

**NEW PERMIT, PERMIT REISSUANCE, AND PERMIT MODIFICATION
INSTRUCTIONS FOR NOTICE OF INTENT (NOI)**

FOR READY-MIXED CONCRETE PLANTS, CONCRETE PRODUCTS PLANTS AND THEIR ASSOCIATED FACILITIES

Authorized by a Kansas Water Pollution Control General Permit

Who Must File A Notice Of Intent (NOI) Form

The operator /owner of ready-mixed concrete plants, concrete products plants and their associated facilities must submit a NOI to obtain coverage under a National Pollutant Discharge Elimination System (NPDES) and a Kansas Water Pollution Control General Permit. This includes operators of plants with wastewater retention structures **whether or not they discharge to surface waters of the State**. Associated facilities means parts of a plant directly tied to the ready-mix concrete plants or concrete product plants such as storage warehouses, boilers, etc., but does not include quarries, asphalt plants etc. which produce different types of wastewater even when the facilities are on the same site. If you have questions concerning this NOI, contact KDHE at (785) 296-4347.

Send the completed NOI Form To:

Kansas Department of Health and Environment
Bureau of Water, Technical Services Section
1000 SW Jackson St. - Suite 420
Topeka, Kansas 66612-1367

When to Send the NOI Form

Facilities that currently have coverage under the concrete Ready Mixed General Permit (existing facilities) must submit a new NOI by March 1st, 2018, for coverage under the new general permit. Facilities that wish to decline coverage under the new permit must submit an application for coverage under an individual permit by March 1, 2018, and must continue to comply with the conditions of the previous general permit until the individual permit is issued.

For new permits and permit modifications, the applicant is encouraged to apply for a permit as soon as possible to minimize any potential delay of the proposed project. The applicant is not authorized to operate a wastewater retention system until the general permit has been issued for the facility. KDHE anticipates most permits will be issued within 30 days of receipt of a complete NOI. If coverage under the general permit is denied, the applicant will be required to submit an application for an individual Kansas Water Pollution Control permit, which may take up to 180 days for processing. In the event an individual permit is necessary, early submittal of the NOI will help to minimize project delays.

Discharges Which May Not Be Covered By This General Permit

1. The discharge is a significant contributor of pollution;
2. The discharge is not in compliance with the terms and conditions of the general permit;
3. The discharge is to a stream classified as an Outstanding National Resource Water (ONRW). See the KDHE web-site at <http://www.kdheks.gov/water/resources/ONRW.pdf> for a list of ONRWs.

I. PROPOSED PERMITTEE & FACILITY LOCATION

A. Proposed Permittee Give the legal name of the person, company, firm, public organization, or other entity to whom the permit is to be issued. This party is legally responsible for compliance with the permit conditions. This should normally be the operator of the facility.

B. Mailing Address Enter the proposed permittee's complete mailing address. This is the address to which the permit and all correspondence will be sent. **IF THE FACILITY DOES NOT RECEIVE MAIL AT THE FACILITY LOCATION, LEAVE THE FACILITY MAILING ADDRESS BLANK.**

C. Name of Facility, legal description and receiving stream Enter the facility's official or legal name and physical location including, if available, street address, city, state, and ZIP code. Also, provide the legal description to the nearest quarter, section, township, range, and county of the facility and of each discharge location, if different from facility. Identify the physical location by latitude/longitude. This information is available from most internet mapping sites.

If a discharge may occur, determine the routing of the discharge and enter the name of the first receiving water, stream or lake. If the NOI is for a non-overflowing/total retention system, determine the route a discharge would take if a discharge did occur. This may be obtained from a number of internet sites, the Kansas Surface Water Register, a United States Geological Survey (USGS) topographic map or KDOT general highway map for the county where the facility or discharge point is located. Include "unnamed tributaries" to named streams.

D. Contact Person Enter the name, phone number, fax number, and e-mail address (if available) of a person who can be contacted regarding operation of this activity and for the retention of permit records.

E. Maps Using maps available from internet sites, provide a general map of the area extending at least one mile beyond the property boundaries of the site which clearly shows the legal boundaries of the facility or delineated project area. Also, provide a second “close-in” map/site plan that shows the layout, major equipment and pollution controls which are or will be used at this facility.

II. DISCHARGE INFORMATION

A. Indian land If the facility or discharge site is located on Indian land, you can not be covered by this general permit. KDHE does not issue permits on Indian lands. You should contact EPA Region VII in Kansas City, KS for wastewater permitting information on Indian lands.

B. Soil Contamination Areas If there are any known soil contamination areas in which the site will be located or through which the discharge runs, this discharge may transport the contamination to the receiving stream. In such a case, you must state the steps taken to eliminate transportation of soil contamination into the receiving stream/surface waters. Use plain paper to explain, if required.

C. Endangered Species The Kansas Department of Wildlife and Parks (KDWP), through Kansas Administrative Regulations (K.A.R.) 115-15-1 et seq. maintains a listing of threatened or endangered species and their critical habitats. Contact the KDWP's Environmental Services Section (620-672-5911) for assistance. If threatened or endangered species are known or likely to be present at the site or within the receiving water body, then list the species and describe the location in relation to the site location.

D. Construction Area If yes, estimate the area to be disturbed. Include access roads to be constructed, and adjacent or on-site material borrow areas and excess material storage areas. If the total surface area estimated to be disturbed by this activity is equal to or more than 1 acre, you will need to submit a separate storm water discharge permit NOI for construction activity. The NOI and instructions for storm water general permit for construction activity can be found on the KDHE web page at “<http://www.kdheks.gov/stormwater/index.html/>” or you may request a hard copy by calling 785-296-5549.

E. Start Date Enter the estimated start date for the project. If facility exists, write “existing”.

III. Section III for new facilities and modifications. Enter a description of the facility, including stormwater runoff locations from the ready mixed concrete operations, and all settlement and containment structures. For permit renewals, update and correct the existing description provided.

IV. LOCATION AND TYPE OF STRUCTURES AND OUTFALLS

Identify and describe the structures and outfalls being permitted. For existing facilities location and mapping must be provided with the SWP2 Plan Completion Certification, which is due with the first annual renewal payment. For new permits and modifications, location information and mapping must be included in the SWP2 Plan along with the NOI.

V. STORMWATER POLLUTION PREVENTION PLAN

This permit authorizes storm water runoff associated with industrial activities at the facility. The storm water pollution prevention plan (SWP2 Plan) shall be updated as necessary to comply with state and federal requirements and minimize or eliminate pollutants in from stormwater runoff from the facility using Best Management Practices and other controls. The SWP2 Plan shall include the minimum measures and controls in accordance with Attachment “A” of this permit.

Permit Renewal/Reissuance - Permit renewals for existing facilities without any proposed modifications shall submit a SWP2 Plan Certification Completion Form and updated site map with the first annual report renewal, within one year of permit issuance. All settlement and containment structures being permitted must be identified in the SWP2 Plan and on the map, and the legal location (latitude and longitude) of each structure must be identified.

Permit Modification/New Permit - Permits for new facilities and existing facilities proposing modifications to the site shall submit a SWP2 Plan Certification Completion Form and an up-to-date site map with the NOI. All settlement and containment structures being permitted must be identified in the SWP2 Plan and on the map, and the legal location (latitude and longitude) of each structure must be identified.

Settlement and Containment Structure Compliance - At the time of SWP2 Plan Certification Completion, identified settlement and containment structures must indicate whether each structure is in compliance with KDHE Industrial Wastewater Lagoon Requirements (K.A.R. 28-16-160 through 174). For any structure not meeting these requirements, a structure upgrade schedule shall be provided to bring the facility into compliance with the regulations. Earthen structures must meet the requirements of KDHE lagoon liner regulations or a variance must be issued.

**Provisions for Construction of
Settlement/Containment Structures**

Settlement/Containment Structures shall be constructed to comply with the following criteria.

1. To hold at least a 10 year-24 hour storm runoff above the normal operating level before overtopping the dikes/walls..
2. Minimum separation distance requirements not less than 100 feet from property line and the facility shall not be located in an area known to be flooded within the last 10 years.
3. Facility basins shall be constructed - reinforced concrete, asphalt, or earthen basins may be used provided:

KDHE Industrial Wastewater Lagoon Regulations K.A.R. 26-16-160 through 174 are met, and the facilities are designed, constructed and operated in accordance with KDHE Minimum Standards of Design for Water Pollution Control Facilities. These regulations include provisions for liners, groundwater separation distance, protection of sensitive groundwater area, and the Equus Beds, maximum seepage rates, wastewater treatment, and variances. The Wastewater Lagoon Regulations are available at:
<http://www.kdheks.gov/indust/ProposedLinerRegs.htm>

VI. ANNUAL FEE

Include a check for the current annual permit fee for a general permit (\$60), payable to "KDHE-Water Pollution Control Permit."

VII.COORDINATION WITH OTHER STATE AND LOCAL AGENCIES

Permittee must comply with all other federal, state, and local laws applicable to this kind of operation/ facility. Also, please check with KDHE - Bureau of Air if an air permit is required.

VIII. APPLICANT CERTIFICATION

Applicants must read and ensure they understand the statements in this section of the NOI before signing the NOI. The NOI must be signed by the applicant to whom the permit is to be issued. Kansas statutes provide for severe penalties for submitting false information on this NOI form. Kansas regulations require the NOI to be signed as follows:

- For a corporation:*** by a responsible corporate officer or the facility manager if authority to sign documents has been assigned or delegated to the facility manager in accordance with corporate procedures;
- For a partnership or sole proprietorship:*** by a general partner or the proprietor; or
- For a municipality, state, Federal, or other public facility:*** by either a principal executive officer or ranking elected official;
- Or** a designee of these signatories.