
KANSAS SURFACE WATER QUALITY STANDARDS VARIANCE REGISTER



Prepared by Kansas Department of Health and Environment
Watershed Planning, Monitoring, and Assessment Section Bureau of Water
Division of Environment

April 27, 2017

KANSAS SURFACE WATER QUALITY STANDARDS VARIANCE REGISTER

SECTION ONE

This consolidated list has been established per K.A.R. 28-16-28h and includes the water quality standards (WQS) variances that have been adopted by the State of Kansas and approved by the Environmental Protection Agency. Because WQS variances will vary by request this list is divided in sections based on the variance name and initial approval date. Sections will include narrative language and listing information for each approved WQS variance. The Kansas Variance Register is updated as new variances are approved or during routine permit renewal cycles, which is dependent on the type of WQS variance being implemented.

Abbreviations and Symbols:

HUC	= hydrologic unit code	a	= Secondary contact recreation stream segment is by law or written permission of the landowner open to and accessible by the public
NPDES	= National Pollutant Discharge Elimination System	b	= Secondary contact recreation stream segment is not open to and accessible by the public under Kansas law
HAC	= Highest Attainable Condition	DS	= designated for domestic water supply use
SEG	= stream segment	FP	= designated for food procurement use
AL	= designated for aquatic life	GR	= designated for ground water recharge
S	= special aquatic life use	IW	= designated for industrial water supply use
E	= expected aquatic life use water	IR	= designated for irrigation use
R	= restricted aquatic life use water	LW	= designated for livestock watering use
CR	= designated for contact recreational use	i	= individual variance
A	= Primary contact recreation stream segment is designated public swimming area	m	= multiple discharger variance
B	= Primary contact recreation stream segment is by law or written permission of the landowner open to and accessible by the public	*	= signifies a 101(a)(2) use (no asterisk signifies a non-101(a)(2) use)
C	= Primary contact recreation stream segment is not open to and accessible by the public under Kansas law	**	= no or inadequate data to calculate HAC, monitoring is recommended

The "Receiving Water Body" column of listings will be populated with the hydrologic unit code and segment number or the lake project number as identified in the "Kansas Surface Water Register" adopted by reference in K.A.R. 28-16-28g.

KANSAS SURFACE WATER QUALITY STANDARDS VARIANCE REGISTER

SECTION TWO

Variance Name: Multiple-Discharger Wastewater Lagoon Ammonia Variance

Prepared: April 27, 2017

Process Description:

The following municipal dischargers, referred to as discharger from this point forward, have been shown to be eligible, based on K.A.R. 28-16-28f(d), to receive a water quality standard variance to the numeric ammonia criteria, identified by K.A.R. 28-16-28e(c), as an alternative condition serving as the basis for the operating limit within their NPDES wastewater permits. The requirements of the numeric ammonia criteria WQS variance are either the HAC identified at the time of the adoption of this variance or the HAC later identified during any reevaluation, whichever is more stringent. The interim effluent condition shall be derived as the 99th percentile value or highest value of recent historical (e.g., last five years) effluent discharge water quality data, whichever is lower. This reflects the greatest pollution reduction achievable with current pollution control technologies installed when this variance is adopted along with the adoption and implementation of the Pollutant Minimization Plan (PMP) for each discharger, thus the HAC. The HAC will serve as the interim effluent condition for ammonia that will be included as the permit limitation in NPDES permits of the variance recipients. Compliance with the HAC will ensure no lowering of water quality throughout the 20 year term of the variance. Reevaluation and assessment of compliance and eligibility will occur for each discharger on a five-year cycle commensurate with the reissuance of their NPDES permit during the term of the variance, including opportunity for public input through the NPDES permitting process. The term of this variance begins upon the receipt of the approval letter from EPA.

Eligibility to employ the variance to the numeric ammonia criteria will be determined through existing financial data analyzed by the department utilizing the procedures outlined in the Kansas Department of Health and Environment "Kansas Eligibility Determination for Wastewater Lagoon Variances", dated July 11, 2016, which is hereby adopted by reference. The department has confirmed the existing use by the discharger of a multi-cell wastewater lagoon system for secondary treatment. Additionally, the department has considered the growth or decline over the past ten years of the population served by the discharger's wastewater collection and treatment system. The following dischargers are found to be eligible for the ammonia variance because installing technology required to meet effluent limits based on Kansas' ammonia criteria, would result in substantial and widespread economic and social impact. During the permit renewal process, eligible dischargers will be subject to the HAC, otherwise known as the alternate NPDES permit limitation, upon confirmation of eligibility for the *Multiple-Discharger Wastewater Lagoon Ammonia Variance*.

Recipients of a variance to the numeric ammonia criteria will abide by a Pollutant Minimization Plan, issued by the department. The Pollutant Minimization Plan will include requirements that the discharger will:

- 1) retain a certified operator as required by regulations;
- 2) provide reasonable and adequate maintenance of the existing wastewater treatment lagoon system;
- 3) maintain operation and performance of the existing lagoon system to comply with secondary treatment limitations;
- 4) does not allow industrial strength wastewater containing high concentrations of nitrogen to enter the existing lagoon system through the collection system or otherwise;
- 5) monitor the depth of accumulated sludge in each lagoon cell;
- 6) plan for expansion of the lagoon system should population and its associated pollutant loading approach the rated design capacity of the existing lagoon system.

The department will evaluate the capacity of each discharger receiving a variance to incorporate any additional elements into their PMP, see the “Kansas Implementation Procedures: Surface Water Quality Standard” the Water Quality Standards Variance section, that further optimize their treatment of wastewater to further reduce discharged ammonia prior to the reissuance of the Discharger’s NPDES permit.

Failure to reevaluate compliance and eligibility of the discharger prior to the reissuance of the discharger’s NPDES permit will result in effluent limits for ammonia based on the numeric ammonia criteria, within the Kansas regulations, for the next permit limits for ammonia imposed on the discharger.

The reevaluation of the variance to the ammonia criteria shall be conducted every five years after the date of approval throughout the term of the variance. The reevaluation will use all existing and readily available information and will be made available to the public for input for up to 60 days after the completion of the reevaluation. In addition, the public will have every opportunity to provide public comment during each permit’s renewal process. The variance to the ammonia criteria will no longer be the applicable water quality standard if a reevaluation of the variance is not performed or the results are not submitted to the Environmental Protection Agency (EPA) per 40 C.F.R. 131.14(b)(1)(v) as adopted by K.A.R. 28-16-28f(d), unless and until the reevaluation is conducted and results are submitted to EPA.

Discharger	NPDES Permit Number	KS Permit Number	Receiving Water Body		Type of Variance and Use	Pollutant / Criterion	Highest Attainable Interim Criteria Limit – Unit mg/L (may be seasonal)	Eligibility Date	Effective Year
			HUC8	Segment or Lake Project Name Code					
Carbondale, City of	KS0026174	M-KS07-OO01	10270104	32	m*	Ammonia	6.37	October 4, 2016	2017
Cheney, City of	KS0094226	M-AR20-OO02	11030014	1	m*	Ammonia	5.78	October 4, 2016	2017
Harper, City of	KS0024872	M-AR40-OO01	11060005	12	m*	Ammonia	6.45	October 4, 2016	2017
Norwich, City of	KS0095494	M-AR67-OO02	11030016	14	m*	Ammonia	7.63	October 4, 2016	2017
Alden, City of	KS0051641	M-AR02-OO01	11030010	5	m*	Ammonia	5.04	October 4, 2016	2017
Argonia, City of	KS0031461	M-AR05-OO01	11060005	8	m*	Ammonia	3.16	October 4, 2016	2017
Haven, City of	KS0116815	M-AR41-OO01	11030010	8	m*	Ammonia	10.98	October 4, 2016	2017
Jetmore, City of	KS0099562	M-UA21-OO02	11030006	2	m*	Ammonia	**	October 4, 2016	2017

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			HUC8	Segment or Lake Project Name Code					
Pretty Prairie, City of	KS0098639	M-AR75-OO02	11030015	2	m*	Ammonia	6.92	October 4, 2016	2017
Columbus, City of	KS0031445	M-NE15-OO01	11070207	23	m*	Ammonia	7.68	October 4, 2016	2018
Council Grove, City of	KS0027898	M-NE17-OO01	11070201	10	m*	Ammonia	8.81	October 4, 2016	2018
LeRoy, City of	KS0030813	M-NE42-OO01	11070204	44	m*	Ammonia	12.48	October 4, 2016	2018
Olpe, City of	KS0047571	M-NE52-OO01	11070201	25	m*	Ammonia	9.11	October 4, 2016	2018
Troy, City of (Mosquito Creek)	KS0083194	M-MO22-OO02	10240005	73	m*	Ammonia	7.75	October 4, 2016	2018
Troy, City of (Peters Creek)	KS0047520	M-MO22-OO01	10240011	27	m*	Ammonia	17.83	October 4, 2016	2018
Wathena, City of	KS0026158	M-MO23-OO01	10240011	15	m*	Ammonia	12.45	October 4, 2016	2018
West Mineral, City of	KS0096873	M-NE68-OO02	11070205	4	m*	Ammonia	9.38	October 4, 2016	2018
Altamont, City of	KS0045918	M-NE01-OO01	11070205	27	m*	Ammonia	4.54	February 3, 2017	2018
Americus, City of	KS0047406	M-NE02-OO01	11070201	5	m*	Ammonia	7.41	February 3, 2017	2018
Arma, City of	KS0045926	M-NE03-OO01	11070207	27	m*	Ammonia	7.44	February 3, 2017	2018
Bern, City of	KS0047244	M-MO02-OO01	10240007	212	m*	Ammonia	25.05	February 3, 2017	2018
Chetopa, City of	KS0031135	M-NE13-OO01	11070205	28	m*	Ammonia	7.42	February 3, 2017	2018

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			HUC8	Segment or Lake Project Name Code					
Dwight, City of	KS0051675	M-NE20-OO01	11070201	30	m*	Ammonia	**	February 3, 2017	2018
Erie, City of	KS0045977	M-NE25-OO01	11070205	15	m*	Ammonia	18.12	February 3, 2107	2018
Girard, City of	KS0022551	M-NE31-OO01	11070205	44	m*	Ammonia	15.63	February 3, 2017	2018
Highland, City of	KS0047457	M-MO09-OO01	10240005	339	m*	Ammonia	9.66	February 3, 2017	2018
Marion, City of	KS0051691	M-NE45-OO01	11070202	3	m*	Ammonia	8.76	February 3, 2017	2018
Oswego, City of	KS0047554	M-NE53-OO01	11070205	21	m*	Ammonia	8.08	February 3, 2017	2018
Seneca, City of	KS0047538	M-MO19-OO01	10240007	16	m*	Ammonia	13.29	February 3, 2017	2018
St. Paul, City of	KS0084174	M-NE59-OO02	11070205	LM053401	m*	Ammonia	3.30	February 3, 2017	2018
Strong City, City of	KS0031178	M-NE63-OO01	11070203	19	m*	Ammonia	8.80	February 3, 2017	2018
Weir, City of	KS0079146	M-NE67-OO01	11070207	26	m*	Ammonia	7.2	February 3, 2017	2018
Fairview, City of	KS0098744	M-MO06-OO02	10240008	39	m*	Ammonia	**	February 6, 2017	2018
Galena, City of	KS0048135	M-NE28-OO01	11070207	3	m*	Ammonia	15.07	February 6, 2017	2018
Hillsboro, City of	KS0097896	M-NE35-OO02	11070202	456	m*	Ammonia	7.44	February 6, 2017	2018
Burlingame, City of	KS0024694	M-MC07-OO01	10290101	80	m*	Ammonia	8.00	March 2, 2017	2019

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			HUC8	Segment or Lake Project Name Code					
Lane, City of	KS0081515	M-MC19-OO01	10290101	51	m*	Ammonia	19.68	March 2, 2017	2019
Mulberry, City of	KS0087467	M-MC27-OO01	10290104	324	m*	Ammonia	15.48	March 2, 2017	2019
Pomona, City of	KS0029068	M-MC36-OO01	10290101	18	m*	Ammonia	10.41	March 2, 2017	2019
Tipton, City of	KS0085219	M-SO42-OO01	10260014	21	m*	Ammonia	**	March 2, 2017	2019
Russell, City of	KS0091367	M-SH31-OO02	10260006	13	m*	Ammonia	6.52	March 2, 2017	2019
Delphos, City of	KS0092169	M-SO11-OO02	10260015	12	m*	Ammonia	**	March 2, 2017	2019
Hillsdale, City of	KS0081396	M-MC60-OO01	10290102	25	m*	Ammonia	12.55	March 2, 2017	2019
Lucas, City of	KS0095222	M-SA08-OO02	10260010	12	m*	Ammonia	**	March 2, 2017	2019
Melvern, City of	KS0046027	M-MC23-OO01	10290101	42	m*	Ammonia	3.61	March 2, 2017	2019
Miltonvale, City of	KS0021911	M-SH27-OO01	10260008	4	m*	Ammonia	**	March 2, 2017	2019
Moran, City of	KS0047490	M-MC25-OO01	10290104	12	m*	Ammonia	6.29	March 2, 2017	2019
Mound City, City of	KS0047503	M-MC26-OO01	10290102	33	m*	Ammonia	12.60	March 2, 2017	2019
Natoma, City of	KS0031160	M-SA10-OO01	10260009	7	m*	Ammonia	13.72	March 2, 2017	2019
Pleasanton, City of	KS0116653	M-MC35-OO01	10290102	46	m*	Ammonia	15.49	March 2, 2017	2019

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			HUC8	Segment or Lake Project Name Code					
Princeton, City of	KS0093891	M-MC38-OO01	10290101	50	m*	Ammonia	27.84	March 2, 2017	2019
Scranton, City of	KS0031283	M-MC44-OO01	10290101	27	m*	Ammonia	15.80	March 2, 2017	2019
Eskridge, City of	KS0046400	M-MC09-OO01	10290101	27	m*	Ammonia	7.84	March 2, 2017	2019
Osage City, City of	KS0022675	M-MC29-OO01	10290101	29	m*	Ammonia	14.51	March 2, 2017	2019
Osborne, City of	KS0092398	M-SO29-OO02	10260014	3	m*	Ammonia	8.68	March 2, 2017	2019
Plainville, City of	KS0093165	M-SA14-OO02	10290009	7	m*	Ammonia	6.93	March 2, 2017	2019
Rantoul, City of	KS0048119	M-MC40-OO01	10290101	3	m*	Ammonia	17.23	March 2, 2017	2019
Fontana, City of	KS0095532	M-MC10-OO01	10290102	16	m*	Ammonia	**	March 2, 2017	2019
Williamsburg, City of	KS0093203	M-MC50-OO02	10290101	1589	m*	Ammonia	21.6	March 2, 2017	2019
Glen Elder, City of	KS0020982	M-SO18-OO01	10260015	18	m*	Ammonia	**	March 2, 2017	2019
Kensington, City of	KS0093998	M-SO21-OO02	10260012	19	m*	Ammonia	**	March 2, 2017	2019
Oberlin, City of	KS0098655	M-UR17-OO02	10250011	4	m*	Ammonia	8.24	March 2, 2017	2019
Overbrook, City of	KS0046451	M-MC32-OO01	10290101	LM028001	m*	Ammonia	12.62	March 2, 2017	2019
Smith Center, City of	KS0098221	M-SO38-OO02	10260012	10	m*	Ammonia	10.74	March 2, 2017	2019

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			HUC8	Segment or Lake Project Name Code					
WaKeeny, City of	KS0099309	M-SH38-OO02	10260007	7	m*	Ammonia	15.37	March 2, 2017	2019
Butler Co. S.D. #17 (Beaumont)	KS0082180	M-WA23-OO01	11030018	9012	m*	Ammonia	**	March 8, 2017	2020
Courtland, City of	KS0083399	M-LR09-OO01	10250017	45	m*	Ammonia	22.7	March 8, 2017	2020
Greenleaf, City of	KS0048411	M-BB08-OO01	10270207	23	m*	Ammonia	**	March 8, 2017	2020
Home Sewer District 1 – Marshall County	KS0095435	M-BB27-OO01	10270205	19	m*	Ammonia	**	March 8, 2017	2020
Olsburg, City of	KS0093297	M-BB18-OO01	10270205	LM021001	m*	Ammonia	**	March 9, 2017	2020
Riley, City of	KS0093301	M-KS62-OO02	10270101	2	m*	Ammonia	3.57	March 9, 2017	2020
Butler County S.D.#9 (Rosalia)	KS0098671	M-WA19-OO01	11030017	8	m*	Ammonia	**	March 9, 2017	2020
Centralia, City of	KS0081418	M-BB05-OO01	10270205	14	m*	Ammonia	18.01	March 9, 2017	2020
Clifton, City of	KS0048437	M-LR06-OO01	10250017	9	m*	Ammonia	9.60	March 9, 2017	2020
Lake Wabaunsee Improvement District	KS0086568	M-KS92-OO02	10270102	693	m*	Ammonia	2.69	March 10, 2017	2020
Lakin, City of	KS0094196	M-UA24-OO01	11030001	3	m*	Ammonia	22.68	March 10, 2017	2020
Morganville, City of	KS0024678	M-LR18-OO01	10250017	1369	m*	Ammonia	**	March 10, 2017	2020
USD #335 Jackson Hts. School	KS0094528	M-KS23-OO02	10270103	28	m*	Ammonia	**	March 10, 2017	2020

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			HUC8	Segment or Lake Project Name Code					
Auburn, City of	KS0094650	M-KS03-OO02	10270104	31	m*	Ammonia	10.34	March 13, 2017	2020
Havensville, City of	KS0081523	M-KS22-OO01	10270102	48	m*	Ammonia	**	March 13, 2017	2020
Hoyt, City of	KS0030635	M-KS25-OO01	10270102	93	m*	Ammonia	13.58	March 13, 2017	2020
Leon, City of	KS0089133	M-WA11-OO02	11030018	13	m*	Ammonia	7.85	March 14, 2017	2020
Little River, City of	KS0085758	M-LA10-OO02	11030012	14	m*	Ammonia	5.71	March 14, 2017	2020
Mayetta, City of	KS0026182	M-KS40-OO01	10270103	9032	m*	Ammonia	19.26	March 14, 2017	2020
Oakley, City of	KS0100013	M-SH29-OO02	1026005	5	m*	Ammonia	7.97	March 14, 2017	2020
Onaga, City of	KS0029050	M-KS53-OO01	10270102	43	m*	Ammonia	12.24	March 14, 2017	2020
Rossville, City of	KS0046477	M-KS64-OO01	10270102	12	m*	Ammonia	4.83	March 14, 2017	2020
Waterville, City of	KS0048429	M-BB22-OO01	10270207	1	m*	Ammonia	3.32	March 15, 2017	2020
Westmoreland, City of	KS0046485	M-KS75-OO01	10270102	22	m*	Ammonia	16.35	March 15, 2017	2020
Wheaton, City of	KS0094013	M-KS79-OO01	10270205	9	m*	Ammonia	4.35	March 15, 2017	2020
Whitewater, City of	KS0097276	M-WA16-OO02	11030017	25	m*	Ammonia	5.66	March 15, 2017	2020
Beattie, City of	KS0047236	M-BB03-OO01	10270205	16	m*	Ammonia	**	March 16, 2017	2020

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			HUC8	Segment or Lake Project Name Code					
Benton, City of	KS0026689	M-WA04-OO01	11030017	24	m*	Ammonia	14.80	March 16, 2017	2020
Burrton, City of	KS0049786	M-LA02-OO01	11030012	15	m*	Ammonia	10.72	March 16, 2017	2020
Cuba, City of	KS0027120	M-BB06-OO01	10270207	31	m*	Ammonia	**	March 16, 2017	2020
Leonardville, City of	KS0025631	M-KS35-OO01	10270101	2	m*	Ammonia	10.88	March 16, 2017	2020
Maple Hill, City of	KS0046426	M-KS39-OO01	10270102	27	m*	Ammonia	7.65	March 16, 2017	2020
Meriden, City of	KS0046434	M-KS43-OO01	10270102	2	m*	Ammonia	9.05	March 20, 2017	2020
Potwin, City of	KS0051713	M-WA12-OO01	11030017	21	m*	Ammonia	**	March 20, 2017	2020
Towanda, City of	KS0098761	M-WA14-OO02	11030017	18	m*	Ammonia	**	March 20, 2017	2020
Cedar Vale, City of	KS0116947	M-VE05-OO01	11070106	30	m*	Ammonia	10.00	March 20, 2017	2021
Mound Valley, City of	KS0116980	M-VE28-OO01	11070103	28	m*	Ammonia	8.60	March 21, 2017	2021
Oskaloosa, City of	KS0046442	M-KS54-OO01	10270103	9	m*	Ammonia	12.68	March 21, 2017	2021
Altoona, City of	KS0027511	M-VE01-OO01	11070101	1	m*	Ammonia	9.94	March 21, 2017	2021
Cherryvale, City of	KS0094803	M-VE07-OO02	11070103	34	m*	Ammonia	6.04	March 22, 2017	2021
La Crosse, City of	KS0100081	M-UA23-OO02	11030008	3	m*	Ammonia	**	March 22, 2017	2021

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			HUC8	Segment or Lake Project Name Code					
Moline, City of	KS0027162	M-VE27-OO01	11070104	16	m*	Ammonia	8.58	March 22, 2017	2021
Cimarron, City of	KS0091791	M-UA07-OO02	11030003	1	m*	Ammonia	8.20	March 22, 2017	2021
Dearing, City of	KS0048062	M-VE11-OO01	11070103	39	m*	Ammonia	6.63	March 22, 2017	2021
McLouth, City of	KS0025704	M-KS42-OO01	10270104	17	m*	Ammonia	6.16	March 23, 2017	2021
Valley Falls, City of	KS0022543	M-KS73-OO01	10270103	12	m*	Ammonia	5.92	March 23, 2017	2021
Wakefield, City of	KS0027545	M-LR24-OO01	10250017	LM019001	m*	Ammonia	13.92	March 23, 2017	2021
Nortonville, City of	KS0047562	M-KS50-OO01	10270104	12	m*	Ammonia	11.85	March 23, 2017	2021
Eureka, City of	KS0083178	M-VE16-OO02	11070102	8	m*	Ammonia	4.19	March 24, 2017	2021
Madison, City of	KS0093858	M-VE26-OO02	11070101	12	m*	Ammonia	3.83	March 24, 2017	2021
Perry, City of	KS0029084	M-KS58-OO01	10270104	23	m*	Ammonia	4.97	March 24, 2017	2021