



Kansas Water Pollution Control Revolving Fund

Loan Application

Applicant Information

Municipality Name: _____

Address: _____
Street City State Zip

Contact Person _____
Name Title

Contact Info _____
Phone No. Email

DUNS No. _____ Congressional District of Municipality _____

Tax ID No. _____ Engineering Consultant Firm _____

Engineering Contact Name _____

Engineering Contact Phone No. _____

Engineering Contact Email _____

Project Title: _____

Project Description: _____

Project Details

Estimated Project Costs

Construction Cost	\$ _____	Contingencies	\$ _____
Engineering Planning & Design	\$ _____	Administrative & Legal Costs	\$ _____
Construction Engineering & Inspection	\$ _____	Other	\$ _____
		Total Project Cost	\$ _____

List all anticipated funding sources which are intended to be utilized to complete this project:

KDHE SRF Loan	\$ _____
Cash on Hand	\$ _____
Community Development Block Grant (CDBG)	\$ _____
USDA Rural Development Grant**	\$ _____
Other	\$ _____
Total	\$ _____

Check if SRF loan will be interim financing (paid off when project is complete)

** Do not include USDA Rural Development loan amounts if the SRF loan will be interim financing for the Rural Development loan

Anticipated Project Schedule:

	Date (month/year)
Notice of Public Meeting Issued	_____
Public Meeting Held	_____
Notice of Public Hearing Issued	_____
Public Hearing Held	_____
Environmental Review Letters Sent	_____
Final Plans and Specifications submitted to KDHE	_____
Duration of Construction (in months)	_____

Number of Customers (connections) for the previous 3 years:

Year	Residential	Commercial	Other	Total

If sewer charges are based (even in part) on volume of drinking water, complete the table for the Previous 3 Years

Year	Total Gallons Billed for Calculating Sewer Rate

Valuations for Previous 3 Years (for Cities Only)

Year	Assessed Valuation of Taxable Tangible Property (within City Limits)	Tangible Valuation of Motor Vehicles (within City Limits)	Total for Year

Attachments

The following documents must be submitted for the application to be considered complete.

Document	Attached	Will be Submitted Separately
Preliminary Engineering Report/Facilities Plan	<input type="checkbox"/>	<input type="checkbox"/>
Cost and Effectiveness Certification	<input type="checkbox"/>	<input type="checkbox"/>
List of Outstanding Debt Paid by Sewer Utility and Repayment Schedules	<input type="checkbox"/>	<input type="checkbox"/>
Assurance of Public Participation Form	<input type="checkbox"/>	<input type="checkbox"/>
Copy of Resolution Authorizing Application	<input type="checkbox"/>	<input type="checkbox"/>
Copy of Outgoing Environmental Review Letters	<input type="checkbox"/>	<input type="checkbox"/>
Copy of Environmental Review Responses	<input type="checkbox"/>	<input type="checkbox"/>

Attachments Continued

The following documents must be submitted for the application to be considered complete.

Document	Attached	Will be Submitted Separately
EPA Form 6600-06(Certification Regarding Lobbying)	<input type="checkbox"/>	<input type="checkbox"/>
Copy of Sewer Use Ordinance	<input type="checkbox"/>	<input type="checkbox"/>
Copy of User Charge System	<input type="checkbox"/>	<input type="checkbox"/>
Copy of Capital Improvement Financing Plan	<input type="checkbox"/>	<input type="checkbox"/>
NPDES Permit Application (if applicable)	<input type="checkbox"/>	<input type="checkbox"/>

Financial Capability Certification

The application signature below will also certify that the municipality has the financial capability to repay a Kansas Water Pollution Control Reviving Fund loan and also has the capacity to cover the costs of operation and maintenance of the entire system of which the proposed project is an integral part.

Signature

I certify that I am authorized to sign this application on behalf of the governing body. To the best of my knowledge and belief, the data in this application is true and accurate.

Signature: _____ Date: _____

Title: _____

Submit this application and all required attachments to:

KDHE/BOW
 Attn: Kansas SRF Program
 1000 SW Jackson St., Suite 420
 Topeka, KS 66612-1367



Instructions for Completing the Kansas Water Pollution Control Revolving Fund Loan Application

1. If the municipality does not already have a D-U-N-S number, obtain one. Please go to <http://fedgov.dnb.com/webform/> to start the process or call 1-866-705-5711, Monday - Friday 7 AM to 8 PM C.S.T. The process to request a D-U-N-S® Number by telephone takes between 5 and 10 minutes. You will need to provide the following information:
 - Legal Name
 - Trade style, Doing Business As (DBA), or other name by which your organization is commonly recognized
 - Physical Address, City, State and Zip Code
 - Mailing Address (if separate)
 - Telephone Number
 - Contact Name
 - SIC Code (Line of Business)
 - Number of Employees at your location
 - Headquarters name and address (if there is a reporting relationship to a parent corporate entity)
 - Is this a home-based business?
2. Complete the application by filling in the requested contact and project information in the blanks provided.
3. If sewer rates are determined based on drinking water use, provide the total gallons of drinking water usage that was billed to determine the sewer charges. The sewer ordinance submitted with this application should explain if charges are based on winter drinking water use. This information will be used to determine an average sewer use.
4. Cities can obtain valuation information (table on page 3) from their County government offices.
5. If the municipal financial audits (or annual budgets for municipalities that do not have financial audits performed) are not accessible from the Kansas Department of Administration's [Municipal Services web site](#), then the previous 3 years of audits (or budgets) will need to be submitted with the loan application.
6. There are several documents that will need to be submitted with the application form before the application is considered complete. Below is a brief explanation for each required attachment.
 - a. Preliminary Engineering Report/Facilities Plan. This document must contain the items required by 40 CFR 35.2030(b) which includes, but is not limited to, a description of both the proposed treatment works and the complete waste treatment system, a cost-effectiveness analysis; any alternatives considered, and a projected useful life of the proposed project.
 - b. Cost and Effectiveness Certification. The municipality and its consulting engineer must sign this certification and submit it with the application. The certification should include the appropriate completed supporting checklist (the template for this certification and supporting checklists, one for lagoon systems and one for mechanical systems, are included in these instructions).

- c. List of Outstanding Debt Paid by Sewer Utility and Repayment Schedules. Debt repayments that are supported by the sewer utility should be listed and a copy of the repayment schedule for each debt should be included. If debt payments are only partially paid by the sewer utility provide details about how the debt service is paid.
 - d. Assurance of Public Participation Form. Regulations (KAR 28-16-136) require that each loan recipient conduct a public meeting AND a public hearing. This form certifies that both meetings were held and provides documentation of the meetings (examples of the notices for these events are included in these instructions).
 - e. Resolution Authorizing the Application. After the public hearing has been conducted the loan applicant will need to pass a resolution that documents the governing body authorization for an application to be submitted to KDHE. This resolution also authorizes municipal officials to sign related application documents. A template for this resolution is attached to these instructions.
 - f. Outgoing Environmental Review Letters. The loan applicant must send environmental review letters that describe the project and the associated project area (using Section, Township, and Range), include a map of the project area, and a summary of the total cost for the project, to certain intergovernmental agencies. You must allow at least 30 days for the agencies to respond (by written or email correspondence or using the included response form). Instructions for this process are attached. KDHE must have a copy of the letters, including all attachments, that were sent.
 - g. Environmental Review Responses. A copy of all the responses received from the environmental review letters must be provided to KDHE for the application.
 - h. Lobbying Certification Form. This form must be filled out to certify that no Kansas Water Pollution Control Loan funds were used for lobbying.
 - i. Sewer Use Ordinance. Regulations require that loan applicants adopt a sewer use ordinance or other legally binding document to project the integrity of the entire wastewater works system specifically by:
 - i. requiring the exclusion of excessive infiltration and inflows from the treatment works
 - ii. prohibiting toxic concentrations of toxic materials in wastewater introduced into the treatment works; and
 - iii. prohibiting other pollutants in amounts or concentrations that:
 - 1. endanger public safety or the physical integrity of the treatment works; orcause violation of effluent or water quality limitations or cause residue or sludge processing or disposal problems.
- If the loan applicant already has such an ordinance or other legally binding document, please provide a copy with the application, otherwise a template for such an ordinance is attached to these instructions.
- j. User Charge System. A copy of each sewer rate structure that was in effect during the time period covered by the required financial statements (item 4), current sewer rate structure, if different, and any proposed future sewer rate structure should be attached.
- k. Capital Improvement Financing Plan. Regulations (KAR 28-16-124) require a 5-year capital improvement plan for sewerage facility needs covering a five-year period. If the loan applicant does not regularly develop a Capital Improvement Plan, this requirement must be addressed in the preliminary engineering report/facilities plan.

1. NPDES Permit Application. If the project would require a new NPDES permit, that permit application must be submitted also.

7. The application form must be signed by an authorized official of the loan applicant.



Double Click for MS Word version

(To be Typed on City/Applicant Letterhead)

Certification for “Cost and Effectiveness”
KWPCRF Project No. C20 xxxx 01
(Today’s Date)

The Water Resources Reform and Development Act (WRRDA) includes Section 602(B)(13) applicable to the state Clean Water SRF programs – the Kansas Water Pollution Control Revolving Fund (KWPCRF). This requires the following certification regarding “cost and effectiveness” of the design for the wastewater collection and treatment system as a condition to receive funding from the KWPCRF.

“The applicant has studied and evaluated the cost and effectiveness of the processes, materials, techniques, and technologies for carrying out the proposed project or activity funded by this KWPCRF low interest loan, and has selected, to the maximum extent practicable, the processes, materials, techniques, and technologies that maximize the conservation and efficient use of water, considered the potential reuse of treated wastewater effluent, and considered the recapture of water for reuse, and that maximize energy conservation, taking into account construction costs, operation and maintenance costs, and replacement costs. Reference the attached checklist(s).”

(Signature Block of the Licensed Professional Engineer that Prepared the Planning and/or Design Documents for the Referenced KWPCRF Project)

(Signature Block of the Authorized Representative of the City/Applicant Receiving the Loan Assistance for the KWPCRF Project)

KWPCRF Cost and Effectiveness Supporting Information Form
(Small Systems)
KWPCRF Project No. C20 xxxx 01

The Water Resources Reform and Development Act (WRRDA) includes the following Section 602(B)(13) applicable to the state Clean Water SRF beginning October 1, 2015

“Section 602 (B) (13) – beginning in fiscal year 2016, the State will require as a condition of providing assistance to a municipality or intermunicipal, interstate, or State agency that the recipient of such assistance certify, in a manner determined by the Governor of the State, that the recipient –

- (A) has studied and evaluated the cost and effectiveness of the processes, materials, techniques, and technologies for carrying out the proposed project or activity for which assistance is sought under this title; and
- (B) has selected, to the maximum extent practicable, a project or activity that maximizes the potential for efficient water use, reuse, recapture, and conservation, and energy conservation, taking into account –
 - (i) the cost of constructing the project or activity;
 - (ii) the cost of operating and maintaining the project or activity over the life of the project or activity; and
 - (iii) the cost of replacing the project or activity”

This two page support memo provides the necessary certifications review statements as required by the KWPCRF to document this “cost and effectiveness” review requirement for the referenced project. In each case the City/Applicant must check the applicable statements as listed below, and indicate “NA” for any subjects Not Applicable to the KWPCRF project as funded.

1. Major Sewer Rehabilitation

_____ The project does not include any sewer line or manhole rehabilitation measures.

_____ The project includes sewer line and/or manhole rehabilitation. As per KDHE program direction, reducing sewage flows by reducing I/I in the collection system will inherently reduce energy use by reducing pumping costs and costs of treatment. A detailed analysis is not needed and was not prepared.

_____ There is no water use by gravity sewers. A detailed analysis is not needed and was not prepared.

2. Sewage Pumping Stations

_____ The project does not include any sewage pumping stations construction or rehabilitation. As per KDHE program direction the necessary capacity for pumping is determined by peak design sewage flow and the specific

head conditions which then dictate energy use needs for pumping. A detailed analysis is not needed and was not prepared.

_____ The design is encouraged to incorporate VFDs on the pump motors. (Check the space if VFDs are included in the design.)

_____ The design is encouraged to incorporate high efficiency design motors (NEMA Premium Efficiency) (note, smaller Hp motors may not be available as high efficiency designs). (Check the space if high efficiency design motors are included in the design.)

_____ There is no potable water use at these sewage pumping stations, except perhaps wash down at larger stations. Wherever potable water supply is provided to a sewage pumping station, backflow prevention must be provided in the design and construction. (Check the space if potable water supply to a sewage pumping station with backflow prevention is included in the design.)

3. Regionalization

_____ The Preliminary Engineering Report (PER) must give serious consideration to abandoning the existing WWTP, if regionalization with a nearby wastewater treatment facility is at all feasible. A review has been completed and submitted to KDHE within the PER.

4. Non-discharging lagoons

_____ The project does not include a non-discharging lagoon in the design.

_____ The project includes a non-discharging lagoon in the design. As per KDHE program direction, this is a natural treatment process using sun and wind and using zero electricity (other than pumping) and zero natural gas (none needed for space heating, as these small lagoons do not have buildings). The only energy use is in fuel to mow the grass, which leaves no opportunity or need for this analysis. A detailed analysis is not needed and was not prepared.

_____ There is no water use by non-overflowing lagoons, and water reuse of the relatively small quantities of treated effluent available is openly allowed by agricultural crops if any farmer desires. A detailed analysis is not needed and was not prepared.

5. Discharging lagoons –

_____ The project does not include a discharging lagoon in the design.

_____ The project includes a discharging lagoon in the design. As per KDHE program direction, this is a natural treatment process using sun and wind and using zero electricity (other than pumping) and zero natural gas (none needed for space heating, as these small and even the larger lagoons do not have buildings). The only energy use is in fuel to mow the grass and taking/transporting the sample, which leaves no opportunity or need for this analysis. (It should be noted it is expected very few new or expanded discharging lagoons will be permitted in the future by KDHE due to more stringent water quality standards). A detailed analysis is not needed and was not prepared.

_____ There is no water use by discharging lagoons, and water reuse of the relatively small quantities of treated effluent available is openly allowed by agricultural crops if any farmer desires. A detailed analysis is not needed and was not prepared.

KWPCRF Cost and Effectiveness Supporting Information Form
(Mechanical Wastewater Treatment Systems)
KWPCRF Project No. C20 xxxx 01

The Water Resources Reform and Development Act (WRRDA) includes the following Section 602(B)(13) applicable to the state Clean Water SRF beginning October 1, 2015

“Section 602 (B) (13) – beginning in fiscal year 2016, the State will require as a condition of providing assistance to a municipality or intermunicipal, interstate, or State agency that the recipient of such assistance certify, in a manner determined by the Governor of the State, that the recipient –

- (A) has studied and evaluated the cost and effectiveness of the processes, materials, techniques, and technologies for carrying out the proposed project or activity for which assistance is sought under this title; and
- (B) has selected, to the maximum extent practicable, a project or activity that maximizes the potential for efficient water use, reuse, recapture, and conservation, and energy conservation, taking into account –
 - (i) the cost of constructing the project or activity;
 - (ii) the cost of operating and maintaining the project or activity over the life of the project or activity; and
 - (iii) the cost of replacing the project or activity”

This four page support memo provides the necessary certifications review statements as required by the KWPCRF to document this “cost and effectiveness” review requirement for the referenced project. In each case the City/Applicant must check the applicable statements as listed below, and indicate “NA” for any subjects Not Applicable to the KWPCRF project as funded.

1. Major Sewer Rehabilitation

_____ The project does not include any sewer line or manhole rehabilitation measures.

_____ The project includes sewer line and/or manhole rehabilitation. As per KDHE program direction, reducing sewage flows by reducing I/I in the collection system will inherently reduce energy use by reducing pumping costs and costs of treatment. A detailed analysis is not needed and was not prepared.

_____ There is no water use by gravity sewers. A detailed analysis is not needed and was not prepared.

2. Sewage Pumping Stations

_____ The project does not include any sewage pumping stations construction or rehabilitation. As per KDHE program direction the necessary capacity for pumping is determined by peak design sewage flow and the specific

KWPCRF Cost and Effectiveness Supporting Information Form
(Mechanical WWTP Systems)

head conditions which then dictate energy use needs for pumping. A detailed analysis is not needed and was not prepared.

_____ The design is encouraged to incorporate VFDs on the pump motors. (Check the space if VFDs are included in the design.)

_____ The design is encouraged to incorporate high efficiency design motors (NEMA Premium Efficiency) (note, smaller Hp motors may not be available as high efficiency designs). (Check the space if high efficiency design motors are included in the design.)

_____ There is no potable water use at these sewage pumping stations, except perhaps wash down at larger stations. Wherever potable water supply is provided to a sewage pumping station, backflow prevention must be provided in the design and construction. (Check the space if potable water supply to a sewage pumping station with backflow prevention is included in the design.)

3. Regionalization

_____ The Preliminary Engineering Report (PER) must give serious consideration to abandoning the existing WWTP, if regionalization with a nearby wastewater treatment facility is at all feasible. A review has been completed and submitted to KDHE within the PER.

4. Mechanical Wastewater Treatment Systems (i.e., activated sludge) – There are many opportunities to conserve electricity, conserve natural gas for building space heating, maximize aeration efficiency, maximize nitrate oxygen recovery, and (at the larger flow facilities) provide non-potable reuse of effluent in the on-site processes or by off-site irrigation reuse, all while improving nitrogen removal and phosphorus removal. A somewhat lengthy presentation written analysis received and approved by KDHE will be required for mechanical plant designs including –

A. _____ Although natural gas and motor fuel have recently reduced in price, electricity is going up in price, and water is always a precious commodity in Kansas.

B. _____ The design has considered the use of VFDs for influent pumping, and reviewed the opportunity for variable influent pumping rates in the process design. (Check the space if VFDs are included in the design.)

C. _____ The design is encouraged and has considered the use of high efficiency design motors (NEMA Premium Efficiency) (note, smaller Hp motors may not be available as high efficiency designs). (Check the space if high efficiency design motors are included in the design.)

D. _____ The opportunities to “re-purpose” any existing buildings into “cold storage”, without heat or potable water service has been reviewed.

E. _____ The opportunities to utilize and/or replace all lighting with LEDs and/or CFLs has been reviewed. The following lighting fixtures have not been replaced or converted to LED lighting with an explanation attached of why this improvement is not implemented. _____

KWPCRF Cost and Effectiveness Supporting Information Form
(Mechanical WWTP Systems)

F. _____ The opportunities to provide the use of VFDs on all electric motors has been reviewed. The following electric motors do not include the use of VFDs with an explanation attached listing the motors and explaining why these do not have VFDs implemented into the design and use.

G. _____ The opportunities to replace motors with high efficiency design motors (NEMA Premium Efficiency) has been reviewed. The following electric motors do not provide NEMA Premium Efficiency design; an explanation is attached listing the motors and explaining why these do not have NEMA Premium Efficiency design implemented into the design and use. _____
 _____(note, smaller Hp motors may not be available as high efficiency designs).

H. _____ The need for potable water use in the treatment processes has been reviewed, versus the provision of non-potable effluent water re-use on-site.

I. _____ The design includes a new building(s). The justification for the need for the additional heated and air conditioned space (if provided) is attached, and the need for potable water service to the new building(s) (if provided) is attached.

J. _____ The opportunities for off-site effluent irrigation reuse, or industrial non-potable reuse, have been reviewed in the PER. (Please list any off-site reuse opportunities that will be implemented. _____)

K. _____ Implementation of de-nitrification biological treatment processes following nitrification to remove ammonia is required and has been provided in the design to recover the energy benefit of chemically bound oxygen within the nitrate (NO₃).

L. _____ Computer controls for aeration and denitrification systems including DO probes, ORP probes, nitrate (NO₃) probes, etc., with SCADA, PLC, LC, or time clock controls to maximize the pollutant removal efficiency and energy efficiency of the treatment processes are required and provided in the design, as determined appropriate by the design engineer (a climate controlled room or small building may be required for the SCADA electronics and computer controls).

M. _____ Computer controls for chemical feed systems (including flow measurement if needed) with SCADA, PLC, LC, or time clock controls to maximize the pollutant removal efficiency and energy efficiency of the treatment processes are required and provided in the design, as determined appropriate by the design engineer (a climate controlled room or small building may be required for the SCADA, electronics, computer controls, and chemical storage).

KWPCRF Cost and Effectiveness Supporting Information Form
(Mechanical WWTP Systems)

N. _____ A review of the cost and efficiency of phosphorus removal by pretreatment at any large discharge of phosphorus into the collection system versus “end-of-pipe” treatment at the municipal wwtp is required and has been provided in the PER. (Please list any phosphorus pretreatment opportunities that were considered, and identify those that will be implemented. _____).

O. _____ A review of the cost and efficiency of bio-P versus chem-P phosphorus reduction processes to implement the most efficient combination of processes to reduce phosphorus in the effluent is required, including a 20 year cost-effectiveness analysis comparing the phosphorus treatment alternatives, is required. The cost and efficiency analysis was provided in the PER, or is attached.

P. _____ Other concepts and considerations as proposed by the applicant and consulting engineer can be presented in the PER or the design for consideration. Those additional concepts and considerations that will be implemented are as follows: _____

Attachment(s)

Public Meeting and Hearing Requirements Kansas Water Pollution Control Revolving Loan Fund

Per Kansas Administrative Regulation 28-16-136 public participation during development of the facility plan is required. The following minimum public participation will be required:

1. A public meeting is required during the preparation of the facility plan to discuss alternatives. The public meeting must be advertised with a minimum of 15 days notice. The meeting must be advertised in the official paper, minutes must be taken of the meeting and a list of attendees must be recorded. The purpose of the public meeting is to provide information to the public concerning the project, the alternatives that are under investigation and to solicit public comments.
2. A public hearing is required prior to the formal adoption of a facilities plan. The public hearing must be advertised with a minimum of 30 days notice. The hearing must be advertised in the official paper, minutes must be taken of the hearing and a list of attendees must be recorded. The purpose of the public hearing is to provide detailed information to the public concerning the proposed improvements. The hearing must provide the public a current engineer's cost estimate and address the impact on sewer user charges or other taxes which will fund the improvements. The public must also be afforded the opportunity to comment on the project.

A copy of the form titled "Applicant Assurance of Public Participation" is attached and should be completed after the public hearing. This form must be submitted to KDHE with the affidavits of publication for both the meeting and hearing, minutes of both the meeting and hearing, and list of attendees for both the meeting and hearing.

APPLICANT ASSURANCE OF PUBLIC PARTICIPATION
FOR KANSAS WATER POLLUTION CONTROL
REVOLVING LOAN FUND PROJECTS

I hereby certify that with reference to Wastewater Treatment Project Number:

_____:

_____(a) A public meeting was conducted during the preparation of the facilities plan, non-point source pollution control management plan or groundwater quality protection plan to discuss project alternatives. Public notice was given not less than 15 days before the public meeting. A copy of the proof of publication for the notice of this meeting is attached.

_____(b) Prior to the adoption by the governing body and submission to the secretary for approval of the facilities plan, non-point source pollution control management plan or groundwater quality protection plan, a public hearing was conducted. Public notice was given not less than 30 days before the public hearing. Attached is a copy of the advertisement, record of minutes and list of persons attending.

Authorized Representative of Applicant

Date

Legal Name of Applicant

EXAMPLE PUBLIC HEARING AND PUBLIC MEETING NOTICES

 [Double Click for MS Word version](#)

PUBLIC MEETING

The City of _____, Kansas will hold a public meeting on _____, 2000 at _____ p.m. in (City Hall) to present and discuss the alternatives for (wastewater treatment plant or collection system) improvements. The improvements will be funded under the low interest State Revolving Loan Fund Program through the Kansas Department of Health and Environment. The Loan application will include funding for the following improvements:

1. Wastewater Treatment Plant Improvements consisting of _____ with an estimated amount of \$ _____. _.
2. Sewer Collection System Improvements consisting of _____ with an estimated amount of _____. _.

The anticipated amount of the loan application request will be \$ _____. _ and the total project cost is estimated at \$ _____. _ The alternatives will be discussed at the public meeting and comments by the public will be considered. Oral and written comments will be accepted.

PUBLIC HEARING

The City of _____, Kansas will hold a public hearing on _____, 2000 at _____ p.m. in (City Hall) to present and discuss the proposed improvements for the (wastewater treatment plant or collection system) project. The improvements will be funded under the low interest State Revolving Loan Fund Program through the Kansas Department of Health and Environment. The Loan application will include funding for the following improvements:

1. Wastewater Treatment Plant Improvements consisting of _____ with an estimated amount of \$____,____.
2. Sewer Collection System Improvements consisting of _____ with an estimated amount of \$____,____.

The anticipated amount of the loan application request will be \$____,____ and the total project cost is estimated at \$____,____. The anticipated increase in sewer use charges will be discussed. The proposed improvements will be explained and comments by the public will be considered. Oral and written comments will be accepted. Any written comments will become a part of the City's record of public hearing.

RESOLUTION OF GOVERNING BODY OF APPLICANT
(Suggested form for recipient use)

RESOLUTION NO. _____

Resolution authorizing filing of application with the Kansas Department of Health and Environment for a Loan under the Kansas Water Pollution Control Revolving Fund Act (K.S.A. 1988 Supp. 65-3321 through 65-3329).

WHEREAS under the terms of the Kansas Water Pollution Control Revolving Fund Act (K.S.A. 1988 Supp. 65-3321 through 65-3329), the State of Kansas has authorized the making of the loans to authorize applicants to aid in the construction of specific public projects,

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF [CITY NAME], KANSAS, AS FOLLOWS:

Section 1. Loan Application. The Mayor and City Clerk of the City are hereby authorized to cause to be prepared and to execute a Loan Application, including all attachments thereto (jointly, the "Application"); in substantially the form presented to the Governing Body this date, in order to provide financing for the Project. The Application shall be forwarded to KDHE as soon as possible.

Section 2. Further Proceedings. The Mayor, City Clerk and the other officers and representatives of the City are hereby authorized and directed to take such other action as may be necessary to complete the Application and to coordinate processing of a loan agreement for the Loan (the "Loan Agreement"); provided that the authorization to execute the Loan Agreement shall be subject to further resolution of the Governing Body.

Section 3. Further Authority. This Resolution shall be in full force and effect from and after its adoption.

Adopted by the Governing Body of the City of [City Name], Kansas on [Date of Public Hearing].

(SEAL)

Mayor

ATTEST:

City Clerk

Kansas Water Pollution Control Revolving Fund (Wastewater
Collection and Treatment)

NOTICE
Environmental Review Process

As part of the application process for project financing by the Kansas Water Pollution Control Revolving Fund, the Kansas Department of Health and Environment (KDHE) must prepare an environmental clearance document in accordance with K.A.R. 28-16-137. It is the responsibility of the loan recipient for a wastewater improvement project to obtain the necessary clearance comments from the necessary agencies involved in the environmental review process. Copies of the written clearance/comments are then provided to KDHE, Bureau of Water.

The Agencies listed on the attached Distribution List must be contacted in writing (if allowed by the agency email or online contact can be used) for clearance/comment. The interested agencies must be provided with:

1. A narrative description of the project including the collection system improvements and/or treatment facilities to be constructed, the rated capacity of the facility, expected effluent discharge volume, the primary receiving water body, and the expected effluent quality.
2. A site map (USGS is acceptable) showing the location of the treatment facility and the effluent discharge location. If a lagoon treatment facility is proposed, a rough layout map of the lagoon itself should also be provided.
3. The exact location (county name and legal description) of the site, the present land use and predominant vegetation type(s) at the new plant site under consideration.

Example: The preferred alternative would be located in what is presently a wheat field, approximately 200 feet from an oxbow of Blackbird Creek. The oxbow is surrounded by a 50 foot-wide band of mature riparian timber of mixed species.

4. If the project will convert farmland to non-farm use, a USDA Farmland Conversion Impact Rating form must be sent to the Natural Resources Conservation Service in addition to first 3 items 1. Forms and instructions start on page 3 of this packet.
5. Environmental information such as any existing Environmental Assessments or Impacts Statements, proximity to any known sensitive fish or wildlife habitats (if known). Examples of wildlife habitats include: a) Wetlands, b) State or Federal Wildlife refuges or recreation areas, c) Critical habitats for threatened or endangered species, d) Mature riparian timber, e) Streams designated Class I by the U.S. Fish and Wildlife Service, f) Native Prairie tracts.

The transmittal letter / form should request review and clearance of the project and specify a deadline for response, not less than 30 days. You may provide the attached Agency Review Form (next page) for environmental review letter recipients to use, but it is not required.

When all clearances/comments have been received or the allowable review time has expired, copies of all letters requesting clearances and all responses should be submitted to KDHE - Attn: BOW SRF Program

Agencies and Addresses to Contact for Clearance/Comments on the Environmental Review Process

Kansas Dept. of Health & Environment
DOE Attn: Donna Fisher
1000 SW Jackson St., Suite 400
Topeka, KS 66612
donna.fisher@ks.gov

U.S. Fish and Wildlife Service
Ecological Serv./Partners for Fish & Wildlife
2609 Anderson Avenue
Manhattan, KS 66502-2801

U.S. Department of Agriculture
Natural Resources Conservation Service
760 S. Broadway
Salina, KS 67401-4642
brian.nester@ks.usda.gov

Kansas State Historical Society
State Historical Preservation Office
Must be submitted online at
<https://review.kshs.org/>

Kansas Biological Survey
University of Kansas
2101 Constant Avenue, Higuchi Hall
Lawrence, KS 66047-3759

KS Dept. of Wildlife, Parks, and Tourism
Environmental Services Section
512 SE 25th Avenue
Pratt, KS 67124-8174
ess@ksoutdoors.com

Kansas Corporation Commission
266 N. Main St., Ste. 220
Wichita, KS 67202-1513
k.stoll@kcc.ks.gov

Kansas Water Office
900 SW Jackson St., Suite 404
Topeka, KS 66612

KS Dept. of Agriculture
Division of Water Resources
1320 Research Park Dr.
Manhattan, KS 66502-5000
KDA.EnvironmentalReview@ks.gov

Kansas Geological Survey
University of Kansas
1930 Constant Ave.,
Lawrence, KS 66047-3724

U.S. Army Corp. of Engineers
Kansas City District
700 Federal Building - 601 East 12th Street
Kansas City, Missouri 64106-2896

Instructions for completing Farmland Conversion Impact Rating Form

If the proposed project will convert farmland to non-farm use, an additional form must be submitted to USDA Natural Resources Conservation Service. If the project will only construct water lines on farmland, Form NRCS-CPA-106, Farmland Conversion Impact Rating for Corridor Type Projects, must be submitted. Otherwise, Form AD-1006, Farmland Conversion Impact Rating, must be submitted. Both forms are included in this packet.

1. Complete Part 1 and Part 3. The system must complete these sections; disregard the statement “To be completed by Federal Agency”. If there are alternate project sites, please list each alternative separately in Part 3. Include the appropriate form with the letter and Agency Review Comment form sent to USDA Natural Resource Conservation Service (NRCS).
2. The NRCS will complete Part 2, 4, and 5, and then return the form with its Agency Comment Letter. If NRCS enters 0 on Part 5, no further action is required by the system.
3. If a value greater than 0 is entered in Part 5 by NRCS, then the system must complete Part 6 using the site assessment criteria numbering system as outlined on pages 10 and 11 of this packet.
4. Submit a copy of the form to KDHE along with the NRCS environmental review response letter and/or comment form.
5. KDHE will complete part 7.

FARMLAND CONVERSION IMPACT RATING

PART I (To be completed by Federal Agency)		Date Of Land Evaluation Request			
Name of Project		Federal Agency Involved EPA/Kansas DWSRF			
Proposed Land Use		County and State			
PART II (To be completed by NRCS)		Date Request Received By NRCS			
Does the site contain prime, unique, statewide or local important farmland? <i>(If no, the FPPA does not apply - do not complete additional parts of this form)</i>		YES	NO	Acres Irrigated	Average Farm Size
Major Crop(s)	Farmable Land In Govt. Jurisdiction Acres: %	Amount of Farmland As Defined in FPPA Acres: %			
Name of Land Evaluation System Used	Name of State or Local Site Assessment System	Date Land Evaluation Returned by NRCS			
PART III (To be completed by Federal Agency)		Alternative Site Rating			
		Site A	Site B	Site C	Site D
A. Total Acres To Be Converted Directly					
B. Total Acres To Be Converted Indirectly					
C. Total Acres In Site					
PART IV (To be completed by NRCS) Land Evaluation Information					
A. Total Acres Prime And Unique Farmland					
B. Total Acres Statewide Important or Local Important Farmland					
C. Percentage Of Farmland in County Or Local Govt. Unit To Be Converted					
D. Percentage Of Farmland in Govt. Jurisdiction With Same Or Higher Relative Value					
PART V (To be completed by NRCS) Land Evaluation Criterion Relative Value of Farmland To Be Converted (Scale of 0 to 100 Points)					
PART VI (To be completed by Federal Agency) Site Assessment Criteria <i>(Criteria are explained in 7 CFR 658.5 b. For Corridor project use form NRCS-CPA-106)</i>		Maximum Points	Site A	Site B	Site C
1. Area In Non-urban Use		(15)			
2. Perimeter In Non-urban Use		(10)			
3. Percent Of Site Being Farmed		(20)			
4. Protection Provided By State and Local Government		(20)			
5. Distance From Urban Built-up Area		(15)			
6. Distance To Urban Support Services		(15)			
7. Size Of Present Farm Unit Compared To Average		(10)			
8. Creation Of Non-farmable Farmland		(10)			
9. Availability Of Farm Support Services		(5)			
10. On-Farm Investments		(20)			
11. Effects Of Conversion On Farm Support Services		(10)			
12. Compatibility With Existing Agricultural Use		(10)			
TOTAL SITE ASSESSMENT POINTS		160			
PART VII (To be completed by Federal Agency)					
Relative Value Of Farmland (From Part V)		100			
Total Site Assessment (From Part VI above or local site assessment)		160			
TOTAL POINTS (Total of above 2 lines)		260			
Site Selected:	Date Of Selection	Was A Local Site Assessment Used? YES <input type="checkbox"/> NO <input type="checkbox"/>			
Reason For Selection:					
Name of Federal agency representative completing this form:					Date:

STEPS IN THE PROCESSING THE FARMLAND AND CONVERSION IMPACT RATING FORM

- Step 1 - Federal agencies (or Federally funded projects) involved in proposed projects that may convert farmland, as defined in the Farmland Protection Policy Act (FPPA) to nonagricultural uses, will initially complete Parts I and III of the form. For Corridor type projects, the Federal agency shall use form NRCS-CPA-106 in place of form AD-1006.
- Step 2 - Originator (Federal Agency) will send one original copy of the form together with appropriate scaled maps indicating location(s) of project site(s), to the Natural Resources Conservation Service (NRCS) local Field Office or USDA Service Center and retain a copy for their files. (NRCS has offices in most counties in the U.S. The offices can usually be found in the Phone Book under U.S. Government, Department of Agriculture. A list of field offices is available from the NRCS State Conservationist and State Office in each State.)
- Step 3 - NRCS will, within 10 working days after receipt of the completed form, make a determination as to whether the site(s) of the proposed project contains prime, unique, statewide or local important farmland. (When a site visit or land evaluation system design is needed, NRCS will respond within 30 working days. In the event NRCS fails to complete a response within the required period, the agency may proceed as though the site were not farmland.)
- Step 4 - For sites where farmland covered by the FPPA will be converted by the proposed project, NRCS will complete Parts II, IV and V of the form.
- Step 5 - NRCS will return the original copy of the form to the Federal agency involved in the project, and retain a file copy for NRCS records.
- Step 6 - The Federal agency involved in the proposed project will complete Parts VI and VII of the form.
- Step 7 - The Federal agency involved in the proposed project will make a determination as to whether the proposed conversion is consistent with the FPPA and the agency's internal policies.

INSTRUCTIONS FOR COMPLETING THE FARMLAND CONVERSION IMPACT RATING FORM *(For Federal Agency)*

Part I: When completing the "County And State" questions, list all the local governments that are responsible for local land use controls where site(s) are to be evaluated.

Part III: When completing item B (Total Acres To Be Converted Indirectly), include the following:

1. Acres not being directly converted but that would no longer be capable of being farmed after the conversion, because the conversion would restrict access to them.
2. Acres planned to receive services from an infrastructure project as indicated in the project justification (e.g. highways, utilities) that will cause a direct conversion.

Part VI: Do not complete Part VI if a State or Local site assessment is used.

Assign the maximum points for each site assessment criterion as shown in § 658.5(b) of CFR. In cases of corridor-type project such as transportation, powerline and flood control, criteria #5 and #6 will not apply and will, be weighted zero, however, criterion #8 will be weighed a maximum of 25 points and criterion #11 a maximum of 25 points.

Federal agencies may assign relative weights among the 12 site assessment criteria other than those shown on the FPPA rule. In all cases where other weights are assigned, relative adjustments must be made to maintain the maximum total points at 160. For project sites where the total points equal or exceed 160, FPPA suggests the agency consider alternative actions, as appropriate, that could reduce adverse impacts (e.g. Alternative Sites).

In rating alternative sites, Federal agencies shall consider each of the criteria and assign points within the limits established in the FPPA rule. Sites most suitable for protection under these criteria will receive the highest total scores, and sites least suitable, the lowest scores.

Part VII: In computing the "Total Site Assessment Points" where a State or local site assessment is used and the total maximum number of points is other than 160, adjust the site assessment points to a base of 160.
Example: if the Site Assessment maximum is 200 points, and the alternative Site "A" is rated 180 points:

$$\frac{\text{Total points assigned Site A}}{\text{Maximum points possible}} = \frac{180}{200} \times 160 = 144 \text{ points for Site A}$$

For assistance in completing this form or FPPA process, contact the local NRCS Field Office or USDA Service Center.

NRCS employees, consult the FPPA Manual and/or policy for additional instructions to complete the AD-1006 form.

FARMLAND CONVERSION IMPACT RATING FOR CORRIDOR TYPE PROJECTS

PART I (To be completed by Federal Agency)

3. Date Of Land Evaluation Request: _____ 4. Sheet 1 of _____

1. Name of Project: _____ 5. Federal Agency Involved: **EPA/Kansas DWSRF**

2. Proposed Land Use: _____ 6. County and State: _____

PART II (To be completed by NRCS)

1. Date Request Received By NRCS _____ 2. Person Completing Form: _____

3. Does the corridor contain prime, unique, statewide or local important farmland? YES NO
(If no, the FPPA does not apply - do not complete additional parts of this form)

4. Acres Irrigated _____ Average Farm Size _____

5. Major Crop(s) _____ 6. Farmable Land In Government Jurisdiction
Acres: _____ % _____

7. Amount of Farmland As Defined in FPPA
Acres: _____ % _____

8. Name of Land Evaluation System Used _____ 9. Name of State or Local Site Assessment System _____

10. Date Land Evaluation Returned by NRCS _____

PART III (To be completed by Federal Agency)

Alternative Corridor For Segment:

Corridor A	Corridor B	Corridor C	Corridor d

A. Total Acres To Be Converted Directly				
B. Total Acres To Be Converted Indirectly				
C. Total Acres In Site				

PART IV (To be completed by NRCS) Land Evaluation Information

A. Total Acres Prime And Unique Farmland				
B. Total Acres Statewide Important or Local Important Farmland				
C. Percentage Of Farmland in County Or Local Govt. Unit To Be Converted				
D. Percentage Of Farmland in Govt. Jurisdiction With Same Or Higher Relative Value				

PART V (To be completed by NRCS) Land Evaluation Criterion
Relative Value of Farmland To Be Converted (Scale of 0 to 100 Points)

PART VI (To be completed by Federal Agency) Corridor Assessment Criteria
(Criteria are explained in 7 CFR 658.5 b & c. For Non-Corridor project use form AD-1006)

	Maximum Points	Corridor A	Corridor B	Corridor C	Corridor D
1. Area In Non-urban Use	(15)				
2. Perimeter In Non-urban Use	(10)				
3. Percent Of Corridor Being Farmed	(20)				
4. Protection Provided By State and Local Government	(20)				
5. Size Of Present Farm Unit Compared To Average	(10)				
6. Creation Of Non-farmable Farmland	(25)				
7. Availability Of Farm Support Services	(5)				
8. On-Farm Investments	(20)				
9. Effects Of Conversion On Farm Support Services	(25)				
10. Compatibility With Existing Agricultural Use	(10)				
TOTAL CORRIDOR ASSESSMENT POINTS	160				

PART VII (To be completed by Federal Agency)

Relative Value Of Farmland (From Part V)	100				
Total Corridor Assessment (From Part VI above or local site assessment)	160				
TOTAL POINTS (Total of above 2 lines)	260				

1. Corridor Selected: _____	2. Total Acres of Farmlands to be Converted by Project: _____	3. Date Of Selection _____	4. Was A Local Site Assessment Used? YES <input type="checkbox"/> NO <input type="checkbox"/>
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5. Reason For Selection: _____

Signature of Federal agency representative completing this form: _____ Date: _____

NOTE: Complete one form for each segment with more than one Alternate Corridor

(See Instructions on reverse side)

STEPS IN THE PROCESSING THE FARMLAND AND CONVERSION IMPACT RATING FORM

(Use this form only for Corridor type projects. Other projects use form AD-1006)

- Step 1 - Federal agencies (or Federally funded projects) involved in proposed projects that may convert farmland, as defined in the Farmland Protection Policy Act (FPPA) to nonagricultural uses, will initially complete Parts I and III of the form. For Non-Corridor type projects, the Federal agency shall use form AD-1006 in place of form NRCS-CPA-106
- Step 2 - Originator will send one original copy of the form together with appropriate scaled maps indicating location(s) of project site(s), to the Natural Resources Conservation Service (NRCS) local Field Office or USDA Service Center and retain a copy for their files. (NRCS has offices in most counties in the U.S. The offices can usually be found in the Phone Book under U.S. Government, Department of Agriculture. A list of field offices is available from the State Conservationist and State Office in each State.)
- Step 3 - NRCS will, within 10 working days after receipt of the completed form, make a determination as to whether the site(s) of the proposed project contains prime, unique, statewide or local important farmland. (When a site visit or land evaluation system design is needed, NRCS will respond within 30 working days. In the event NRCS fails to complete a response within the required period, the agency may proceed as though the site were not farmland.)
- Step 4 - For sites where farmland covered by the FPPA will be converted by the proposed project, NRCS will complete Parts II, IV and V of the form.
- Step 5 - NRCS will return the original copy of the form to the Federal agency involved in the project, and retain a file copy for NRCS records.
- Step 6 - The Federal agency involved in the proposed project will complete Parts VI and VII of the form.
- Step 7 - The Federal agency involved in the proposed project will make a determination as to whether the proposed conversion is consistent with the FPPA and the agency's internal policies.

INSTRUCTIONS FOR COMPLETING THE FARMLAND AND CONVERSION IMPACT RATING FORM

(For Federal Agency)

Part I: When completing the "County And State" questions, list all the local governments that are responsible for local land use controls where site(s) are to be evaluated.

Part III: When completing item B (Total Acres To Be Converted Indirectly), include the following:

- 3. Acres not being directly converted but that would no longer be capable of being farmed after the conversion, because the conversion would restrict access to them.
- 4. Acres planned to receive services from an infrastructure project as indicated in the project justification (e.g. highways, utilities) that will cause a direct conversion.

Part VI: Do not complete Part VI if a State or Local site assessment is used.

Assign the maximum points for each site assessment criterion as shown in § 658.5(b and c) of CFR. In cases of corridor-type project such as transportation, powerline and flood control, criteria #5 and #6 do not apply or show on form CPA-106, however, original criterion #8 will be weighed a maximum of 25 points and original criterion #11 a maximum of 25 points.

Federal agencies may assign relative weights among the 12 site assessment criteria other than those shown on the FPPA rule. In all cases where other weights are assigned, relative adjustments must be made to maintain the maximum total points at 160. For project sites where the total points are equal to or exceed 160, FPPA suggests the agency consider alternative actions, as appropriate, that could reduce adverse impacts (e.g. Alternative Sites).

In rating alternative corridors, Federal agencies shall consider each of the criteria and assign points within the limits established in the FPPA rule. Corridors most suitable for protection under these criteria will receive the highest total scores, and sites least suitable, the lowest scores.

Part VII: In computing the "Total Corridor Assessment Points" where a State or local site assessment is used and the total maximum number of points is other than 160, adjust the site assessment points to a base of 160.

Example: if the Site Assessment maximum is 200 points, and the alternative Site "A" is rated 180 points:

$\frac{\text{Total points assigned Corridor A}}{\text{Maximum points possible}} = \frac{180}{200} \times 160 = 144 \text{ points for Corridor A}$

For assistance in completing this form or FPPA process, contact the local NRCS Field Office or USDA Service Center.

NRCS employees consult the FPPA Manual and/or policy for additional instructions to complete form NRCS-CPA-106.

SITE ASSESSMENT CRITERIA

Use to complete Part 6 (If using NRCS-CPA-106, items 5 and 6 are not used)

(1) How much land is in non-urban use within a radius of 1.0 mile from where the project is intended?

More than 90 percent—15 points

90 to 20 percent—14 to 1 point(s)

Less than 20 percent—0 points

(2) How much of the perimeter of the site borders on land in non-urban use?

More than 90 percent—10 points

90 to 20 percent—9 to 1 point(s)

Less than 20 percent—0 points

(3) How much of the site has been farmed (managed for a scheduled harvest or timber activity) more than 5 of the last 10 years?

More than 90 percent—20 points

90 to 20 percent—19 to 1 point(s)

Less than 20 percent—0 points

(4) Is the site subject to State or unit of local government policies or programs to protect farmland or covered by private programs to protect farmland?

Site is protected—20 points

Site is not protected—0 points

(5) How close is the site to an urban built-up area? (Not used in NRCS-CPA-106) The

site is 2 miles or more from an urban built-up area—15 points

The site is more than 1 mile but less than 2 miles from an urban built-up area—10 points

The site is less than 1 mile from, but is not adjacent to an urban built-up area—5 points

The site is adjacent to an urban built-up area—0 points

(6) How close is the site to water lines, sewer lines and/or other local facilities and services whose capacities and design would promote nonagricultural use? (Not used in NRCS-CPA-106)

None of the services exist nearer than 3 miles from the site—15 points

Some of the services exist more than 1 but less than 3 miles from the site—10 points

All of the services exist within 1/2 mile of the site—0 points

(7) if using NRCS-CPA-106) Is the farm unit(s) containing the site (before the project) as large as the average-size farming unit in the county? (Average farm sizes in each county are available from the NRCS field offices in each State. Data are from the latest available Census of Agriculture, Acreage of Farm Units in Operation with \$1,000 or more in sales.)

As large or larger—10 points

Below average—deduct 1 point for each 5 percent below the average, down to 0 points if

50 percent or more below average—9 to 0 points

(8) if using NRCS-CPA-106) If this site is chosen for the project, how much of the remaining land on the farm will become non-farmable because of interference with land patterns?

Acreage equal to more than 25 percent of acres directly converted by the project—10 points (25 points if NRCS

-CPA-106 is used)

Acreage equal to between 25 and 5 percent of the acres directly converted by the project—9 to 1 point(s) (24 to 1 points if NRCS-CPA-106 is used)

Acreage equal to less than 5 percent of the acres directly converted by the project—0 points

(9)) if using NRCS-CPA-106) Does the site have available adequate supply of farm support services and markets, i.e., farm suppliers, equipment dealers, processing and storage facilities and farmer's markets?

All required services are available—5 points

Some required services are available—4 to 1 point(s)

No required services are available—0 points

(10) if using NRCS-CPA-106) Does the site have substantial and well-maintained on-farm investments such as barns, other storage buildings, fruit trees and vines, field terraces, drainage, irrigation, waterways, or other soil and water conservation measures?

High amount of on-farm investment—20 points

Moderate amount of on-farm investment—19 to 1 point(s)

No on-farm investment—0 points

(11) if using NRCS-CPA-106) Would the project at this site, by converting farmland to nonagricultural use, reduce the demand for farm support services so as to jeopardize the continued existence of these support services and thus, the viability of the farms remaining in the area?

Substantial reduction in demand for support services if the site is converted—10 points (25 points if NRCS - CPA-106 is used)

Some reduction in demand for support services if the site is converted—9 to 1 point(s) (24 to 1 points if NRCS- CPA-106 is used)

No significant reduction in demand for support services if the site is converted—0 points

(12) if using NRCS-CPA-106) Is the kind and intensity of the proposed use of the site sufficiently incompatible with agriculture that it is likely to contribute to the eventual conversion of surrounding farmland to nonagricultural use?

Proposed project is incompatible with existing agricultural use of surrounding farmland— 10

points Proposed project is tolerable to existing agricultural use of surrounding farmland—9

to 1 point(s) Proposed project is fully compatible with existing agricultural use of surrounding farmland—0 points

KDHE PROJECT #

CERTIFICATION REGARDING LOBBYING

CERTIFICATION FOR CONTRACTS, GRANTS, LOANS AND COOPERATIVE AGREEMENTS

The undersigned certifies, to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

(3) The undersigned shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including sub-contracts, sub-grants, and contracts under grants, loans, and cooperative agreements) and that all sub-recipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31 U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Typed Name & Title of Authorized Representative

Signature and Date of Authorized Representative



THE MODEL ORDINANCE

AN ORDINANCE REGULATING THE USE OF PUBLIC AND PRIVATE SEWERS AND DRAINS, PRIVATE SEWAGE DISPOSAL, THE INSTALLATION AND CONNECTION OF BUILDING SEWERS, AND THE DISCHARGE OF WATERS AND WASTES INTO THE PUBLIC SEWER SYSTEM(S): AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF: IN THE CITY OF _____, COUNTY OF _____, STATE OF _____.

Be it ordained by the Mayor and Council/Commission of the City of _____, State of _____, as follows:

ARTICLE I

Unless the context specifically indicates otherwise, the meaning of terms used in this ordinance shall be as follows:

- Sec. 1. "BOD" (denoting Biochemical Oxygen Demand) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at 20°C, expressed in milligrams per liter.
- Sec. 2. "Building Drain" shall mean that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste, and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning five (5) feet (1.5 meters) outside the inner face of the building wall.
- Sec. 3. "Building Sewer" shall mean the extension from the building drain to the public sewer or other place of disposal.
- Sec. 4. "Combined Sewer" shall mean a sewer receiving both surface runoff and sewage.
- Sec. 5. "Garbage" shall mean solid wastes from the domestic and commercial preparation, cooking and dispensing of food, and from the handling, storage and sale of produce.
- Sec. 6. "Industrial Wastes" shall mean the liquid wastes from industrial manufacturing processes, trade, or business as distinct from sanitary sewage.
- Sec. 7. "Natural Outlet" shall mean any outlet into a watercourse, pond, ditch, lake, or other body of surface or groundwater.
- Sec. 8. "Person" shall mean any individual, firm, company, association, society, corporation, or group.
- Sec. 9. "pH" shall mean the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.

- Sec. 10. "Properly Shredded Garbage" shall mean the wastes from the preparation, cooking, and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle, greater than one-half (½) inch (1.27 centimeters) in any dimension.
- Sec. 11. "Public Sewer" shall mean a sewer in which all owners of abutting properties have equal rights, and is controlled by public authority.
- Sec. 12. "Sanitary Sewer" shall mean a sewer which carries sewage and to which storm, surface, and groundwaters are not intentionally admitted.
- Sec. 13. "Sewage" shall mean a combination of the water-carried wastes from residents, business buildings, institutions, and industrial establishments, together with such ground, surface, and stormwaters as may be present.
- Sec. 14. "Sewage Treatment Plant" shall mean any arrangement of devices and structures used for treating sewage.
- Sec. 15. "Sewage Works" shall mean all facilities for collecting, pumping, treating and disposing of sewage.
- Sec. 16. "Sewer" shall mean a pipe or conduit for carrying sewage.
- Sec. 17. "Shall" is mandatory; "May" is permissive.
- Sec. 18. "Slug" shall mean any discharge of water, sewage, or industrial waste which in concentration of any given constituent or in quantity of flow exceeds for any period of duration longer than fifteen (15) minutes more than five (5) times the average twenty-four (24) hour concentration or flows during normal operation.
- Sec. 19. "Storm Drain" (sometimes termed "storm sewer") shall mean a sewer which carries storm and surface waters and drainage, but excludes sewage and industrial wastes, other than unpolluted cooling water.
- Sec. 20. "Superintendent" shall mean the [Superintendent of Sewage Works and/or of Water Pollution Control] of the [city] of [], or his authorized deputy, agent, or representative.
- Sec. 21. "Suspended Solids" shall mean solids that either float on the surface of, or are in suspension in water, sewage, or other liquids, and which are removable by laboratory filtering.
- Sec. 22. "Watercourse" shall mean a channel in which a flow of water occurs, either continuously or intermittently.
- Sec. 23. "Hearing Board" shall mean that Board appointed according to provision of Article []. (This section to be included only if optional article entitled "Hearing Boards" is made a part of the ordinance.)

ARTICLE II

- Sec. 1. It shall be unlawful for any person to place, deposit, or permit to be deposited in any unsanitary manner on public or private property within the [city] of [], or in any area under the jurisdiction of said [city], any human or animal excrement, garbage, or other objectionable waste.
- Sec. 2. It shall be unlawful to discharge to any natural outlet within the [city] of [], or in any area under the jurisdiction of said [city], any sewage or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this ordinance.
- Sec. 3. Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool, or other facility intended or used for the disposal of sewage.
- Sec. 4. The owner of all houses, buildings, or properties used for human employment, recreation, or other purposes, situated within the [city] and abutting on any street, alley, or right-of-way in which there is now located or may in the future be located a public sanitary or combined sewer of the [city], is hereby required at his expense to install suitable toilet facilities therein, and to connect such facilities directly with the proper public sewer in accordance with the provisions of this ordinance, within [ninety (90) days] after date of official notice to do so, provided that said public sewer is within [one hundred (100) feet 30.5 meters] of the property line.

ARTICLE III

- Sec. 1. Where a public sanitary or combined sewer is not available under the provisions of Article II, Section 4, the building sewer shall be connected to a private sewage disposal system complying with the provisions of this article.
- Sec. 2. Before commencement of construction of a private sewage disposal system the owner shall first obtain a written permit signed by the [Superintendent]. The application for such permit shall be made on a form furnished by the [city], which the applicant shall supplement by any plans, specifications, and other information as are deemed necessary by the [Superintendent]. A permit and inspection fee of [] dollars shall be paid to the [city] at the time the application is filed.
- Sec. 3. A permit for a private sewage disposal system shall not become effective until the installation is completed to the satisfaction of the [Superintendent]. He shall be allowed to inspect the work at any stage of construction and, in any event, the applicant for the permit shall notify the [Superintendent] when the work is ready for final inspection, and before any underground portions are covered. The inspection shall be made within [] hours of the receipt of notice by the [Superintendent].
- Sec. 4. The type, capacities, location, and layout of a private sewage disposal system shall comply with all recommendations of the Department of Public Health of the State of []. No permit shall be issued for any private sewage disposal system employing subsurface soil absorption facilities where the area of the lot is less than [] square feet (square meters). No septic tank or cesspool shall be permitted to discharge to any natural outlet.
- Sec. 5. At such time as a public sewer becomes available to a property served by a private sewage disposal system, as provided in Article III, Section 4, a direct connection shall be made to the public sewer in compliance with this ordinance, and any septic tanks, cesspools, and similar private sewage disposal facilities shall be abandoned and filled with suitable material.
- Sec. 6. The owner shall operate and maintain the private sewage disposal facilities in a sanitary manner at all times, at no expense to the [city].

- Sec. 7. No statement contained in this article shall be construed to interfere with any additional requirements that may be imposed by the Health Officer.
- Sec. 8. When a public sewer becomes available, the building sewer shall be connected to said sewer within sixty (60) days and the private sewage disposal system shall be cleaned of sludge and filled with clean bank-run gravel or dirt.

ARTICLE IV

- Sec. 1. No unauthorized person shall uncover, make any connections with or opening into, use, alter, or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the [Superintendent].
- Sec. 2. There shall be two (2) classes of building sewer permits: (a) for residential and commercial service, and (b) for service to establishments producing industrial wastes. In either case, the owner or his agent shall make application on a special form furnished by the [city]. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgement of the [Superintendent]. A permit and inspection fee of [] dollars for a residential or commercial building sewer permit and [] dollars for an industrial building sewer permit shall be paid to the [city] at the time the application is filed.
- Sec. 3. All costs and expense incident to the installation and connection of the building sewer shall be borne by the owner. The owner shall indemnify the [city] from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.
- Sec. 4. A separate and independent building sewer shall be provided for every building; except where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court yard, or driveway, the building sewer from the front building may be extended to the rear building and the whole considered as one building sewer.
- Sec. 5. Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the [Superintendent], to meet all requirements of this ordinance.
- Sec. 6. The size, slope, alignment, materials of construction of a building sewer, and the methods to be used in excavating, placing of the pipe, jointing, testing and backfilling the trench, shall all conform to the requirements of the building and plumbing code or other applicable rules and regulations of the [city]. In the absence of code provisions or in amplification thereof, the materials and procedures set forth in appropriate specifications of the A.S.T.M. and W.P.C.F. Manual of Practice No. 9 shall apply.
- Sec. 7. Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer.
- Sec. 8. No permit shall make connection of roof downspouts, interior and exterior foundation drains, areaway drains, or other sources of surface runoff or groundwater to a building sewer or building drain which in turn is connected directly or indirectly to a public sanitary sewer.

- Sec. 9. The connection of the building sewer into the public sewer shall conform to the requirements of the building and plumbing codes or other applicable rules and regulations of the [city], or the procedures set forth in appropriate specifications of the A.S.T.M. and the W.P.C.F. Manual of Practice No. 9. All such connections shall be made gastight and watertight. Any deviation from the prescribed procedures and materials must be approved by the [Superintendent] before installation.
- Sec. 10. The applicant for the building sewer permit shall notify the [Superintendent] when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the [Superintendent] or his representative.
- Sec. 11. All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways, and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the [city].

ARTICLE V

- Sec. 1. No person shall discharge or cause to be discharged any stormwater, surface water, groundwater, roof runoff, subsurface drainage, including interior and exterior foundation drains, uncontaminated cooling water, or unpolluted industrial process waters to any sanitary sewer.
- Sec. 2. Stormwater and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as combined sewers or storm sewers, or to a natural outlet approved by the [Superintendent]. Industrial cooling water or unpolluted process waters may be discharged on approval of the [Superintendent], to a storm sewer, combined sewer, or natural outlet.
- Sec. 3. No person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewers:
- (a) Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid or gas.
 - (b) Any waters or wastes containing toxic or poisonous solids, liquids, or gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in the receiving waters of the sewage treatment plant, including but not limited to cyanides in excess of two (2) mg/l as CN in the wastes as discharged to the public sewer.
 - (c) Any waters or wastes having a pH lower than 5.5, or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the sewage works.
 - (d) Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the sewage works such as, but not limited to, ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, paunch manure, hair and fleshings, entrails and paper dishes, cups, milk containers, etc., either whole or ground by garbage grinders.

- Sec. 4. No permit shall discharge or cause to be discharged the following described substances, materials, waters, or wastes if it appears likely in the opinion of the [Superintendent] that such wastes can harm either the sewers, sewage treatment process, or equipment, have an adverse effect on the receiving stream, or can otherwise endanger life, limb, public property, or constitute a nuisance. In forming his opinion as to the acceptability of these wastes, the [Superintendent] will give consideration to such factors as the quantities of subject wastes in relation to flows and velocities in the sewers, materials of construction of the sewers, nature of the sewage treatment process, capacity of the sewage treatment plant, degree of treatability of wastes in the sewage treatment plant, and other pertinent factors. The substances prohibited are:
- (a) Any liquid or vapor having a temperature higher than one hundred fifty (150)°F (65°C).
 - (b) Any water or wastes containing fats, wax, grease or oils, whether emulsified or not, in excess of one hundred (100) mg/l or containing substances which may solidify or become viscous at temperatures between thirty-two (32) and one hundred fifty (150)°F (0 and 65°C).
 - (c) Any garbage that has not been properly shredded. The installation and operation of any garbage grinder equipped with a motor of three-fourths (3/4) horsepower (0.76 hp metric) or greater shall be subject to the review and approval of the [Superintendent].
 - (d) Any waters or wastes containing strong acid iron pickling wastes, or concentrated plating solutions whether neutralized or not.
 - (e) Any waters or wastes containing iron, chromium, copper, zinc and similar objectionable or toxic substances; or wastes exerting an excessive chlorine requirement, to such degree that any such material received in the composite sewage at the sewage treatment works exceeds the limits established by the [Superintendent] for such materials.
 - (f) Any waters or wastes containing phenols or other taste- or odor- producing substances, in such concentrations exceeding limits which may be established by the [Superintendent] as necessary, after treatment of the composite sewage, to meet the requirements of State, Federal, or other public agencies of jurisdiction for such discharge to the receiving waters.
 - (g) Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the [Superintendent] in compliance with applicable State and Federal regulations.
 - (h) Any waters or wastes having a pH in excess of [9.5].
 - (i) Materials which exert or cause:
 - (1) Unusual concentrations of inert suspended solids (such as, but not limited to, Fullers earth, lime slurries, and lime residues) or of dissolved solids (such as, but not limited to, sodium chloride or sodium sulfate).
 - (2) Excessive discoloration (such as, but not limited to, dye wastes and vegetable tanning solutions).
 - (3) Unusual BOD, chemical oxygen demand, or chlorine requirements in such quantities as to constitute a significant load on the sewage treatment works.
 - (4) Unusual volume of flow or concentration of wastes constituting "slugs" as defined herein.

- (j) Waters or wastes containing substances which are not amenable to treatment or reduction by the sewage treatment processes employed, or are amenable to treatment only to such degree that the sewage treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.
- (k) Any waters or wastes having (1) a 5-day BOD greater than 300 parts per million by weight, or (2) containing more than 350 parts per million by weight of suspended solids, or (3) having an average daily flow greater than 2 percent of the average sewage flow of the [city], shall be subject to the review of the [Superintendent]. Where necessary in the opinion of the [Superintendent], the owner shall provided, at his expense, such preliminary treatment as may be necessary to (1) reduce the biochemical oxygen demand to 300 parts per million by weight, or (2) reduce the suspended solids to 350 parts per million by weight or (3) control the quantities and rates of discharge of such waters or wastes. Plans, specifications, and any other pertinent information relating to proposed preliminary treatment facilities shall be submitted for the approval of the [Superintendent] and no construction of such facilities shall be commenced until said approvals are obtained in writing.

Sec. 5. If any waters or wastes are discharged, or are proposed to be discharged to the public sewers, which waters contain the substances or possess the characteristics enumerated in Section 4 of this Article, and which in the judgement of the [Superintendent], may have a deleterious effect upon the sewage works, processes, equipment, or receiving waters, or which otherwise create a hazard to life to constitute a public nuisance, the [Superintendent] may:

- (a) Reject the wastes,
- (b) Require pretreatment to an acceptable condition for discharge to the public sewers,
- (c) Require control over the quantities and rates of discharge, and/or
- (d) Require payment to cover the added cost of handling and treating the wastes not covered by existing taxes or sewer charges under the provisions of Section 10 of the Article.

If the [Superintendent] permits the pretreatment or equalization of waste flows, the design and installation of the plants and equipment shall be subject to the review and approval of the [Superintendent], and subject to the requirements of all applicable codes, ordinances and laws.

Sec. 6. Grease, oil, and sand interceptors shall be provided when, in the opinion of the [Superintendent], they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand, or other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the [Superintendent], and shall be located as to be readily and easily accessible for cleaning and inspection.

Sec. 7. Where preliminary treatment or flow-equalizing facilities are provided for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner at his expense.

Sec. 8. When required by the [Superintendent], the owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable control manhole together with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling, and measurement of the wastes. Such manhole, when required, shall be accessibly and safely located, and shall be constructed in accordance with plans approved by the [Superintendent]. The manhole shall be installed by the owner at his expense, and shall be maintained by him so as to be safe and accessible at all times.

- Sec. 9. All measurements, tests, and analyses of the characteristics of waters and wastes to which reference is made in this ordinance shall be determined in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater", published by the American Public Health Association, and shall be determined at the control manhole provided, or upon suitable samples taken at said control manhole. In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected. Sampling shall be carried out by customarily accepted methods to reflect the effect of constituents upon the sewage works and to determine the existence of hazards to life, limb, and property. (The particular analyses involved will determine whether a twenty-four (24) hours composite of all outfalls of a premise is appropriate or whether a grab sample or samples should be taken. Normally, but not always, BOD and suspended solids analyses are obtained from 24-hour composites of all outfalls whereas pH's are determined from periodic grab samples.)
- Sec. 10. No statement contained in this article shall be construed as preventing any special agreement or arrangement between the [city] and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the [city] for treatment, subject to payment therefore, by the industrial concern.

ARTICLE VI

- Sec. 1. No unauthorized person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance, or equipment which is part of the sewage works. Any person violating this provision shall be subject to immediate arrest under charge of disorderly conduct.

ARTICLE VII

- Sec. 1. The [Superintendent] and other duly authorized employees of the [city] bearing proper credentials and identification shall be permitted to enter all properties for the purpose of inspection, observation, measurement, sampling, and testing in accordance with the provisions of this ordinance. The [Superintendent] or his representatives shall have no authority to inquire into any processes including metallurgical, chemical, oil, refining, ceramic, paper, or other industries beyond that point having a direct bearing on the kind and source of discharge to the sewers or waterways or facilities for waste treatment.
- Sec. 2. While performing the necessary work on private properties referred to in Article VII, Section 1 above, the [Superintendent] or duly authorized employees of the [city] shall observe all safety rules applicable to the premises established by the company and the company shall be held harmless for injury or death to the [city] employees and the [city] shall indemnify the company against loss or damage to its property by [city] employees and against liability claims and demands for personal injury or property damage asserted against the company and growing out of the gauging and sampling operation, except as such may be caused by negligence or failure of the company to maintain safe conditions as required in Article V, Section 8.
- Sec. 3. The [Superintendent] and other duly authorized employees of the [city] bearing proper credentials and identification shall be permitted to enter all private properties through which the [city] holds a duly negotiated easement for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair, and maintenance of any portion of the sewage works lying within said easement. All entry and subsequent work, if any, on said easement, shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.

ARTICLE VIII

- Sec. 1. Any person found to be violating any provision of this ordinance except Article VI shall be served by the [city] with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.
- Sec. 2. Any person who shall continue any violation beyond the time limit provided for in Article VIII, Section 1, shall be guilty of a misdemeanor, and on conviction thereof shall be fined in the amount not exceeding [\$100] dollars for each violation. Each 24-hour period in which any such violation shall continue shall be deemed a separate offense.
- Sec. 3. Any person violating any of the provisions of this ordinance shall become liable to the [city] for any expense, loss, or damage occasioned the [city] by reason of such violation.

ARTICLE IX

- Sec. 1. All ordinances or parts of ordinances in conflict herewith are hereby repealed.
- Sec. 2. The invalidity of any section, clause, sentence, or provision of this ordinance shall not affect the validity of any other part of this ordinance which can be given effect without such invalid part or parts.

ARTICLE X

- Sec. 1. This ordinance shall be in full force and effect from and after its passage, approval, recording, and publication as provided by law.
- Sec. 2. Passed and adopted by the [Council/Commission] of the [city] of _____, State of _____ on the ____ day of [Month], [Year], by the following vote:

Ayes _____:namely
Nays _____:namely

Approved this _____ day of _____,

(Signed) _____, (Mayor)

Attest:

(Signed) _____, (Clerk)