



Kansas Register

Chris Biggs, Secretary of State

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State of Kansas

Legislature

Interim Committee Schedule

The following committee meetings have been scheduled during the period of November 30-December 9. Requests for accommodation to participate in committee meetings should be made at least two working days in advance of the meeting by contacting Legislative Administrative Services at (785) 296-2391 or TTY (785) 296-8430. The 2010 interim committee memberships and committee agendas can be found at <http://skyways.lib.ks.us/ksleg/KLRD/Committees.htm>.

Date	Room	Time	Committee	Agenda
Nov. 30	546-S	TBA	Special Committee on Legislative Streamlining	Agenda not available.
Dec. 1	548-S	10:00 a.m.	Legislative Budget Committee	Review of consensus revenue, consensus caseloads, and consensus school finance.
Dec. 2	548-S	10:00 a.m.	Joint Committee on Pensions, Investments, and Benefits	a.m. — Review other states' recent pension law changes and litigation over changing benefits. p.m. — Review working after retirement; discuss possible pension legislation for introduction.
Dec. 3	144-S	TBA	2010 Commission	Final report development.
Dec. 7	546-S	TBA	Joint Committee on Children's Issues	Agenda not available.
Dec. 8	546-S	TBA	Joint Committee on Health Policy Oversight	Agenda not available.
Dec. 8	548-S	10:00 a.m.	Legislative Post Audit	Agenda not available.
Dec. 9	548-S	9:00 a.m.		
Dec. 9	546-S	TBA		

Jeffrey M. Russell
Director of Legislative
Administrative Services

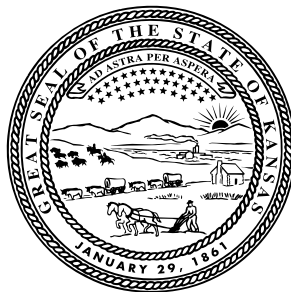
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during the public comment period provided for in this notice, unless the petitioner demonstrates that it was impracticable to raise such objections within such period, or unless the grounds for such objection arose after such period. Contact Patricia Scott, U.S. EPA, Region VII, Air Permitting and Compliance Branch, 901 N. 5th St., Kansas City, KS 66101, (913) 551-7312, to determine when the 45-day EPA review period ends and the 60-day petition period commences.

John W. Mitchell
Acting Secretary of Health
and Environment

Doc. No. 038930

State of Kansas

**Department of Health
and Environment**

**Notice Concerning Kansas/Federal Water
Pollution Control Permits and Applications**

In accordance with Kansas Administrative Regulations 28-16-57 through 63, 28-18-1 through 15, 28-18a-1 through 32, 28-16-150 through 154, 28-46-7, and the authority vested with the state by the administrator of the U.S. Environmental Protection Agency, various draft water pollution control documents (permits, notices to revoke and reissue, notices to terminate) have been prepared and/or permit applications have been received for discharges to waters of the United States and the state of Kansas for the class of discharges described below.

The proposed actions concerning the draft documents are based on staff review, applying the appropriate standards, regulations and effluent limitations of the state of Kansas and the Environmental Protection Agency. The final action will result in a Federal National Pollutant Discharge Elimination System Authorization and/or a Kansas Water Pollution Control permit being issued, subject to certain conditions, revocation and reissuance of the designated permit or termination of the designated permit.

**Public Notice No. KS-AG-10-205
Application(s) for New or Expansion of
Existing Swine Facilities**

Name and Address of Applicant	Owner of Property Where Facility Will Be Located
Tyler Rose 870 29th Road Mahaska, KS 66955	Tyler Rose 28th Road & Gypsum Road Mahaska, KS 66955
Legal Description	Receiving Water
SW/4 of Section 08, T01S, R02E, Washington County Kansas Permit No. A-BBWS-S058	Big Blue River Basin

This is an application for a new permit for a new proposed enclosed swine facility with an enclosed concrete waste pit below the building and a maximum capacity of 1,500 head (600 animal units) of swine weighing more than 55 pounds. A new or modified permit will not be issued without additional public notice.

**Public Notice No. KS-AG-10-206/209
Pending Permits for Confined Feeding Facilities**

Name and Address of Applicant	Legal Description	Receiving Water
West Side Pork LLC - Twin Lakes Pork LLC Roy Graham 2150 Road 220 Deerfield, KS 67838	S/2 of Section 20, T23S, R36W, Kearny County	Upper Arkansas River Basin

Kansas Permit No. A-UAKE-H002 Federal Permit No. KS0094960
This permit is being reissued to an existing facility with a maximum capacity of 43,200 head (17,280 animal units) of swine weighing more than 55 pounds. There is no change in the permitted animal units from the previous permit. An approved nutrient management plan for the facility is on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
Huff & Puff Pork, LLC Site #2 Roy Graham 2150 Road 220 Deerfield, KS 67838	NW/4 of Section 21, T23S, R35W, Kearny County	Upper Arkansas River Basin

Kansas Permit No. A-UAKE-H003 Federal Permit No. KS0095087
This permit is being reissued to an existing facility with a maximum capacity of 16,200 head (6,480 animal units) of swine weighing more than 55 pounds. There is no change in the permitted animal units from the previous permit. An approved nutrient management plan for the facility is on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
Jeanette Tammen 3286 Avenue X Timken, KS 67575	NE/4 of Section 35, T19S, R17W, Rush County	Upper Arkansas River Basin

Kansas Permit No. A-UARH-B008
This permit is being reissued for an existing facility with a maximum capacity of 400 head (400 animal units) of beef cattle more than 700 pounds. There is no change in the permitted animal units from the previous permit.

Name and Address of Applicant	Legal Description	Receiving Water
Michael & Regina Rencin 2645 14th Road Barnes, KS 66933	SW/4 of Section 20, T03S, R05E, Washington County	Big Blue River Basin

Kansas Permit No. A-BBWS-S041
This permit is being reissued for an existing facility with a maximum capacity of 2,000 head (800 animal units) of swine more than 55 pounds and 1,950 head (195 animal units) of swine 55 pounds or less, for a total of 995 animal units. There is no change in the permitted animal units from the previous permit.

Public Notice No. KS-Q-10-143/153

The requirements of the draft permits public noticed below are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria:

Name and Address of Applicant	Receiving Stream	Type of Discharge
Ellsworth Co. RWD 1 - Post Rock 103 N. Douglas Ellsworth, KS 67439	Smoky Hill River via Unnamed Tributaries	Process Water

Kansas Permit No. I-SH53-PO01 Federal Permit No. KS0099287
Legal Description: NW¼, NW¼, NW¼, S11, T17S, R6W, Ellsworth County
Facility Name: Post Rock RWD Public Water Supply
Facility Address: 2015 Hwy. 141, Marquette, KS 67464

Facility Description: The proposed action consists of reissuance of an existing new Kansas/NPDES Water Pollution Control permit for the discharge of wastewater from an existing water treatment plant. Sludge from the primary clarifier basins, filtertowaste and filter backwash water are routed to a single-cell lagoon system. The proposed permit contains limits for total suspended solids and pH, as well as monitoring for total residual chlorine. Contained in the permit is a schedule of compliance requiring the permittee to operate or upgrade the facility as necessary to consistently meet permit limits within nine months of the issuance of the permit.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Garden City, City of P.O. Box 499 Garden City, KS 67846	Arkansas River	Treated Domestic Wastewater
Kansas Permit No. M-UA14-0001		Federal Permit No. KS0038962
Legal Description: SE¼, S21, T24S, R32W, Finney County		

Facility Description: The proposed action consists of reissuance of an existing Kansas/NPDES Water Pollution Control permit for an existing facility. This facility is a mechanical treatment plant consisting of a mechanical screen, an aerated grit removal chamber, CMAS basins, final clarifiers, aerobic sludge digesters, sludge holding tank, a belt filter press, gravity belt thickener and UV disinfection. The proposed permit contains limits for biochemical oxygen demand, total suspended solids, ammonia, E. coli, whole effluent toxicity and pH, as well as monitoring for total phosphorus, nitrate + nitrite, total Kjeldahl nitrogen, total nitrogen, chlorides, sulfates, total recoverable boron and selenium, priority pollutants and effluent flow. Contained in the permit is a schedule of compliance requiring the permittee to conduct a study to determine the causes that phosphorus removal goals have not been consistently met, and to correct any operations or modify the plant as needed to meet these goals.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Gardner, City of 120 E. Main St. Gardner, KS 66083	Little Bull Creek Branch of Hillsdale Lake via Unnamed Tributary	Process Water
Kansas Permit No. I-MC60-PO02		Federal Permit No. KS0099295
Legal Description: SW¼, S30, T15S, R23E, Miami County		
Facility Name: Gardner Water Treatment Plant		

Facility Description: The proposed action consists of issuance of a new Kansas/NPDES Water Pollution Control permit for the discharge of wastewater from an existing water treatment plant. This is a 4.0 MGD water treatment plant treating water from Hillsdale Lake. The settleable solids from the carbon contact basin and clarifiers and filter backwash/filtertowaste water are pumped to the two sludge basins. The proposed permit contains limits for total suspended solids and pH, as well as monitoring for total residual chlorine. Contained in the permit is a schedule of compliance requiring the permittee to obtain the services of a laboratory or become KDHE-field certified to field-test for total residual chlorine and pH.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Independence, City of 120 N. 6th St. Independence, KS 67301	Verdigris River	Treated Domestic Wastewater
Kansas Permit No. M-VE23-0002		Federal Permit No. KS0095486
Legal Description: SW¼, S29, T32S, R16E, Montgomery County		

Facility Description: The proposed action consists of reissuance of an existing Kansas/NPDES Water Pollution Control permit for an existing facility. The facility is a mechanical treatment plant consisting of an activated sludge process with two basins with internal clarifiers utilizing the Modified Luttzid-Ettinger biological nutrient removal process, and UV disinfection of the effluent. The proposed permit contains limits for biochemical oxygen demand, total suspended solids, ammonia, E. coli, whole effluent toxicity and pH, as well as monitoring of total phosphorus, nitrate + nitrite, total Kjeldahl nitrogen, total nitrogen, priority pollutants and effluent flow.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Unified Government of Wyandotte County/ Kansas City 701 N. 7th St., 7th Floor Kansas City, KS 66101	Missouri River and Kansas River	Treated Domestic Wastewater
Kansas Permit No. M-MO25-IO01		Federal Permit No. KS0038563

Legal Description: NW¼, S11, T11S, R25E, Wyandotte County
Facility Name: Municipal Wastewater Treatment Plant No. 1 (Kaw Point)
Facility Location: 50 Market St., Kansas City, KS 66118

Facility Description: The proposed action consists of reissuance of an existing Kansas/NPDES Water Pollution Control permit for an existing facility. The facility is a mechanical treatment plant consisting of grit removal, primary clarification, pure oxygen CMAS secondary treatment and final clarification. Sludge is dewatered on a belt filter press and either incinerated or hauled to a solid waste landfill. There are 48 Combined Sewer Overflow Outfalls (CSOs) in the collection system. The facility receives domestic wastewater from residential and commercial areas and industrial wastewater from local manufacturers. The proposed permit contains limits for biochemical oxygen demand, total suspended solids, E. coli, total residual chlorine and pH, as well as monitoring of ammonia, hexavalent chromium, mercury, phenolic compounds, oil and grease, surfactants, total phosphorus, nitrate + nitrite, total Kjeldahl nitrogen, total nitrogen, total recoverable arsenic, cadmium, chromium, copper, lead, nickel, silver and zinc, duration of discharge, rainfall and flow. The permittee will be required to conduct a whole effluent toxicity test quarterly, and perform a priority pollutant scan once during the term of this permit. Contained in the permit is a schedule of compliance requiring the permittee to add disinfection treatment by December 31, 2013.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Lecompton, City of P.O. Box 100 Lecompton, KS 66050	Kansas River via Overland Flow	Process Water
Kansas Permit No. I-KS33-PO01		Federal Permit No. KS0099473
Legal Description: NW¼, SW¼, S35, T11S, R18E, Douglas County		
Facility Name: Lecompton Water Treatment Plant		

Facility Description: The proposed action consists of issuance of a new Kansas/NPDES Water Pollution Control permit for an existing water treatment plant. The system contains an ion exchange system and an iron/manganese filter. Wastewater from the ion exchange system is routed to the municipal wastewater treatment system and is permitted under that permit. Wastewater from the iron/manganese filter is discharged to a claylined single-cell lagoon that discharges to a roadside ditch, through an open field and then to the Kansas River. Because of the small discharge volume, overland flow and large relative flow of the Kansas River, there is no reasonable potential for this discharge to cause or contribute to any impairment in the Kansas River. Therefore, no testing is required.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Public Wholesale WSD 13 P.O. Box C Mound City, KS 66056	Big Sugar Creek via Little Sugar Creek via Unnamed Tributary	Process Water
Kansas Permit No. I-MC26-PO06		Federal Permit No. KS0099236
Legal Description: NW¼, NW¼, SW¼, S9, T22S, R23E, Linn County		

Facility Description: The proposed action consists of reissuance of an existing Kansas/NPDES Water Pollution Control permit for the discharge of wastewater from an existing water treatment plant. Sludge from the clarifier basins, and miscellaneous floor drains and contact basin blowdowns, filter-to-waste and filter backwash water are routed to a two single-cell lagoon system (one in operation, one being prepared for desludging). The proposed permit contains limits for total suspended solids and pH, as well as monitoring for total residual chlorine.

(continued)

Name and Address of Applicant	Receiving Stream	Type of Discharge
Topeka, City of 3245 Waterworks Drive Topeka, KS 66606	Kansas River	Process Water
Kansas Permit No. I-KS72-PO16	Federal Permit No. KS0087262	
Legal Description: NE¼, S26, T11S, R15E, Shawnee County		
Facility Name: Topeka Water Treatment Facility		

Facility Description: The proposed action consists of reissuance of an existing Kansas/NPDES Water Pollution Control permit for an existing water treatment plant. Wastewater and residuals generated from the treatment processes consist of presedimentation basins underflows, lime treatment sedimentation basins discharges and filter backwash water. The lime slurry from the sedimentation basins is collected, gravity thickened, mechanically dewatered, and transported for disposal/reuse. The wastewater from the lime slurry dewatering process is routed back to the head of the plant. The filter backwash water is dechlorinated, monitored at internal monitoring location 001B and discharged along the west plant presedimentation basin underflow via Outfall 001A. Presedimentation underflow from the East Plant is discharged through Outfall 002A. The proposed permit contains limits for total residual chlorine and monitoring of pH.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Winfield, City of P.O. Box 646 Winfield, KS 67156	Walnut River via Timber Creek via Unnamed Tributary	Process Water
Kansas Permit No. I-WA17-PO03	Federal Permit No. KS0097071	
Legal Description: SW¼, SW¼, NW¼, S14, T32S, R4E, Cowley County		
Facility Name: Winfield Water Treatment Plant		

Facility Description: The proposed action consists of reissuance of an existing Kansas/NPDES Water Pollution Control permit for an existing water treatment plant. Wastewater from the sedimentation basins and filter backwash water is discharged to an existing two-cell wastewater treatment lagoon system (total of 1.1 surface acres). The proposed permit contains limits for total suspended solids and pH, as well as monitoring for total residual chlorine.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Moundridge, City of P.O. Box 636 Moundridge, KS 67107	Little Arkansas River via Black Kettle Creek	Treated Domestic Wastewater
Kansas Permit No. M-LA12-OO01	Federal Permit No. KS0021008	
Legal Description: NE¼, S35, T21S, R2W, McPherson County		

Facility Description: The proposed action is to modify an existing Kansas/NPDES Water Pollution Control permit for an existing wastewater treatment facility. The proposed modification changes monitoring and reporting requirements from quarterly to monthly for all parameters and updated the standard conditions. There are no other changes to the existing permit.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Willowbrook, City of P.O. Box 1067 Hutchinson, KS 67504	Cow Creek	Treated Domestic Wastewater
Kansas Permit No. M-AR95-OO02	Federal Permit No. KS0093050	
Legal Description: W½, NW¼, NE¼, S33, T22S, R6W, Reno County		

Facility Description: The proposed action is to modify an existing Kansas/NPDES Water Pollution Control permit for an existing wastewater treatment facility. The proposed modification changes monitoring and reporting requirements from quarterly to monthly for all parameters and updated the standard conditions. There are no other changes to the existing permit.

Public Notice No. KS-NQ-10-013

The requirements of the draft permit public noticed below are pursuant to the Kansas Surface Water Quality

Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria:

Name and Address of Applicant	Legal Location	Type of Discharge
Abengoa Energy Hybrid of Kansas 16150 Main Circle Drive Suite 300 Chesterfield, MO 63107	S18, T33S, R37W, Stevens County	Nonoverflowing
Kansas Permit No. I-CI07-NO03	Federal Tracking No. KSJ000647	
Facility Name: Agengoa Bioenergy Hybrid of Kansas, Hugoton, KS 67951		
Facility Location: NE Intersection of U.S. Hwy. 56 and Road 10, Stevens County		

Facility Description: This action consists of issuing a new Kansas Water Pollution Control Permit for a new wastewater treatment facility. The facility consists of operations of two processes: a biomass to ethanol (cellulosic ethanol) and a biomass to energy steam electric co-generating power plant. The wastewater generated at the facility will be stored in two retention basins for land application. The permittee will be required to submit land application and soil monitoring reports annually.

Persons wishing to comment on the draft documents and/or permit applications must submit their comments in writing to the Kansas Department of Health and Environment if they wish to have the comments considered in the decision-making process. Comments should be submitted to the attention of the Livestock Waste Management Section for agricultural-related draft documents or applications, or to the Technical Services Section for all other permits, at the Kansas Department of Health and Environment, Division of Environment, Bureau of Water, 1000 S.W. Jackson, Suite 420, Topeka, 66612-1367.

All comments regarding the draft documents or application notices received on or before December 25 will be considered in the formulation of the final determinations regarding this public notice. Please refer to the appropriate Kansas document number (KS-AG-10-205/209, KS-Q-10-143/153, KS-NQ-10-013) and name of the applicant/permittee when preparing comments.

After review of any comments received during the public notice period, the Secretary of Health and Environment will issue a determination regarding final agency action on each draft document/application. If response to any draft document/application indicates significant public interest, a public hearing may be held in conformance with K.A.R. 28-16-61 (28-46-21 for UIC).

All draft documents/applications and the supporting information including any comments received are on file and may be inspected at the offices of the Kansas Department of Health and Environment, Bureau of Water. These documents are available upon request at the copying cost assessed by KDHE. Application information and components of plans and specifications for all new and expanding swine facilities are available on the Internet at <http://www.kdheks.gov/feedlots>. Division of Environment offices are open from 8 a.m. to 5 p.m. Monday through Friday, excluding holidays.

John W. Mitchell
Acting Secretary of Health
and Environment

Doc. No. 038938

Kansas Permit No.: M-MO25-IO01

Federal Permit No.: KS0038563

KANSAS WATER POLLUTION CONTROL PERMIT AND
AUTHORIZATION TO DISCHARGE UNDER
THE NATIONAL POLLUTANT DISCHARGE
ELIMINATION SYSTEM

Pursuant to the Provisions of Kansas Statutes Annotated 65-164 and 65-165, the Federal Water Pollution Control Act as amended, (33 U.S.C. 1251 et seq.; the "Act"),

Owner: Unified Government of Wyandotte County/Kansas
City, Kansas

Owner's Address: Water Pollution Control
7th Floor
701 North 7th Street
Kansas City, Kansas 66101

DRAFT

Facility Name: Municipal Wastewater Treatment Plant No. 1
(Kaw Point)

Facility Location: 50 Market Street
Kansas City, KS 66118
NW¼, Section 11, Township 11S, Range 25E
Wyandotte County, Kansas

Receiving Stream & Basin: Outfall 001X1 - Missouri River
Missouri River Basin
Outfall 002A1 - Kansas River
Kansas River Basin

is authorized to discharge from the wastewater treatment facility described herein, in accordance with effluent limits and monitoring requirements as set forth herein.

This permit is effective _____, supercedes the previous issued water pollution control permit M-MO25-IO01 and expires _____.

FACILITY DESCRIPTION:

- | | |
|--|---|
| 1. Bar Screens | 9. Final Clarifiers (4) |
| 2. Aerated Grit Chambers | 10. Average Design Flow = 28 MGD |
| 3. Primary Sedimentation Basins(4) | 11. Peak Biological Organic Load = 42
MGD @ 300 mg/l BOD |
| 4. Pure Oxygen CMAS Secondary
Treatment Basins(4) | 12. Peak Biological Hydraulic Flow = 48
MGD |
| 5. Sludge Storage Tanks | 13. Peak Plant Hydraulic Capacity = 56
MGD |
| 6. Sludge Belt Filter Press | 14. Collection System CSO Outfalls |
| 7. Sludge Incinerator | |
| 8. Fly Ash Settling Basins (2) | |

Secretary, Kansas Department of Health and Environment

Date

FACILITY DESCRIPTION: (continued)

The Unified Government of Wyandotte County/Kansas City, Kansas owns and operates the Kaw Point Wastewater Treatment Facility (WWTP #1) which receives flow from a combined storm/sanitary sewer collection system. Outfalls and monitoring locations include the following:

Monitoring Location 001BG (Plant Influent) - Sample point is located immediately upstream of the bar screens in the primary complex building. The 001BG line conveys influent flow into the treatment plant. All wastewater which flows into the Kaw Point wastewater treatment plant flows through this line.

Monitoring Location 001B1 (Secondary Activated Sludge Treatment [Biological] Units Discharge) - Sample point is at the monitoring building located approximately 60 feet northwest of the northwest final clarifier. This line conveys the discharge from the secondary activated sludge treatment units to the combined outfall line 001X1.

The 001B1 line extends from the final clarifier complex to the plant effluent gate well structure. The plant effluent gate well structure can receive flow from both the 001B1 line and the 001C1 line. This combined flow then discharges through the 001X1 outfall line to the Missouri River.

Outfall 002A1 (Emergency Outfall to KS/MO River Confluence aka New Outfall) - Effluent sample point is the same as monitoring location 001B1. The 002A1 outfall line can discharge secondary treated effluent to the point of confluence of the Kansas River (south bank) with the Missouri River (west bank).

The 002A1 outfall is located at the northwest corner of the wastewater treatment plant site. The line begins at the plant effluent gate well structure located on the 001B1 line and extends to the outfall structure at the Kansas River. This outfall line receives flow from the secondary treatment plant final clarifiers. The 002A1 outfall is only utilized as an emergency outfall typically when repairs or maintenance needs to be completed on the downstream portion of the 001B1 line or the 001X1 outfall line. It is possible for effluent to discharge entirely or partially through the 002A1 outfall. In the event discharge of effluent through the 002A1 outfall occurs, the permittee shall report discharge on each day the 002A1 outfall discharges and shall monitor the effluent for the parameters and at the frequency as listed under the 001B1 monitoring location. The limits listed under the monitoring location 001B1 apply to any discharges from the 002A1 outfall.

Monitoring Location 001C1 (Biological Units Diversion Line) - The 001C1 line diverts excess raw wastewater flow from the primary clarifier discharge to Outfall 001X1. This line is part of the permittee's Nine Minimum Controls Plan to maximize CSO flow to the plant and provide primary settling if the raw wastewater can not be routed through the biological units because of solids wash out.

The 001C1 diversion line conveys flow from the #6 gate well structure located east of primary clarifier #3 to the plant effluent gate well structure. The plant design is for the 001C1 line to convey flow when wastewater flow into the treatment plant exceeds 48 million gallons per day (MGD). All flows entering the Kaw Point Wastewater Treatment facility receive preliminary treatment consisting of screening/grit removal and primary clarification. Flows up to 48 MGD will continue from the primary clarifiers to the four-train biological activated sludge treatment process. Only wet weather flows from the primary clarifiers in excess of 48 MGD (with four trains on line at 12 mgd each) will be diverted through line 001C1 and subsequently be discharged at outfall 001X1.

Outfall 001X1 (Combined Discharge from 001B1 and 001C1 to Missouri River / Plant Effluent aka Old Outfall) - Sample point is located at the Plant Effluent Gate Well Structure which is approximately 60 feet northeast of the northeast corner of the Final Solids Building. The 001X1 outfall line conveys the combined flow from the 001C1 line, if any, and the 001B1 line.

Outfall line 001X1 begins at the plant effluent gate well structure. This structure is the point where the 001C1 line meets the 001B1 line. Outfall 001X1 discharges to the Missouri River about 50 ft upstream of the Kansas/Missouri state line.

FACILITY DESCRIPTION: (continued)

Monitoring Location 001D1 (Plant Area Rain Gage) - The rainfall gage is located at the Kaw Point Wastewater Treatment Plant and is used as a general indicator to determine how rainfall events affect plant influent and 001C1 flows.

CSO Outfalls - The combined sewer overflow (CSO) outfalls discharge combined stormwater/sanitary sewage during wet weather events.

A. EFFLUENT LIMITS AND MONITORING REQUIREMENTS

The permittee is authorized to discharge from outfall(s) with serial number(s) as specified in this permit. The effluent limits shall become effective on the dates specified herein. Such discharges shall be controlled, limited, and monitored by the permittee as specified. There shall be no discharge of floating solids or visible foam in other than trace amounts. Permittee shall use antifoaming agents or other means to control effluent foaming and prevent foam extending more than 100 yards beyond the effluent discharge point.

Monitoring reports shall be submitted on or before the 28th day of the following month. In the event no discharge occurs, written notification is still required.

Effective Date	<u>EFFLUENT LIMITS</u>		<u>MONITORING REQUIREMENTS</u>	
	<u>Interim Limits</u> Upon Issuance	<u>Final Limits</u> Per Schedule of Compliance	C1 Measurement Frequency	Sample Type
<u>Monitoring Location 001BG (EDMR code: INF001BG) - Plant Influent</u>				
<u>Influent flow to the treatment plant. Sample point is located immediately upstream of the bar screens in the primary complex building.</u>				
Biochemical Oxygen Demand(5-Day) - mg/l*	Monitor	Monitor	Weekly	24-Hour Composite
Total Suspended Solids - mg/l	Monitor	Monitor	Weekly	24-Hour Composite
Flow - Peak Instantaneous - MGD	Monitor	Monitor	Daily	Meter Reading
Flow - MGD	Monitor	Monitor	Daily	Meter Reading
Ammonia (as N) - mg/l	Monitor	Monitor	Weekly	24-Hour Composite
Total Kjeldahl Nitrogen (as N) - mg/l	Monitor	Monitor	Weekly	24-Hour Composite
Total Phosphorus (as P) -mg/l	Monitor	Monitor	Weekly	24-Hour Composite

A. EFFLUENT LIMITS AND MONITORING REQUIREMENTS (continued)

Effective Date	EFFLUENT LIMITS		MONITORING REQUIREMENTS		
	Interim Limits Upon Issuance	Final Limits Per Schedule of Compliance	Cl	Measurement Frequency	Sample Type
<u>Monitoring Location 001B1 (EDMR code: EFF001B1) - Biological Treatment Units Discharge</u> <u>Sample point is at the monitoring building located approximately 60 feet northwest of the northwest final clarifier.</u>					
Biochemical Oxygen Demand (5-Day) **				Weekly	24-Hour Composite
Weekly Average-mg/l	45	45			
Monthly Average-mg/l	30	30			
Total Suspended Solids **				Weekly	24-Hour Composite
Weekly Average-mg/l	45	45			
Monthly Average-mg/l	30	30			
pH - Standard Units	6.0-9.0	6.0-9.0		Weekly	Grab
Ammonia (as N)-mg/l	Monitor	Monitor		Weekly	24-Hour Composite
E. coli - colonies/100 ml				Weekly	Grab
April - October					
Monthly Geometric Average	Monitor	262			
Jan.-Mar. and Nov.-Dec.					
Monthly Geometric Average	Monitor	2358			
Total Residual Chlorine-µg/l ***				Daily	Grab
March - October					
Daily Maximum	----	265			
November - February					
Daily Maximum	----	177			
Total Recoverable Arsenic-µg/l****	Monitor	Monitor		Weekly	24-Hour Composite
Total Recoverable Cadmium-µg/l****	Monitor	Monitor		Weekly	24-Hour Composite
Hexavalent Chromium-µg/l****	Monitor	Monitor		Weekly	Grab
Total Recoverable Chromium-µg/l****	Monitor	Monitor		Weekly	24-Hour Composite
Total Recoverable Copper-µg/l****	Monitor	Monitor		Weekly	24-Hour Composite
Total Recoverable Lead-µg/l****	Monitor	Monitor		Weekly	24-Hour Composite
Mercury-µg/l****	Monitor	Monitor		Weekly	24-Hour Composite
Total Recoverable Nickel-µg/l****	Monitor	Monitor		Weekly	24-Hour Composite

A. EFFLUENT LIMITS AND MONITORING REQUIREMENTS (continued)

Effective Date	EFFLUENT LIMITS		MONITORING REQUIREMENTS	
	<u>Interim Limits</u> Upon Issuance	<u>Final Limits</u> Per Schedule of Compliance	C1	
<u>Parameter</u>			Measurement Frequency	Sample Type
<u>Monitoring Location 001B1 (EDMR code: EFF001B1) - Biological Treatment Units</u>				
<u>Discharge (continued)</u>				
Total Recoverable Silver- $\mu\text{g}/\text{l}^{****}$	Monitor	Monitor	Weekly	24-Hour Composite
Total Recoverable Zinc- $\mu\text{g}/\text{l}^{****}$	Monitor	Monitor	Weekly	24-Hour Composite
Phenolic Compounds-mg/l	Monitor	Monitor	Weekly	Grab
Oil and Grease-mg/l	Monitor	Monitor	Weekly	Grab
Surfactants (MBAS) -mg/l	Monitor	Monitor	Weekly	24-Hour Composite
Total Phosphorus (as P) -mg/l	Monitor	Monitor	Weekly	24-Hour Composite
Total Phosphorus (as P) - lbs/day	Calculate	Calculate	Weekly	Calculation
Nitrate (NO_3) + Nitrite (NO_2) as N-mg/l	Monitor+	Monitor+	Weekly	24-Hour Composite
Total Kjeldahl Nitrogen (as N) -mg/l	Monitor+	Monitor+	Weekly	24-Hour Composite
Total Nitrogen (as N) -mg/l (TKN + NO_3 + NO_2)	Calculate+	Calculate+	Weekly	Calculation
Total Nitrogen (as N) -lbs/day (TKN + NO_3 + NO_2)	Calculate	Calculate	Weekly	Calculation
Whole Effluent Toxicity - Acute	See Supplemental Conditions		F.1	24-Hr. Composite
March - October	$\geq 24\%$	$\geq 24\%$	Quarterly	
November - February	$\geq 36\%$	$\geq 36\%$	Quarterly	
Priority Pollutant Scan	- See Supplemental Conditions F.2.			
Flow (Average Daily) - MGD	Monitor	Monitor	Daily	Meter

A. EFFLUENT LIMITS AND MONITORING REQUIREMENTS (continued)

Effective Date	<u>EFFLUENT LIMITS</u>		<u>MONITORING REQUIREMENTS</u>	
	<u>Interim Limits</u>	<u>Final Limits</u>	Measurement Frequency	Sample Type
	Upon Issuance	Per Schedule of Compliance		

Outfall 002A1 (EDMR code: EMER002A1) - Emergency Outfall to Kansas/Missouri River Confluence
 (Effluent sample point is the same as monitoring location 001B1.)

Flow (Record daily the calendar days on which discharge of effluent through the 002A1 outfall occurs / 1 = flow occurred and 0 (zero) = flow did not occur for the day.)

Note: In the event that effluent is routed through the 002A1 outfall, monitoring of the effluent to the 002A1 outfall must be at the frequency and include all the parameters as listed under the 001B1 monitoring requirements. The limits for monitoring location 001B1 apply to outfall 002A1. Test results are to be reported under Monitoring Location 001B1.

Monitoring Location 001C1 (EDMR Code: BUDL001C1) - Biological Units Diversion Line

Duration of Discharge - Hours	Monitor	Monitor	*****	Meter
Flow - Peak Instantaneous - MGD	Monitor	Monitor	*****	Calculate
Discharge Volume - MG	Monitor	Monitor	*****	Calculate
Total Suspended Solids-mg/l	Monitor	Monitor	*****	Grab

Outfall 001X1 (EDMR code: COMB001X1) - Combined 001B1 and 001C1 Discharge to Missouri River
Sample point is located at the Plant Effluent Gate Well Structure which is approximately 60 feet northeast of the northeast corner of the Final Solids Building.

E. coli - colonies/100 ml	Monitor	Monitor	*****	Grab
Total Residual Chlorine-µg/l *** Daily Maximum	Not Required	Monitor	*****	Grab

Monitoring Location 001D1 (EDMR code: Rain001D1) - Plant Area Rain Gage

Rainfall at Kaw Point - inches	Monitor	Monitor	Daily	Gage Reading
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- * Permittee may use Inhibited Biochemical Oxygen Demand (5-Day) (IBOD5) test, if IBOD5 test is used at Monitoring Location 001B1.
- ** Minimum removal of 85% required for Biochemical Oxygen Demand (5-Day) and Total Suspended Solids. If inhibited Biochemical Oxygen Demand (5-Day) test is used, limits are 5 mg/l less than shown.
- *** This test is required only if disinfection is by chlorination. Permittee shall conduct testing for total residual chlorine according to the methods prescribed in 40 CFR Part 136.
- **** See Whole Effluent Toxicity test section for minimum detection limits for certain metals.
- ***** Daily only when the Biological Units Diversion Line 001C1 is flowing. Permittee shall maximize the wastewater flow through the Biological Units (just below the point of solids washout) prior to allowing any flow through 001C1.
- + Permittee shall sample for these tests on the same day and calculate the total nitrogen only when both test values are available. The Minimum Reportable Limit (MRL) for TKN is 1 mg/l and for nitrate + nitrite is 0.1 mg/l. Values less than the MRL shall be reported using the less than sign (<) with the MRL value but for purposes of calculating and reporting the total nitrogen result, less than values shall be defaulted to zero.

B. STANDARD CONDITIONS

In addition to the specified conditions stated herein, the permittee shall comply with the attached Standard Conditions dated August 1, 2010.

C. SCHEDULE OF COMPLIANCE

1. Disinfection - Biological Units Effluent

- a. Permittee shall submit to KDHE, by **May 1, 2011**, a final report on disinfection alternatives, prepared by a Kansas licensed professional engineer with recommendations for effluent disinfection facilities capable of meeting the final limits for E. coli.
- b. Permittee shall achieve compliance with the E. coli limits in accordance with the following schedule:
 - I. Submit design memorandum by **October 1, 2011**.
 - II. Submit plans & specifications by **March 1, 2012**.
 - III. Start construction by **July 1, 2012**.
 - IV. Achieve Substantial Completion by **October 1, 2013**.
 - V. Achieve compliance with the final permit limits by **December 31, 2013**.

D. PRETREATMENT PROGRAM

The permittee shall implement and administer the pretreatment program in accordance with the General Pretreatment Regulations 40 CFR Part 403, their approved pretreatment program, and all program modifications approved by the Kansas Department of Health and Environment and the Environmental Protection Agency.

E. SLUDGE DISPOSAL

Sludge disposal shall be in accordance with the 40 CFR Part 503 Sludge Regulations.

F. WHOLE EFFLUENT TOXICITY AND PRIORITY POLLUTANT SCAN

1. Acute Whole Effluent Toxicity:

- a. Acute Whole Effluent Toxicity (WETA) testing on a 24-hr composite sample of the effluent from Monitoring Location 001B1 shall be conducted quarterly. The median lethal concentration, LC50, shall be equal to or greater than 24%(March - October) or 36% (November - February) effluent. **Quarterly tests shall be completed in the Nov.-Dec. Jan.-Feb., Apr.-June and Aug.-Sept. timeframes.** Test results less than the limits provided herein are violations of this permit. The test procedures shall use the 48 hour static non-renewal test method in accordance with the EPA document, Methods for Measuring the Acute Toxicity of Effluents and Receiving Waters to Freshwater and Marine Organisms, fifth edition, October 2002 using test organisms *Pimephales promelas* (fathead minnow) and any of the following daphnid (water flea) species: *Daphnia pulex*, *Daphnia magna*, or *Ceriodaphnia dubia* within a dilution series containing 0, 12, 24, 36, 50 and 100% effluent. KDHE reserves the right to increase or decrease testing frequency based upon compliance history and toxicity testing results.
- b. If the WET test results indicate the LC50 is equal to or greater than 24%(March - October) or 36% (November - February) effluent, the effluent has passed the toxicity test. **The test results shall be recorded on the Discharge Monitoring Report and a copy of the test report shall be provided to KDHE within 10 days of receipt of the information.**
- c. If the WET test results indicate the LC50 is less than 24%(March - October) or 36% (November - February) effluent, the effluent has failed the toxicity test and the permittee shall immediately notify KDHE by telephone (785) 296-5517. **The test results shall be recorded on the Discharge Monitoring Report and a copy of the test report shall be provided to KDHE within 10 days of receipt of the information.** KDHE

reserves the right to require the permittee to take such actions as are reasonable to identify and remedy any identified or predicted toxic conditions in the receiving stream outside of the zone of initial dilution which is caused by the permittee's effluent.

- d. Permittee shall also test a portion of the effluent sample used for the WET test for the following parameters (required minimum reportable detection levels are in parenthesis):

Antimony (10 µg/L)*	Nickel (10 µg/L)*
Arsenic (10 µg/L)*	Selenium (5 µg/L)*
Beryllium (5 µg/L)*	Silver (2 µg/L)*
Cadmium (2 µg/L)*	Thallium (10 µg/L)*
Chromium (10 µg/L)*	Zinc (20 µg/L)*
Copper (10 µg/L)*	Total Hardness as CaCO ₃ mg/l
Lead (5 µg/L)*	Ammonia as N (0.2 mg/l)
Mercury (0.2 µg/L-Cold Vapor Method)	Conductivity - umho/cm

* Parameter shall be tested and reported as "total recoverable" metals.

Test results shall be recorded on the Discharge Monitoring Report form.

- e. The Permittee shall coordinate sampling for this test with other requirements of this permit and may use the test results to satisfy this and other corresponding testing requirements. The permittee shall use a laboratory approved by KDHE for Acute Whole Effluent Toxicity testing and the heavy metals named above.

2. Permittee shall conduct a Priority Pollutant Scan on the effluent for the parameters listed in Table I, Priority Pollutant Scan, on the following pages. The Priority Pollutant Scan shall be conducted between January 1 and June 30, 2015 and the shall be reported with the next Discharge Monitoring Report following receipt of the results but not later than August 28, 2015.

Sample type shall be 24-hour composite except for Volatiles which shall be a grab sample. See Supplemental Condition F.1.d. for minimum detection limits for certain metals in the Priority Pollutant Scan.

G. SUPPLEMENTAL CONDITIONS

1. Combined Sewer Overflow Permitted Outfalls and Requirements

As of the effective date of this permit, 48 CSO permitted outfall points, consisting of 58 combined sewer overflow diversion points, are currently identified in the permittee's combined sewer collection system (Table II attached). The permittee shall continue to make upgrades to the CSO system pursuant to the requirements of the Clean Water Act and the CSO Policy. As the permittee progresses on the Long Term Control Plan, the status of the listed CSO permitted outfalls and associated diversion points may change. Also, additional CSO outfalls/diversion points may be found. Compliance with, and reporting on the status of the current Long Term Control Plan and associated CSOs shall remain under this permit until a new permit is issued or other enforcement agreements covering this subject are reached. At that point, the legal status and final disposition of the CSO outfall/diversion points shall be determined within the Long Term Control Plan and amendments/revisions thereto according to the terms and conditions of the agreements. While under the control of this permit, the permittee shall report the status of each CSO outfall/diversion point identified in Table II and any subsequently discovered CSO outfall / diversion points annually by February 28 of each year for the previous calendar year.

2. Nine Minimum Controls Plan

The Permittee shall continue to comply with the Nine Minimum Controls Plan (NMCP) pursuant to the terms and conditions of this permit until a new permit is issued or other enforcement agreement covering this subject is reached. At that point, control and reporting on the Nine Minimum Controls Plan shall be determined according to the terms and conditions of the agreement. While under the control of this permit, the permittee shall continue to comply with the current Nine Minimum Controls Plan and report the status of the requirements in the Nine Minimum Controls Plan annually by February 28 of each year for the previous calendar year.

3. Biological Units Diversion Line 001C1

The permittee is authorized to use the Biological Units Diversion Line 001C1 during wet weather events after the maximum flow (48 mgd with four trains operating) has been routed to the biological units and additional flow is likely to cause a washout of solids from the biological units. Such diversions shall be subject to and reported under paragraphs 9 - 10 of the Standard Conditions as appropriate.

4. This permit may be modified or revoked and reissued, as provided pursuant to 40 CFR 122.62 and 124.5, including the following reasons:

- A. To include revised effluent limits based upon a regional evaluation of wastewater treatment plant discharges affecting the Missouri River.
- B. To include revised effluent limits based upon studies which justify revising data utilized in calculating water quality based effluent limits.

Table I: Priority Pollutant Scan

Metals

Total Recoverable Arsenic, ug/l
 Total Recoverable Beryllium, ug/l
 Total Recoverable Cadmium, ug/l
 Total Recoverable Chromium, ug/l
 Total Recoverable Copper, ug/l
 Total Recoverable Lead, ug/l
 Mercury (Cold Vapor Method), ug/l
 Total Recoverable Molybdenum, ug/l
 Total Recoverable Nickel, ug/l
 Total Recoverable Selenium, ug/l
 Total Recoverable Silver, ug/l
 Total Recoverable Thallium, ug/l
 Total Recoverable Zinc, ug/l

Pesticides

Aldrin
 Alpha-BHC
 Beta-BHC
 Gamma-BHC
 Delta-BHC
 Chlordane
 4,4-DDT
 4,4-DDD
 4,4-DDE
 Dieldrin
 Alpha-endosulfan
 Beta-endosulfan
 Endosulfan sulfate
 Endrin
 Endrin aldehyde
 Heptachlor
 Heptachlor epoxide
 Toxaphene
 Malathion
 Diazinon

Polychlorinated Biphenyls

PCB-1242
 PCB-1254
 PCB-1221
 PCB-1232
 PCB-1248
 PCB-1260
 PCB-1016

Base/Neutral

Acenaphthene
 Acenaphtylene
 Anthracene
 Benzidine
 Benzo(a) anthracene
 Benzo(a)pyrene
 3,4-benzofluoranthene
 Benzo (ghi) perylene
 Benzo (b) fluoranthene
 Bis(2-chloroethoxy)methane
 Bis(2-chloroethyl) ether
 Bis(2-ethylhexyl)phthalate
 Bis(2-chloroisopropyl) ether
 1,2-diphenylhydrazine
 Fluoranthene
 Fluorene
 Nitrobenzene
 N-nitrosodimethylamine
 N-nitrosodi-n-propylamine
 N-nitrosodiphenylamine
 Phenanthrene
 Pyrene
 1,2,4-trichlorobenzene
 4-bromophenyl phenyl ether
 Butyl benzyl phthalate
 2-chloronaphthalene
 4-chlorophenyl phenyl ether
 Chrysene
 Dibenzo(a,h) anthracene
 1,2-dichlorobenzene
 1,3-dichlorobenzene
 1,4-dichlorobenzene
 3,3-dichlorobenzidine
 Dimethyl phthalate
 Diethyl phthalate
 Di-n-butyl phthalate
 2,4-dinitrotoluene
 2,6-dinitrotoluene
 Di-n-octyl phthalate
 Hexachlorobenzene
 Hexachlorobutadiene
 Hexachlorocyclopentadiene
 Hexachloroethane
 Indeno (1,2,3-cd) pyrene
 Naphthalene
 Isophorone

Table I: Priority Pollutant Scan (continued)

Acid Compounds

2-chlorophenol
2,4-dichlorophenol
2,4-dimethylphenol
2,4-dinitrophenol
2-nitrophenol
4-nitrophenol
Parachlorometa cresol
Pentachlorophenol
Phenol
4,6-dinitro-o-cresol
2,4,6-trichlorophenol

Volatile Organic Compounds

Acrolein
Acrylonitrile
Benzene
Bromoform
Carbon Tetrachloride
Chlorobenzene
Chlorodibromomethane
Chloroethane
2-chloroethylvinyl ether
Chloroform
Dichlorobromomethane
1,1-dichloroethane
1,2-dichloroethane
1,1-dichloroethylene
1,2-dichloropropane
1,3-dichloropropylene
Ethylbenzene
Methyl bromide
Methyl chloride
Methylene chloride
1,1,2,2-tetrachloroethane
Tetrachloroethylene
Toluene
1,2 trans-dichloroethylene
1,1,1-trichloroethane
1,1,2-trichloroethane
Trichloroethylene
Vinyl chloride

Miscellaneous

Total Cyanide *
Total Phenols

* The total cyanide analysis must include preliminary treatment of the sample to avoid NO₂⁻ interference. Addition of sulfamic acid to the sample before distillation can prevent such interference. See Standard Methods for the Examination of Water and Wastewater, 20th Edition, 4500-CN B. Preliminary Treatment of Samples.

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 postmarked no later than the 28th day of the month following the completed reporting period. Signed and certified copies of these, prepared in accordance with KAR 28-16-59, and all other reports required herein, 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 occurrence, 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 f. 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 16 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 8 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.

Table II - KC Kaw Point Plant CSO Points

Old CSO #	Daylight CSO #	Daylight CSO Outfall Node No.	Diversion Manhole number	Street Address	CSO Outfall Latitude	CSO Outfall Longitude
1	1	T B D	106-013	28th Street & Georgia Avenue		
2	2	097-019	097-032	Klamm Park (Northwest side of park)		
3	3	097-025	097-034	Klamm Park (East side of park)		
4	4	097-029	097-057	2319 North 21st Street		
5	5	097-031	097-077	2118 Waverly Avenue		
8A	6	T B D		Near Former CSO 8 - Details Needed		
9	7	T B D	095-020	25th Street & New Jersey Avenue		
10	8	096-015	096-069	1852 Glendale Avenue		
11	9	096-093	096-042	1932 Glendale Avenue		
14	10	072-115	072-117	Parallel Parkway & 12th Street		
15	11	072-118	073-010	Valley Street & Jersey Creek		
16	12	064-050	065-108	11th street & Lafayette Avenue		
17	13	064-019	064-003	2012 Darby Avenue		
18	14	032-101	064-068	2003 North 9th Street		
22	14	032-101	031-001	5th Street and Walker Avenue		
19	15	064-017	063-006	9th Street & Walker Avenue		
55	15	064-017	064-058	10th Street & Walker Avenue		
20	16	041-097	041-115	5th Street & New Jersey Avenue		
21	17	031-033	031-013	5th Street & Freeman Avenue		
23	17	031-033	031-011	4th Street & Freeman Avenue		
25	18	031-133	031-036	3rd Street & New Jersey Avenue		
80	18	031-133	031-101	3rd Street & New Jersey Near CSO 25		
26	19	072-113	073-121	18th Street & Troup Avenue		
27	20	067-055	070-034	12th Street & Esplanade Street		
28	20	067-055	067-022	Parkwood Boulevard & Esplanade Street		
29	20	067-055	067-010	10th Street & Esplanade Street		
30	21	039-104	039-019	7th Street Trafficway & Manorcrest Drive		
31	22	039-016	039-021	7th Street Trafficway & Manorcrest Drive		
32	23	T B D	029-012	300 N. James Street		
34	24	028-013	013-006	North of 36 East of Levee (Fordyce)		
69	24	028-013	013-003	North of I-670 & East of Stockyards		

39	25	030-021	030-122	Strawberry Hill Pump Station		
40	25	030-021	030-126	Orville Ave & Thompson Street		
41	26	080-060	079-121	14th Street & Kansas Avenue		
42	26	080-060	079-015	12th Street & Kansas Avenue		
43	27	048-015	058-170	Mill Street & Cheyenne		
66	27	048-015	048-037	Mill Street & Pawnee Avenue		
44	28	029-005	029-040	Northeast of I-70 & Central Avenue		
45	29	052-093	052-092			
46	30	T B D	048-040	625 Metropolitan Avenue		
47	31	080-001	081-017	South 14th Street North of Ruby Avenue		
48	32	080-002	089-021	Strong Avenue Flood Pump Station		
49	33	015-003	026-070	Shawnee Avenue at Abandoned 1st Street		
51	34	110-060	110-129	Grandview Boulevard & Park Drive		
52	35	110-136	110-100	Grandview Boulevard & Riverview Avenue		
53	36	031-149	031-035	4th Street North of Jersey Creek		
54	37	010-012	010-001	N. of Fairfax Drainage Dist. Pump Station		
56	38	038-006	038-004	North of Viewcrest Drive		
62	39	096-003	073-002	18th Street & Troup Avenue		
64	40	092-002	092-090	I-70 at 22nd Street		
65	41	030-015	030-061	2nd & Minnesota Avenue		
68	42	020-103	020-121	Water St. North of Lyons Ave.		
81	43	064-049	064-027	10th Street & Troup Avenue		
83	44	014-019	014-001	North of CSO 37 East of Stockyards		
84	45	031-106	031-070	3rd St & Oakland Ave (MH upstm FID PS)		
85	46	T B D	041-025	8th & Walker		
86	47	T B D	031-054	1620 Fairfax		
87	48	T B D	041-123	7th & Walker		

FACT SHEET

DATE: November 15, 2010
FACILITY: Kansas City Plant #1 Kaw Point MWWTP
KANSAS PERMIT No.: M-MO25-IO01
FEDERAL PERMIT No.: KS0038563
LOCATION: NW¼, Section 11, T11S, R25E,
Wyandotte County, Kansas

PROPOSED ACTION: The proposed action consists of re-issuance of an existing Kansas/NPDES Water Pollution Control permit for an existing facility.

EXISTING PERMIT: The existing permit was issued for a design flow of 28 mgd and included effluent limits for biochemical oxygen demand, total suspended solids, and pH. Monitoring for ammonia, fecal coliform, heavy metals, nutrients, phenolic compounds, oil and grease, surfactant, and daily flow was also required. The emergency outfall for the ash basins had TSS limits and heavy metals monitoring.

FACILITY DESCRIPTION: The facility is a mechanical treatment plant consisting of grit removal, primary clarification, pure oxygen CMAS secondary treatment, and final clarification. The permittee has installed a line (Biological Units Diversion Line 001C1) to divert wastewater from the primary clarifiers outlet line around the biological/final clarifier units to the combined outfall line 001X1. Sludge is dewatered on a belt filter press and either incinerated or hauled to a solid waste landfill. There are 58 known Combined Sewer Overflow locations (CSOs) in the collection system. The permittee has initiated implementation of the approved Nine Minimum Controls Plan and the Long Term Control Plan. The facility receives domestic wastewater from residential and commercial areas and industrial wastewater from local manufacturers.

RECEIVING STREAM: The Kaw Point wastewater treatment plant normally discharges to the Missouri River at HUC 10240011-1. Pursuant to the Kansas Surface Water Quality Standards K.A.R 28-16-28 (b-f), the first classified stream is the Missouri River. The Missouri River (Segment 1) is designated for special aquatic life use, domestic water supply, food procurement, groundwater recharge, industrial water supply, irrigation and livestock watering, and primary contact recreation - Class B. An alternate emergency outfall (002A1) is located at the confluence of the Kansas and Missouri Rivers.

The Kansas-Missouri state line is located immediately downstream of the Kaw Point wastewater treatment plant. Pursuant to the Missouri Surface Water Quality Standards 10 CSR 20.7, this segment of the Missouri River is designated for irrigation, livestock & wildlife watering, protection of warm water aquatic life and human health-fish consumption, whole body contact recreation-B, secondary contact recreation, drinking water supply, and industrial uses. The effluent limits in the proposed permit protect the Missouri River in compliance with State of Missouri water quality standards.

PROPOSED LIMITS: The proposed permit is based upon the following factors:

1. An average design flow of 28 mgd to the Missouri River,
2. Based upon an EPA historical review, the Missouri River flow for this facility is a seasonal 30Q10 flow of 24,934 cfs for March - October and 18,431 cfs for November - February,
3. A seasonal 7Q10 flow of 22,418 cfs for March - October and 14,433 cfs for November - February,
4. And a mixing zone of 25% as allowed by Kansas Administrative Regulations. A mixing zone study conducted by EPA R7 and the USGS in February 2008 indicated that the Kaw Point mixing zone exceeds the 25% mixing zone allowance.

Monitoring Location 001B

Monitoring location 001B1 is used to monitor the quality of the treated wastewater from the biological units and also represents the plant effluent when 001C1 is not being used. The limits are in effect year around and satisfy the state and federal water quality criteria and secondary treatment limits. The proposed permit retains the standard secondary limits for BOD, TSS and pH. An effluent limit for total residual chlorine (if used for disinfection) and E. coli, to become effective pursuant to the schedule of compliance, is included in the proposed permit. Based upon the Water Quality Review calculations, there is no Reasonable Potential for the facility to exceed the calculated ammonia limits. Therefore, monitoring, without limits, will continue to be required for ammonia as well as for nutrients, heavy metals, surfactants, oil and grease, phenolic compounds, and daily flow.

Whole Effluent Toxicity (WET) and additional heavy metals testing will be required quarterly. A priority pollutant scan will be required to be performed at least once during the life of the permit. The proposed permit has more stringent acute WET limits as all effluent limits are now based on the historical Missouri River seasonal flows and the Kansas regulatory mixing zone limit of 25% of the 7Q10 stream flow. An acute WET LC50 limit of 36% during the low flow season of November - February and 24% effluent during the higher river flow months of March through October is proposed.

Biological Units Diversion Line 001C1

The CSO policy promotes stormwater and sanitary sewer separation in the combined sewer system area. For flows that can not be cost effectively separated, it requires a minimum treatment of settling and floatables removal and other water quality based limits as identified by the State. These CSO flows are not subject to the secondary treatment standards. One provision of the Nine Minimum Controls encourages those facilities that have more primary treatment capacity than secondary biological treatment capacity to increase collection system and pumping capacity to maximize the amount of combined stormwater/wastewater to reach the headworks of the treatment plant, receive primary treatment and biological treatment up to

the available capacity and to route the remaining flow around the biological units as necessary to avoid solids washout.

The permittee has upgraded the pumping capacity in the collection system and the front end of the treatment plant to route more raw wastewater flow through the plant. The facility is now rated for an average design flow of 28 mgd, a peak secondary organic load of 42 mgd at 300 mg/l BOD₅, a peak biological treatment hydraulic flow of 48 mgd and a peak plant hydraulic flow of 56 mgd which includes the capability to route 8 mgd of primary treated wastewater around the biological units to the discharge line via the Biological Units Diversion Line 001C1.

The current treatment plant's biological treatment system consists of four trains designed to handle 12 mgd each for a total of 48 mgd. The wastewater that can't be handled through the four trains without washing out the solids receives primary treatment, is then diverted around the biological treatment units through 001C1 and rejoins the discharge from the biological units prior to discharge from the common outfall 001X1. This option complies with the requirements in the Nine Minimum Controls Plan to treat as much of the excess wet weather wastewater through the wastewater treatment plant as possible even if some of it receives only partial treatment. Furthermore, the permittee continues to reduce pollution from the combined sewer system via the current Long Term Control Plan (LTCP). In addition, the permittee is negotiating terms for a revised LTCP via a consent decree between the permittee, U.S. government and the state of Kansas. The requirements of the current LTCP and the revisions to the LTCP in the consent decree satisfy the need for any additional studies associated with 001C1 at this time.

Monitoring at 001C1 is required for duration of flow, peak flow rate, daily flow volume and total suspended solids. The first three parameters are required to determine the extent of use of the diversion line while monitoring for total suspended solids satisfies the requirement for settling and solids/floatables removal.

The CSO policy allows the permitting authority to approve CSO-related diversions within the permit under specified conditions. Although the permittee can anticipate that intentional use of the diversion line 001C1 may be necessary to prevent washout of the plant solids if wastewater flows to the plant exceed 48 mgd, when and if 001C1 is needed will depend on frequency and magnitude of precipitation events, progress on the LTCP, facility operational status at the time and the wastewater characteristics at the time of the wet weather event. KDHE has reviewed available data from the current operations of this facility and determined that the facility routinely meets the current permit limits and also the 85% removal efficiency for BOD and TSS during dry weather flows. Comparing data during dry weather flows with wet weather flows show the excessive flows are caused by the combined sewer configuration rather than excessive infiltration or industrial users.

Pursuant to the CSO policy, KDHE has authorized use of the 001C1 diversion line during wet weather events after the maximum flow has been routed to the biological treatment units and additional flow is likely to cause washout of solids. These diversions as well as any other diversions of wastewater through the 001C1 are subject to and reported under paragraphs 9-10 of the Standard Conditions.

Outfall 001X1

The 001X1 outfall line conveys the combined flow from the 001C1 line, if any, and the 001B1 line to the Missouri River. Since the CSO discharge through 001C1 is not subject to secondary treatment standards, all secondary treatment standards and other water quality limits based upon 7Q10 and 30Q10 receiving stream flows are required at 001B1. Monitoring for E. coli will be required at 001X1 when 001C1 is discharging. Monitoring for total residual chlorine will be required at 001X1 when 001C1 is discharging and if chlorine is used if disinfection is required.

Ash Basins

All effluent from the ash basins is directed back to the head of the wastewater treatment plant. As effluent from the ash basins will no longer be discharged through the old ash basin outfall line, this outfall and the associated monitoring requirements and effluent limits have been deleted from the proposed permit.

Combined Sewer Overflow Requirements

Table II in the permit shows the currently known combined sewer overflow (CSO) diversion points in the Kaw Point combined sewer system. The permittee shall continue to make upgrades to the CSO system pursuant to the requirements of the Clean Water Act and the CSO Policy. As the permittee progresses on the Long Term Control Plan, the status of the listed CSO diversion points may change. Also, additional CSO diversion points may be found. Compliance with, and reporting on the status of the current Long Term Control Plan and associated CSOs shall remain under this permit or a new permit until the consent decree between the U.S. Environmental Protection Agency, Department of Justice, the Kansas Department of Health and Environment and the Unified Government of Wyandotte County/Kansas City, Kansas is legally enforceable. At that point, the legal status and final disposition of the CSO diversion points shall be determined within the Long Term Control Plan and amendments/revisions thereto according to the terms and conditions of the consent decree.

Nine Minimum Controls Plan

The Permittee shall continue to comply with the requirements of the Nine Minimum Controls Plan (NMCP) pursuant to the terms and conditions of this permit or a new permit until the consent decree between the U.S. Environmental Protection Agency, Department of Justice, the Kansas Department of Health and Environment and the Unified Government of Wyandotte County/Kansas City, Kansas is legally enforceable at which time control of the Nine Minimum Controls Plan shall be under the consent decree.

Nutrient Removal: The permittee has conducted a study to determine the potential cost of improvements necessary to reduce effluent total nitrogen to a value of 8.0 mg/l or lower and total phosphorus to a value of 1.5 mg/l or lower. The preliminary study was conducted by HDR Engineering, Inc. and is dated February 2005. The estimated project cost was projected to be \$28,618,000 with additional annual operational costs of \$667,200.

SCHEDULE OF COMPLIANCE: The Schedule of Compliance in the proposed permit requires effluent disinfection facilities be constructed and the discharge in compliance with the final permit limits by December 31, 2013.

303(d) LIST: There is no listing for the Missouri River in the Kansas 303(d) list. No Kansas TMDLs have been written for this stream segment.

SLUDGE: The sludge produced at this facility is incinerated or landfilled. The permittee reports compliance with the 40 CFR Part 503 Sludge Program directly to EPA Region VII.

CERTIFIED OPERATOR: The facility employs multiple operators with the correct level of certification (Class IV) for this size of treatment facility.

Prepared By:


Rance Walker, / Edward Dillingham
11-15-10

KAW POINT (AS OPERABLE)

