

Division of Environment
Curtis State Office Building
1000 SW Jackson St., Suite 400
Topeka, KS 66612-1368



Phone: 785-296-1535
Fax: 785-559-4264
www.kdheks.gov

Janet Stanek, Secretary

Laura Kelly, Governor

November 16, 2023

Gardner, City of
Matt Just
120 East Main
Gardner, KS 66030

RE: Kansas Public Notice No. KS-Q-22-198
Kansas Water Pollution Control Permit
Permit No. M-MC51-SU01
GARDNER, CITY OF (MS4)

Dear Permittee:

The enclosed public notice and draft permit pertain to the referenced pending Kansas Water Pollution Control Permit and Authorization to Discharge under the National Pollutant Discharge Elimination System (NPDES).

Regulations require this department to issue a public notice to inform interested persons of the agency's intent to issue a Kansas/Federal Water Pollution Control Permit. The notice allows a 30-day period for comment by the applicant or other interested parties. If response to the notice indicates significant interest, a public hearing may be held. Please post the draft permit and the public notice in a conspicuous public place in your place of business (if a private business) or other public building (if a governmental entity) until the Comments Due Date identified in the public notice.

Any comments you have regarding the proposed permit should be sent to this office. If you have any questions, please contact me at (785) 296-2683.

Sincerely,

A handwritten signature in black ink that reads "Andrew Bowman". The signature is written in a cursive style.

Andrew Bowman
Permits & Compliance

NEDO - District
SS- Permit File

KANSAS WATER POLLUTION CONTROL
MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) 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",

Permittee: Gardner, City of
Permittee Address: 120 East Main
Gardner, Kansas 66030
Drainage Basin: Kansas and Marias des Cygnes Rivers
County: Johnson

DRAFT

is hereby authorized to discharge stormwater from the municipal separate storm sewer system (MS4) as described herein in accordance with the limitations, conditions and requirements set forth in this permit.

This permit is effective _____, supersedes the previously issued MS4 general permit M-MC51-SU01 and expires December 31, 2026.

PERMIT AREA AND AUTHORIZED DISCHARGES

This permit covers all areas within the permittee's MS4 jurisdiction which are also located in the Urban Area as defined by the most recent U.S. Census (the Permit Area). The Permit Area may change based upon areas incorporated into or removed from the permittee's jurisdictional area during the term of this permit.

This permit authorizes the discharge of all existing or new stormwater point source discharges from the Municipal Separate Storm Sewer System (MS4) located within the Permit Area. New stormwater discharges are those which are created and/or incorporated into the permittee's MS4 during the term of this permit.

Secretary, Kansas Department of Health and Environment

Date

PART I. STORMWATER MANAGEMENT PROGRAM (SMP) DOCUMENT REQUIREMENTS

A. Current Stormwater Management Program

The permittee shall continue to implement and enforce the current Stormwater Management Program (SMP), as documented in the SMP document, until an updated SMP is implemented.

Any updated SMP shall be designed to:

1. Reduce the discharge of pollutants from the municipal separate storm sewer system (MS4) to the Maximum Extent Practicable (MEP),
2. Continue to implement the six minimum control measures as listed in PART I Section C,
3. Satisfy the requirements of this permit, the Clean Water Act and Kansas surface water quality statutes and regulations.

Implementation of Best Management Practices (BMPs) consistent with the provisions of the SMP document and this permit constitutes compliance with the standard of reducing pollutants to the Maximum Extent Practicable.

B. Updated Stormwater Management Program document

Modification of the SMP is permitted as the need arises. Modifications can be accomplished with any of the following methods:

1. Normally the SMP document is updated near the end of the calendar year and submitted to KDHE for review along with the annual report which is due after the first of the calendar year but before the 28th of February. The permittee is required to implement the SMP, which was most recently submitted to KDHE along with the annual report, throughout the entire year and may continue to implement the updated SMP until subsequently modified. The updated SMP as submitted must be accepted by KDHE. If KDHE finds the SMP is not acceptable, requirements for modification and resubmittal will be addressed to the permittee.
2. If it becomes necessary to modify the SMP at some time other than when the annual report is submitted to KDHE, the permittee may make the modifications to the SMP document and submit the SMP document to KDHE for acceptance. The permittee shall not begin implementation of the modified SMP until after KDHE has provided acceptance.
3. KDHE may require the permittee to modify the SMP at any time, requirements for modification and resubmittal will be addressed to the permittee.

C. Six Minimum Control Measures

The Permittee is responsible for implementing a stormwater management program to comply with the requirements of 40 CFR 122.34, including implementation of the six minimum control measures, as described in the body of this permit. In addition to the program requirements, the Permittee is responsible for implementing adequate BMPs, listed in Appendices A through G, to claim at least the required number of points in each calendar year. Claiming points alone does not satisfy the requirements of this permit if the program does not comply with the requirements of 40 CFR 122.34.

C. Six Minimum Control Measures (continued)

For all six minimum control measures, documentation of compliance with each measure's goal and implementation time - schedule must be maintained on file. Permittee is responsible for implementing an adequate program to comply with the requirements of this permit and be able to claim the associated required BMP points. Extent of point compliance, i.e., equaling or exceeding the required annual point total or failure to reach the required annual point total, must be reported in the Annual Report.

For any of the six minimum control measures, the permittee is not limited to implementation of the BMPs listed in the tables. Several other BMPs may be implemented, however, only implementation of the BMPs listed in the tables may be documented and counted toward the required annual point total. Additional points may be requested by the permittee for BMPs that are not included in the tables. The request must be submitted to KDHE prior to the annual report submission period in order for points to be included towards the current year. Points cannot be claimed on the annual report if not approved by KDHE.

Guidance useful in implementing the six minimum control measures can be obtained from the Online Water Library (OWL) of the Center for Watershed Protection. A list of links to helpful guidance documents, including OWL, can be found on the KDHE Municipal Stormwater Program website at the following url:

Additional helpful guidance and/or resources in implementing the six minimum control measures can be found at the following link:

<https://www.kdhe.ks.gov/DocumentCenter/View/28893/MS4-NPDES-Permit-Helpful-Guidance-andor-Resources-PDF>

Document titled "MS4 NPDES Permit Helpful Guidance and/or Resources"

The six minimum control measures and requirements are as follows:

1. Public Education and Outreach

The permittee shall continue to implement a public education program which includes distribution of educational materials to the community or conducting equivalent outreach activities which address the impacts of stormwater discharges on water bodies and the steps the public can take to reduce pollutants in stormwater runoff.

The implementation of BMPs for this minimum control measure must result in accumulation of a minimum of 7 points for each calendar year. **Appendix A** lists various BMPs, measurable goals, and the required timing-period or implementation-schedule to qualify for the points in the year. The permittee may request that KDHE accept additional BMPs of the permittee's creation that meets the intent of this minimum control measure for a reasonable number of points, as described under Part C.

In cases where the permittee is already implementing a BMP which qualifies for points, they may continue implementation of the BMP and earn the listed points as allowed under this permit.

Multiple BMPs involve holding public hearings or public forums; a single public hearing or forum can be held which addresses multiple topics and points claimed for all of the multiple BMPs implemented.

2. Public Involvement/Participation

The permittee shall continue to implement a public involvement and participation program to solicit public comments and recommendations regarding the BMPs and measurable goals utilized by the permittee to comply with the permit. The permittee shall comply with State and local public notice requirements when implementing a public involvement and participation program.

The implementation of BMPs for this minimum control measure must result in accumulation of a minimum of 6 points for each calendar year. Appendix B lists various BMPs, measurable goals, and the required timing-period or implementation-schedule to qualify for the points in the year. The permittee may request that KDHE accept additional BMPs of the permittee's creation that meets the intent of this minimum control measure for a reasonable number of points, as described under Part C.

In cases where the permittee is already implementing a BMP which qualifies for points, they may continue implementation of the BMP and earn the listed points as allowed for the first year of implementation under this permit as well as subsequent years.

Multiple BMPs involve holding public hearings or public forums; a single public hearing or public forums can be held which addresses multiple topics and points claimed for all of the multiple BMPs implemented.

3. Illicit Discharge Detection and Elimination

The permittee shall:

- a. Continue to implement and enforce a program to detect and eliminate illicit discharges into the MS4.
- b. Maintain a storm sewer system map of the permittee's MS4, showing the location of all outfalls, either pipes or open channel drainage, showing the names and location of all streams or lakes receiving discharges from those outfalls. A copy of the map shall be submitted to KDHE with the annual report if requested by KDHE.
- c. Implement and enforce an ordinance or resolution to prohibit non-stormwater discharges into the storm sewer system and implement appropriate enforcement procedures and actions. A copy of the ordinance or resolution shall be submitted to KDHE with the annual report if requested by KDHE.
- d. Inform public employees, businesses, and the general public of hazards associated with illegal discharges and improper disposal of waste.
- e. Develop and implement a plan to detect/inspect for and address prohibited non-stormwater discharges, including illegal dumping, to the storm sewer system. The plan must include efforts to identify and evaluate dry weather MS4 discharges to detect and eliminate any associated illicit discharge. Unless identified by either the permittee or KDHE as a significant source of pollutants to waters of the state, several types of non-stormwater flow are not normally prohibited from entering the Municipal Separate Storm Sewer System:

3. Illicit Discharge Detection and Elimination (continued)

Discharges which are not necessarily prohibited include:

Water line flushing	Footing drains
Diverted stream flows	Lawn watering
Rising ground waters	Individual residential car washing
Uncontaminated groundwater infiltration as defined under 40 CFR 35.2005(20) to separate storm sewers	Occasional not-for-profit car wash activities
Uncontaminated pumped groundwater	Flows from riparian habitats and wetlands
Contaminated groundwater if authorized by KDHE and approved by the department	Dechlorinated swimming pool discharges excluding filter backwash
Discharges from potable water sources	Street wash water (excluding street sweepings which have been removed from the street)
Foundation drains	Discharges or flows from firefighting activities
Air condition condensation	Heat pump discharge waters (residential only)
Springs	Treated wastewater meeting requirements of an NPDES permit
Irrigation waters	Sump pump drains
Water from crawl space pumps	Other discharges determined not to be a significant source of pollutants to waters of the state, a public health hazard or nuisance

The implementation of BMPs for this minimum control measure must result in accumulation of a minimum of 7 points for each calendar year. Appendix C lists various BMPs, measurable goals, and the required timing-period or implementation-schedule to qualify for the points in the year. The permittee may request that KDHE accept additional BMPs of the permittee's creation that meets the intent of this minimum control measure for a reasonable number of points, as described under Part C.

In cases where the permittee is already implementing a BMP which qualifies for points, they may continue implementation of the BMP and earn the listed points as allowed for the first year of implementation under this permit as well as subsequent years.

Multiple BMPs involve holding public hearings or public forums; a single public hearing or public forums can be held which addresses multiple topics and points claimed for all of the multiple BMPs implemented.

4. Construction Site Stormwater Runoff Control

The permittee shall continue to maintain a program to reduce pollutants in any stormwater runoff to the MS4 from construction activities that result in a land disturbance of greater than or equal to one acre. Reduction of pollutant discharge associated with stormwater from construction activity disturbing less than one acre must be included in the program if that construction activity is part of a larger common plan of development or sale that would disturb one acre or more. The program must include, at a minimum, all the following:

- a. Maintain and enforce an ordinance or resolution, if the permittee has the authority to do so, to require erosion and sediment controls, as well as sanctions to ensure compliance, to the extent allowable under State and local law. A copy of the ordinance or resolution shall be submitted to KDHE with the annual report if requested by KDHE.
- b. Maintain requirements for construction site owners or operators to implement appropriate erosion and sediment control best management practices.
- c. Maintain requirements for construction site owners or operators to control waste such as discarded building materials, concrete truck washout, chemicals, litter, and sanitary waste at the construction site that are likely to cause adverse impacts to water quality.
- d. Maintain procedures for site plan review which incorporate consideration of potential water quality impacts.
- e. Maintain procedures for receipt and consideration of information submitted by the public.
- f. Maintain procedures for site inspection and enforcement of control measures.

The implementation of BMPs for this minimum control measure must result in accumulation of a minimum of 6 points for each calendar year. **Appendix D** lists various BMPs, measurable goals, and the required timing-period or implementation-schedule to qualify for the points in the year. The permittee may request that KDHE accept additional BMPs of the permittee's creation that meets the intent of this minimum control measure for a reasonable number of points, as described under Part C.

In cases where the permittee is already implementing a BMP which qualifies for points, they may continue implementation of the BMP and earn the listed points as allowed for the first year of implementation under this permit as well as subsequent years.

Multiple BMPs involve holding public hearings; a single public hearing can be held which addresses multiple topics and points claimed for all of the multiple BMPs implemented.

5. Post-Construction Stormwater Management in New Development and Redevelopment Projects

The permittee shall continue to maintain a program to address post-construction stormwater runoff from new development and redevelopment projects that disturb greater than or equal to one acre, including projects less than one acre that are part of a larger common plan of development or sale, that discharge into the MS4. The program must include, at a minimum, all the following:

- a. Maintain a requirement for BMPs to prevent or minimize adverse water quality impacts.
- b. Maintain strategies which include a combination of structural and/or non-structural BMPs appropriate for the municipality.
- c. Maintain and enforce an ordinance or resolution, if the permittee has the authority to do so, to address post-construction runoff from new development and redevelopment projects to the extent allowable under State and local law.
- d. Ensure adequate long-term operation and maintenance of structural BMPs.

The implementation of BMPs for this minimum control measure must result in accumulation of a minimum of 7 points for each calendar year. **Appendix E** lists various BMPs, measurable goals, and the required timing-period or implementation-schedule to qualify for the points in the year. The permittee may request that KDHE accept additional BMPs of the permittee's creation that meets the intent of this minimum control measure for a reasonable number of points, as described under part C.

In cases where the permittee is already implementing a BMP which qualifies for points, they may continue implementation of the BMP and earn the listed points as allowed for the first year of implementation under this permit as well as subsequent years.

Multiple BMPs involve holding public hearings; a single public hearing can be held which addresses multiple topics and points claimed for all of the multiple BMPs implemented.

6. Pollution Prevention/Good Housekeeping for Municipal Operations

The permittee shall continue to implement an operation and maintenance program that includes employee training to prevent and reduce stormwater pollution from municipal operations. The program must include, at a minimum, the following:

- a. Training shall be implemented for all necessary municipal staff, such as park and open space maintenance, fleet and building maintenance, new construction and land disturbances, and stormwater system maintenance.
- b. Maintain a program to ensure proper use and storage of materials at permittee owned facilities that use pesticides, herbicides, and fertilizers.

The implementation of BMPs for this minimum control measure must result in accumulation of a minimum of 6 points for each calendar year. **Appendix F** lists various BMPs, measurable goals, and the required timing-period or implementation-schedule to qualify for the points in the year. The permittee may request that KDHE accept additional BMPs of the permittee's creation that meets the intent of this minimum control measure for a reasonable number of points, as described under Part C.

6. Pollution Prevention/Good Housekeeping for Municipal Operations (continued)

In cases where the permittee is already implementing a BMP which qualifies for points, they may continue implementation of the BMP and earn the listed points as allowed for the first year of implementation under this permit as well as subsequent years.

Multiple BMPs involve holding public hearings; a single public hearing can be held which addresses multiple topics and points claimed for all of the multiple BMPs implemented.

D. Total Maximum Daily Load (TMDL) Regulated Pollutants

The Permittee shall continue to review, update, implement and develop, when necessary, structural and non-structural BMPs which will reduce to the Maximum Extent Practicable the discharge of the TMDL regulated pollutants from the MS4 as listed in PART II.

The effort to reduce the discharge of TMDL regulated pollutants is anticipated to be an iterative process with changes in the SMP periodically, generally not more frequently than annually, possibly every two or three years. This "adaptive management" type process is, informed by monitoring data and other information collected during the term of this permit, recommended to attenuate the discharge of TMDL regulated pollutants listed in the TMDL Table of PART II of this permit. Each updated SMP document shall provide:

1. Best Management Practices (BMPs)

Updates of the SMP document can include structural and/or non-structural BMPs implemented to reduce the discharge of TMDL regulated pollutants from the MS4. This section of the SMP shall identify or include:

- a. BMPs which will be implemented, including non-structural and/or structural measures, as selected from EPA's "National Menu of Best Management Practices (BMPs) for Stormwater" or from a local or regionally appropriate storm drainage criteria manual such as the Kansas City Metro Chapter of the American Public Works Association (APWA) Manual of Best Management Practices for Stormwater Quality or such other BMP manuals as are appropriate (links for the National Menu of Best Management Practices (BMPs) for Stormwater and the Kansas City Metro Chapter of the American Public Works Association (APWA) Manual of Best Management Practices for Stormwater Quality can be found on the KDHE document titled "MS4 NPDES Permit Helpful Guidance and/or Resources").
- b. Include a description of non-structural practices being implemented, including the six minimum control measures and/or other source control measures.
- c. Include the location of the structural BMPs.
- d. Identify the design factors associated with the structural BMPs.
- e. Include information on the reported effectiveness of the chosen BMPs based on regionally appropriate data or performance analyses in the International Stormwater BMP Database (a link to the Database can be found on the KDHE document titled "MS4 NPDES Permit Helpful Guidance and/or Resources").
- f. Include a schedule for constructing and/or implementing additional selected BMPs to reduce the discharge of TMDL regulated pollutants.

- g. Include an inspection/maintenance plan and schedule for each BMP, as appropriate.
- h. Include a plan and schedule to monitor the effectiveness of the BMPs to reduce the discharge of TMDL regulated pollutants.

2. Measurable goals to assess the effectiveness of the TMDL BMPs

As with the implementation of all stormwater BMPs in the permittee's SMP, BMPs implemented to reduce the discharge of TMDL pollutants listed in the TMDL Table in Part II must include measurable goals.

Overall TMDL measurable goals should be based upon either stormwater sampling in the MS4 or in stream sampling of the stream(s) existing in, or adjacent to the Permit Area (or Permit Areas for co-operative stormwater control efforts as provided in paragraph 4 below) during or immediately following storm events. Stormwater sampling, for the purpose of documenting compliance with goals, within the MS4 will normally compare results upstream of the BMP and downstream of the BMP or perhaps prior to implementation of the BMP and following implementation of the BMP if the BMP is non-structural. The monitoring results of samples obtained to iteratively guide performance evaluation, subsequent selection and adjustments of BMPs should be maintained on file in compliance with the Standard Conditions records retention requirement. These results do not need to be reported to KDHE via the electronic DMR process at this time. However, these monitoring results and/or a summary of the results are to be reported in the Annual Report as required in PART IV REPORTING. The permittee may use modeling that has been properly calibrated to determine that BMP measurable goals are being met.

Measurable goals for reducing TMDL pollutants contributed by MS4s can be expressed in quantifiable values to:

- a. reduce the total mass of pollutants, and
- b. be expressed as average and median values (percent reduction of inflow volume, reduction in pollutant mass loading) or for bacteria as a geometric mean.

3. Maps shall be developed and maintained which illustrate:

- a. The Permit Area, boundaries of the contributing drainage basins and primary sub-basins, within and outside the Permit Area.
- b. The locations of the BMPs, if structural.
- c. The location of TMDL stream monitoring locations if such monitoring is required.
- d. Storm sewer collection system which includes the outfalls within the Permit Area where the MS4 drains to TMDL listed impaired streams or lakes.

4. Alternative Stormwater Offsite Pollution Reduction Program

As appropriate, when waters of the state are affected by TMDL regulated pollutants from both the Permit Area and surrounding non-jurisdictional lands, the permittees may incorporate and implement plans through their SMP for an offsite pollution reduction program to install Best Management Practices (BMPs) in alternative locations, including outside the Permit Area, within the watershed shared by urban entities or urban and non-urban entities. Any alternative stormwater offsite pollution reduction program should be developed with watershed interests, such as other communities, Watershed Restoration and Protection Strategy (WRAPS) groups and Conservation Districts lying outside the Permit Area for the joint purpose of reducing pollutant loads generated from urban and non-urban lands within the shared watershed. Candidate offsite locations and practices will be consistent with implementing existing watershed plans that identify specific urban and non-urban (such as agricultural) BMP types and locations to achieve TMDLs reductions. The Alternative Stormwater Offsite Pollution Reduction Program shall be subject to KDHE approval and approved by KDHE prior to incorporation into the permittee's SMP.

E. Responsible Parties

The Stormwater Management Program (SMP) Document should list the municipal parties (employees and/or staff and/or departments) responsible for compliance with the SMP document. There is no requirement to name individual employees, rather, organizational units such as positions, divisions or departments may be named as the responsible parties.

F. Monitoring Requirements

The SMP document should address the monitoring requirements for surface water and/or storm water within the MS4 collection system. Surface water monitoring requirements addressed in this permit may be found in PART II.

G. Reporting Requirements

See PART IV.

PART II. TOTAL MAXIMUM DAILY LOAD (TMDL) BEST MANAGEMENT PRACTICES AND SURFACE WATER MONITORING

This Part II requirement addresses implementation of TMDL BMPs only, Surface Water monitoring associated with wet weather storm events is not applicable to this permit. No action is required at this time for Surface Water Monitoring by the permittee as such monitoring under this permit is not presently determined to be necessary or other are condictions such monitoring.

A. TMDL BMP Implementation Requirements

The implementation of BMPs for this minimum control measure must result in accumulation of a minimum of 6 points for each calendar year. **Appendix G** lists various BMPs, measurable goals, and the required timing-period or implementation-schedule to qualify for the points in the year.

In cases where the permittee is already implementing a BMP which qualifies for points, they may continue implementation of the BMP and earn the listed points as allowed for the first year of implementation under this permit as well as subsequent years.

Multiple BMPs involve holding public hearings; a single public hearing can be held which addresses multiple topics and points claimed for all of the multiple BMPs implemented.

In addition to implementing a TMDL Pollutant Reduction and Monitoring program as required above, the permittee must implement sufficient listed BMPs in **Appendix G** to qualify for the required number of points.

1. Implementation

The permittee shall implement Best Management Practices (BMPs) to reduce to the Maximum Extent Practicable the discharge of the following TMDL regulated pollutants from the MS4 to the watershed of impaired stream and/or lake.

T M D L T A B L E

Total Maximum Daily Loads, TMDLs, are established for waters found on the CWA Section 303d list of impaired waters. The purpose of the TMDL is to define the necessary and allowable pollutant load that may enter those impaired waters, so those waters attain a condition that fully supports all their designated uses. The TMDL then allocates portions of that allowable load among the likely point and non-point sources discharging the pollutant into the water or its watershed. Implementation of the TMDL by the NPDES and 319 programs brings about reductions in current loading from those sources through numeric goals or narrative actions to the allowable level allocated to each source.

TMDL Regulated Pollutant	Specific Impaired Stream(s) to Target
Bacteria	Kill Creek
Nutrients	Kill Creek, Big Bull Creek, and Little Bull Creek

B. Monitoring Requirements

This Part II, B. requirement is not applicable to this permit. No action is required at this time, by the permittee, for Total Maximum Daily Load (TMDL) Surface Water Monitoring as such monitoring under this permit is not presently determined to be necessary or others are conducting such monitoring. The Johnson County MS4 NPDES permit (Permit No. M-KS52-SU02) requires Johnson County to conduct the TMDL Surface Water Monitoring within Johnson County and report the results via the Kansas Environmental Information Management System (KEIMS). The permittee may conduct surface water monitoring to evaluate performance of the BMPs or otherwise gather data. The monitoring results of samples obtained to determine performance of BMPs should be maintained on file in compliance with the Standard Conditions records retention requirement, these results do not need to be reported to KDHE via KEIMS at this time. Johnson County has implemented the Water Quality Monitoring Approach as outlined in the April 20, 2018 Technical Memorandum 3 (Option 2) as prepared by HDR.

PART III. INDUSTRIAL STORMWATER DISCHARGES:

This PART III requirement is not applicable to Phase II permittees. No action is required at this time for Monitoring Industrial Stormwater Discharges.

PART IV. REPORTING

A. The permittee shall submit a calendar year annual report to KDHE by February 28 of each year. The annual report shall be submitted to KDHE in the form specified by KDHE. The completed annual report along with attachments or other documents which need to be submitted in association with the annual report shall all be submitted in PDF file formats to KDHE. As KDHE implements the KEIMS web-based system, all documents submitted will be required to be uploaded through the KEIMS program. KDHE will provide notification to the permittee when annual reporting via the KEIMS system is required. The annual report shall cover the activities during the previous calendar year and must include:

1. Provide the status of compliance with permit conditions, an assessment of the appropriateness of the implemented Best Management Practices, progress towards achieving the statutory goal of reducing the discharge of pollutants to the maximum extent practicable, and the measurable goals (with an indication of the progress toward meeting the goals) for each of the six minimum control measures.
2. Provide results of information collected and analyzed, (for example test results, surveys, or public comments/input) during the annual reporting period. This may include monitoring data used to assess the success of best management practices with respect to reduction in pollutant discharge. Include an interpretation of the information which addresses success or failure of the portion of the program for which the information applies.
3. For Best Management Practices (BMPs), which are directed at reducing the discharge of TMDL regulated pollutants, provide the measurable goals of each BMP with an indication of the progress toward meeting the goals.
4. Provide a summary of the stormwater activities which are scheduled to be undertaken during the next calendar year (including an implementation schedule).
5. Provide a summary of the stormwater activities that were scheduled to be undertaken during the previous calendar year and the status of these activities.
6. Provide a summary of the stormwater activities which are scheduled to be undertaken during the next calendar year (including an implementation schedule).
7. Provide a map showing changes in the permittee's Permit Area if the Permit Area has changed within the year.
8. Provide a description of significant changes in any of the BMPs.
9. Provide copies of any ordinances or resolutions which were updated in the last year and are associated with the SMP.
10. Provide a list of other parties (such as other municipalities or consultants), which are responsible for implementing any of the program areas of the Stormwater Management Program.

B. Information and monitoring results gathered in compliance with PART II must be reported in compliance with the reporting requirement as addressed in B. Monitoring Requirements.

C. EPA's National Pollutant Discharge Elimination System (NPDES) Electronic Reporting Rule ("NPDES eRule") requires regulated entities to report data electronically. KDHE has developed electronic reporting tools to assist permittees in complying with the EPA electronic reporting rule. Unless a waiver has been approved by KDHE, permittees are required to submit information electronically. The electronic reporting system is called the **Kansas Environmental Information Management System (KEIMS)** and can be accessed at <https://keims.kdhe.ks.gov>.

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) 296-3056 - All Others

Public Notice No. KS-AG-23-323/331
Public Notice No. KS-Q-23-193/213
Public Notice No. KS-PT-23-016/017

Beginning Date: November 16th, 2023
Comments Due: December 16th, 2023

In accordance with Kansas Administrative Regulations 28-16-57a through 63, 28-18-1 through 17, 28-18a-1 through 31 and 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.

Las acciones propuestas con respecto a los documentos preliminares se basan en la revisión del personal, aplicando los estándares, regulaciones y limitaciones de efluentes apropiados del estado de Kansas y de la Agencia de Protección Ambiental de Estados Unidos. La acción final resultará en la emisión de una Autorización Federal del Sistema Nacional de Eliminación de Descargas de Contaminantes y un permiso de Control de Contaminación del Agua de Kansas, sujeto a ciertas condiciones, revocación y reemisión del permiso designado o terminación del permiso designado. Si desea obtener más información en español o tiene otras preguntas, por favor, comuníquese con el Coordinador de No Discriminación al 785-296-5156 o en: KDHE.NonDiscrimination@ks.gov.

Public Notice No. KS-AG-23-323/331

Pending Permits for Confined Feeding Facilities

<u>Name and Address of Applicant</u>	<u>Legal Description</u>	<u>Receiving Water</u>
Jason Hahn Hahn Inc. 40511 NE R Rd Hanston, KS 67849	NE/4 of Section 07 T22S, R21W Hodgeman County	Upper Arkansas River Basin

Kansas Permit No.: A-UAHG-C011

Federal Permit No.: KS0097926

The proposed action is to reissue an existing NPDES permit for an existing facility for 1,500 head (1,500 animal units) of cattle weighing greater than 700 pounds. There will be no change in the operation or

permitted number of animal units from the previous permit. This facility has an approved Nutrient Management Plan on file with KDHE.

Kent Condray
KC Pork, Inc.
378 Concord Rd
Clifton, KS 66937

NW/4 & SE/4 of Section 15
T05S, R01E
Washington County

Lower Republican
River Basin

Kansas Permit No.: A-LRWS-H002

Federal Permit No.: KS0085740

The proposed action is to reissue an existing NPDES permit for an existing facility for 5,346 head (2,138.4 animal units) of swine weighing more than 55 pounds and 11,350 head (1,135 animal units) of swine weighing 55 pounds or less; for a total of 3,273.4 animal units of swine. There will be no change in the operation or permitted number of animal units from the previous permit. This facility has an approved Nutrient Management Plan on file with KDHE.

Kent Condray
CSP Farms, LLC
289 Concord Rd
Clifton, KS 66937

NE/4 of Section 21
T05S, R01E
Washington County

Lower Republican
River Basin

Kansas Permit No.: A-LRWS-H010

Federal Permit No.: KS0101486

The proposed action is to reissue an existing NPDES permit for an existing facility for 3,865 head (1,546 animal units) of swine weighing more than 55 pounds and 1,830 head (183 animal units) of swine weighing 55 pounds or less. There will be no change in the operation or permitted number of animal units from the previous permit. This facility has an approved Nutrient Management Plan on file with KDHE.

Kansas Dairies II
Hermana Dairy
11501 SW Rd 31
Syracuse, KS 67878

N/2 of Section 16
T25S, R43W
Hamilton County

Cimarron River Basin

Kansas Permit No.: A-CIHM-D003

Federal Permit No.: KS0099147

The proposed action is to reissue an existing NPDES permit for an existing facility for 2,400 head (3,360 animal units) of mature dairy cows. There will be no change in the operation or permitted number of animal units from the previous permit. This facility has an approved Nutrient Management Plan on file with KDHE.

Owen Unruh
O1 Cattle Co. Inc.
12421 N Grant Rd
Scott City, KS 67871

E/2 of Section 18
T16S, R33W
Scott County

Smoky Hill River Basin

Kansas Permit No.: A-SHSC-B007

The proposed action is to modify and reissue the existing NPDES permit for a facility for a proposed maximum capacity of 999 head (499.5 animal units) of cattle weighing 700 pounds or less. This represents a decrease in the permitted animal units from the previous permit. Only the updated portions of the permit are subject to public comment.

Keith & Donna Olson
269 S 1000 Rd
Alta Vista, KS 66834

SW/4 of Section 10
T14S, R08E
Morris County

Neosho River Basin

Kansas Permit No.: A-NEMR-M003

The proposed action is to reissue an existing State permit for an existing facility for 40 head (56 animal units) of mature dairy cattle and 20 head (10 animal units) of dairy cattle 700 pounds or less, for a total of 66 animal units. There will be no change in the operation or permitted number of animal units from the previous permit. This facility has an approved Waste Management Plan on file with KDHE.

Kent & Steve Tien
1263 W Navajo Rd
Prairie View, KS 67664

S/2 of Section 03
T03S, R20W
Phillips County

Solomon River Basin

Kansas Permit No.: A-SOPL-B001

The proposed action is to reissue an existing State permit for an existing facility for 899 head (899 animal units) of cattle more than 700 pounds, and 50 head (100 animal units) of horses; for a total of 999 animal units. This facility has an approved Waste Management Plan on file with KDHE.

Gary & Susan Koch
2519 Bobcat Ln
Frankfort, KS 66427

N/2 of Section 19 &
S/2 of Section 18
T05S, R10E
Marshall County

Big Blue River Basin

Kansas Permit No.: A-BBMS-B002

The proposed action is to reissue an existing State permit for an existing facility for 96 head (96 animal units) of cattle weighing more than 700 pounds and 400 head (200 animal units) of cattle weighing 700 pounds or less, for a total of 296 animal units. There will be no change in the operation or permitted number of animal units from the previous permit. This facility has an approved Waste Management Plan on file with KDHE.

Trinity Feedyard, LLC
1805 W Annie Scheer Rd
Garden City, KS 67846

E/2 of Section 23 &
S/2 of Section 24
T25S, R33W
Finney County

Upper Arkansas
River Basin

Kansas Permit No.: A-UAFI-C008

Federal Permit No.: KS0115703

The proposed action is to approve an update to the Nutrient Management Plan (NMP) received for this existing facility currently permitted for 88,000 head (88,000 animal units) of cattle weighing greater than 700 pounds. The facility's NMP was updated to include a change in the application rate limitation for four fields. The fields' application rate limitations have become less restrictive than the previous NMP. There are no changes to the permit or in the permitted number of animal units. Only the updated portion of the Nutrient Management Plan is subject to comment. This facility has an approved Nutrient Management Plan on file with KDHE.

Public Notice No.: KS-Q-23-193/213

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.

<u>NAME AND ADDRESS OF APPLICANT</u>	<u>RECEIVING STREAM</u>	<u>TYPE OF DISCHARGE</u>
Arkansas City, City of 118 West Central Arkansas City, KS 67005	Arkansas River	Treated Domestic Wastewater

Kansas Permit No. M-AR06-SN01

Federal Permit No. KSR440001

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 oversight 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.

Andover, City of P.O. Box 295 Andover, KS 67002	Walnut River	Treated Domestic Wastewater
---	--------------	--------------------------------

Kansas Permit No. M-WA01-SU01

Federal Permit No. KSR410001

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 oversight 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.

Derby, City of
611 Mulberry, Suite 300
Derby, KS 67037

Arkansas River

Treated Domestic
Wastewater

Kansas Permit No. M-AR29-SU01

Federal Permit No. KSR410004

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 oversight 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.

Ellis, City of
815 Jefferson
Ellis, KS 67637

Big Creek

Treated Domestic
Wastewater

Kansas Permit No. M-SH06-OO02

Federal Permit No. KS0094145

Legal Description: NE¼, SE¼, NW¼, Section 9, Township 13S, Range 20W of Ellis County, KS
Facility Location: 38.93858, -99.54999

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: a lift station, an Aero-Mod extended aeration plant, UV disinfection of effluent, and a belt filter press for sludge dewatering and reuse of treated effluent for golf course irrigation. The facility receives domestic wastewater from residential and commercial areas and industrial wastewater from local manufacturers. The proposed permit contains limits for Biochemical Oxygen Demand, Total Suspended Solids, pH, Ammonia, E. coli, Nitrates + Nitrites, and Total Phosphorus; as well as monitoring for Nitrates + Nitrites, Total Phosphorus, Total Kjeldahl Nitrogen, Total Nitrogen, and Selenium.

Edwardsville, City of
690 South 4th Street
Edwardsville, KS 66113

Kansas River

Treated Domestic
Wastewater

Kansas Permit No. M-KS14-SU01

Federal Permit No. KSR410040

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 oversight 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.

Gardner, City of
120 East Main
Gardner, KS 66030

Kansas River and
Marias des Cygnes River

Treated Domestic
Wastewater

Kansas Permit No. M-MC51-SU01

Federal Permit No. KSR410042

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 oversight 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.

Goddard, City of
P.O. Box 667
Goddard, KS 67052

Arkansas River

Treated Domestic
Wastewater

Kansas Permit No. M-AR37-SU01

Federal Permit No. KSR410043

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 oversight 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.

Johnson County
1800 West 56 HWY
Olathe, KS 66061

Kansas River and
Marias des Cygnes River
and Missouri River

Treated Domestic
Wastewater

Kansas Permit No. M-KS52-SU02

Federal Permit No. KSR410007

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 oversight 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.

Junction City, City of
P.O. Box 287
Junction City, KS 67441

Kansas River

Treated Domestic
Wastewater

Kansas Permit No. M-LR15-SN01

Federal Permit No. KSR440010

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 oversight 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.

Unified Government of Wyandotte

County/Kansas City, Kansas
701 North 7th Street
Kansas City, KS 66101

Kansas River and
Missouri River

Treated Domestic
Wastewater

Kansas Permit No. M-MO25-SO01

Federal Permit No. KS0095656

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 oversight 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.

Kechi, City of
P.O. Box 88
Kechi, KS 67067

Lower Arkansas River

Treated Domestic
Wastewater

Kansas Permit No. M-LA09-SU01

Federal Permit No. KSR410013

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 oversight 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.

Maize, City of
P.O. Box 245
Maize, KS 667101

Lower Arkansas River

Treated Domestic
Wastewater

Kansas Permit No. M-AR58-SU01

Federal Permit No. KSR410017

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 oversight 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.

McPherson, City of
P.O. Box 1008
McPherson, KS 67406

Little Arkansas River

Treated Domestic
Wastewater

Kansas Permit No. M-LA11-SN01

Federal Permit No. KSR440013

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 oversight 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.

Merriam, City of
9001 West 62nd Street
Merriam, KS 66202

Kansas River

Treated Domestic
Wastewater

Kansas Permit No. M-KS44-SU01

Federal Permit No. KSR410019

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 oversight 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.

N.R. Hamm Quarry Inc. P.O. Box 17 Perry, KS 66073	Kansas River via Stranger Creek via Crooked Creek via unnamed tributary	Processed Wastewater
Kansas Permit No. I-KS50-PO02	Federal Permit No. KS0100498	
Legal Description: E ½ of NE ¼ and SE ¼ of Section 13, Township 7S, Range 19E of Atchison County, KS		
Facility Location: 39.43780, -95.24053		

The proposed action is to reissue an existing State/NPDES permit for an existing facility. This is a limestone quarrying and crushing operation, with occasional rock washing. Outfall 001A consists of pit water, storm water runoff and treated wash-water. Wash-water is treated by a series of large settling ponds before discharging. The proposed permit contains limits for Total Suspended Solids.

Pittsburg, City of P.O. Box 688 Pittsburg, KS 66762	Neosho River	Treated Domestic Wastewater
Kansas Permit No. M-NE57-SN01	Federal Permit No. KSR440017	

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 oversight 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.

Olathe, City of P.O. Box 768 Olathe, KS 66051	Kansas River	Treated Domestic Wastewater
Kansas Permit No. M-KS52-SU01	Federal Permit No. KSR410025	

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 oversight 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.

Overland Park, City of
8500 Santa Fe Drive
Overland Park, KS 66212

Kansas River

Treated Domestic
Wastewater

Kansas Permit No. M-MO28-SU01

Federal Permit No. KSR410026

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 oversight 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.

Sedgwick County Commission
1144 South Seneca
Wichita, KS 67213-4443

Arkansas River

Treated Domestic
Wastewater

Kansas Permit No. M-AR94-SU01

Federal Permit No. KSR410032

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 oversight 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.

Shawnee County Commission
1515 NW Saline Street
Topeka, KS 66618-2867

Kansas River

Treated Domestic
Wastewater

Kansas Permit No. M-KS72-SU01

Federal Permit No. KSR410034

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 oversight 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.

Wichita, City of
455 North Main Street
Wichita, KS 67202

Arkansas River

Treated Domestic
Wastewater

Kansas Permit No. M-AR94-SO01

Federal Permit No. KS0091049

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 oversight 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.

Public Notice No. KS-PT-23-016/017

The requirements of the draft permit public noticed below are pursuant to the Kansas Administrative Regulations 28-16-82 through 28-16-98, and U.S. Environmental Protection Agency Pretreatment Regulation 40 CFR 403.

<u>NAME AND ADDRESS OF APPLICANT</u>	<u>POTW RECEIVING WASTES</u>	<u>TYPE OF DISCHARGE</u>
Kice Industries Inc. 5500 Mill Heights Wichita, KS 67219	Chisolm Creek Utility Authority	Processed Wastewater

Kansas Permit No. P-LA19-0002 Federal Permit No. KSP000101
 Facility Address: 5500 Mill Heights, Wichita, Kansas 67219
 Facility Location: 37.78400, -97.32086

The proposed action is to reissue an existing State/NPDES permit for an existing facility. This facility manufactures pneumatic conveyor and filter systems for the grain milling industry. Steel parts are cut, welded and phosphate in a paint booth and then painted. Outfall 001 discharges to a floor drain in a small closet, near the production office from a 350-gallon poly tank. The wastewater is filtered, neutralized and tested before moving to the floor drain and discharged. The proposed permit contains limits for pH, Total Toxic Organics, Cadmium, Chromium, Copper, Lead, Nickel, Silver, Zinc, and Cyanide.

KMW LTD. 535 West Garfield Sterling, KS 67579	Sterling MWWTP	Processed Wastewater
---	----------------	----------------------

Kansas Permit No. P-AR85-0001 Federal Permit No. KSP000113
 Facility Address: 535 West Garfield, Sterling, Kansas 67579
 Facility Location: 38.20176, -98.21464

The proposed action consists of modifying the above referenced Pretreatment permit. The primary changes were changing the sampling type from a grab -composite to a grab and moving the sampling location to a pit, so all regulated wastes from the washer could be mixed before being sampled. These changes were requested by the permittee during an on-site inspection and approved by the inspector. This facility manufactures back hoes and end loaders made of steel. The steel is processed in a three stage phosphating operation, prior to being painted, using well water. Phosphating is considered to be a type of conversion coating operation, which is one of the six core processes under the Metal Finishing Standard. Outfall 001 consists of spent phosphating wastes, which is discharged to the city sewer, after the wastewater is treated and solids are removed. The proposed permit contains generic language to protect the waters of the state.

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 (KDHE) if they wish to have the comments or objections considered in the decision-making process. All written comments regarding the draft documents, application or registration notices received on or before **December 16th, 2023** will be considered in the formulation of the final determination regarding this public notice. Please refer to the appropriate Kansas document number (KS-AG-23-323/331, KS-Q-23-193/213, KS-PT-23-016/017) and name of the applicant/permittee when preparing comments.

All comments received will be responded to at the time the Secretary of Health and Environment issues 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). A request for public hearing must be submitted in writing and shall state the nature of the issues proposed to be raised during the hearing.

Comments or objections for agricultural related draft documents, permit applications, registrations or actions should be submitted to the attention of Casey Guccione, Section Chief, Livestock Waste Management Section at the KDHE Bureau of Environmental Field Services (BEFS), 1000 SW Jackson, Suite 430, Topeka, KS 66612. Comments or objections for all other proposed permits or actions should be sent to Andrew Bowman at the KDHE, Bureau of Water, 1000 SW Jackson St., Suite 420, Topeka, KS 66612.

All draft documents/applications and the supporting information including any comments received are on file and may be inspected at the offices of the KDHE. For agricultural related draft documents or applications an appointment can be scheduled, or copies requested by contacting Mirina Landry at 1000 SW Jackson St., Suite 430, Topeka, KS 66612, telephone (785) 296-0076 or email at kdhe.feedlots@ks.gov. Las preguntas o comentarios por escrito deben dirigirse a Erich Glave, Director, Bureau of Environmental Field Services en KDHE: 1000 SW Jackson St., Suite 430, Topeka, Kansas 66612-1367; por correo electrónico: kdhe.feedlots@ks.gov; por teléfono: (785) 296-6432. For all other proposed permits or actions an appointment can be scheduled, or copies requested by contacting Neal Niceswanger, Bureau of Water, 1000 SW Jackson St., Suite 420, Topeka, KS 66612, telephone (785) 296-6804 or email at Neal.Niceswanger@ks.gov. 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.kdhe.ks.gov/livestock>. Division of Environment offices are open from 8 a.m. to 5 p.m., Monday through Friday, excluding holidays.

Janet Stanek
Secretary
Kansas Department of Health and Environment