

**NEW PERMIT FOR NEW OR EXISTING UNPERMITTED PLANTS
INSTRUCTIONS FOR NOTICE OF INTENT (NOI)**

FOR READY-MIX 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-mix 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-**5513**.

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

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 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 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/quarter/quarter (¼ ¼ ¼) section, township, range and county of the facility and of each discharge location, if different from facility. 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 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-**5545**.

E. Discharge Date Enter the estimated start date for the project. If facility exists, write "existing".

Daily Average Discharge Give the estimated daily average discharge in gallons / day for the facility. If the NOI is for a non-discharging/total retention structure, write "No Discharge" for the daily average discharge.

III. Section III Self Explanatory. If you need help, call 785.296.5513.

IV. STORMWATER POLLUTION PREVENTION PLAN**V. ANNUAL FEE**

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

VI. 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.

VII. 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.

Provisions for Construction of Settling/ Equalization Basins

Settling / equalization basins 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. Permanent facility basins shall be constructed from reinforced concrete or asphalt. Temporary facility basins expected to be in use less than four years can be plastic lined or compacted earth.

NOI Instructions CONTINUED

4. Earthen basins shall meet the following:
 - a. Minimum Compaction Requirements: embankment and upper 12" of the interior bottoms to be compacted to not less than 95% of the maximum standard proctor density, in not more than 6" uncompacted layers, at the optimum moisture to optimum moisture plus 3%.
 - b. The maximum rate of water loss through embankments and bottom shall not exceed $\frac{1}{4}$ inch per day. To achieve this, the basins shall not be constructed in sand, gravel or other highly permeable soils which have hydraulic permeability greater than 10^{-7} cm/second.
 - c. Groundwater pollution protection: A minimum of 10ft. vertical separation shall be provided between the lowest point on the bottom of the basin and the average annual elevation of the groundwater table.
 - d. Earthen Basin construction details: i. embankment slope between 3 and 3.5 horizontal to 1 vertical; ii. 3 feet freeboard; iii. erosion protection for facilities in place longer than 4 years by concrete or asphalt aprons, baffles, stone rip-rap, synthetic liners; iv. seeding of earthen embankment outside the water liner with perennial short rooted low growing grasses; The normal overflow shall be sized no larger than needed for normal operating discharge and bleed off of the storm water level. Storm water outfall shall be sized to prevent overtopping of dikes.