoons have the capability to be bypassed and send wastewater to the city's mechanical treatment plant. The proposed permit contains limits for biochemical oxygen demand, total suspended solids, pH, and ammonia.

Shawnee Co. Consolidated RWD #4 PO Box 750777 Topeka, KS 66675-0777	Kansas River via Soldier Creek via Unnamed Tributary	Treated Domestic Wastewater

Kansas Permit No. I-KS72-PO26 Federal Permit No. KS0099601
Legal Description: SE¼, SW¼, SE¼, S9, T11S, R15E, Shawnee County, Kansas
Facility Location: 5439 NW 33rd Street, Topeka, KS 66618
Facility Name: Shawnee County CRWD No. 4 – Menoken

The proposed action is to reissue an existing State/NPDES permit for an existing facility. This is a public water treatment plant currently designed for 3 mgd with long-term plans to expand to 6 mgd. Well water is treated with an induced draft aerator to precipitate iron and manganese, followed by a solid contact basin, where lime is added for softening. Polyaluminum and a polymer is also added to help settle the lime and precipitate solids. The overflow is then treated with carbon dioxide to control pH and a filter aide, prior to entering the filters. The filtered water is treated with chlorine and ammonia before being routed to the distribution system. The proposed permit contains limits for total suspended solids, total residual chlorine and pH, as well as monitoring for flow.

Union Pacific Railroad Company 1400 Douglas Street, Stop 1030 Omaha, NE 68179	Arkansas River via East Fork Chisholm Creek via storm sewer	Process Wastewater

Kansas Permit No. I-AR94-PO12 Federal Permit No. KS0099970
Facility Location: 1800 East Murdock, Wichita, KS 67214
Facility Name: Union Pacific Railroad Hydraulic Containment System

The proposed action is to reissue an existing State/NPDES permit for an existing facility. Groundwater contaminated with trichloroethylene (TCE) and tetrachloroethylene (PCE) is collected in a system of 8 pumping wells pumping at a total rate of up to 180 gallons per minute. The wells pump into a common header which is connected to a treatment building. The treatment system contains of a counter flow, low profile air stripper to remove volatile organic compounds (VOC's). The proposed permit contains limits for trichloroethylene, tetrachloroethylene and pH, as well as monitoring for flow, chloride and total phosphorus.

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Persons wishing to comment on or object to the draft documents and/or permit applications must submit their comments in writing to the Kansas Department of Health and Environment if they wish to have the comments or objections considered in the decision-making process. Comments or objections should be submitted to the attention of Livestock Waste Management Section for agricultural related draft documents or applications, or to the permit clerk for all other permits, at the Kansas Department of Health and Environment, Division of Environment, Bureau of Water, 1000 SW Jackson St., Suite 420, Topeka, Kansas 66612-1367.

All comments regarding the draft documents or application notices received on or before ***November 23, 2019***, will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate Kansas document number (KS-AG-19-315/318, KS-Q-19-264/275) and name of the applicant/permittee when preparing comments.

After review of any comments received during the public notice period, the Secretary of Health and Environment will issue a determination regarding final agency action on each draft document/ application. If response to any draft document / application indicates significant public interest, a public hearing may be held in conformance with K.A.R. 28-16-61 (28-46-21 for UIC).

All draft documents / application and the supporting information including any comments received are on file and may be inspected at the offices of the Kansas Department of Health and Environment, Bureau of Water, 1000 SW Jackson St., Suite 420, Topeka, Kansas. These documents are available upon request at the copying cost assessed by KDHE. Application information and components of plans and specifications for all new and expanding swine facilities are available on the Internet at http://www.kdheks.gov/feedlots. Division of Environment offices are open from 8 a.m. to 5 p.m., Monday through Friday, excluding holidays.

Lee A. Norman, M.D.
Secretary
Kansas Department of Health and Environment

Kansas Permit No.: M-SH04-0001

Federal Permit No.: KS0029114

KANSAS WATER POLLUTION CONTROL PERMIT AND
AUTHORIZATION TO DISCHARGE UNDER
THE NATIONAL POLLUTANT DISCHARGE
ELIMINATION SYSTEM

Pursuant to the Provisions of Kansas Statutes Annotated 65-164 and 65-165, the Federal Water Pollution Control Act as amended, (33 U.S.C. 1251 et seq; the "Act"),

Owner:	Chapman, City of
Owner's Address:	P.O. Box 321 Chapman, Kansas 67431
Facility Name:	Chapman Wastewater Treatment Plant
Facility Location:	NE¼, NE¼, SW¼, Section 32, Township 12S, Range 4E Dickinson County, Kansas Latitude: 38.96418 Longitude: -97.01182
Outfall:	Latitude: 38.96408 Longitude: -97.01238
Receiving Stream & Basin:	Smoky Hill River Smoky Hill River Basin

DRAFT

is authorized to discharge from the wastewater treatment facility described herein, in accordance with effluent limits and monitoring requirements as set forth herein.

This permit is effective _____, supersedes the previously issued Kansas Water Pollution Control permit M-SH04-0001, and expires _____.

FACILITY DESCRIPTION:

1. Grit Removal
2. Bar Screen
3. Two-stage Aeration
4. Sludge Loading Pad and Drying Beds
5. UV Disinfection
6. Design P.E. = 2,500
7. Design Flow = 0.250 MGD

_____
Secretary, Kansas Department of Health and Environment

_____
Date

A. EFFLUENT LIMITS AND MONITORING REQUIREMENTS

The permittee is authorized to discharge from outfall(s) with serial number(s) as specified in this permit. The effluent limits shall become effective on the dates specified herein. Such discharges shall be controlled, limited, and monitored by the permittee as specified. There shall be no discharge of floating solids or visible foam in other than trace amounts.

In the event no discharge occurs through the effluent outfall to the receiving stream during the entire monitoring period, no sampling or testing of the influent or effluent is required but written notification of a No Discharge event is still required.

Parameter	Final Limits	Measurement Frequency	Sample Type
Monitoring Location 001AG (EDMR Code: INF001AG)- Influent to Treatment Plant			
Biochemical Oxygen Demand (5-Day)- mg/l	Monitor	Once Monthly	Grab
Total Suspended Solids - mg/l	Monitor	Once Monthly	Grab
Total Phosphorus (as P)- mg/l	Monitor	Once Monthly	Grab
Total Kjeldahl Nitrogen (as N)- mg/l	Monitor	Once Monthly	Grab
Outfall 001A1 (EDMR Code: EFF001A1)- Effluent at Discharge Structure			
Biochemical Oxygen Demand (5-Day)[1]		Once Monthly	Grab
Weekly Average - mg/l	30		
Monthly Average - mg/l	20		
Total Suspended Solids[1]		Once Monthly	Grab
Weekly Average - mg/l	45		
Monthly Average - g/l	30		
pH - Standard Units	6.0-9.0	Once Monthly	Grab
Ammonia (as N)		Once Monthly	Grab
November through March			
Daily Maximum - mg/l	25.1		
Monthly Average - mg/l	25.1		
April			
Daily Maximum - mg/l	19.4		
Monthly Average - mg/l	19.4		
May			
Daily Maximum - mg/l	13.3		
Monthly Average - mg/l	13.3		
June			
Daily Maximum - mg/l	8.5		
Monthly Average - mg/l	8.5		
July			
Daily Maximum - mg/l	6.5		
Monthly Average - mg/l	6.5		

A. EFFLUENT LIMITS AND MONITORING REQUIREMENTS (continued)

Parameter	Final Limits	Measurement Frequency	Sample Type
Ammonia (as N)		Once Monthly	Grab
August			
Daily Maximum - mg/l	6.7		
Monthly Average - mg/l	6.7		
September			
Daily Maximum - mg/l	9.9		
Monthly Average - mg/l	9.9		
October			
Daily Maximum - mg/l	18.9		
Monthly Average - mg/l	18.9		
E. coli - colonies /100 ml		Once Monthly	Grab
April through October			
Monthly Geometric Average	427		
November through March			
Monthly Geometric Average	3843		
Total Phosphorus (as P) - mg/l[4]	Monitor	Once Monthly	Grab
Total Phosphorus (as P) - lb/day[4]	Monitor	Once Monthly	Calculated[3]
Nitrate(NO_3)+ Nitrite(NO_2) (as N) - mg/l[2]	Monitor	Once Monthly	Grab
Total Kjeldahl Nitrogen (as N) - mg/l[2]	Monitor	Once Monthly	Grab
Total Nitrogen (as N) - mg/l[2,4] ($TKN + NO_3 + NO_2$)	Monitor	Once Monthly	Calculated[3]
Total Nitrogen (as N) - lb/day[2,4] ($TKN + NO_3 + NO_2$)	Monitor	Once Monthly	Calculated[3]
Arsenic (Total Recoverable) - µg/l[5]	Monitor	Once Monthly	Grab
Chlorides - mg/l	Monitor	Once Monthly	Grab
Sulfates - mg/l	Monitor	Once Monthly	Grab
Flow - MGD	Monitor	Daily	Meter

Annual Rolling Average 001TT (EDMR code: 001TT) - Annual Rolling Average Calculations at Effluent

Total Phosphorus (as P)[4]		Once Monthly	Calculated[3]
Annual Avg. Concentration - mg/l	Monitor		
Annual Avg. Load - lbs/day	2.1		
Total Nitrogen (as N)[2,4]	Monitor	Once Monthly	Calculated[3]
Annual Avg. Concentration - mg/l			
Annual Avg. Load - lbs/day			

STANDARD CONDITIONS FOR
KANSAS WATER POLLUTION CONTROL AND
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMITS

1. Representative Sampling and Discharge Monitoring Report Submittals:

A. Samples and measurements taken as required herein shall be representative of the quality and quantity of the monitored discharge. Test results shall be recorded for the day the samples were taken. If sampling for a parameter was conducted across more than one calendar day, the test results may be recorded for the day sampling was started or ended. All samples shall be taken at the locations designated in this permit, and unless specified, at the outfall/monitoring location(s) before the wastewater joins or is diluted by any other water or substance.

B. Monitoring results shall be recorded and reported on forms acceptable to the Division and submitted no later than the 28th day of the month following the completed reporting period. Signed and certified copies of other reports, required herein, prepared in accordance with KAR 28-16-59, may be faxed to 785.559.4257, e-mailed as scanned attachments to kdhe.dmr4kdhe@ks.gov , or sent by U.S. mail to:

Kansas Department of Health & Environment
Bureau of Water-Technical Services Section
1000 SW Jackson Street, Suite 420
Topeka, KS 66612-1367

2. Definitions:

A. Unless otherwise specifically defined in this permit, the following definitions apply:

1. The "Daily Maximum" is the total discharge by weight or average concentration, measurement taken, or value calculated during a 24-hour period. The parameter, pH, is limited as a range between and including the values shown.

2. The "Weekly Average" is the arithmetic mean of the value of test results from samples collected, measurements taken, or values calculated during four monitoring periods in each month consisting of calendar days 1-7, 8-14, 15-21 and 22 through the end of the month.

3. The "Monthly Average", other than for E. coli bacteria, is the arithmetic mean of the value of test results from samples collected, measurements taken, or values calculated during a calendar month. The monthly average is determined by the summation of all calculated values or measured test results divided by the number of calculated values or test results reported for that parameter during the calendar month. The monthly average for E. coli bacteria is the geometric average of the value of the test results from samples collected in a calendar month. The geometric average can be calculated by using a scientific calculator to multiply all the E. coli test results together and then taking the nth root of the product where n is the number of test results. Non-detect values shall be reported using the less than symbol (<) and the minimum detection or reportable value. To calculate average values, non-detects shall be defaulted to zero (or one for geometric averages). Greater than values shall be reported using the greater than symbol (>) and the reported value. To calculate average values, the greater than reported value shall be used in the averaging calculation.

B. A "grab sample" is an individual sample collected in less than 15 minutes. A "composite sample" is a combination of individual samples in which the volume of each individual sample is proportional to the flow, or the sample frequency is proportioned to the flow rate over the sample period, or the sample frequency is proportional to time.

C. The terms "Director", "Division", and "Department" refer to the Director, Division of Environment, Kansas Department of Health, and Environment, respectively.

D. "Severe property damage" means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of an in-plant diversion. Severe property damage does not mean economic loss caused by delays in production.

E. "Bypass" means the intentional diversion of waste streams from any portion of the treatment facility.

3. Schedule of Compliance: No later than 14 calendar days following each date identified in the "Schedule of Compliance," the permittee shall submit via mail, e-mail or fax per paragraph 1.B above, either a report of progress or, in the case of specific action being required by identified dates, a written notice of compliance or noncompliance. In the latter case, the notice shall include the cause of noncompliance, any remedial actions taken, and the probability of meeting the next scheduled requirements, or, if there are no more scheduled requirements, when such noncompliance will be corrected.

4. Test Procedures: All analyses required by this permit shall conform to the requirements of 40 CFR Part 136, unless otherwise specified, and shall be conducted in a laboratory accredited by the Department. For each measurement or sample, the permittee shall record the exact place, date, and time of measuring/sampling; the date and time of the analyses, the analytical techniques or methods used, minimum detection or reportable level, and the individual(s) who performed the measuring/sampling and analysis and, the results. If the permittee monitors any pollutant at the location(s) designated herein more frequently than required by this permit, using approved procedures, the results shall be included in the Discharge Monitoring Report form required in 1.B. above. Such increased frequencies shall also be indicated.

5. Change in Discharge: All discharges authorized herein shall be consistent with the permit requirements. The discharge of any pollutant not authorized by this permit or of any pollutant identified in this permit more frequently than or at a level in excess of that authorized shall constitute a violation of this permit. Any anticipated facility expansions, production or flow increases, or production or wastewater treatment system modifications which result in a new, different, or increased discharge of pollutants shall be reported to the Division at least one hundred eighty (180) days before such change.

6. Facilities Operation: The permittee shall always properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the requirements of this permit and Kansas and Federal law. Proper operation and maintenance also include adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems which are installed by a permittee only when the operation is necessary to achieve compliance with the requirements of this permit. The permittee shall take all necessary steps to minimize or prevent any adverse impact to human health or the environment resulting from noncompliance with any effluent limits specified in this permit, including such accelerated or additional monitoring as necessary to determine the nature and impact of the noncomplying discharge. When necessary to maintain compliance with the permit requirements, the permittee shall halt or reduce those activities under its control which generate wastewater routed to this facility.

7. Incidents:

"Collection System Diversion" means the diversion of wastewater from any portion of the collection system.

"In-Plant Diversion" means routing the wastewater around any treatment unit in the treatment facility through which it would normally flow.

"In-Plant Flow Through" means an incident in which the wastewater continues to be routed through the equipment even though full treatment is not being accomplished because of equipment failure for any reason.

"Spill" means any discharge of wastewater, sludge or other materials from the treatment facility other than effluent or as more specifically described by other "Incidents" terms.

"Upset" means an exceptional incident in which there is unintentional and temporary noncompliance or anticipated noncompliance with permit effluent limits because of factors beyond the reasonable control of the permittee, as described by 40 C.F.R. 122.41(n).

8. Diversions not Exceeding Limits: The permittee may allow any diversion to occur which does not cause effluent limits to be exceeded, but only if it also is for essential maintenance to assure efficient operation. Such diversions are not subject to the Incident Reporting requirements shown below.

9. Prohibition of an In-Plant Diversion: Any in-plant diversion from facilities necessary to maintain compliance with this permit is prohibited, except: (a) where the in-plant diversion was unavoidable to prevent loss of life, personal injury, or severe property damage; (b) where there were no feasible alternatives to the in-plant diversion, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime and (c) the permittee submitted a notice as required in the Incident Reporting paragraph below. The Director may approve an anticipated in-plant diversion, after considering its adverse effects, if the Director determines that it will meet the three conditions listed above.

10. Incident Reporting: The permittee shall report any unanticipated collection system diversion, in-plant diversion, in-plant flow through occurrences, spill, upset, or any violation of a permitted daily maximum limit within 24 hours from the time the permittee became aware of the incident. A written submission shall be provided within 5 days of the time the permittee became aware of the incident. The written submission shall contain a description of the noncompliance and its cause, the period of noncompliance, including exact dates and times; and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance. An Incident Report form is available at www.kdheks.gov/water/tech.html.

For an anticipated incident or any planned changes or activities in the permitted facility that may result in noncompliance with the permit requirements, the permittee shall submit written notice, if possible, at least ten days before the date of the event.

For other noncompliance, the above information shall be provided with the next Discharge Monitoring Report.

11. Removed Substances: Solids, sludges, filter backwash, or other pollutants removed in the course of treatment of water shall be utilized or disposed of in a manner acceptable to the Division.

12. Power Failures: The permittee shall provide an alternative power source sufficient to operate the wastewater control facilities or otherwise control pollution and all discharges upon the loss of the primary source of power to the wastewater control facilities.

13. Right of Entry: The permittee shall allow authorized representatives of the Division of Environment or the Environmental Protection Agency upon the presentation of credentials, to enter upon the permittee's premises where an effluent source is located, or in which are located any records required by this permit, and at reasonable times, to have access to and copy any records required by this permit, to inspect any facilities, monitoring equipment or monitoring method required in this permit, and to sample any influents to, discharges from or materials in the wastewater facilities.

14. Transfer of Ownership: The permittee shall notify the succeeding owner or controlling person of the existence of this permit by certified letter, a copy of which shall be forwarded to the Division. The succeeding owner shall secure a new permit. This permit is not transferable to any person except after notice and approval by the Director. The Director may require modification or revocation and reissuance of the permit to change the name of the permittee and incorporate such other requirements as may be necessary.

15. Records Retention: Unless otherwise specified, all records and information resulting from the monitoring activities required by this permit, including all records of analyses and calibration and maintenance of instruments and recordings from continuous monitoring instruments, shall be retained for a minimum of 3 years, or longer if requested by the Division. Biosolids/sludge records and information are required to be kept for a minimum of 5 years, or longer if requested by the Division. Groundwater monitoring data, including background samples results, shall be kept for the life of the facility regardless of ownership.

16. Availability of Records: Except for data determined to be confidential under 33 USC Section 1318, all reports prepared in accordance with the terms of this permit shall be available for public inspection at the offices of the Department. Effluent data shall not be considered confidential. Knowingly making any false statement on any such report or tampering with equipment to falsify data may result in the imposition of criminal penalties as provided for in 33 USC Section 1319 and KSA 65-170c.

17. Permit Modifications and Terminations: As provided by KAR 28-16-62, after notice and opportunity for a hearing, this permit may be modified, suspended or revoked or terminated in whole or in part during its term for cause as provided, but not limited to those set forth in KAR 28-16-62 and KAR 28-16-28b through g. The permittee shall furnish to the Director, within a reasonable amount of time, any information which the Director may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit or to determine compliance with this permit. The permittee shall also furnish upon request, copies of all records required to be kept by this permit. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition.

18. Toxic Pollutants: Notwithstanding paragraph 17 above, if a toxic effluent standard or prohibition (including any schedule of compliance specified at such effluent standards) is established under 33 USC Section 1317(a) for a toxic pollutant which is present in the discharge and such standard or prohibition is more stringent than any limitation for such pollutant in this permit, this permit shall be revised or modified in accordance with the toxic effluent standard or prohibition. Nothing in this permit relieves the permittee from complying with federal toxic effluent standards as promulgated pursuant to 33 USC Section 1317.

19. Administrative, Civil and Criminal Liability: The permittee shall comply with all requirements of this permit. Except as authorized in paragraph 9 above, nothing in this permit shall be construed to relieve the permittee from administrative, civil or criminal penalties for noncompliance as provided for in KSA 65-161 et seq., and 33 USC Section 1319.

20. Oil and Hazardous Substance Liability: Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities or penalties to which the permittee is or may be subject to under 33 USC Section 1321 or KSA 65-164 et seq. A municipal permittee shall promptly notify the Division by telephone upon discovering crude oil or any petroleum derivative in its sewer system or wastewater treatment facilities.

21. Industrial Users: A municipal permittee shall require any industrial user of the treatment works to comply with 33 USC Section 1317, 1318 and any industrial user of storm sewers to comply with 33 USC Section 1308.

22. Property Rights: The issuance of this permit does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights nor any infringements of or violation of federal, state, or local laws or regulations.

23. Operator Certification: The permittee shall, if required, ensure the wastewater facilities are under the supervision of an operator certified by the Department. If the permittee does not have a certified operator or loses its certified operator, appropriate steps shall be taken to obtain a certified operator as required by KAR 28-16-30 et seq.

24. Severability: The provisions of this permit are severable. If any provision of this permit or any circumstance is held invalid, the application of such provision to other circumstances and the remainder of the permit shall not be affected thereby.

25. Removal from Service: The permittee shall inform the Division at least three months before a pumping station, treatment unit, or any other part of the treatment facility permitted by this permit is to be removed from service and shall make arrangements acceptable to the Division to decommission the facility or part of the facility being removed from service such that the public health and waters of the state are protected.

26. Duty to Reapply: A permit holder wishing to continue any activity regulated by this permit after the expiration date, must apply for a new permit at least 180 days prior to expiration of the permit.

27. Publicly owned treatment works (POTWs): All POTWs shall provide adequate notice to the Director of the following per 40 CFR 122.42(b):

    A. Any new introduction of pollutants into the POTW from a non-domestic source which would be subject to section 301 or 306 of the CWA ; and

    B. Any substantial change in the volume or character of pollutants being introduced into a POTW by a non-domestic source.

    C. For purposes of this paragraph, adequate notice shall mean within 30 days of the POTW being aware of the introduction of pollutants and shall include information on the quality and quantity of influent introduced into the POTW, and any anticipated impact of the change on the quantity or quality of effluent to be discharged from the POTW.

28. POTW regulated pretreatment program requirements: For POTWs with an approved pretreatment program, the POTW shall:

    A. Identify, in terms of character and volume of pollutants, any Significant Industrial Users discharging into the POTW subject to Pretreatment Standards under section 307(b) of CWA and 40 CFR part 403.

    B. Provide to KDHE and EPA a written technical evaluation of the need to develop new local limits or revise existing local limits under 40 CFR 403.5(c)(1).

29. This permit may be reopened and modified if KDHE and/or EPA determines the permittee shall develop and approved pretreatment program that complies with 40 CFR, Part 403.

DISCHARGING WWTF STATEMENT OF BASIS

DATE:	October 9, 2019
FACILITY:	Chapman Wastewater Treatment Facility
KANSAS PERMIT No.:	M-SH04-OO01
FEDERAL PERMIT No.:	KS0029114
LOCATION:	NE¼, SW¼, Section 32, Township 12S, Range 4W, Dickinson County, Kansas

PROPOSED ACTION: The proposed action consists of reissuance of a Kansas/NPDES Water Pollution Control permit for an existing facility.

EXISTING PERMIT: The existing permit was issued for a design flow of 0.25 MGD and included technology based effluent limits for Biological Oxygen Demand, Total Suspended Solids, and pH, and water quality based effluent limits for ammonia and E.coli. Monitoring of flow, total phosphorus, nitrate + nitrite, total Kjeldahl nitrogen, and total nitrogen were also required.

FACILITY DESCRIPTION: The existing facility is designed to treat an average daily flow of 0.25 MGD for a total population equivalent of 2,500. The facility consists of a bar screen, grit removal with an air lift pump, aeration basin, aerobic digester, final clarifier, and UV disinfection. The facility receives domestic wastewater from residential and commercial areas.

RECEIVING STREAM: The Chapman Wastewater Treatment Facility discharges to the Smoky Hill River in the Smoky Hill river basin. (Kansas Surface Water Register, HUC 10260008-6). Pursuant to the Kansas Surface Water Quality Standards K.A.R 28-16-28 (b-g), the first classified stream is Smoky Hill River and is designated for expected aquatic life use, irrigation, livestock watering, industrial water supply use, groundwater recharge, food procurement, domestic water supply, and primary "C" contact recreation.

PROPOSED LIMITS: The proposed permit is based upon an average discharge flow of 0.25 MGD to the Smoky Hill River. The effluent limits are technology based per 40 CFR 133.102 for BOD and TSS, and water quality based for ammonia, E. coli, and total phosphorus, and the monitoring requirements for the effluent from this facility are consistent with KDHE policy and with requirements of other similar facilities within the State. These monitoring requirements also reflect the best professional judgment of the permit writer considering design and process reliability, and past operational and effluent quality information. This permit is being reissued in accordance with the Basinwide Permit Planning Procedure, with a sampling frequency of monthly, a reporting frequency of monthly, and limits for Biochemical Oxygen Demand, Total Suspended Solids, pH, ammonia, E. Coli, and total phosphorus, and monitoring of flow to the receiving stream, nitrate + nitrite, total kjeldahl nitrogen, arsenic, sulfates, chloride, and total nitrogen.

In keeping with the Kansas Nutrient Management Plan, a Supplemental Condition requires the permittee to continue to maximize the level of nutrient removal with the intent of achieving nutrient reduction goals presented in the permit. The permittee is also

required to comply with TMDL-Waste Load Allocation(WLA) final limits of 2.1 lbs/day total phosphorus as a 12-month rolling average limit.

The basis of the effluent limits and monitoring applied in this NPDES Permit are as follows:

Parameter	Basis
Biochemical Oxygen Demand	EPA Secondary Treatment Regulation
Total Suspended Solids	EPA Secondary Treatment Regulation
pH	EPA Secondary Treatment Regulation
Ammonia	KS Surface Water Quality Standards
E. coli	KS Surface Water Quality Standards
Nitrates (NO_3) + Nitrites (NO_2)	KS Nutrient Reduction Plan
Total Kjeldahl Nitrogen (TKN)	KS Nutrient Reduction Plan
Total Nitrogen (TKN + NO_3 + NO_2)	KS Nutrient Reduction Plan
Total Phosphorus	KS TMDL Listing
Arsenic	KS 303(d) Listing
Chloride	KS TMDL Listing
Sulfate	KS TMDL Listing

303(d) and TMDL LIST: The receiving stream, Smoky Hill River, HUC 10260008, Segment 6, is on the 2018 Kansas Water Quality Limited Segments 303(d) List for gross alpha and arsenic impairments. There is no reasonable potential for the effluent to be a contributor or significant source to the gross alpha impairment, therefore monitoring will not be required. In addition, TMDL's have been written for this segment of the receiving stream for sulfates, chlorides, biological conditions, total suspended solids, and total phosphorus. The proposed permit addresses these parameters as appropriate.

SLUDGE: Sludge produced by this facility is land applied. The permittee must notify the appropriate regulatory agency prior to any change in sludge disposal methods.

SCHEDULE OF COMPLIANCE: Permittee has entered into a Consent Order Case Number 19-E-11 BOW with KDHE. Permittee shall implement the requirements of the Consent Order and any amendments or replacements thereto.

CERTIFIED OPERATOR: The facility employs at least one operator with the correct level of certification (Class 2 minimum) for this size of treatment facility.

Prepared By: Ryan Eldredge

Date: October 9, 2019