



See Attached Sheet for Instructions

NOTICE OF INTENT (NOI)
For Stormwater Discharges Associated with Construction Activity
Authorized by a Kansas Water Pollution Control General Permit
Under the National Pollutant Discharge Elimination System

Submission of this Notice of Intent constitutes notice that the party identified in Section I of this form requests authorization for coverage under a Kansas Water Pollution Control general permit issued for stormwater runoff from construction activities in the State of Kansas. ... Completion of this NOI does not provide automatic coverage under the general permit. ... Please Print or Type.

I. OWNER & RECORD LOCATION INFORMATION

Owners Name: Will permit records be located on site? Q Y; Q N
Name of Company: If no, provide address where records will be kept:
Mailing Address: Business Name:
Street Address:
City: State: Zip Code: City:

II. SITE INFORMATION

A. LOCATION

Name of Project: Quarter of the Quarter of Section
Address: Township: South, Range: Q E; Q W;
City: State: KS Zip Code: County:
Contact Person: Phone:

B. EXISTING CONDITIONS/USES

Is any part of the project located on Indian Lands? Q Y; Q N
If site runoff goes into a Municipal Separate Storm Sewer System; Owner/Operator's Name:
Name of the first receiving water; stream; or lake:
Are there any known soil contamination areas which will be disturbed by the construction activity? Q Y; Q N
Are there any intakes for public drinking water supplies located within 1/2 mile of the site discharge points? Q Y; Q N
Are there any known historical or archeological sites present? Q Y; Q N
Are any threatened or endangered species known to be present near the site or in the receiving water body? Q Y; Q N
If yes, list species and describe habitat location in relation to project location:
Are any Critical Water Quality Management Areas, Special Aquatic Life Use Waters, or Outstanding Natural Resource Waters located within one-half mile of the site boundary? Q Y; Q N

Describe the site soil types:
If you have other existing environmental permits at this site, list their permit numbers (e.g. I-UA44-C277):

C. FUTURE SITE ACTIVITY/USES

Description of Planned Project:
Anticipated Start Date: and Completion Date: Estimate of final runoff coefficient:

**C. FUTURE SITE ACTIVITIES/USES CONTINUED:**

Estimated area to be disturbed: \_\_\_\_\_ Acres      Total area of the site: \_\_\_\_\_ Acres      Increase in Impervious Area: \_\_\_\_\_ Acres

Types of fill materials and source: \_\_\_\_\_

**D. STORMWATER POLLUTION CONTROL MEASURES**

Do you plan to disturb ten or more acres that are within a common drainage area? Q Y; Q N  
If yes, will a sediment basin be installed in that drainage area? Q Y; Q N  
If no, on a separate sheet, explain why and what other erosion and sediment control measures that will be implemented in lieu of a sediment basin.

Attach a description of the best management practices, planned to be utilized to control erosion and sedimentation and other pollutants in stormwater discharges during construction. Include a description of applicable local erosion and sediment control requirements.

Describe on a separate sheet of paper the best management practices that will be installed during the project construction which will be left in place after construction is complete in order to control pollutants which will be generated by the final land use. Include a description of applicable local stormwater pollution control requirements for permanent stormwater management features.

On a separate sheet describe the intended sequence of major activities which disturb soils for major portions of the site.

**E. MAPS**

Attach to this NOI the appropriate maps as described in the instructions. Include the required information on the maps.

**III. ANNUAL FEE**

Enclose a check for the first year of the annual fee specified in K.A.R. 28-16-1 et seq. as amended (Make check payable to "KDHE-Water Pollution Control Permit").

**IV. APPLICANT CERTIFICATIONS**

I, the undersigned, certify that a Stormwater Pollution Prevention Plan will be or has been developed for the construction site listed in Section II of this NOI. I further certify that the plan will be implemented at the time construction begins, and, as required by the NPDES general permit for Stormwater Runoff from Construction Activity, will revise the SWP2 plan if necessary.

I certify that I have read and understand the Part I requirements relating to criteria for coverage under the NPDES general permit for Stormwater Runoff from Construction Activity, including those requirements relating to the protection of Threatened or Endangered Species identified in K.A.R. 115-15-1 and sites listed or eligible for listing on the National Register of Historic Places; and

To the best of my knowledge, the discharges which will be covered under this NPDES general permit for Stormwater Runoff from Construction Activity and the construction of BMPs to control stormwater runoff are not likely to and will not likely adversely affect any species identified in K.A.R. 115-15-1; or the discharges and construction are eligible for coverage under the NPDES general permit due to a previous authorization from the Kansas Department of Wildlife and Parks; and

I further certify to the best of my knowledge such discharges and construction of BMPs to control stormwater runoff do not have an effect on properties listed or eligible for listing on the National Register of Historic Places under the National Historic Preservation Act; or the discharges and construction are eligible for coverage under the NPDES general permit due to a previous agreement with the State Historic Preservation Officer.

I understand that continued coverage under the NPDES general permit for Stormwater Runoff from Construction Activity is contingent upon maintaining eligibility as provided for in Part I of the general permit.

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on the inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Name and Official Title (Please Print)

## NOI Instructions

### Notice Of Intent (NOI) for Stormwater Discharges Associated With Construction Activity Authorized by a Kansas Water Pollution Control General Permit

#### Who Must File A Notice Of Intent (NOI) Form

Federal law through the Clean Water Act and 40 CFR Part 122 prohibits point source discharges of stormwater runoff associated with industrial activity (which includes construction activity) to Waters of the U.S. without a National Pollutant Discharge Elimination System (NPDES) permit. The operator of a site where industrial activity occurs that has a discharge of stormwater runoff must submit a NOI to obtain coverage under a Kansas Water Pollution Control general permit. This general permit addresses water quality, not quantity. If you have questions about whether you need a permit to discharge stormwater runoff contact KDHE at (785) 296-5557.

#### Where To Send NOI Form

NOIs must be sent to the following address:  
Kansas Department of Health and Environment  
Bureau of Water, Industrial Programs Section  
Building 283, Forbes Field  
J Street and 2 North  
Topeka, Kansas 66620-0001

#### When to Send NOI Form

The applicant is encouraged to apply for a permit as soon as possible in order to minimize any potential delay of the proposed project. The applicant is not authorized to discharge until they are notified by KDHE of their inclusion under the general permit for Stormwater Discharges Associated with Construction Activity. KDHE anticipates most permits will be issued within 1 to 2 weeks of receipt of the NOI. If coverage under the general permit is denied, the applicant will be required to submit an application for an individual Kansas Water Pollution Control permit. The NOI shall be submitted no later than 60 days prior to the start of construction. In the event an individual permit is necessary early submittal of the NOI will help to minimize project delays.

#### Section I Owner & Record Location Information

Give the name of the company owner or chief executive officer. Give the legal name of the company, firm, public organization, or any other entity that owns the site described in the NOI, or if the activity will be on a right of way, leased property, or easement, give the name of the company or organization which is paying for the improvements to the site. The responsible party is the legal entity that controls the site's operation, rather than the site manager. Do not use a colloquial name. Enter the owners complete mailing address.

Records regarding the permit must be kept at the site or at a location where they are readily accessible. If they will not be located on the project site provide the address where they will be located. The location must be in the same county as the project site.

#### Section II Site Information

##### A. LOCATION

Enter the project's official or legal name and physical location including the complete street address, city, state, ZIP code, county, section, township, and range (to the nearest quarter/quarter section; 40 acres). If the site lacks a street address, indicate the county, section, township, and range (to the nearest quarter/quarter section; 40 acres) of the approximate center of the site.

Enter the name and phone number of a person who can be contacted

regarding this construction site. The owner and contact person need not be the same.

##### B. EXISTING CONDITIONS/USES

Indicate whether the site is located on Indian Lands.

If the stormwater discharges to a municipal separate storm sewer system (MS4), enter the name of the operator of the MS4 (e.g., municipality name, county name). *[A MS4 is defined as a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains) that are owned or operated by a state, city, town, borough, county, parish, district association, or other public body which is designed or used for collecting or conveying stormwater.]*

If the site discharges stormwater directly to a receiving water, enter the name of the first receiving water. This may be obtained from the Kansas Surface Water Register, a United States Geological Survey (U.S.G.S.) topographic map or KDOT general highway map for the county where the project or discharge point is located.

If the discharge is to a municipal separate storm sewer, determine the discharge point of the MS4 and provide the name of that receiving water, stream, or lake.

Indicate if there are any known soil contamination areas at the project.

Indicate if there are any intakes for public drinking water supplies within ½ mile downstream of the discharge points.

Indicate if there are any known historical or archeological sites present at the proposed project. The State Historic Preservation Officer (SHPO) at the Kansas State Historical Society maintains a list of recorded sites or may recommend the project be surveyed for such sites by a professional archeologist. The SHPO may be reached at 785/272-8681, extension 214.

Indicate whether any threatened or endangered species are known or likely to occur at the site or within the receiving water body. The Kansas Department of Wildlife and Parks (KDWP), through Kansas Administrative Regulations (K.A.R.) 115-15-1 et seq. maintains a listing of threatened or endangered species and their critical habitats. Contact the KDWP's Environmental Services Section (316-672-5911) for assistance in determining the relationship between the proposed project and threatened or endangered species.

If threatened or endangered species are known or likely to be present at the site or within the receiving water body, then list the species and describe the location in relation to the site location. For example: The common map turtle is a threatened species and is known to occur in Sawyer County. The project site is located in northeastern Sawyer County.

Indicate if there are any Critical Water Quality Management Areas established in accordance with K.A.R. 28-16-70, or Special Aquatic Life Use Waters, or Outstanding Natural Resource Waters, as listed in the Kansas Surface Water Register K.A.R. 28-16-28b which are within ½ mile of the proposed construction project. A listing of these water bodies is maintained by KDHE in the Kansas Surface Water Register.

## **NOI Instructions CONTINUED:**

A copy of the list, and information regarding the Kansas Surface Water Register is available by calling KDHE at (785) 296-5500.

Describe the soil type(s) at the site. The United States Department of Agriculture, Natural Resource Conservation Service, (785) 823 4555, has completed a soil survey for each county within the state of Kansas. The county soil survey contains this information.

If there are other environmental permits for, air emissions, hazardous waste, wastewater, or solid waste, presently issued for the site listed in Section II A., list the permit numbers. If an application for the site has been submitted but no permit number has been assigned, enter the application number, if any, or enter the date the application was submitted.

### **C. FUTURE SITE ACTIVITY/USES**

Briefly describe the nature of the construction activity. For example is the construction project: for a commercial building? for a private office? for a public works? How many lots or offices? How large a building? How many feet of utility line?

Enter the project start date and the estimated completion date for the entire development plan.

Estimate what the runoff coefficient of the site will be after construction is complete. The EPA document *Storm Water Management for Construction Activities - Developing Pollution Prevention Plans and Best Management Practices*, EPA 832-R-92-005, September 1992 includes a table of typical runoff coefficient values and explains how to calculate the runoff coefficient for a site.

Estimate the area to be disturbed. Include access roads to be constructed, and adjacent or on-site material borrow areas and excess material storage areas.

Estimate the change in the amount of impervious area which will occur as a result of the project. A rough estimate is the difference between the amount of area that is vegetated prior to, and the amount of area that is vegetated after construction is completed.

Describe the type of material that will be used as fill and the location where the fill material will be obtained from (e.g. building demolition rubble, excavation for sediment pond, cut areas of the site, etc. The permittee should use caution in obtaining fill materials to ensure the fill materials are not contaminated with hazardous substances from prior site uses.).

### **D. STORMWATER POLLUTION CONTROL MEASURES**

Where a common drainage area of ten or more acres is disturbed, a sediment basin is required if practical. If a sediment basin will not be used in such areas, attach a separate sheet describing the other similarly effective erosion and sediment control measures that will be implemented to minimize erosion and maximize control of sediment.

Briefly describe the controls and measures that will be implemented to control pollutants in stormwater. Include a description of the best management practices (e.g., good housekeeping, limiting soil disturbance, temporary mulching, spill prevention, etc.) and sediment and erosion control measures (vegetated drainage swales, rock outlet protection, sediment basins, etc.). Describe any erosion and sediment control requirements of local authorities. The controls and measures used during

construction should be described.

Also, describe the controls and measures that will be constructed as part of the project and left in place in order to control pollutants from the intended site use after construction is finished. Describe the local requirement, if any, for the permanent stormwater management feature.

Describe the sequence of major soil disturbing activities. For example, boundary controls for one portion of the site will be installed after the clearing and grubbing necessary for installation of the pollution control measure, but before the clearing and grubbing for the remaining portions of the site. Boundary controls will be actively maintained until final stabilization of those portions of the site upward of the boundary control. Temporary boundary controls will be removed after final stabilization.

### **E. MAPS**

Provide a general topographic map or maps of the area extending at least to one mile beyond the property boundaries of the site which clearly shows the following:

- The legal boundaries of the site;
- The location of each of your existing and proposed discharge points and the number you use to identify each discharge point (e.g. 001,002, etc.);
- All springs and surface water bodies in the area;
- Intakes for public water supplies; and
- All wells(i.e. public water supply wells, private, irrigation, oil, and exploration wells, etc.) which are identified in the public record or otherwise known to you and which are within the boundary of the property.

Use a 7½ minute series map as published by the U.S.G.S. (or a photocopy of the pertinent portions). Maps for the State of Kansas may be obtained from the U.S.G.S. Office or Kansas Geological Survey Offices listed below.

Mid Continent Mapping Center  
National Cartographic Information Center  
U.S.G.S.  
1400 Independence Road  
Rolla, Mo 65401  
(573) 341-0851

Kansas Geological Survey  
1930 Constant Avenue  
University of Kansas  
Lawrence, Kansas 66047  
(785) 864-3965

Kansas Geological Survey  
4150 Monroe Street  
Wichita, Kansas 67209  
(316) 943-2343

You may trace your map from a geological survey chart, or other map meeting the above specifications. If you do, your map should bear a note showing the number or title of the map or chart it was traced from, and the names of nearby towns, water bodies, and other prominent points.

Attach an additional detailed map(s) that includes: existing contours, proposed contours, areas where soil will be disturbed, locations of major structural and nonstructural controls, locations where stabilization practices are expected to occur, indicate where required sedimentation basins are impractical, if any, and the locations where stormwater is discharged off the site.

On each map, include the map scale, and a meridian arrow showing north. On all maps which show a river, show the direction of river flow.

**NOI Instructions CONTINUED:**

**Section III. Annual Fee**

Enclose a check for the first year of the annual permit fee specified in K.A.R. 28-16-1 et seq. as amended. Make the check payable to "KDHE-Water Pollution Control Permit."

**Section IV. Applicant Certifications**

Applicants should read and ensure they understand the statements in this section of the application before signing the application. The application must be signed by the project owner.

Federal statutes provide for severe penalties for submitting false information on this application form. Federal regulations require the NOI to be signed as follows:

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

*For a partnership or sole proprietorship:* by a general partner or the proprietor; or

*For a municipality, state, Federal, or other public facility:* by either a principal executive officer or ranking elected official.