

NOTICE OF INTENT (NOI) INSTRUCTIONS

FOR DISCHARGES ASSOCIATED WITH HYDROSTATIC TESTING OF NEW PIPELINES AND STORAGE TANKS AND/OR EXISTING PIPELINES AND STORAGE TANKS EXPOSED TO CRUDE OIL AND PETROLEUM PRODUCTS OR NATURAL/LIQUIFIED PETROLEUM GASES

Authorized by a Kansas Water Pollution Control General Permit

Who Must File A Notice Of Intent (NOI) Form

Kansas and Federal law prohibit point source discharges associated with industrial activities to waters of the U.S. without a Kansas/Federal water pollution control permit. A person desiring to discharge water associated with a hydrostatic test of new pipelines or tanks and/or existing petroleum and natural gas pipelines and storage tanks must submit an NOI to obtain coverage under a Kansas/Federal water pollution control permit. If you have questions about whether you need a permit to discharge hydrostatic test water, contact KDHE at (785) 296-5506.

Where To Send the NOI Form

The NOI must be sent to the following address:

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

The applicant is encouraged to apply for a permit as soon as possible in order to minimize any potential delay of the proposed project. The applicant is not authorized to discharge until the signed and dated general permit is issued. KDHE anticipates most permits will be issued within 1 to 2 weeks 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 Not Covered By This General Permit

An **INDIVIDUAL** permit may be required if: 1. the discharge(s) will be a significant contributor of pollution; 2. the discharge(s) are not likely to be in compliance with the terms and conditions of the general permit; 3. a change has occurred in the availability of demonstrated technology of pollutants applicable to the point source; 4. effluent limitation guidelines are subsequently promulgated for the point sources covered by the general permit; or Water Quality Management Plan containing requirements applicable to such point sources is approved.

I. PROPOSED PERMITTEE & FACILITY LOCATION INFORMATION

- A. Proposed Permittee** Give the legal name of the person, company, firm, public organization, or other entity responsible for the hydrostatic test.
- B. Mailing Address** Enter the permittee's complete address. Unless otherwise notified in Section E, this is the address to which the general permit will be mailed.
- C. Name of Project** Enter the project name and physical location including the nearest city and the state where the project will begin.
- D. Contact Person** Enter the name, phone number, FAX numbers and e-mail address of a person who can be contacted regarding this activity. The permittee and contact person need not be the same.
- E. Alternate Permit Mailing Address** If the permittee desires that the permit be mailed to a different address such as a field station, please provide the mailing address here.
- F. Hydrotest Activity** Check as many activities as are proposed to be conducted for this project that will generate a discharge. Any activity not checked will be considered not applicable to this application.
- G. Legal Description & Receiving Stream** For each discharge location in F above, provide the quarter section, section, township, range and county of the discharge. If more space is required, attached another sheet of paper with the requested information to the application. Do not address locations such as air bleeders where minor amounts of the hydrostatic test water may escape.

Determine the routing of each discharge and enter the name of the first receiving water, stream or lake. This information may be obtained from the Kansas Surface Water Register, a United States Geological Survey (U.S.G.S.) topographic map, internet maps, or a KDOT general highway map for the county where the project or discharge point is located.

H. Project Description Provide either on the permit application or in a cover letter for this application, a general description of the project. When KDHE evaluates the application, it will calculate the appropriate amount of water to be discharged based upon the project description. Therefore, the application needs to provide an adequate description of the project that indicates any re-use of the hydrotest water for subsequent segments of the line, etc. The applicant also needs to note any special disposal sites for the water such as tank dikes, etc that would alleviate concerns about the water reaching waters of the state. No testing of the hydrostatic test water is required if the discharge does not reach surface waters of the state. In general, the applicant should avoid direct discharges to waters of the state especially if chlorinated (potable) water is being used. KDHE encourages the applicant to avoid use of chemical additives to the test water. KDHE also encourages the release of the hydrotest water to fields and pastures which slow the discharge down and filters out contaminants. KDHE also discourages the use of “frac” tanks especially when hydrotesting new pipe. Experience has shown that the hydrotest water is frequently more polluted coming out of “frac” tanks than it was upon entering. If the discharge could significantly affect a private pond, the permittee should notify the pond owner and seek approval for the discharge at this location.

II. DISCHARGE INFORMATION

A. Source of Water Supply State the source of water supply, e.g. municipal or rural water district, river, lake, or stream, private well, or pond. The quality of source water should be equal to or better than the quality of the receiving water so that there is no deterioration in the quality of the receiving water. If the water source is from a private well, pond, or lake of unknown water quality, you may be required to provide a copy of a water analysis (representative of the source water quality) performed by a laboratory certified by KDHE. If the quality of supply water is unknown, contact KDHE at 785.296.5513 before performing any water analyses.

B. Water Treatment Additives If water treatment chemicals or additives are proposed to be used in the hydrostatic test water, identify the name, manufacturer, amount to be used and be prepared to provide a Material Safety Data Sheet (MSDS) from the chemical manufacturer. You may be required to apply for an individual NPDES discharge permit if the chemicals in the hydrotest water cause an exceedence of any water quality criteria in the receiving stream(s).

C. Treatment and Best Management Plan (BMP) Briefly describe each step of the proposed treatment system (e.g. hay bale filters, filter bag, etc.) or your BMPs (e.g. baffle plate to break the force of water to reduce soil erosion, settling pond to allow settling of suspended solids, etc.) to ensure that the discharge will be able to meet the permit requirements. If the space on the application is insufficient, provide additional information on an attachment to this application .

D. Indian Lands If the discharge site is located on Indian lands, you can not be covered by this general permit. You should contact KDHE for a determination as to whether EPA or the state has permitting authority over the proposed discharge site.

E. Drinking Water Intakes If there are any intakes for public drinking water supplies within ½ mile downstream of the discharge points, and the discharge is likely to affect the quality of the drinking water supply, you may be required to apply for an individual NPDES discharge permit.

F. Endangered SpeciesThe Kansas Department of Wildlife and Parks (KDWP) 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. For example: The common map turtle is a threatened species known to occur in Sawyer County. The project site is located in northeastern Sawyer County.

G. Project Date Enter the estimated start date of the project.

H. Discharge Date Enter the estimated date of the first discharge. If there will be multiple discharges, provide the expected start and finish dates for each discharge.

I. Duration of Discharge Enter the estimated length of time (hours or days) for each discharge.

III. Maps Provide a general topographic map which clearly shows the entire project area. Additional more detailed maps must be provided to show the proposed discharge locations. Use a 7 ½ minute series map as published by the U.S.G.S. (or a photocopy of the pertinent portions), or equivalent maps from the Internet. U.S.G.S. maps for the State of Kansas may be obtained from the U.S.G.S. Office or Kansas Geological Survey Offices listed below.

Kansas Geological Survey 1930 Constant Avenue University of Kansas Lawrence, Kansas 66047 (785) 864-3965	Kansas Geological Survey 4150 Monroe Street Wichita, Kansas 67209 (316) 943-2343
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IV. ANNUAL FEE

The current annual permit fee for a general permit is \$60.

V. APPLICANT CERTIFICATION

The applicant must read and ensure it understands the statements in this section of the application before signing the application. The application must be signed by the party in responsible control of the hydrostatic test operation. Federal statutes provide for severe penalties for submitting false information on this application form. Federal regulations require the NOI to be signed as follows:

For a corporation: by a responsible corporate officer, which means: (i) president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision making functions, or (ii) the manager of one or more manufacturing, production, or operating facilities employing more than 250 persons or having gross annual sales or expenditures exceeding \$25 million (in second-quarter 1980 dollars), if authority to sign documents has been assigned or delegated to the 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.

VII. SEND COMPLETED FORM AND ANNUAL FEE TO:

KANSAS DEPARTMENT OF HEALTH & ENVIRONMENT
Bureau of Water – Technical Services Section
1000 SW Jackson Street, Suite 420
Topeka, KS 66612-1367
Attn: Permits & Compliance