

Approved March 19 1992
Date

MINUTES OF THE Senate COMMITTEE ON Energy and Natural Resources.

The meeting was called to order by Senator Ross Doyen at
Chairperson

8:05 a.m./~~p.m.~~ on March 18, 1992 in room 423-S of the Capitol.

All members were present except: All members were present.

Committee staff present:

Pat Mah, Legislative Research Department
Raney Gilliland, Legislative Research Department
Don Hayward, Revisor of Statutes
Lila McClaflyn, Committee Secretary

Conferees appearing before the committee:

Karl Mueldener, Director, Bureau of Water, KDHE
Dan Ramlow, Executive Director, Kansas Contractors Association, Inc.
Edward Moses, Kansas Aggregate Producers' Association and Kansas Ready
Mixed Concrete Association

The Chairman called on Karl Mueldener, Kansas Department of Health and Environment for a briefing on HB 2802 - concerning permits for discharge of sewage; providing for general permits. The Chair announced Chris Wilson, Kansas Grain and Feed Association and Kansas Fertilizer and Chemical Association had called to say she could not be present, but that she supported the bill.

Karl Mueldener said the Department requested this bill to simplify the wastewater permitting process through the use of general permits (Attachment 1). He responded to questions.

Dan Ramlow supported the legislation, as it would simplify the application process and the time factor involved in a general permit and make it less burdensome to bring construction activities into compliance. He suggested the legislation be effective upon publication in the Kansas Register (Attachment 2).

Edward Moses supported the measure as it would considerably reduce the cost of compliance for their producers (Attachment 3 and 4). He supported the amendment suggested by Mr. Ramlow.

Senator Daniels moved to amended the bill to take effect upon publishing in the Kansas Register. Senator Hayden seconded the motion. The motion carried. Senator Sallee moved to report the bill favorably as amended. Senator Hayden seconded the motion. The motion carried.

A motion was made by Senator Sallee to adopted the minutes of March 17, Senator Fraham seconded the motion. Motion carried.

The meeting adjourned. The next meeting will be March 19, 1992.

1991 SENATE ENERGY AND NATURAL RESOURCES COMMITTEE

Date 3/18/92

PLEASE PRINT GUEST LIST

NAME

REPRESENTING

| | |
|-----------------|-----------------------------|
| DAN RAMLOW | KS CONTRACTORS ASSN |
| Karl Mueldener | HITH & ENV. |
| Al Stallard | KDOT |
| Bob Tilton | Ks Contractors Association |
| STEVE KEARNEY | PETERMCILL & ASSOCIATES |
| Mary Shivers | KDOT |
| Michelle Lister | Ks. Governmental Consulting |



Department of Health and Environment
Azzie Young, Ph.D., Secretary

Testimony presented to Reply to:

Senate Energy and Natural Resources Committee

by

The Kansas Department of Health and Environment

House Bill 2802

The Department of Health and Environment requests this bill to simplify the wastewater permitting process through the use of general permits. Presently, each wastewater discharge in Kansas must apply for and be issued a site-specific discreet permit describing the terms and conditions under which the discharge is authorized. The general permit concept authorized in the bill will allow a general permit to be developed covering discharges from specific activities. Any facility conducting the specific activity and having a wastewater discharge could be issued a general permit. For instance, KDHE could develop one general permit for cooling water discharges, and then issue that general permit to specific facilities. The general permit would specify the terms under which the discharge is authorized. The general permit could significantly reduce the burden to the regulated public by simplifying application and issuance procedures.

A major driving force in seeking this legislation are regulations issued by U.S. EPA requiring issuance of permits for stormwater discharges from business and industries. Kansas can either issue general permits, for which we seek authorization, or require approximately 11,400 businesses in Kansas to apply for discreet site-specific permits. To date, the established wastewater discharge permit program manages approximately 4,200 permits covering industries and municipalities, and expanding to 11,400 businesses with the existing program is simply not possible. Regardless of the stormwater issue, we believe it would be more efficient to use general permits for some facilities now permitted under the site-specific system.

EPA has estimated the cost of preparing an individual stormwater application at \$1,000 (28.6 hours) while a general permit application could be completed for \$17.00 (.5 hours). Additionally, turnaround time for issuance of a permit could be as long as six to seven weeks without the general permit authority. Activities requiring permits will include construction sites, industrial yards, salvage yards, and a host of other commercial operations. We believe the general permitting procedure would result in a significant cost savings to applicants and allow KDHE to operate more efficiently.

Testimony presented by: Karl Mueldener
Director, Bureau of Water
March 18, 1992

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THE KANSAS CONTRACTORS ASSOCIATION, INC.



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Testimony by Daniel W. Ramlow
Executive Director, Kansas Contractors Association
on House Bill 2802 before the
Senate Energy and Natural Resources Committee
March 18, 1992

Thank you, Mr. Chairman, and members of the committee. My name is Dan Ramlow and I am Executive Director of the Kansas Contractors Association headquartered in Topeka. Our association represents more than 330 companies which build and supply heavy, highway and utility construction projects throughout the state, and who are vitally interested in the concept behind House Bill 2802, and who are wholeheartedly in support of its passage. I appreciate this opportunity to express our views.

Our contractor members are intimately aware of the U.S. EPA's storm water permit regulations. In fact, almost all of our members' construction activities must be covered by a National Pollutant Discharge Elimination System (NPDES) permit, in that they disturb 5 acres or more of land area. Construction activities disturbing less than 5 acres of land area, if they are part of a larger plan of development, must also be covered by a

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storm water permit. In addition, asphalt plants, concrete plants, and rock and quarry operations, must be covered by a storm water permit. So you see, our members' activities and everyday way of doing business, are affected by this permitting process.

House Bill 2802 simply amends current statute to allow the Secretary of Health and Environment to establish by rule and regulation, procedures for issuing general permits for storm water runoff. By allowing such a general permitting procedure, the KDHE will not have any loss of control, and at the same time all will benefit, including industry, and local and state governments.

General permitting is now allowed by every state that surrounds Kansas, including Missouri, Oklahoma, Colorado, Nebraska, Arkansas, Illinois and Texas, so it is not a unique process, and these states have benefitted greatly by the savings in manhours, dollars and time that would have been expended if their only authority were to issue individual permits.

If House Bill 2802 were not to pass, the cost to the KDHE, as well as contractors, and other owners such as municipalities, would be unduly harsh. KDHE has related the direct cost of issuing an individual permit versus a proposed general permit. That is direct savings to the state. We estimate conservatively that preparing an individual permit application would run between \$500 and \$1,000 a permit, so there would be a direct savings to industry and local governments as well.

Then there is the time element of the approval process of the individual permit application, taking a minimum time of 120 days, to a maximum that has not been calculated. In the highway construction business, a contractor does not have the luxury of waiting for a permit to be approved between award of a project, and the notice to proceed. Under the Comprehensive Highway Program, projects are on a fast track. A contractor does not know he or she is the "low bidder" until the day of the letting of the project. Under the current scenario, once the low bidder is informed of his or her status, they must then submit an individual permit for approval, which takes a minimum of 120 days, as stated before. This will really tie projects by KDOT, counties and municipalities, who sometimes want a contractor to proceed on the project almost immediately if weather and other conditions permit.

Since August 1991, KDOT has applied for permits on more than 50 projects, projects that would not have been completed in the 1991 construction season. And with larger projects down the pike, you can see the magnitude of the problem individual permits will create. It is our understanding that KDOT also supports the passage of House Bill 2802, for these reasons and others of their own.

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So, Mr. Chairman, and members of the committee, our association respectfully requests that you pass out House Bill 2802 favorably. It is for the good of our industry, will produce remarkable savings in personnel and dollars to the state, and will still retain the control demanded by the U.S. EPA to control pollutants which enter water as the result of storm water runoff. This is one instance where the state and industry are hand-in-hand to ease and simplify the regulatory process for storm water. The application process and the time factor involved in a general permit makes it a less burdensome way to bring construction activities into compliance.

The only amendment we would like to see as part of this legislation would be one to make the bill effective upon publication in the Kansas Register. Time is an important factor when considering the permitting process, and this amendment would help speed the process if passed.

I have attached to my testimony a report prepared by our national office, and reviewed by U.S. EPA, which addresses 24 key questions concerning U.S. EPA's storm water permit regulations. I know you all have more than you need to read at this point in the legislative session, but a quick reading will enlighten you about this complex process.

This ends my testimony, Mr. Chairman, and I stand ready to answer any questions the committee might have regarding our industry's viewpoint on the value and importance of passage of House Bill 2802.

Attachment

EPA Storm Water Permits - What Every Contractor Needs to Know... by Brian Deery, AGC of America

This Special Report, reviewed by EPA, Addresses 24 Key Questions Concerning EPA's Storm Water Permit Regulations.

Key Issue Unresolved -- Who is Responsible for Obtaining the Storm Water Permit for Construction Operations?

As currently proposed by EPA, the general contractor is responsible for applying for the storm water permit for construction activities. EPA has agreed to AGC's request to review this issue. Details on page 4 in question #11.

The Environmental Protection Agency is about to embark on a new and comprehensive regulatory program to control pollutants which enter the "waters of the United States" as a result of storm water runoff. The program will be part of the National Pollutant Discharge Elimination System (NPDES) permit program which has been responsible for the construction of tens of thousands of industrial and municipal wastewater treatment facilities. Construction activities will be included under this new storm water permit program.

All of the details concerning how this new program will operate are not yet known. The program will vary from state to state and there remains a great deal of confusion in the states concerning what they are expected to do.

AGC, both at the national level and through AGC chapters, has been monitoring the development of this program for the past several years. National AGC has filed numerous sets of comments with EPA at various levels and has recently met with EPA officials to register the construction industry's

Route to:

considerable concerns about the impact of this program.

National AGC also obtained advance copies of proposed federal regulations and was able, through the White House's Office of Management and Budget, to have EPA alter many onerous provisions before the regulations were printed in the Federal Register.

Many AGC chapters have been in contact with and provided comments to state environmental agencies or EPA regional offices regarding this program. Several AGC chapters filed for group permits to cover their members' asphalt plants, concrete plants and rock and quarry operations.

In an effort to provide AGC members with the most information available at this time, in the most understandable format, AGC has prepared the following questions and answers. AGC will continue to closely monitor these regulations and keep you informed.

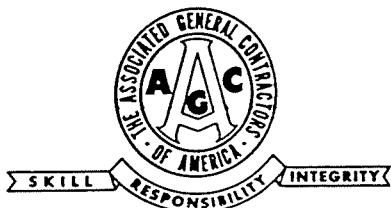
Question #1 - What construction related activities must be covered by an NPDES storm water permit?

Answer - Construction activities which disturb 5 acres or more of land area must be covered by a storm water permit. Construction activities disturbing less than 5 acres of land area, if they are part of a larger plan of development, must also be covered by a storm water permit. Asphalt plants, concrete plants and rock and quarry operations must be covered by a storm water permit.

Question #2 - Are construction activities subject to the same storm water permit requirements as asphalt plants, concrete plants and rock and quarry operations?

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Answer - No. Construction activities are subject to a different set of storm water permit requirements. For ease in understanding the different requirements for each of these activities the questions and answers will first address construction activities.

Question #3 - When must an application for a storm water permit for construction activities be submitted?

Answer - Currently the deadline for filing an application for a storm water permit is November 18, 1991. This means that any construction activities which are ongoing on November 18, 1991 or will start on that date must apply by November 18, 1991 for a storm water permit. Construction activities beginning after that day must apply 30 days in advance of the start of construction to be covered by a general permit or 90 days in advance of the start of construction to obtain an individual permit. EPA is considering extending this deadline to May 18, 1992 but a decision on the deadline extension has not yet been reached.

Question #4 - What is a general permit?

Answer - A general permit establishes general, generic requirements for sediment and erosion control, as well as storm water management. To be included under a general permit, an applicant submits a Notice Of Intent (NOI) indicating an intention to follow the requirements of the general permit. Once the NOI is submitted for a general permit, the construction activities are automatically covered and, unless contacted by EPA, work can begin after 30 days.

Question #5 - What is an individual permit?

Answer - An individual permit establishes site specific sediment and erosion control requirements as well as storm water management requirements. An individual permit application must be submitted ninety days in advance of the start of construction and work cannot begin until the individual permit is issued.

Question #6 - It seems that the application process and the time factor involved in a general permit makes it a less burdensome way to bring construction activities into compliance. Can all construction activities be covered by a general permit?

Answer - Construction activities in the following 12 states can be covered by a general permit to be established by the federal EPA: ARIZ, ALASKA, FL, ID, LA, MA, ME, NH, NM, OK, SD, TX.

Construction activities in the following 24 states can be covered by a general permit to be established by the state: ALA, ARK, CA, CO, GA, IL, IN, KY, MN, MO, NE, NC, NJ, ND, OR, PA, RI, TN, UT, VA, WA, WI, WV.

Construction activities in the 14 states listed below cannot currently be covered by a general permit, although these states can seek authority to issue a general permit and several are doing so. In these states the only available option, at this time, is an individual permit: CT, DE, HI, IA, KS, MD, MI, MS, NV, NY, OH, SC, VT, WY.

Question #7 - To whom does an applicant file a Notice Of Intent (NOI) to be covered by a general permit?

Answer - In the 12 states that are to be covered by a federal EPA general permit, the application is filed with EPA, although EPA has not yet decided if the application should be sent to Washington, D.C. or to the appropriate regional office of EPA. In all other states permit applications will be submitted to the state.

Question #8 - What information must be included in the NOI?

Answer - The regulations require the permit applicant to submit a Notice Of Intent which contains the following information:

1. Name, mailing address and location of the facility for which the notification is submitted;
2. The Standard Industrial Classification (SIC) codes that best represent the principal products or activities provided by the facility (no more than four need to be identified) or description of industrial activity;
3. The operator's name, address, telephone number, ownership status and status as Federal, State, private, public or other entity;
4. The latitude and longitude of the approximate center of the facility to nearest quarter section (if the section, township and range is provided) that the facility is located in;
5. The name of the receiving water(s), or if the discharge is through a municipal separate storm sewer, the name of the municipal operator of the storm sewer and the ultimate receiving water(s);
6. Existing quantitative data describing the concentration of pollutants in storm water discharges; and
7. Brief description of the project, estimated timetable for major activities, estimates of the number of acres

the site on which soil will be disturbed, and a certification that the storm water pollution prevention plan for the facility provides compliance with approved State or local sediment and erosion plans or in accordance with the requirements listed below.

Question #9 - What is the storm water pollution prevention plan?

Answer - This is the plan which will be implemented on the construction job site to bring the site into compliance with the general permit. Each state that will issue a general permit for construction activities will develop its own storm water pollution prevention plan requirements based on those issued by EPA for the 12 states in which EPA regulations will apply.

The Federal EPA regulations call for the storm water pollution prevention plan to include the following (Note: construction activities which disturb more than 10 acres of land area are subject to different structural practices which are detailed below):

a. Site description. Each plan shall provide a description of the following:

1. A description of the nature of the construction activity;
2. Estimates of the total area of the site and the areas of the site that are expected to undergo excavation or grading;
3. An estimate of the runoff coefficient of the site and existing data describing the soil or the quality of any discharge from the site;
4. A site map indicating drainage patterns and approximate slopes anticipated after major grading activities, the location of major control structures identified in the plan, and surface water; and
5. The name of the receiving water(s) and the ultimate receiving water(s).

b. Controls. Each construction operation covered by this permit shall develop a description of controls appropriate for the facility, and implement such controls. The description of controls shall address the following minimum components:

1. Erosion and sediment controls.
 - a. Vegetative practices. A description of vegetative practices designed to preserve existing vegetation where attainable and to revegetate open areas as soon as practicable after grading or construction. Such practices may include: temporary seeding, permanent seeding, mulching, sod stabilization,

vegetative buffer strip and protection of trees. The operator shall initiate appropriate vegetative practices on all disturbed areas within 7 calendar days of the last activity at that area.

b. Structural practices. A description of structural practices to the degree attainable to divert flows from exposed soils, store flows or otherwise limit runoff from exposed areas of the site. Such practices may include straw bale dikes, silt fences, earth dikes, brush barriers, drainage swales, check dams, subsurface drain, pipe slope drain, level spreaders, storm drain inlet protection, rock outlet protection, sediment traps, and temporary sediment basins.

(i) For sites with more than 10 disturbed acres at one time which are served by a common drainage location, a detention basin providing storage or equivalent controls for runoff from disturbed areas from a 10 year, 24-hour storm, shall be provided where attainable (Note: a 10 year, 24-hour storm refers to a design standard describing a storm typical to the site location). For drainage locations with more than 10 disturbed acres at one time which are served by a common drainage location where a detention basin providing storage or equivalent controls for runoff from disturbed areas from a 10



year, 24-hour storm is not attainable, silt fences, straw bale dikes, or equivalent sediment controls are required for all sideslope and downslope boundaries of the construction area.

(ii) For drainage locations serving 10 or less acres, silt fences, straw bale dikes, or equivalent sediment controls are required for all sideslope and downslope boundaries of the construction area or a detention basin providing storage for runoff from disturbed areas from a 10 year, 24-hour storm shall be provided.

2. Storm water management. A description of measures to control pollutants in storm water discharges that will occur after construction operations have been completed. Such practices may include: infiltration of runoff onsite; flow attenuation by use of open vegetated swales and natural depressions; and storm water retention and detention structures. Where such controls are needed to prevent or minimize erosion, velocity dissipation devices shall be placed at the outfall of all detention

or retention structures and along the length of any outfall channel as necessary to provide a non-erosive velocity flow from the structure to a water course. Justification shall be provided by the permittee for rejecting each practice based on site conditions.

3. Other controls.

a. Waste disposal. No solid waste, including building materials, shall be discharged.

b. Off-Site vehicle tracking of sediments shall be minimized.

c. The plan shall ensure and demonstrate compliance with applicable State or local waste disposal, sanitary sewer or septic system regulations.

4. Approved State or local plans. Facilities which discharge storm water associated with industrial activity from construction activities must include in their storm water pollution prevention plan procedures and requirements specified in applicable sediment and erosion site plans or storm water management plans approved by State or local officials. Applicable requirements specified in sediment and erosion plans or storm water management plans approved by State or local officials are, upon submittal of an NOI, to be incorporated by reference and are enforceable under this permit even if they are not specifically included in a storm water pollution prevention plan required under this permit. Operators or facilities seeking alternative permit requirements shall submit an individual permit application, along with a description of why requirements in approved State or local plans should not be applicable as a condition of an NPDES permit.

5. Maintenance. A description of procedures to maintain in good and effective operating condition vegetation, erosion and sediment control measures and other protective measures identified in the site plan. Procedures in a plan shall provide that all erosion controls on the site are inspected at least once every seven calendar days.

6. All storm water pollution prevention plans required under this permit are considered reports that shall be available to the public under section 308(b) of the Clean Water Act. The owner or operator of a facility with storm water discharges covered by this permit shall make plans available to members of the public upon request by the public (See question #11 for discussion of owner/operator). However, the permittee may claim any portion of a storm water pollution plan as confidential in accordance with 40 CFR part 2.

7. No condition of this permit shall release the permittee from any responsibility or requirements under other environmental statutes or regulations.

Question #10 - Does the applicant submit the storm water pollution prevention plan with the general permit application?

Answer - No. The applicant is responsible for drafting, implementing, and retaining the plan but the plan will not be reviewed or approved. However, EPA can request to review the plan at any time.

Question #11 - WHO IS RESPONSIBLE FOR OBTAINING THE PERMIT FOR CONSTRUCTION OPERATIONS?

Answer - EPA's regulations call for the "operator" of the site to be responsible for applying for and implementing the requirements of the storm water permit. The regulations also indicate that in most circumstances, for construction activities, EPA views the general contractor as the "operator" and therefore the party responsible for obtaining a storm water permit.

AGC has met with EPA to discuss this issue and to explain the reasons why AGC believes the owner for whom the project is being built should obtain the permit and should include the storm water pollution prevention plan requirements in the plans and specifications. EPA has agreed to review this issue and to determine if a more acceptable application system for construction activities can be developed.

Question #12 - Must I obtain a storm water permit for my company's headquarters office or my office yard where I may store construction materials and equipment?

Answer - No. Only construction activities disturbing 5 acres or more of land area or which is part of a larger plan of development must be permitted. Other construction related activities such as asphalt plants, concrete plants and rock and quarry operations must also be permitted. Home office and storage yards do not need a permit.

Question #13 - Are these other construction related activities covered by the same storm water permit application requirements discussed above for construction activities?

Answer - No. Asphalt plants, concrete plants and rock and quarry operations are subject to much more

urgent storm water permit requirements. The primary difference is that these construction related activities must have their storm water runoff sampled to determine what pollutants are contained in the runoff. The storm water pollution prevention plan developed to cover these facilities must address the pollutants identified in the sample.

Question #14 - Can these facilities be covered by a general permit?

Answer - Currently they cannot be covered by a general permit but may be in the future. These construction related activities must be covered by either an individual or a group permit.

Question #15 - What is a group permit application?

Answer - A group permit application is a way for businesses involved in the same type of industrial activities to join together to apply for permits to cover their activities. A group application allows for a percentage of the group to submit storm water samples which will be presumed to represent the pollutants contained in the runoff of all. In this way the group members can pool their resources to pay the cost of the sampling rather than have to pay individually to have their storm water sampled.

Question #16 - How does a group apply for a group permit?

Answer - Group applications are made in two parts. Part 1 identifies the group, describes the type of activity in which the group is engaged, and specifies the members of the group which will submit storm water runoff sample data if the group application is accepted. The sampling must be done for 10 percent of the members for groups larger than 10 and 50 percent for groups with 4 to 10 members. If the part 1 application is approved, part 2 must be submitted with the storm water runoff sampling data from the designated firms.

Question #17 - What is the deadline for submitting a group application?

Answer - Part 1 of the group application must be submitted by September 30, 1991, as previously reported in AGC's National Newsletter. Part 2 of the application must be submitted by May 18, 1992.

Question #18 - To whom is a group application submitted?

Answer - Office of Water Enforcement Permits (EN-336), U.S. Environmental Protection Agency, 401 M Street, S.W., Washington, D.C. 20460

Question #19 - If I choose not to have these construction related activities covered under a group permit what must I do?

Answer - You must apply for an individual permit. At some future date EPA or the states may issue general permits to cover these activities but currently they have not.

Question #20 - What is the deadline for applying for an individual permit to cover these construction related activities?

Answer - Currently the deadline is November 18, 1991, but EPA is considering extending this deadline to May 18, 1992.

Question #21 - To whom should I apply for an individual permit for these construction related activities?

Answer - You should apply to the state environmental department in the state where the activities are located, except that in the following states you must apply to the federal EPA: ARIZ, ALASKA, FL, ID, LA, MA, ME, NH, NM, OK, SD, TX.

Question #22 - What information needs to be included in the individual permit application?

Answer - Individual permits must include the following information:

1. a description of the configuration of the facilities;
2. a description of the facility's operations;
3. a description of the facility's materials management practices;
4. a description of the facility's existing storm water flow and control practices;
5. a topographical map indicating drainage patterns, existing outfalls, materials and equipment locations and other similar information; and
6. quantitative storm water sampling data as follows:

Samples must be collected from each outfall to be permitted. However, individual applicants that have more than one outfall may obtain approval of the permitting agency to sample only one, so long as the storm water effluent from the sampled outfall is "substantially identical" to the effluent from the unsampled outfalls.

All sampling must be performed during a "typical" storm event.

A grab sample must be taken for each monitored pollutant during the first 30 minutes of the storm.

Flow-weighted composite sample must also be taken for the entire discharge or for the first three hours of the discharge.

Applicants must provide quantitative data for the following pollutants:

—any pollutant limited in an effluent guideline for the applicant's subcategory;



—any pollutant listed in the facility's NPDES permit for process wastewater;

—oil and grease, total suspended solids (TSS), chemical oxygen demand (COD), pH, biological oxygen demand (BOD), total phosphorus total Kjeldahl nitrogen, nitrate plus nitrite nitrogen; and

—any other pollutant the applicant knows or has reason to know may be in the facility's storm water effluent.

Applicants for storm water discharges that are commingled with non-storm water discharges require additional information.

Question #23 - Has EPA provided opportunities to comment on these regulations?

Answer - Yes. EPA is accepting comments on all aspects of the general permit requirements, including cost estimates, until October 15, 1991. AGC of America will be providing comments to EPA within the deadline. Comments should be submitted to: Kevin Weiss, Permits Division (EN-336) Environmental Protection Agency 401 M Street, S.W., Washington, D.C. 20460

As reported in the September 2, 1991 AGC National Newsletter, EPA scheduled public hearings to discuss general permits and accept comments as follows:

1. September 10, 1991, public meeting from 1 to 4 p.m., public hearing from 7 to 10 p.m., Civic Convention Center, 9800 International Dr., Orlando, FL 32819.

2. September 12, 1991, public meeting from 1 to 4 p.m., public hearing from 7 to 10 p.m., Tallahassee Leon County Civic Center, 505 West Pensacola, Tallahassee, FL.

3. September 16, 1991, 1 to 4 p.m., Holiday Inn Convention Center, 3300 Vista Ave., Boise, ID 83705.

4. September 18, 1991, two hearings will be held at the following time 10 a.m. to Noon, 1:30 to 5 p.m., a third hearing will start at 7 p.m. and continue as necessary, Phoenix Civic Plaza, Flagstaff Room, 225 East Adams St., Phoenix, AZ 85004.

5. September 19, 1991, 1 to 4 p.m., Centennial Hall (Sheffield Ballroom #2), 101 Egan Dr., Juneau, AK 99801.

6. September 20, 1991, question and answer session from 3 to 5 p.m. and hearing from 7 to 10 p.m., Ramada Hotel, 1480 Nicholson Dr., Baton Rouge, LA.

7. September 20, 1991, question and answer session from 3 to 5 p.m. and hearing from 7 to 10 p.m., Lincoln Plaza Hotel, Gold Crown Room, 4445 N. Lincoln Blvd., Oklahoma City, OK 73105.

8. September 23, 1991, question and answer session from 3 to 5 p.m. and hearing from 7 to 10 p.m., Reunion Ballroom, Hyatt Regency Hotel, 300 Reunion Blvd., Dallas TX 75207.

9. September 24, 1991, 1 to 4 p.m., Federal Reserve Bank, Ground Floor Auditorium, 600 Atlantic Ave., Boston, MA 02106.

10. September 25, 1991, 1 to 4 p.m., University of Maine at Augusta, Jewett Hall Auditorium, University Heights, Augusta, ME, 04330.

11. September 25, 1991, question and answer session from 3 to 5 p.m. and hearing from 7 to 10 p.m., Hyatt Regency, Grand Pavilion Ballroom, 330 Tijeras NW., Albuquerque, NM 87102.

12. September 26, 1991, 7 to 10 p.m., Holiday Inn, Ballroom Area, 700 Elm St., Manchester, NH 03101.

13. September 26, 1991, 1 to 4 p.m., Parkplace Bldg., 1200 Sixth Ave., 12A (12th Floor), Seattle, WA 98101.

14. September 30, 1991, 1 to 6 p.m., Best Western, Kings Inn, 220 South Pierre St., Pierre, SD 54501.

Question #24 - Will there be other opportunities to hear EPA discuss storm water permit requirements?

ANSWER - YES. The head of EPA's Storm Water Permits Division will address AGC's 1991 Midyear meeting in St. Louis on Monday, September 30, 1991 at 1:30 p.m.

KRMCA

Kansas Ready Mixed
Concrete Association

Edward R. Moses
Managing Director

STATEMENT

of

The Kansas Ready Mixed Concrete Association

Before the

SENATE ENERGY and NATURAL RESOURCES COMMITTEE

**Topeka, Kansas
March 18, 1992**

Reference: HB 2802, concerning general permit authority

Thank you for the opportunity to provide commentary on proposed House Bill 2802; regarding general permits for stormwater and other types of sewage discharges.

My name is Edward Moses. I represent the Kansas Ready Mixed Concrete Association. Our Association represents over 250 concrete producers and associates active in the Kansas building and construction industry.

The Kansas Ready Mixed Concrete producers appear before you today in support of House Bill 2802; which would grant the secretary of health and environment the authority to issue general permits to govern stormwater. Such action would considerably reduce the cost of compliance, by our producers, in their efforts to meet the new provisions of the federal Clean Water Act. General permit authority, if approved by the E P A, would reduce our costs as the process allows for the pooling of runoff data and the writing of **one** general permit. This would cost subject firms, according to our estimates, approximately \$200 - \$500 per site. If this authority is not implemented our industry will be forced to seek individual stormwater permits for each operating site. The cost of these individual permits has been estimated to be in the range of \$5,000 - \$10,000 per site, depending on test data and site location.

The only suggestion we would make to improve this legislation would be to amend section three to allow for implementation with publication in the *Kansas Register*. By advancing the implementation date Kansas could possibly have an general permit program in place before the final EPA stormwater permit deadline on October 1, 1992.

Thank you for the opportunity to appear before you this morning.

ENR
3-18-92
Attachment 3
3-1



Kansas Aggregate Producers' Association

STATEMENT

of

The Kansas Aggregate Producers' Association

Before the

SENATE ENERGY and NATURAL RESOURCES COMMITTEE

Topeka, Kansas
March 18, 1992

Reference: HB 2802, concerning general permit authority

Thank you for the opportunity to provide commentary on proposed House Bill 2802; regarding general permits for stormwater and other types of sewage discharges.

My name is Edward Moses. I represent the Kansas Aggregate Producers' Association. Our Association represents over 250 aggregate, concrete, and associates active in the Kansas mining industry.

The Kansas Aggregate Producers appear before you today in support of House Bill 2802; which would grant the secretary of health and environment the authority to issue general permits to govern stormwater. Such action would considerably reduce the cost of compliance, by our producers, in their efforts to meet the new provisions of the federal Clean Water Act. General permit authority, if approved by the E P A, would reduce our costs as the process allows for the pooling of runoff data and the writing of **one** general permit. This would cost subject firms, according to our estimates, approximately \$200 - \$500 per site. If this authority is not implemented our industry will be forced to seek individual stormwater permits for each operating site. The cost of these individual permits has been estimated to be in the range of \$5,000 - \$10,000 per site, depending on test data and site location.

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