General Permit No.: G-CONC-2017-1

Kansas Permit No.: I-AANN-PRNN
Federal Permit No.: KSG11NNNN

Kansas Water Pollution Control General Permit & Authorization to Discharge

UNDER THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM
FOR READY-MIXED CONCRETE PLANTS, CONCRETE PRODUCTS PLANTS AND THEIR ASSOCIATED FACILITIES

Pursuant to the provisions of the Federal Water Pollution Control Act, as amended, 33 U.S.C. '1251 et seq. (the "ACT"), the Kansas Water Pollution Control Statutes Annotated 65-164 and 65-165, and rules and regulations adopted thereunder,

Permittee Name: _____

Permittee Address: _____

City: _____ State: _____ ZIP: _____

Facility Name: _____

Facility Address: _____

City: _____ State: _____ ZIP: _____

Facility Location: _____

¼ Section Township (s) Range E/W

Latitude: _____ Longitude: _____

Receiving Stream: _____

River Basin: _____

is authorized to discharge stormwater runoff and process wastewater associated with industrial activities from ready-mixed concrete plants, concrete products plants and their associated facilities to surface waters of the State described above, in accordance with the effluent limits, monitoring requirements and other conditions set forth herein.

Permittee is also authorized to operate associated overflowing settlement structures and/or non-overflowing containment structures in accordance with permit conditions as herein described.

This permit is effective October 1, 2017, supersedes the previous water pollution control permit I-AANN-PRNN, and expires on September 30, 2022.

A. FACILITY DESCRIPTION:

[Developed by KDHE pursuant to information provided by the permittee in the permit application]

SAMPLE: This facility is a permanent dry batch plant on the west side of the facility and a portable wet batch plant on the east side of the facility with one common drain basin. Make up water is from municipal potable water supply. Wastewater generated by washing the inside of the truck mixer drums and truck chutes, is routed to a 4 cell concrete reclamation center, with a solids reclaimer. This basin periodically discharges wash water comingled with industrial stormwater runoff at Outfall 001A1.

The outside of the trucks, associated forms, tools and equipment, are rinsed off in a single cell concrete wash basin. There is no discharge from this basin. Settled solids are hauled off and used for road base material.

Additional stormwater discharge points are located in the extreme north central part of the property and the west parking lot. The outfalls are controlled by gated 18" reinforced concrete pipe with a 4" weir installed for sampling purposes.

Domestic wastewater is routed to the city sewer.

Facility Description Continued on Next Page

Susan K Mosier

Secretary - Kansas Department of Health and Environment

9/28/2017
Date of Issuance

A. FACILITY DESCRIPTION: (Continued)

1. Description of Stormwater Runoff Associated with Industrial Activity

This permit authorizes stormwater runoff associated with industrial activities at the facility. The stormwater pollution prevention plan (SWP2 Plan), inspection reports, a copy of the permit and any discharge monitoring reports and any laboratory test results shall be kept at the facility or if no office is maintained at the site, at the main office or closest affiliated field office, and shall be made available for review by EPA and KDHE representatives upon request. The 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 following minimum measures and controls, in accordance with Attachment "A" of this permit.

a. Pollution Prevention Team – Individuals or positions who are responsible for implementing the SWP2 Plan must be clearly identified.

b. Description of Potential Pollution Sources–An inventory and map identifying potential pollution sources associated with industrial activity must be identified in the plan.

c. Measures and Controls – A description of pollution controls appropriate for the facility must be identified in the plan.

d. Comprehensive Site Compliance Evaluation – As part of this permit an annual Comprehensive Site Evaluation must be submitted annually by October 1st.

e. Monitoring and Record Keeping – In addition to discharge monitoring requirement for overflowing structure(s) specified in Part B below, the facility must comply with the inspection and record keeping requirements for stormwater runoff as described in the SWP2 Plan.

f. Maintaining the SWP2 Plan: The permittee must maintain, modify, and implement the existing stormwater pollution prevention (SWP2) Plan in accordance with the Attachment A. A copy of the SWP2 Plan shall be kept on site and be available for KDHE or EPA inspection upon request.

2. Description of Non-Overflowing Wastewater Facilities (Containment Structures)

–The following non-overflowing facilities may receive wastewater containing cleansers, detergents and/or other additives approved by KDHE, and are included in this permit. This wastewater may be comingled with direct rainfall and stormwater runoff associated with industrial activity. Discharge from these structure(s) is not permitted.

Single Cell Concrete Wash Basin: Latitude _____ Longitude _____
[or None]

3. Description of Discharging Wastewater Facilities (Settlement Structures)

- The following overflowing facilities may only receive wash waters containing no cleansers, detergents, or other additives, and are included in this permit. This wastewater may be comingled with direct rainfall and stormwater runoff associated with industrial activity. Discharge from these structure(s) is permitted in accordance with the specified monitoring requirements.

Outfall 001A1- Four Cell Reclamation Center: Latitude:_____ Longitude: _____
[or None]

B. DISCHARGE LIMITS AND MONITORING REQUIREMENTS

The monitoring requirement applies to discharging facilities described in Part A Permit Description - Item 3. Discharges shall be controlled, limited, and monitored by the permittee as specified below. The discharge shall have no visible oil sheen, floating solids or visible foam in other than trace amounts.

The initial monitoring period shall begin _____ and end _____. Each standard calendar quarter thereafter shall constitute a monitoring period. **If a discharge occurs at any time during any monitoring period, the permittee shall sample and test the discharge according to the requirements in the table below.** The test results shall be reported to KDHE using the electronic Discharge Monitoring Report (eDMR) application provided by KDHE and shall be submitted on or before the 28th day of January, April, July, and October for the previous calendar quarter. **The permittee is required to submit the Discharge Monitoring Report electronically to KDHE by the schedule provided above even if there was no discharge during the entire monitoring period.**

		EFFLUENT LIMITS	MONITORING REQUIREMENTS	
Effluent Parameters	**Units**	**Monthly Average**	**Sample Frequency**	**Sample Type**
OUTFALL 001A1 (EDMRS CODE: EFF001A1) - PROCESS WASTEWATER FROM THE SETTLEMENT STRUCTURE OUTFALL [EACH OUTFALL MUST BE SEPARATELY AUTHORIZED IN THIS SECTION]				
Oil and Grease	mg/l	15	Quarterly (1)	Grab
Total Suspended Solids (TSS)	mg/l	100	Quarterly (1)	Grab
Total Recoverable Iron (as Fe)	mg/l	Monitor	Quarterly (1)	Grab
pH	S.U.	6.0 to 9.0	Quarterly (1)	Grab

(1) Permittee is required to sample and test any discharge once during the quarter regardless of the number of discharges that occur during the quarter or if a discharge occurs over a period of several consecutive days. If no discharge occurs during the entire monitoring period, no sampling or testing is required and no discharge shall be reported via the eDMR.

ADDITIONAL MONITORING REQUIREMENTS				
Flow	gpd	Monitor	Monthly (3)	Estimate
Visual Inspection of Water Quality Standards Compliance		Monitor	Quarterly(2)	Inspection

(2) See Part D Supplemental Conditions Item 6 and Attachment A Item 5.

(3) Permittee shall record the monthly average flow in a log maintained on-site and be made available for KDHE & EPA inspection upon request. The log shall be kept on site for a minimum of three (3) years.

C. PERMIT SCHEDULES:

1. 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.

2. 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.

C. PERMIT SCHEDULES (Continued)

3. 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. 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.

D. SUPPLEMENTAL CONDITIONS

1. Discharging wastewater settlement structures are permitted for washing concrete trucks and chutes, tools, forms and associated concrete handling equipment. Exterior washing of concrete trucks is allowed but no detergents, cleansers, or other additives may be used. Aggregate material from the settlement structure is periodically removed and reused in concrete production, as fill material or in another KDHE acceptable use. Earthen structures must meet the requirements of KDHE lagoon liner regulations or a variance must be issued.

2. Non-Discharging wastewater containment structures are permitted for interior and exterior washing of concrete trucks, tools and equipment. Washing with only KDHE approved detergents, cleansers, and/or additives on file with KDHE is allowed. No discharge from the containment structure to any surface or groundwater is permitted. Earthen structures must meet the requirements of KDHE lagoon liner regulations or a variance must be issued.

   Permit Standard Conditions incident operation and reporting requirements, including telephone notifications as written follow up, must be met for any discharge from a non-discharging containment structure (such as a discharge resulting from excessive rainfall, equipment failure, etc.).

3. Permit Reopener - This permit shall be modified, or alternatively, revoked and reissued, to comply with any applicable effluent standard or limitation issued or approved under Sections 301 (b)(2), (C), and (D), 304 (b)(2), and 307 (a)(2) of the Clean Water Act, if the effluent standard or limitation so issued or approved:

   a. Contains different conditions or is otherwise more stringent than any effluent limitation in the permit, or

   b. Controls any pollutant not limited in the permit.

   The permit as modified or reissued under this paragraph shall also contain any other requirements of the Act then applicable.

4. All containment structures, settlement structures, and stormwater and process wastewater outfalls covered by this permit must be clearly identified on the facility site map and in the field.

5. Modification or expansion of facilities must be approved and a new site map must be accepted by the Department prior to construction.

6. Water Quality Standards - Discharge is authorized from the permitted outfall(s) provided the discharge does not cause a violation of Kansas Surface Water Quality Standards, K.A.R. 28-16-28b through 28-16-28e. The permittee shall not discharge the following:
   a. Oil or grease in concentrations which cause any visible film or sheen to form upon the surface of the receiving water;
   b. Oil or grease which causes a sludge or emulsion to be deposited beneath the surface of the receiving water, upon submerged substrate, or upon adjoining shorelines;
   c. Turbidity or color producing substances causing any change in the natural appearance of the stream or water body;
   d. Substances in the wastewater which cause objectionable odors in the vicinity of the receiving water;
   e. Floating debris, scum, foam, froth, or other floating material in other than trace amounts; or
   f. Materials which create deposits of sludge or fine solids causing aesthetic or environmental concerns downstream of the outfall.

D. SUPPLEMENTAL CONDITIONS (Continued)

The permittee shall, at a minimum, inspect the outfall(s) and receiving stream(s) quarterly to ensure compliance with the above Water Quality Standards. The permittee shall maintain a log documenting the results of any monitoring or inspections performed and shall provide the log to KDHE staff for review upon request.

Any violation of the above general Water Quality Standards shall be reported within 24 hours of discovery, to either the Kansas Department of Health and Environment, Division of Environment at (785) 296-5517 or the appropriate KDHE District Office followed by a letter, within 5 days of discovery, explaining the cause of the water quality violation, the actions taken to correct the violation, and actions taken to prevent recurrence.

7. Changes in Discharges of Toxic Substances - The permittee shall notify the Director as soon as it knows or has reason to believe:

   a. That any activity has occurred or will occur which would result in the discharge, on a routine or frequent basis, of any toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following "notification levels":

      (1) One hundred micrograms per liter (100 µg/l);

      (2) Two hundred micrograms per liter (200 µg/l) for acrolein and acrylonitrile; five hundred micrograms per liter (500 µg/l) for 2,4-dinitrophenol and for 2-methyl-4, 6-dinitrophenol; and one milligram per liter (1 mg/l) for antimony;

      (3) Five (5) times the maximum concentration value reported for that pollutant in the permit application.

   b. That any activity has occurred or will occur which result in any discharge, on a non-routine or infrequent basis, of a toxic pollutant which is not limited in the permit if that discharge will exceed the highest of the following notification levels".

      (1) Five hundred micrograms per liter (500 µg/l);
      (2) One milligram per liter (1 mg/l) for antimony;
      (3) Ten (10) times the maximum concentration value reported for that pollutant in the permit application.

8. Reporting "No Discharge" - If no discharge occurs from a permitted outfall during a reporting period, reporting is still required. For each such outfall reporting, the discharge report must state "No discharge" for the permitted outfall.

9. Additional Electronic Data Monitoring Report (EDMR) Information - EPA has promulgated a final rule requiring regulated entities to report DMR data and/or permit applications electronically. Also, KAR 28-16-63 requires permittees to report NPDES information in a form required by KDHE. KDHE has developed electronic reporting tools to assist permittees in complying with the EPA electronic reporting rule and KAR 28-61-63. Unless a waiver has been approved by KDHE, permittees are required to submit reports and/or applications electronically.

10. Limits on Coverage; Director required replacement of this permit with a different NPDES Permit - The Director may require the permittee to request coverage and obtain an alternative individual permit or general NPDES permit if:

   a. the permittee is not in compliance with the conditions of this general permit;
   b. the discharge no longer qualifies for this general permit due to changed site conditions;
   c. Information becomes available indicating water quality standards have been, or may be violated.

D. SUPPLEMENTAL CONDITIONS (Continued)

11. Discharge to Outstanding Natural Resource Waters (ONRW) - For antidegradation purposes, this general permit does not authorize new discharges to waters designated as Tier 3 Waters (ONRW), as defined in the Kansas Surface Water Register.

12. Issuance of this permit does not relieve the permittee of any responsibility to satisfy any requirements the Kansas Department of Agriculture - Division of Water Resources, Kansas Department of Wildlife, Parks and Tourism, the Kansas Historical Society, the Kansas Department of Transportation or any local, city, county, state or federal government agency may have regarding the facility.

13. Contribution to Existing Impairment - Discharge shall not contribute to existing impairment of a waterbody. KDHE will provide notification of additional limits or controls that are necessary for the discharge to comply with water quality standards or that are necessary to be consistent with wasteload allocations for an established TMDL, or if coverage under an individual NPDES permit is necessary.

14. Facility Relocation - Permittees relocating the facility covered under this general permit to another site must submit a Notice of Permit Termination to terminate this permit, a Notice of Intent to apply for a new general permit at the new location and a construction stormwater general permit if the facility is to continue to operate in the State of Kansas. This includes both permanent and portable facilities.

15. Permit Transfer - This permit may be transferred to a new permit holder using the Permit Transfer Request form from the KDHE website at www.kdheks.gov/water/tech.html .

16. Discharges Ineligible for this permit - This permit does not authorize discharge of waters containing solvents, detergents or other chemical additives. To be permitted, the chemicals used with these waters must listed in chemical additives log for the facility, and the waters must be contained on-site in a non-discharging containment structure. To discharge such waters, the facility must first apply for and obtain coverage under an individual permit.

17. Closure of Settlement & Containment Structures and Abandonment and Closure of Wastewater Retention Basin(s) -

a. Permittee shall properly maintain the water pollution control structures and keep the permit active until the structures are properly abandoned and the permit terminated.

b. Water pollution control structures shall be considered abandoned and shall be properly closed if not used for five years, not properly maintained or if the permit is allowed to become inactive by failure to pay the annual permit fee when due or failure to apply for a permit renewal via the Notice of Intent prior to the permit expiring.

c. Permittee shall properly abandon the water pollution control structures according to the procedures provided below.

(1) Remove fences and above ground structures around the control structure.
(2) Dispose of the water by irrigation on the facility property or road / facility area for dust suppression, re-use, etc. Permittee shall ensure there is no run off of the wastewater beyond the facility boundaries.
(3) Unless otherwise required by contract or other legal requirements, permittee may push any concrete walls, asphalt aprons or plastic liners into the bottom of the basin. Cover the debris with at least 24 inches of clean soil. Grade the filled area to its original contours to minimize water accumulation (ponding). Reseed the disturbed area with grass to minimize soil erosion.
(4) After completion of the pond closure, inform the appropriate KDHE district office so a post closure inspection can be performed. Locations of the KDHE district offices can be found at www.kdheks.gov/directions/index.html or by calling 785.296.5506.

D. SUPPLEMENTAL CONDITIONS (Continued)

18. Notice of Permit Termination - A Notice of Permit Termination form can be downloaded from the KDHE website at www.kdheks.gov/water/tech.html .

19. Discharge of Process Wastewater and Sanitary Sewage - This permit does not authorize discharge of sanitary sewage or any process wastewater that is not specifically identified in the permit description. No floor drains shall be discharged to surface drainage. Solid waste accumulations, including mud trap waste, shall be handled in accordance with KDHE Bureau of Waste Management (BWM) policy, guidance, and regulation and records of the quantity, date and disposition of these wastes shall be maintained and made available to KDHE upon request.

20. Quarterly Inspections: The permittee shall inspect the system of pollution controls on a quarterly basis and within 24 hours after any event which could reasonably be expected to affect the integrity of the controls (3" rainfall even within 24 hour, unless another intensity storm event is justified by the permittee based on a written record of past performance). The inspection shall be adequate to verify that the site drainage conditions and potential pollution sources identified in the SWP2 Plan remain accurate, and that the best management practices prescribed in the SWP2 Plan are being implemented, properly operated and adequately maintained. An inspection report shall be completed for each inspection which shall include: the inspection date, inspection personnel, scope of the inspection, major observations, and any revisions needed in the SWP2 Plan.

21. Stormwater Pollution Prevention (SWP2) Plan Amendments - The SWP2 Plan shall be re-evaluated and modified in a timely manner, but in no case more than 90 days after:

    a. site expansion, production increases, process modifications, changes in materials or materials handling or storage or other activities are planned which will result in significant increases in the exposure of pollutants to stormwater discharged either to waters of the state or to stormwater treatment devices. The amendment shall contain a description of the new activities that contribute to the increased pollutant loading, planned source control activities that will be used to control pollutant loads, an estimate of the new or increased discharge of pollutants following treatment and, when appropriate, a description of the effect of the new or increased discharge on existing stormwater treatment facilities;
    b. the permittee's inspections indicate deficiencies in the SWP2 Plan or in any BMP requiring the BMP to be significantly changed or upgraded;
    c. a visual inspection of contributing areas or a visual inspection of the stormwater discharges or monitoring of the stormwater discharges indicate the Plan appears to be ineffective in eliminating or significantly minimizing pollutants from the facility;
    d. written notice that the Department finds the SWP2 Plan to be deficient or stormwater controls to be ineffective in achieving compliance with this permit, Kansas and Federal law.

22. Construction Activity Permit Requirements - This permit does not cover industrial activity specified in 40 CFR 122.26(b)(14)(x), i.e. stormwater runoff from construction activity where new construction is the primary purpose of the request. Development of a new site, expansion of an existing site, and/or closure of an existing site, disturbing 1 acre or more of soil requires a separate Kansas construction stormwater general permit.

23. This general permit is intended to regulate the discharge of facility wastewater and stormwater associated with industrial activities from ready-mix concrete plants, concrete products plants, and their associated facilities (SIC Codes 3271, 3272, and 3273).

24. Discharge On Indian Lands - This permit does not authorize discharge on Indian Lands - For information on permitting and location of Indian Lands, contact the Bureau of Indian Affairs at (785) 486-2161 or the EPA Region VII Office of Tribal Affairs - Regional Indian Coordinator at (913) 551-7969.

D. SUPPLEMENTAL CONDITIONS (Continued)

25. The permittee is required to have Settlement Structures/Containments Structures meeting or equivalent to the criteria provided on page 3 of the instructions for the Notice of Intent (permit application) under the "Provisions for Construction of Settlement Structures and Containment Structures" as found on the KDHE website at www.kdheks.gov/water/tech.html or available by telephone at 785.296.4347.

26. Forms and Guidance Documents for this permit are available on the KDHE Website at:

www.kdheks.gov/water/tech.html

ATTACHMENT A

STORMWATER POLLUTION PREVENTION PLAN REQUIREMENTS AND GUIDELINES

The Stormwater Pollution Prevention (SWP2) plan shall be specific to the industrial activities and site characteristics occurring at the location described in this permit. The permittee shall fully implement the provisions of the SWP2 plan required under this permit as a condition of this permit.

The purpose of the SWP2 plan is to ensure the design, implementation, management, and maintenance of Best Management Practices (BMPs) in order to reduce the amount of pollutants in stormwater discharges associated with the industrial activities at the facility. The SWP2 plan shall evaluate BMPs from each of three major classes: managerial/administrative; structural controls and non-structural controls.

As guidance, the permittee shall evaluate, select, install, utilize, operate and maintain the BMPs in accordance with best professional judgment, generally accepted and scientifically defensible guidance, and the concepts and methods described in Environmental Protection Agency (EPA) document number EPA 833-B-09-002, entitled ***Developing Your Stormwater Pollution Prevention Plan***, *a Guide for Industrial Operators*, published in February, 20091 and the *U.S. EPA National Pollutant Discharge Elimination System (NPDES) Multi-Sector General Permit for Stormwater Discharges Associated with Industrial Activities (MSGP)*; as modified effective May 27, 2009, and subsequent modifications.

The SWP2 plan and any amendments shall be developed by an individual knowledgeable in stormwater management and control and familiar with the site characteristics of the facility. Due to technical and site specific requirements in developing a SWP2 plan, KDHE highly encourages and recommends that the SWP2 plan and any amendments be prepared by, or under the supervision of a Kansas licensed professional engineer. The SWP2 plan shall be reviewed and re-certified for compliance with accepted standards for stormwater pollution prevention at least once every five years. If KDHE determines the SWP2 plan to be inadequate KDHE, reserves the right to require the permittee to obtain the services of a qualified consultant to correct any deficiencies in the SWP2 plan. The SWP2 plan shall contain, at a minimum, the following items:

1. Pollution Prevention Team - Specific individuals or positions shall be identified within the facility organization as members of a Stormwater Pollution Prevention Team who are responsible for developing, implementing, maintaining and revising the SWP2 plan. Each member's responsibilities shall be clearly identified in the SWP2 plan. The activities and responsibilities of the team shall address all aspects of the facility's SWP2 plan .
2. Description of Potential Pollutant Sources - pollutant sources which may reasonably be expected to add significant amounts of pollutants to the stormwater discharge shall be described. The description shall include, at a minimum:
    a. Site Map - a site map identifying the following: the outline of drainage area(s) for each stormwater outfall; the location of significant materials exposed to precipitation; storage tanks; scrap yards and general refuse areas; fuel storage and distribution areas; vehicle and equipment maintenance and storage areas; loading/unloading areas; waste treatment, storage or disposal areas; short and long term material storage areas (including but not limited to: supplies, construction materials, plant equipment, oils, fuels, used and unused solvents, cleaning materials, paint, water treatment chemicals, fertilizers, and pesticides); landfills; construction sites; stock piles; major spills or leaks; surface water bodies and existing structural control measures to reduce pollutants in stormwater runoff (such as bermed areas, grassy swales, etc.).
    b. Inventory of Exposed Materials - a narrative description of significant materials handled, treated, stored, leaked, spilled or disposed of in a manner to allow exposure to stormwater within the period starting three years prior to the date of this permit; existing structural and nonstructural control measures to reduce pollutants in stormwater runoff; and any treatment the stormwater receives. A list of significant spills and leaks of toxic/hazardous materials in exposed areas shall be maintained and kept updated.
    c. Sampling Data - a summary of existing sampling data, if available.
    d. Risk Identification and Summary of Potential Pollutant Sources - A narrative description of the potential pollutant sources and pollutant parameter of concern shall be identified.

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1 The EPA Manual entitled ***Developing Your Stormwater Pollution Prevention Plan***, *a Guide for Industrial Operators*, published in February, 2009; and the *U.S. EPA National Pollutant Discharge Elimination System (NPDES) Multi-Sector General Permit for Stormwater Discharges Associated with Industrial Activities (MSGP)*; as modified effective May 27, 2009 are available online at: http://cfpub.epa.gov/npdes/stormwater/msgp.cfm#msgp2008_swppp. Additional guidance documents are available on-line at: http://cfpub.epa.gov/npdes/stormwater/indust.cfm or http://nepis.epa.gov/ or the KDHE website: http://kdheks.gov/stormwater.

3. Measures and Controls - A description of stormwater management controls appropriate for the facility which addresses the following minimum components, including a schedule for implementing such controls to the extent practical:
   a. Good housekeeping requiring the maintenance of areas in a clean, orderly manner including handling and storage areas (exposed to precipitation) for raw metals, scrap metals, fuels, paints and other process areas.
   b. Preventive Maintenance - Including timely inspection and maintenance of stormwater management devices, like oil water separators, catch basins, etc.
   c. Spill Prevention and Response Procedures - Appropriate material handling procedure, storage requirements, use of equipment such as diversion valves, and procedures for cleaning up spills should be identified. Availability of the necessary equipment to implement a clean-up should be addressed. The following areas should be addressed:
      (1) Metal fabrication and finishing areas - include measures for maintaining clean, dry, orderly conditions and use of dry clean-up techniques;
      (2) Receiving, Unloading and Storage Areas and Raw Material Storage Areas - include measures to prevent spills & leaks; easy access for spill clean-up; quick and correct identification of materials; and train employees on clean-up techniques.
      (3) Storage of Equipment - include procedures for proper clean-up and/or covering of equipment before storing outdoors.
      (4) Storage of Metal Working Fluids - measures to identify proper controls.
      (5) Cleaners and Rinse Water - include measures to control spills, build-up and disbursement of sand from sand blasting, and use of less toxic cleaners.
      (6) Lubricating Oils and Hydraulic Fluids - include procedures for using detecting and control devices to reduce, prevent, and contain leaks and overflows.
      (7) Chemical Storage Areas - include a program to inspect containers, and identify proper disposal and spill controls to prevent stormwater contamination.
   d. Inspections: Identification of qualified facility personnel to inspect, at appropriate intervals, designated storage areas for raw metal, finished product, materials and chemicals, recycling, equipment, paint, fueling and maintenance; and loading, unloading, and waste management areas. A set of tracking or follow-up procedures shall be used to ensure that appropriate actions are taken in response to the inspections. Records of inspections shall be maintained on-site for at least three years after the date of the inspection.
   e. Employee Training: Employee training programs to inform personnel responsible for implementing activities identified in the SWP2 plan or otherwise responsible for stormwater management, at all levels of responsibility, of the components and goals of the SWP2 plan. The SWP2 plan shall provide for training existing and new staff.
   f. Record keeping and Internal Reporting Procedures: A log, along with other information, needs to be developed and maintained to document a description of incidents (i.e., spills or other discharges) that may impact the quality and quantity of stormwater discharges. Reporting procedures, inspections and maintenance activities shall be developed and included in the SWP2 plan.
   g. Non-stormwater Discharges - The SWP2 plan must identify all unauthorized, non-stormwater (dry weather) discharges directed to surface or groundwater. KDHE shall be notified of all unauthorized discharge(s) within 5 days, and identify and ensure the implementation of appropriate pollution prevention measures for the dry weather flow component(s) of the discharge. A list of authorized non-stormwater discharges is contained in the *Kansas Water Pollution Control (KWPC) General Permit for Stormwater Runoff from Industrial Activities*2.

2 The *KWPC General Permit for Stormwater Runoff from Industrial Activities* issued November 1, 2011 is available online at: http://www.kdheks.gov/stormwater/download/KDHE_Complete_SW_Ind_GP_Signed_2011-11-01.pdf.

h. Sediment and Erosion Control: Measures to minimize erosion in areas which, due to topography, activities, or other factors, have a high potential for significant soil erosion. At a minimum consider structural, vegetative, and/or stabilization measures to limit erosion. Must include measures to minimize erosion related to the high volume of traffic from heavy equipment for delivery to and from the facility and for equipment operating at the facility on a daily basis such as forklifts, cranes etc.

i. Management of Runoff: Describe existing and/or proposed stormwater management practices (practices other than those which control the generation or source(s) of pollutants) to divert, infiltrate, reuse or otherwise manage stormwater runoff in a manner that reduces pollutants in stormwater discharges from the site. The pollutant sources at the facility identified in Item 2 above, Description of Potential Pollutant Sources, with potential to contribute pollutants to stormwater discharges associated with industrial activity shall be considered when determining reasonable and appropriate measures to implement.

4. Comprehensive Site Compliance Evaluation - Qualified personnel shall conduct site compliance evaluations at least once a year. Such evaluations shall provide for:

   a. Visual inspection of areas contributing to a stormwater discharge associated with industrial activity for evidence of, or the potential for, pollutants entering the drainage system. Evaluation of measures to reduce pollutant loadings to determine whether they are adequate and properly implemented in accordance with the terms of the permit or whether additional control measures are needed. A visual evaluation of equipment needed to implement the plan, such as spill response equipment and containment drums, shall be made to determine it is functioning properly and drums are not corroded.

   b. A report summarizing the scope of the evaluation, personnel making the evaluation, the date(s) of the evaluation, major observations relating to the implementation of the SWP2 plan, and any actions taken shall be made and retained as part of the SWP2 plan.

   c. The report shall include resolution to any incident of non-compliance determined from the comprehensive site evaluation within 90 days.

   If the comprehensive site evaluation does not identify any incidents of non-compliance, the report shall include a statement that the facility is in compliance with the SWP2 plan and the conditions of this permit.

5. Monitoring and Record Keeping Requirements.

   a. Visual Examination of Stormwater Quality: The permittee shall periodically perform and document a visual examination of a stormwater discharge associated with industrial activity from each identified stormwater outfall. Visual examination reports shall be maintained on-site and be made available for KDHE & EPA inspection upon request. Each report shall include the date and time, name of the person performing examination, nature of discharge (runoff or snow melt), visual quality of the discharge (i.e., color, odor, clarity, floating solids, suspended solids, foam, oil sheen, and other indicators of stormwater pollution) and probable sources of any observed contamination.

   b. Records of all stormwater monitoring data3, unless otherwise indicated in this permit, shall be kept on file for three (3) years.

6. The SWP2 plan shall be re-evaluated and modified in a timely manner, but in no case more than 90 days after:

   a. A change in design, construction, operation or maintenance that has a significant effect on the potential for the discharge of pollutants to the waters of the State, or

   b. the permittee's inspections (including the regular comprehensive site compliance evaluation required herein) indicate deficiencies in the SWP2 plan or any BMP; or

   c. a visual inspection of contributing areas or a visual inspection of the stormwater discharges or monitoring of the stormwater discharges indicate the plan appears to be ineffective in eliminating or significantly minimizing pollutants from sources identified in the plan.

   d. Written notification from KDHE or EPA determining the site best management practices are or will not be effective in eliminating or minimizing pollutants in the stormwater discharges.

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3 For sampling methods and procedures please refer to *Industrial Stormwater Monitoring and Sampling Guide*, EPA 832-B-09-003, March 2009 Final Draft available online at: http://cfpub.epa.gov/npdes/stormwater/msgp.cfm#msgp2008_swppp.

STANDARD CONDITIONS FOR
KANSAS WATER POLLUTION CONTROL AND
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMITS

1. Representative Sampling and Discharge Monitoring Report Submittals:

A. Samples and measurements taken as required herein shall be representative of the quality and quantity of the monitored discharge. Test results shall be recorded for the day the samples were taken. If sampling for a parameter was conducted across more than one calendar day, the test results may be recorded for the day sampling was started or ended. All samples shall be taken at the locations designated in this permit, and unless specified, at the outfall/monitoring location(s) before the wastewater joins or is diluted by any other water or substance.

B. Monitoring results shall be recorded and reported on forms acceptable to the Division and submitted no later than the 28th day of the month following the completed reporting period. Signed and certified copies of other reports, required herein, prepared in accordance with KAR 28-16-59, may be faxed to 785.296.0086, e-mailed as scanned attachments to dmr4kdhe@kdheks.gov , or sent by U.S. mail to:

Kansas Department of Health & Environment
Bureau of Water-Technical Services Section
1000 SW Jackson Street, Suite 420
Topeka, KS 66612-1367

2. Definitions:

A. Unless otherwise specifically defined in this permit, the following definitions apply:

1. The "Daily Maximum" is the total discharge by weight or average concentration, measurement taken, or value calculated during a 24-hour period. The parameter, pH, is limited as a range between and including the values shown.

2. The "Weekly Average" is the arithmetic mean of the value of test results from samples collected, measurements taken or values calculated during four monitoring periods in each month consisting of calendar days 1-7, 8-14, 15-21 and 22 through the end of the month.

3. The "Monthly Average", other than for E. coli bacteria, is the arithmetic mean of the value of test results from samples collected, measurements taken or values calculated during a calendar month. The monthly average is determined by the summation of all calculated values or measured test results divided by the number of calculated values or test results reported for that parameter during the calendar month. The monthly average for E. coli bacteria is the geometric average of the value of the test results from samples collected in a calendar month. The geometric average can be calculated by using a scientific calculator to multiply all the E. coli test results together and then taking the nth root of the product where n is the number of test results. Non-detect values shall be reported using the less than symbol (<) and the minimum detection or reportable value. To calculate average values, non-detects shall be defaulted to zero (or one for geometric averages). Greater than values shall be reported using the greater than symbol (>) and the reported value. To calculate average values, the greater than reported value shall be used in the averaging calculation.

B. A "grab sample" is an individual sample collected in less than 15 minutes. A "composite sample" is a combination of individual samples in which the volume of each individual sample is proportional to the flow, or the sample frequency is proportioned to the flow rate over the sample period, or the sample frequency is proportional to time.

C. The terms "Director", "Division", and "Department" refer to the Director, Division of Environment, Kansas Department of Health and Environment, respectively.

D. "Severe property damage" means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of an in-plant diversion. Severe property damage does not mean economic loss caused by delays in production.

E. "Bypass" means the intentional diversion of waste streams from any portion of the treatment facility.

3. Schedule of Compliance: No later than 14 calendar days following each date identified in the "Schedule of Compliance," the permittee shall submit via mail, e-mail or fax per paragraph 1.B above, either a report of progress or, in the case of specific action being required by identified dates, a written notice of compliance or noncompliance. In the latter case, the notice shall include the cause of noncompliance, any remedial actions taken, and the probability of meeting the next scheduled requirements, or, if there are no more scheduled requirements, when such noncompliance will be corrected.

4. Test Procedures: All analyses required by this permit shall conform to the requirements of 40 CFR Part 136, unless otherwise specified, and shall be conducted in a laboratory accredited by the Department. For each measurement or sample, the permittee shall record the exact place, date, and time of measuring/sampling; the date and time of the analyses, the analytical techniques or methods used, minimum detection or reportable level, and the individual(s) who performed the measuring/sampling and analysis and, the results. If the permittee monitors any pollutant at the location(s) designated herein more frequently than required by this permit, using approved procedures, the results shall be included in the Discharge Monitoring Report form required in 1.B. above. Such increased frequencies shall also be indicated.

5. Change in Discharge: All discharges authorized herein shall be consistent with the permit requirements. The discharge of any pollutant not authorized by this permit or of any pollutant identified in this permit more frequently than or at a level in excess of that authorized shall constitute a violation of this permit. Any anticipated facility expansions, production or flow increases, or production or wastewater treatment system modifications which result in a new, different, or increased discharge of pollutants shall be reported to the Division at least one hundred eighty (180) days before such change.

6. Facilities Operation: The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the requirements of this permit and Kansas and Federal law. Proper operation and maintenance also include adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems which are installed by a permittee only when the operation is necessary to achieve compliance with the requirements of this permit. The permittee shall take all necessary steps to minimize or prevent any adverse impact to human health or the environment resulting from noncompliance with any effluent limits specified in this permit, including such accelerated or additional monitoring as necessary to determine the nature and impact of the noncomplying discharge. When necessary to maintain compliance with the permit requirements, the permittee shall halt or reduce those activities under its control which generate wastewater routed to this facility.

7. Incidents:

"Collection System Diversion" means the diversion of wastewater from any portion of the collection system.

"In-Plant Diversion" means routing the wastewater around any treatment unit in the treatment facility through which it would normally flow.

"In-Plant Flow Through" means an incident in which the wastewater continues to be routed through the equipment even though full treatment is not being accomplished because of equipment failure for any reason.

"Spill" means any discharge of wastewater, sludge or other materials from the treatment facility other than effluent or as more specifically described by other "Incidents" terms.

"Upset" means an exceptional incident in which there is unintentional and temporary noncompliance or anticipated noncompliance with permit effluent limits because of factors beyond the reasonable control of the permittee, as described by 40 C.F.R. 122.41(n).

8. Diversions not Exceeding Limits: The permittee may allow any diversion to occur which does not cause effluent limits to be exceeded, but only if it also is for essential maintenance to assure efficient operation. Such diversions are not subject to the Incident Reporting requirements shown below.

9. Prohibition of an In-Plant Diversion: Any in-plant diversion from facilities necessary to maintain compliance with this permit is prohibited, except: (a) where the in-plant diversion was unavoidable to prevent loss of life, personal injury, or severe property damage; (b) where there were no feasible alternatives to the in-plant diversion, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime and (c) the permittee submitted a notice as required in the Incident Reporting paragraph below. The Director may approve an anticipated in-plant diversion, after considering its adverse effects, if the Director determines that it will meet the three conditions listed above.

10. Incident Reporting: The permittee shall report any unanticipated collection system diversion, in-plant diversion, in-plant flow through occurrences, spill, upset or any violation of a permitted daily maximum limit within 24 hours from the time the permittee became aware of the incident. A written submission shall be provided within 5 days of the time the permittee became aware of the incident. The written submission shall contain a description of the noncompliance and its cause, the period of noncompliance, including exact dates and times; and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance. An Incident Report form is available at www.kdheks.gov/water/tech.html.

    For an anticipated incident or any planned changes or activities in the permitted facility that may result in noncompliance with the permit requirements, the permittee shall submit written notice, if possible, at least ten days before the date of the event.

    For other noncompliance, the above information shall be provided with the next Discharge Monitoring Report.

11. Removed Substances: Solids, sludges, filter backwash, or other pollutants removed in the course of treatment of water shall be utilized or disposed of in a manner acceptable to the Division.

12. Power Failures: The permittee shall provide an alternative power source sufficient to operate the wastewater control facilities or otherwise control pollution and all discharges upon the loss of the primary source of power to the wastewater control facilities.

13. Right of Entry: The permittee shall allow authorized representatives of the Division of Environment or the Environmental Protection Agency upon the presentation of credentials, to enter upon the permittee's premises where an effluent source is located, or in which are located any records required by this permit, and at reasonable times, to have access to and copy any records required by this permit, to inspect any facilities, monitoring equipment or monitoring method required in this permit, and to sample any influents to, discharges from or materials in the wastewater facilities.

14. Transfer of Ownership: The permittee shall notify the succeeding owner or controlling person of the existence of this permit by certified letter, a copy of which shall be forwarded to the Division. The succeeding owner shall secure a new permit. This permit is not transferable to any person except after notice and approval by the Director. The Director may require modification or revocation and reissuance of the permit to change the name of the permittee and incorporate such other requirements as may be necessary.

15. Records Retention: Unless otherwise specified, all records and information resulting from the monitoring activities required by this permit, including all records of analyses and calibration and maintenance of instruments and recordings from continuous monitoring instruments, shall be retained for a minimum of 3 years, or longer if requested by the Division. Biosolids/sludge records and information are required to be kept for a minimum of 5 years , or longer if requested by the Division. Groundwater monitoring data, including background samples results, shall be kept for the life of the facility regardless of ownership.

16. Availability of Records: Except for data determined to be confidential under 33 USC Section 1318, all reports prepared in accordance with the terms of this permit shall be available for public inspection at the offices of the Department. Effluent data shall not be considered confidential. Knowingly making any false statement on any such report or tampering with equipment to falsify data may result in the imposition of criminal penalties as provided for in 33 USC Section 1319 and KSA 65-170c.

17. Permit Modifications and Terminations: As provided by KAR 28-16-62, after notice and opportunity for a hearing, this permit may be modified, suspended or revoked or terminated in whole or in part during its term for cause as provided, but not limited to those set forth in KAR 28-16-62 and KAR 28-16-28b through g. The permittee shall furnish to the Director, within a reasonable amount of time, any information which the Director may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit or to determine compliance with this permit. The permittee shall also furnish upon request, copies of all records required to be kept by this permit. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition.

18. Toxic Pollutants: Notwithstanding paragraph 17 above, if a toxic effluent standard or prohibition (including any schedule of compliance specified at such effluent standards) is established under 33 USC Section 1317(a) for a toxic pollutant which is present in the discharge and such standard or prohibition is more stringent than any limitation for such pollutant in this permit, this permit shall be revised or modified in accordance with the toxic effluent standard or prohibition. Nothing in this permit relieves the permittee from complying with federal toxic effluent standards as promulgated pursuant to 33 USC Section 1317.

19. Administrative, Civil and Criminal Liability: The permittee shall comply with all requirements of this permit. Except as authorized in paragraph 9 above, nothing in this permit shall be construed to relieve the permittee from administrative, civil or criminal penalties for noncompliance as provided for in KSA 65-161 et seq., and 33 USC Section 1319.

20. Oil and Hazardous Substance Liability: Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities or penalties to which the permittee is or may be subject to under 33 USC Section 1321 or KSA 65-164 et seq. A municipal permittee shall promptly notify the Division by telephone upon discovering crude oil or any petroleum derivative in its sewer system or wastewater treatment facilities.

21. Industrial Users: A municipal permittee shall require any industrial user of the treatment works to comply with 33 USC Section 1317, 1318 and any industrial user of storm sewers to comply with 33 USC Section 1308.

22. Property Rights: The issuance of this permit does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights nor any infringements of or violation of federal, state or local laws or regulations.

23. Operator Certification: The permittee shall, if required, ensure the wastewater facilities are under the supervision of an operator certified by the Department. If the permittee does not have a certified operator or loses its certified operator, appropriate steps shall be taken to obtain a certified operator as required by KAR 28-16-30 et seq.

24. Severability: The provisions of this permit are severable. If any provision of this permit or any circumstance is held invalid, the application of such provision to other circumstances and the remainder of the permit shall not be affected thereby.

25. Removal from Service: The permittee shall inform the Division at least three months before a pumping station, treatment unit, or any other part of the treatment facility permitted by this permit is to be removed from service and shall make arrangements acceptable to the Division to decommission the facility or part of the facility being removed from service such that the public health and waters of the state are protected.

26. Duty to Reapply: A permit holder wishing to continue any activity regulated by this permit after the expiration date, must apply for a new permit at least 180 days prior to expiration of the permit.