

PUBLIC NOTICE OF TWO DRAFT COMBINED KANSAS WATER POLLUTION
CONTROL GENERAL STORMWATER PERMITS AND NATIONAL POLLUTANT
DISCHARGE ELIMINATION SYSTEM GENERAL STORMWATER PERMITS FOR
SMALL MUNICIPAL SEPARATE STORM SEWER SYSTEMS

The Kansas Department of Health and Environment has prepared two draft general stormwater permits for small municipalities with separate storm sewer systems (MS4). Each permit is a combined Kansas Water Pollution Control general stormwater permit and National Pollutant Discharge Elimination System general stormwater permit. The permits are written for non-urban (General Permit No. G-NUA-0604-S001) and urbanized (General Permit No. G-UA-0604-S001) areas in Kansas based on the 2000 U.S. census and the designation criteria in 40 CFR Parts 122 and 123.

A general stormwater permit is provided for those entities engaged in similar activities and discharging stormwater of similar quality. A general permit is placed on public notice once during the life of the permit and then is made available, without further public notice, to all qualified entities which meet the requirements of the permit. The permittees are also required to meet all other federal, state and local requirements.

The small MS4 general permit program addresses MS4s that generally serve populations less than 100,000 in urbanized areas, and those MS4s located outside of urbanized areas that have or may have the potential to negatively impact surface water quality as a result of their discharges. Individual MS4 permits have previously been issued to the medium-sized municipalities (Topeka and Unified Government of Kansas City/Wyandotte County) and one large municipality (Wichita) in Kansas.

The general permits require the permittee to develop, implement, and enforce a stormwater management plan (SMP) designed to reduce the discharge of pollutants from the MS4 to the maximum extent practicable, to protect water quality, and to satisfy the appropriate water quality requirements of the Clean Water Act. The SMP covers the six minimum stormwater control measures and also requires implementation of Best Management Practices (BMP) for discharges of stormwater to designated high priority Total Maximum Daily Load (TMDL) streams and lakes in the immediate area downstream of the municipality. The SMP document must address the BMPs to be implemented by the permittee, provide measurable goals for each BMP, designate the municipality or municipalities responsible for implementing the control measures and provide a map illustrating the permitted area as defined by the requirements in the permit. The draft permits contain schedules of compliance requiring the submittal of the various documents to KDHE and implementation of practices to control stormwater pollution from the MS4.

Copies of the Designation Criteria and Procedures, a list of the municipalities in each category (urbanized or non-urbanized), the draft permits, the designated high priority TMDLs, maps for the urbanized areas, fact sheets, the Notice of Intent application and instructions, basin drainage maps and other supporting documents may be downloaded from www.kdhe.state.ks/muni by accessing MS4 Stormwater General Permits. These documents and copies of the NOIs received from the municipalities may be obtained by writing: Kansas Department of Health and Environment, Bureau of Water - Municipal Programs Section, 1000 SW Jackson St. - Suite 420, Topeka, Kansas 66612-1367.

Persons wishing to comment on the draft permit must submit written comments to the above address by August 28, 2004.