

October 14, 2022

Ms. Brenda Diegel
Bureau of Water
Kansas Department of Health and Environment
1000 SW Jackson, Suite 420
Topeka, KS 66612-1367

RE: KPWSLF Project No. C20-3061-01
City of Cedar Vale
Wastewater Improvement Project

Dear Ms. Diegel:

The following items are for your review and processing:

1. Application for Financial Assistance for Sewer improvements.
2. Cost and Effectiveness Certification and small systems supporting information form.
3. Long Term outstanding debt.
4. Assurance of Public Participation form with affidavit of publications for public meeting and public hearing.
5. Resolution 22-04 Authorizing submittal of the SRF application.
6. Certification Regarding Lobbying.
7. Cedar Vale Sewer Ordinance #421.
8. Cedar Vale Sewer Rate Ordinance # 573.
9. Outgoing Environmental Review letter with attachments.
10. Environmental Review Responses from:
 - Kansas Conservation Division
 - Kansas Historical Preservation Office
 - US Army Corps of Engineers
 - Kansas Water Office
 - KDHE Bureau of Waste Management
 - KDHE Bureau of Environmental Remediation, Assessment & Restoration Section, Dry Cleaner / Superfund Unit.
 - KDHE Bureau of Environmental Remediation, Storage Tank Section
 - KDHE Bureau of Environmental Remediation, Assessment and Restoration Section, Spills Unit

- KDHE Bureau of Environmental Remediation Assessment and Restoration Section, Orphan Sites Unit.
- KDHE Office of the Secretary.
- State Conservation Commission / Division of Water Resource/ KS Department of Agriculture.

We have not received responses from KS Biological Survey, KS Corporation Commission, KS Geological Survey, KS Dept of Wildlife, and US Department of Wildlife and Parks. I will forward upon receipt.

The preliminary engineering report will address the capital improvement financing plan. This report will be forwarded to you upon receipt.

Sincerely,
RANSON FINANCIAL GROUP LLC

Crystal Hinnen

Municipal Consultant
Cedar Vale Grant Administrator

**Ranson Financial Group LLC
& Citycode Financial LLC**
200 W. Douglas, Suite 600
Wichita, KS 67202
chinnen@ransonfinancial.com
316.264.3400 office



Kansas Water Pollution Control Revolving Fund

Loan Application

Applicant Information

Municipality Name: City of Cedar Vale

Address: 702 Cedar St. Cedar Vale KS 67024
Street City State Zip

Contact Person Cathy Walker City Clerk
Name Title

Contact Info 620.758.2244 cocv@sktc.net
Phone No. Email

Tax ID No. 48-6043065 Congressional District of Municipality 4

Unique Entity ID. JYD9L23NWXH4 Engineering Consultant Firm BG Consultants
Engineering Contact Name Bruce Boettcher
Engineering Contact Phone No. 620.343.7842
Engineering Contact Email bruce.boettcher@bgcons.com

Project Title: Cedar Vale Sewer
Project Description:

The proposed project is using a combination of point repairs, cured-in-place piping (lining) and open trench to replace the existing sewer line to eliminate excessive infiltration/inflow into the system. The lift station pumps will also be replaced. The city is in the process of CCTV the system and will rate the collection system according to the priority of repair/replacement.

Project Details

Estimated Project Costs

Construction Cost	<u>\$ 1,878,500.00</u>	Contingencies	<u>\$ 225,420</u>
Engineering Planning & Design	<u>\$ 309,500</u>	Administrative & Legal Costs	<u>\$ 37,500</u>
Construction Engineering & Inspection	<u>\$ 204,600</u>	Other	<u>\$ 76,100</u>
		Total Project Cost	<u>\$ 2,731,620</u>

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

KDHE SRF Loan	<u>\$ 2,731,620</u>
Cash on Hand	<u>\$</u>
Community Development Block Grant (CDBG)	<u>\$</u>
USDA Rural Development Grant**	<u>\$</u>
Other	<u>\$</u>
Total	<u>\$ 2,731,620</u>

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	<u>8.18.22</u>
Public Meeting Held	<u>9.8.22</u>
Notice of Public Hearing Issued	<u>8.18.22</u>
Public Hearing Held	<u>9.22.22</u>
Environmental Review Letters Sent	<u>9.19.22</u>
Final Plans and Specifications submitted to KDHE	<u>5.31.23</u>
Duration of Construction (in months)	<u>12 Months</u>

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

Year	Residential	Commercial	Other	Total
2022	227.00	11	0	238
2021	227	11	0	238
2020	227	11	0	238

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
2022	24,896,571
2021	28,541,000
2020	25,834,000

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
2022	\$ 1,589,460	\$ 146,115	\$ 1,735,575
2021	\$ 1,548,981	\$ 141,866	\$ 1,690,847
2020	\$ 1,438,776	\$ 154,276	\$ 1,593,052

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 checked="" type="checkbox"/>
Cost and Effectiveness Certification	<input checked="" type="checkbox"/>	<input type="checkbox"/>
List of Outstanding Debt Paid by Sewer Utility and Repayment Schedules	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Assurance of Public Participation Form	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Copy of Resolution Authorizing Application	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Copy of Outgoing Environmental Review Letters	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Copy of Environmental Review Responses	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>
Copy of Sewer Use Ordinance	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Copy of User Charge System	<input checked="" 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"/>

Engineering Consultant Contract Procurement Process

When the applicant entered into an agreement with the engineering firm responsible for any engineering services related to the project, was the agreement procured using the all of the following:

- Public announcement of the solicitation (e.g., a Request for Qualifications);
- Evaluation and ranking of the submitted qualifications statements based on established, publicly available criteria (e.g., identified in the solicitation);
- Discussion with at least three firms to consider anticipated concepts and compare alternative methods for furnishing services;
- Selection of at least three firms considered to be the most highly qualified to provide the services required; and.
- Contract negotiation with the most highly qualified firm to determine compensation that is fair and reasonable based on a clear understanding of the project scope, complexity, professional nature, and the estimated value of the services to be rendered

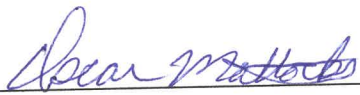
Yes No

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.

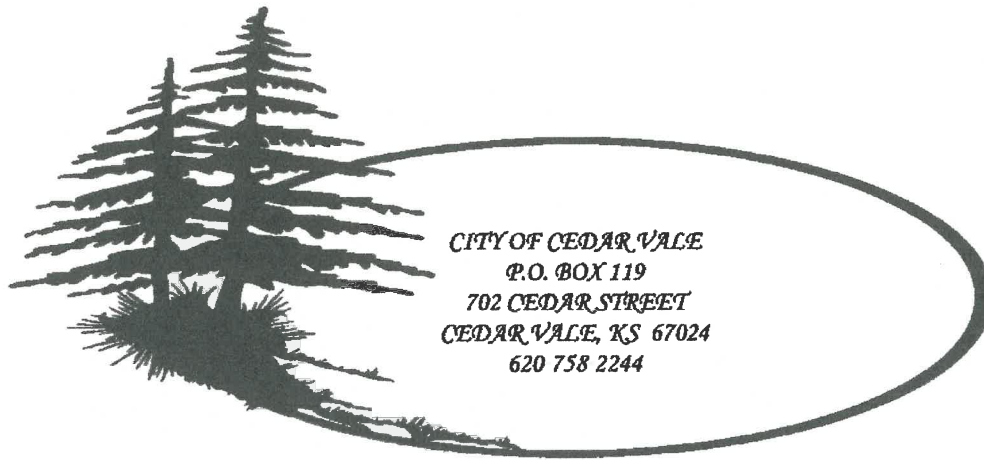
Signature: 

Date: 10.13.22

Title: Mayor of Cedar Vale Kansas

Submit this application and all required attachments to:

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



CITY OF CEDAR VALE
P.O. BOX 119
702 CEDAR STREET
CEDAR VALE, KS 67024
620 758 2244

Certification for "Cost and Effectiveness"

KWPCRF Project No. C20 3061 01

September 27, 2022

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)."

Bruce Boettcher, P.E.
BG Consultants

Mayor Oscar Mattocks
Cedar Vale, KS



**KWPCRF Cost and Effectiveness Supporting Information Form
(Small Systems)
KWPCRF Project No. C20 3061 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.

CITY OF CEDAR VALE, KANSAS
NOTES TO THE FINANCIAL STATEMENTS
12/31/20

NOTE 4 - LONG TERM DEBT

Changes in long-term liabilities for the City for the year ended December 31, 2020, were as follows:

Issue	Interest Rates	Date of Issue	Amount Issued	Date of Final Maturity	Balance Beginning of Year	Additions	Reductions/Payments	Net Change	Balance End of Year	Interest Paid
GENERAL OBLIGATION BONDS										
Refunding Series 2008										
Water System Improvement	2.5-4.25%	8/15/08	540,000.00	9/1/20	55,000.00	-	55,000.00	(55,000.00)	-	2,337.50
Series A 2001	5.00%	5/21/01	215,000.00	2/21/41	164,931.00	-	4,283.00	(4,283.00)	160,648.00	8,246.55
Series B 2001	5.00%	2/21/01	50,642.00	2/21/41	39,889.00	-	1,036.00	(1,036.00)	38,853.00	1,994.45
CAPITAL LEASE PURCHASE										
2016 Ford F-250 Pick-up	3.49%	6/6/16	17,525.00	6/6/20	4,622.34	-	4,622.34	(4,622.34)	-	150.72
2016 Bobcat Skidsteer & Mini Excavator	4.75%	4/6/17	84,746.17	4/6/24	55,056.82	-	10,008.47	(10,008.47)	45,048.35	2,622.36
					<u>\$ 319,499.16</u>	<u>\$ -</u>	<u>\$ 74,949.81</u>	<u>\$ (74,949.81)</u>	<u>\$ 244,549.35</u>	<u>\$ 15,351.58</u>

THE CITY OF CEDAR VALE, KANSAS
NOTES TO THE FINANCIAL STATEMENTS
December 31, 2020

NOTE 4 - LONG TERM DEBT (cont'd.)

Current maturities of long-term debt and interest for the next five year increments through maturity are as follows:

	Year	Year	Years	Years	Years	Years	Years	Years	Years	Years	TOTAL
	2021	2022	2023	2024	2025	2026-2030	2031-2035	2036-2040	2041		
PRINCIPAL											
Water Sys. Improvement - Series A 2001	\$ 4,498.00	\$ 4,722.00	\$ 4,959.00	\$ 5,206.00	\$ 5,467.00	\$ 31,717.00	\$ 40,481.00	\$ 51,665.00	\$ 11,933.00	\$ 160,648.00	
Water Sys. Improvement - Series B 2001	1,088.00	1,142.00	1,199.00	1,259.00	1,322.00	7,672.00	9,790.00	12,495.00	2,886.00	38,853.00	
TOTAL PRINCIPAL	\$ 5,586.00	\$ 5,864.00	\$ 6,158.00	\$ 6,465.00	\$ 6,789.00	\$ 39,389.00	\$ 50,271.00	\$ 64,160.00	\$ 14,819.00	\$ 199,501.00	
CAPITAL LEASE PURCHASES											
2016 Mini Excavator & Skid Loader	\$ 10,491.03	\$ 10,989.36	\$ 11,511.35	\$ 12,055.61	\$ 1.00	\$ -	\$ -	\$ -	\$ -	\$ 45,048.35	
TOTAL PRINCIPAL	\$ 10,491.03	\$ 10,989.36	\$ 11,511.35	\$ 12,055.61	\$ 1.00	\$ -	\$ -	\$ -	\$ -	\$ 45,048.35	
INTEREST											
Water Sys. Improvement - Series A 2001	\$ 8,032.40	\$ 7,807.50	\$ 7,571.40	\$ 7,323.45	\$ 7,063.15	\$ 30,931.90	\$ 22,169.00	\$ 10,984.80	\$ 596.65	\$ 102,480.25	
Water Sys. Improvement - Series B 2001	1,942.65	1,888.25	1,831.15	1,771.20	1,708.25	7,481.00	5,361.50	2,656.75	144.30	24,785.05	
TOTAL INTEREST	\$ 9,975.05	\$ 9,695.75	\$ 9,402.55	\$ 9,094.65	\$ 8,771.40	\$ 38,412.90	\$ 27,530.50	\$ 13,641.55	\$ 740.95	\$ 127,265.30	
CAPITAL LEASE PURCHASES											
2016 Mini Excavator & Skid Loader	\$ 2,139.80	\$ 1,641.47	\$ 1,119.48	\$ 574.26	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 5,475.01	
TOTAL INTEREST	\$ 2,139.80	\$ 1,641.47	\$ 1,119.48	\$ 574.26	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 5,475.01	
TOTAL PRINCIPAL AND INTEREST	\$ 28,191.88	\$ 28,190.58	\$ 28,191.38	\$ 28,189.52	\$ 15,561.40	\$ 77,801.90	\$ 77,801.50	\$ 77,801.55	\$ 15,559.95	\$ 377,289.66	

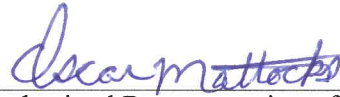
APPLICANT ASSURANCE OF PUBLIC PARTICIPATION
FOR KANSAS WATER POLLUTION CONTROL
REVOLVING LOAN FUND PROJECTS

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

C20-3061-01

(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

10-13-22

Date

City of Cedar Vale

Legal Name of Applicant

PRAIRIE STAR

P.O. Box 417 • 226 E. Main
Sedan, KS 67361 • (620) 725-3176

AFFIDAVIT OF PUBLICATION

Jenny Diveley of lawful age, being duly sworn, deposes and says he or she represents the publisher of:

Prairie Star
P.O. Box 417 • Sedan, KS 67361

a weekly newspaper in the state of Kansas at 102 E. Main, Sedan, Kansas, 67361, and of general circulation in Chautauqua and Elk counties and which has been admitted to the U.S. Mail as a second class matter in said county, and which said newspaper has been continuously and uninterruptedly published in said county during the period of one year immediately prior to the first publication of the notice hereinafter mentioned.

Publication printed in the regular issue of said newspaper for 1 consecutive weeks, with the first publication being made on Aug. 18, 2022, with subsequent publication being made on the following dates:

The affidavit further says that he or she has personal knowledge of the statements above set forth and that they are true.

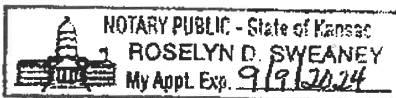
Jenny Diveley Signature

State of Kansas, Chautauqua County

Subscribed and sworn to before me

this 18th day of August, 2022.

Roselyn D. Sweaney Notary Public



PUBLIC NOTICE
Published in the Prairie Star on
Aug. 18, 2022

PUBLIC HEARING

The City of Cedar Vale, Kansas will hold a public hearing on Thursday, September 22, 2022 6:30 p.m. in the Cedar Vale City Hall located at 702 Cedar Street, Cedar Vale, Kansas to present and discuss the proposed improvements for the sewer 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 \$ n/a

2. Sewer Collection System Improvements consisting of 30 new manholes, 45 manhole rehabilitation, 19,100 LF 8" sewer main rehabilitation, 3,900 LF 10" sewer main rehabilitation, 120 Service tap replacement, 1 Lift Station replacement, 1 LS erosion control, 1 LS mobilization, 1 LS construction staking, 1 LS temporary and permanent seeding and 1 LS traffic control with an estimated amount of \$ 2,731,620.

The anticipated amount of the loan application request will be \$2,731,620 and the total project cost is estimated at \$2,731,620 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.

PRAIRIE STAR

P.O. Box 417 • 226 E. Main
Sedan, KS 67361 • (620) 725-3176

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Jenny Diveley of lawful age, being duly sworn, deposes and says he or she represents the publisher of:

Prairie Star

P.O. Box 417 • Sedan, KS 67361

a weekly newspaper in the state of Kansas at 102 E. Main, Sedan, Kansas, 67361, and of general circulation in Chautauqua and Elk counties and which has been admitted to the U.S. Mail as a second class matter in said county, and which said newspaper has been continuously and uninterruptedly published in said county during the period of one year immediately prior to the first publication of the notice hereinafter mentioned.

Publication printed in the regular issue of said newspaper for 1 consecutive weeks, with the first publication being made on Aug. 18, 2022, with subsequent publication being made on the following dates:

The affidavit further says that he or she has personal knowledge of the statements above set forth and that they are true.

Jenny Diveley

Signature

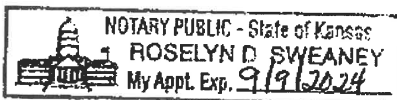
State of Kansas, Chautauqua County

Subscribed and sworn to before me

this 18th day of August, 2022.

Roselyn D. Sweaney

Notary Public



PUBLIC NOTICE
Published in the Prairie Star on
Aug. 18, 2022

PUBLIC MEETING

The City of Cedar Vale, Kansas will hold a public meeting on Thursday, September 8, 2022 at 6:00 pm in Cedar Vale City Hall located at 702 Cedar Street, Cedar Vale, Kansas to present and discuss the alternatives for sewer 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:

Wastewater Treatment Plant Improvements consisting of with an estimated amount of \$ n/a

Sewer Collection System Improvements consisting of: 30 EA new manholes, 45 EA manhole rehabilitation, 19,100 LF 8" sewer main rehabilitation, 3,900 LF 10" sewer main rehabilitation, 120 EA Service tap replacement, 1 EA Lift Station replacement, 1 LS site clearing and restoration, 1 LS erosion control, 1 LS mobilization, 1 LS construction staking, 1 LS temporary and permanent seeding, and 1 LS traffic control with an estimated amount of \$2,731,620.

The anticipated amount of the loan application request will be \$2,731,620 and the total project cost is estimated at \$2,731,620. The alternatives will be discussed at the public meeting.

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

RESOLUTION NO. 22-04

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 Cedar Vale, Kansas on October 13, 2022.

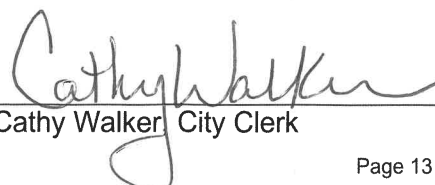
(SEAL)





Oscar Mattocks, Mayor

ATTEST:



Cathy Walker, City Clerk

_____ C20-3061-01 _____

_____ 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.

Oscar Mattocks, Mayor of Cedar Vale, KS
Typed Name & Title of Authorized Representative

 10-13-22

Signature and Date of Authorized Representative

- 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 residences, 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 (Cedar Vale, Kansas), 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.

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 Cedar Vale, Kansas, 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 (Cedar Vale, Kansas), 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, cess-pool, or other facility intended or used for the disposal of sewage.

- Sec. 4. The owner of all houses, buildings or property used for human occupancy, employment, recreational or other purposes, situated within the City of Cedar Vale, Kansas on any street, alley, or right of way in which areas are now located or may in the future be located a public sanitary sewer of the city is hereby required at his expense to install a suitable toilet facility therein, and to connect such facility directly with the proper public sewer in accordance with provisions of this ordinance, within ninety (90) days after date of official notice to do so, provided such public sewer is within one-hundred feet 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 private sewage disposal system, the owner shall first obtain a written permission ^{permitted} 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 deemed necessary by the Superintendent. A permit and inspection fee of \$5.00 shall be paid to the City Treasurer 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 in any state of construction. 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. Inspection shall be made within 48 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 Local and/or County Health Department. No septic tank or cesspool shall be permitted to discharge to any natural outlet.
- Sec. 5. 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. 6. No statement contained in this article shall be construed to interfere with any additional requirements that may be imposed by the Health Officer.
- Sec. 7. 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 within 60 days 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 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 the residential and commercial services, and (B) For the service to establish and produce an industrial waste. In either case, the owner or his agent shall make application on a special form furnished by the city. Permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgement of the superintendent. A permit inspection fee of \$5.00 for residential and commercial building sewer permit and \$15.00 for industrial builder sewer permit. It shall be paid to the City Treasurer at the time 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 building sewer shall be cast iron soil pipe, ASTM specification (A74-42) or equal: Vitrified clay pipe, ASTM specification (C13-44T) or plastic pipe PVC 1120 SDR 35 of ASTM designation D-1784 or ABS of ASTM D-2122. Joints for PVC pipe shall be either ring rubber gasket joints or solvent cemented joints, or equal. All joints shall be tight and waterproof. Any part of the building sewer that is located within ten (10) feet of a water service pipe shall be constructed of cast iron sewer pipe.
- Sec. 7. The size and slope of the building sewer shall be subject to approval of the Superintendent, but in no event shall the diameter be less than four (4) or six (6) inches. The slope of such six inch pipe shall not be less than one-eighth (1.8) inch per foot. If four inch pipe is allowed, one-fourth (1.4) inch per foot slope shall be minimum for that size connection.
- Sec. 8. Whenever possible the building sewer shall be brought to the building at an elevation below the basement floor. No building sewer shall be laid parallel to or within three (3) feet of any bearing wall, which might therefore be weakened. The depth shall be sufficient to afford protection from frost. The building sewer shall be laid on uniform grade and in straight alignment insofar as possible. Changes in direction shall be made with properly curved pipe and fittings.
- Sec. 9. In all buildings in which any building drain is too low to permit gravity flow to public sewer, sanitary sewage carried by such drain shall be lifted by approved artificial means and discharged into the building sewer. The use of any pumping equipment, for which cross connections of a public water supply system are needed, is prohibited.
- Sec. 10. All excavation required for the installation of a building sewer shall be open trench work unless otherwise approved by Superintendent. Pipe laying and backfill shall be performed in accordance with ASTM specifications (C12-19) except that no backfill shall be placed until the work has been inspected.

- Sec. 11. The connection of a building sewer into the public sewer shall be made at the "Y" branch, if such branch is available at a suitable location. If the public sewer is twelve (12) inches in diameter or less, and no properly located "Y" branch is available, the owner shall at his expense install a "Y" branch in the public sewer location specified by the Superintendent. When the public sewer is greater than twelve (12) inches in diameter and no properly located "Y" branch is available, a neat hole may be cut in the public sewer to receive the building sewer with entry in the downstream direction at an angle of about forty-five (45°) degrees. A forty-five (45°) degree elbow may be used to make such connections with the spigot end cut so as not to extend past the inner surface of the public sewer. The invert of the building sewer at the point of the connection shall be at the same or a higher elevation as the invert of the public sewer. The smooth, neat joints shall be made, and the connection be made secure and water tight by encasement in concrete. Special fittings may be used for the connection only when approved by the Superintendent.
- Sec. 12. 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. 13. All excavations for public sewer installation shall be adequately guarded with barricades and lights as to protect the public from hazards. Streets, sidewalks, parkways and other public property disturbed in the course of work shall be restored in a manner satisfactory to the city.
- Sec. 14. No person shall make connections of roof downspouts, exterior & foundation drains, areaway drains or other sources of surface run-off or groundwater to a building sewer or building drain which in turn is connected directly or indirectly to public sanitary sewer.

ARTICLE V

- Sec. 1. No person shall discharge or cause to be discharged any storm-water, 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. Storm water and all other unpolluted drainage shall be discharged to storm sewers, or to a natural outlet approved by the Superintendent. Industrial cooling water or unpolluted process water may be discharged by approval of the Superintendent to a storm 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, naphta, 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 sewer works.

- (d) Solid or viscuous 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 person 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 waste 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 viscuous 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 or 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 provide, 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.

Plans, specifications, and any other pertinent information related to the proposed preliminary treatment facility shall be submitted for approval of the Superintendent and Kansas State Department of Health and Environment. No construction of such facilities shall be commenced until such set of approvals are obtained in writing.

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) hour 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-hr 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 purposes 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 sewer 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 employee 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. 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 in effect without such invalid part or parts.

ARTICLE X

- Sec. 1. This ordinance shall be in full force and effect from after its passage, approval, recording, and publication as provided by law.

Passed and adopted this 5th day of July, 19 84.

Approved this 5th day of July, 19 84.

Floyd O. Thompson
Mayor

ATTEST:

Audith McCasie
City Clerk

ORDINANCE NO. 573
City of Cedar Vale, Kansas

— AN ORDINANCE ESTABLISHING A NEW SEWER RATE SCHEDULE FOR THE SEWER PATRONS OF THE CITY OF CEDAR VALE, KANSAS, AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH.

Be it ordained by the City Council of the City of Cedar Vale, Kansas, as follows:

SECTION I

The current sewer rate schedule in effect since August 1, 2003, reflected in Ordinance No. 506 shall be amended to increase the base or minimum charge for sewer to \$12.00 per month for sewer usage by City residents up to but not including 4,000 gallons of water per meter; 4,000 gallons of water, sewer will be \$14.00; 5,000 gallons of water, sewer will be \$16.00; 6,000 gallons of water, sewer will be \$18.00 and so on. The sewer charge for each additional 1,000 gallons of water is \$2.00 per 1,000.

A detailed sewer rate schedule shall be available to all sewer customers and a copy of the same may be obtained at the Cedar Vale City Hall.


SECTION II

All ordinances or parts of ordinances in conflict herewith are hereby expressly repealed.

SECTION III

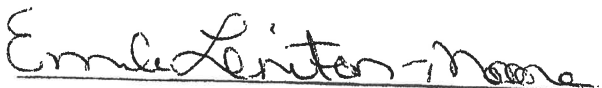
This ordinance shall take effect from and after August 18th, 2016, and shall be published two times in the official city newspaper.

PASSED AND ADOPTED by the City Council and APPROVED by the Mayor this 18th day of August, 2016.



Faith Sanders, Mayor

ATTEST:



Emili D. Leniton-Moore, City Clerk

September 19, 2022

To all State and Federal Agencies

RE: City of Cedar Vale, Kansas
Wastewater System Improvements
KDHE Project No. C20-3061-01

The City of Cedar Vale, Kansas is applying to the Kansas Department of Health and Environment for a State Revolving Loan fund to assist in the interim financing of their proposed wastewater project in the amount of \$2,611,120. The City is in the process of applying to USDA Rural Development for the permanent financing.

The proposed project is using a combination of point repairs, cured-in-place piping (lining) and open trench to replace the existing sewer line to eliminate excessive infiltration/inflow into the system. The lift station pumps will also be replaced. The city is in the process of CCTV the system and will rate the collection system according to the priority of repair/replacement.

The proposed project consists of the following items: 30 EA new manholes, 45 EA manhole rehabilitation, 19,100 LF 8" sewer main rehabilitation, 3,900 LF 10" sewer main rehabilitation, 120 EA Service tap replacement, 1 EA Lift Station replacement, 1 LS site clearing and restoration, 1 LS erosion control, 1 LS mobilization, 1 LS construction staking, 1 LS temporary and permanent seeding, 1 LS traffic control.

Temporary construction effects could include closing an alley or street intersection while a point repair is being made. Traffic control barricades will be used to protect the public as well as the workers. Some increased traffic from the equipment may be noticeable. Residents/businesses may be asked to reduce water usage during a short period (8 hours or less) while the sewer line is being worked on in their area. The contractor will work with the city in notifying residents as the project moves across the City and when they (residents/businesses) might be impacted. No long-term environmental impacts are expected.

The estimated project costs are as follows:

Construction	\$1,878,500
Engineering	189,000
Inspection/Add'l Services	171,000
Geotechnical Engineering	7,500
Legal Fees / Easements	12,500
Administration Fees	25,000
Interim Financing	<u>76,100</u>
Total	\$2,611,120

State and Federal Agencies
September 19, 2022

The proposed work covers the entire City of Cedar Vale that lies in Section 10 11, Township 34 South, Range 8 East, Chautauqua County, Kansas. The approximate latitude and longitude of City Hall at 410 Merchant Street is 37°06'15" N and 96°30'00" W at an elevation of 965' mean sea level (msl).

There are no FEMA maps for the City of Cedar Vale, Kansas per Map Service Center. Caney River passes the northern boundaries of the city. The Cedar Creek passes south of the City lagoons and City limits. The proposed project will not encroach on the floodway as the work will be completed within existing sewer line from manhole to manhole.

No additional land is needed for the completion of the proposed work. No persons will be displaced nor relocated due to the construction of this project. If there are any special permits or conditions that apply, please let us know.

Enclosed for your use and information is a Project Review Form for your response, an aerial map of the City of Cedar Vale, copy of the existing collection system. We would appreciate receiving your comments within 30 days of receipt regarding this project.

If you have any questions regarding the proposed construction, please contact Bruce Boettcher, PE of BG Consultants at (620) 343.7842 or email : bruce.boettcher@bgcons.com . If you have any questions in regard to the KDHE SRF Loan application, please feel free to contact me at (316) 264-3400 or if you wish to response by email, my email address is chinnen@ransonfinancial.com.

Sincerely,

Ranson Financial Group, LLC

Crystal Hinnen

Municipal Consultant

Cedar Vale's Administrator

Enc. Project Review Form
Aerial Map of Cedar Vale
FEMA Search
KDOT Map
Current Collection System Map

Navigation

Search

Languages

[MSC Home \(/portal/\)](#)

[MSC Search by Address \(/portal/search\)](#)

[MSC Search All Products \(/portal/advanceSearch\)](#)

▼ [MSC Products and Tools \(/portal/resources/productsandtools\)](#)

[Hazus \(/portal/resources/hazus\)](#)

[LOMC Batch Files \(/portal/resources/lomc\)](#)

[Product Availability \(/portal/productAvailability\)](#)

[MSC Frequently Asked Questions \(FAQs\) \(/portal/resources/faq\)](#)

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[Contact MSC Help \(/portal/resources/contact\)](#)

Enter an address, place, or coordinates: [?](#)

702 cedar st, cedar vale, ks

Search

Whether you are in a high risk zone or not, you may need [flood insurance \(https://www.fema.gov/national-flood-insurance-program\)](https://www.fema.gov/national-flood-insurance-program) because most homeowners insurance doesn't cover flood damage. If you live in an area with low or moderate flood risk, you are 5 times more likely to experience flood than a fire in your home over the next 30 years. For many, a National Flood Insurance Program's flood insurance policy could cost less than \$400 per year. Call your insurance agent today and protect what you've built.

Learn more about [steps you can take \(https://www.fema.gov/what-mitigation\)](https://www.fema.gov/what-mitigation) to reduce flood risk damage.

Search Results—Products for CEDAR VALE, CITY OF

Show ALL Products » (<https://msc.fema.gov/portal/availabilitySearch?addcommunity=200477&communityName=CEDAR VALE, CITY OF>)

FEMA has not completed a study to determine flood hazard for the selected location; therefore, a flood map has not been published at this time. You can contact your community or the FEMA FMIX for more information about flood risk and flood insurance in your community.

You can choose a new flood map or move the location pin by selecting a different location on the locator map below or by entering a new location in the search field above. It may take a minute or more during peak hours to generate a dynamic FIRMette.



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[Report Fraud, Waste & Abuse \(https://www.oig.dhs.gov/hotline\)](https://www.oig.dhs.gov/hotline)



Carney River

Carney River

Carney River

Cedar Vale City Clerk

Water Tower

Cedar Vale

Spartan Stadium

Hewins Park

City Sewer Lagoons

Cedar Creek

LEGEND

- CORPORATE CITY LIMITS
- LAND SECTION LINE
- DIVIDED HIGHWAY
- STATE HIGHWAY
- STREET OR PUBLIC ROAD
- RAILROAD
- INTERSTATE NUMBERED ROUTE
- U.S. NUMBERED ROUTE
- STATE NUMBERED ROUTE
- SCHOOL
- HOSPITAL
- POST OFFICE
- KOOP OFFICE
- CITY HALL
- SPORTS COMPLEX
- COUNTY COURT HOUSE
- MUSEUM
- CUL-DE-SAC
- LOW WATER CROSSING
- LANDING FIELD

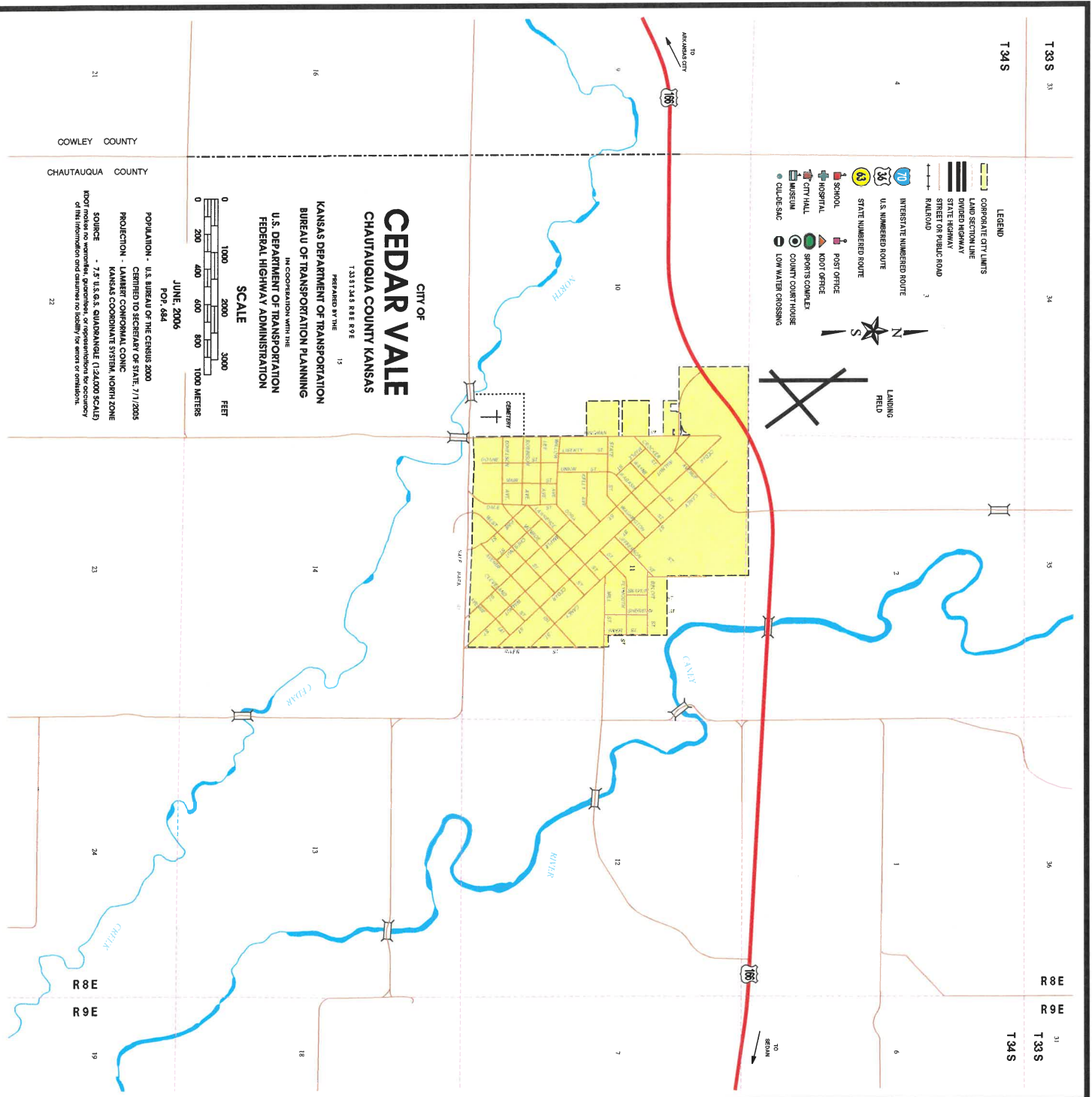
SCALE

0 1000 2000 3000
0 200 400 600 800 1000 METERS

POPULATION - U.S. BUREAU OF THE CENSUS 2000
 CERTIFIED TO SECRETARY OF STATE, 7/1/2005
PROJECTION - LAMBERT CONFORMAL CONIC
KANSAS CONFORMAL SYSTEM, NORTH ZONE
SOURCE - 7.5" U.S.G.S. QUADANGLE (1:24,000 SCALE)
 RDOT makes no warranty, guarantee, or representation for accuracy of this information and assumes no liability for error or omission.

CITY OF CEDAR VALE
 CHAUTAUQUA COUNTY KANSAS

PREPARED BY THE
 KANSAS DEPARTMENT OF TRANSPORTATION
 BUREAU OF TRANSPORTATION PLANNING
 IN COOPERATION WITH THE
 U.S. DEPARTMENT OF TRANSPORTATION
 FEDERAL HIGHWAY ADMINISTRATION



The following form may be used by the Review Agency/Commission for comments in response to the request for clearance from the proposed Municipal Programs Loan Fund Project.

- _____ Army Corps of Engineers
- _____ Kansas Biological Survey
- _____ State Conservation Commission
- _____ Kansas Corporation Commission
- _____ Division of Water Resources/Kansas Department of Agriculture
- _____ Kansas Geological Survey
- _____ Kansas State Historical Society, State Historic Preservation Office
- _____ Kansas Water Office
- _____ Kansas Department of Wildlife & Parks
- _____ US Dept of Agriculture - Natural Resources Conservation Service
- _____ Kansas Department of Health and Environment
- XX _____ US Dept of the Interior - Fish and Wildlife Service

Agency Review Comments: (to be completed by reviewing agency and returned to applicant contact person at name and address shown below)

Comments: We have no comments to this project at this time.

Recommended Action: (to be completed by the reviewing agency and returned to applicant contact person at name and address shown below.)

- XX _____ Clearance of project should be granted
- _____ Clearance of project should not be granted
- _____ Clearance of project should be delayed until the issues or questions have been clarified.
- _____ Clearance of project should not be delayed, but the applicant (in the application) should address or clarify the questions or concerns indicated above.)

John F. Miesner
Reviewer's Name

John F. Miesner
Division/Agency/Commission

Sept. 22, 2022
Date

KDHE Project Number: C20-3061-01

Project Title: Municipal Programs Loan Fund Application

Applicant: City of Cedar Vale

Contact Person: Crystal Hinnen

Address: 200 W Douglas, Ste. 600

City, State: Wichita, KS Zip: KS Phone: (316)-264-3400

September 28, 2022

RE: City of Cedar Vale, Kansas
Wastewater System Improvements
KDHE Project No. C20-3061-01

Ms. Hinnen,

A review of Conservation Division files at the Kansas Corporation Commission failed to indicate any oil or gas related drilling activity within the project boundaries described in your submitted proposal. However, unreported wells or surface ponds may exist or have existed within your project boundaries for which we have no record. Should any oil field related problems occur or wells be located during construction, please contact Troy Russell, District Supervisor, at (620) 902-6450.

If you have any questions or concerns, please let me know at (316) 337-6227.

Sincerely,

Kraig Stoll

Kraig Stoll
Environmental Specialist



Conservation Division

Kansas Corporation Commission

266 N. Main St., Ste. 220 | Wichita, KS | 67202-1513

Phone (316) 337-6227 | Fax (316) 337-6211 | <http://kcc.ks.gov/>

Cultural Resources Division
State Historic Preservation Office
6425 SW 6th Avenue
Topeka KS 66615-1099



785-272-8681
fax 785-272-8682
kshs.shpo@ks.gov
kshs.org

Patrick Zollner, Acting Executive Director

Laura Kelly, Governor

KSR&C # 22-09-182
October 13, 2022

Crystal Hinnen
Ranson Financial

Via email

RE: City of Cedar Vale
702 Cedar St., Cedar Vale, 67024
Chautauqua County

Staff of the State Historic Preservation Office (SHPO) has reviewed the information received September 19, 2022, regarding the above-referenced project in accordance with 36 CFR Part 800. In reviews of this nature, the SHPO determines whether a federally funded, licensed, or permitted project will adversely affect properties that are listed or determined eligible for listing in the National Register of Historic Places. The SHPO has determined that the proposed project will not affect any property listed or determined eligible for listing in the National Register. As far as this office is concerned, the project may proceed.

Thank you for giving us the opportunity to comment on this proposal. Please refer to the Kansas State Review & Compliance number (KSR&C#) listed above on any future correspondence. Please submit any comments or questions regarding this review to Austin Main at 785-272-8681 ext. 228 or Austin.Main@ks.gov.

Sincerely,

Patrick Zollner, Acting Executive Director and
State Historic Preservation Officer



**DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, KANSAS CITY DISTRICT
KANSAS STATE REGULATORY OFFICE
2710 NE SHADY CREEK ACCESS ROAD
EL DORADO, KANSAS 67042**

September 21, 2022

Kansas State Regulatory Office
NWK-2022-00728

Ms. Crystal Hinnen
Ranson Financial Group, LLC
200 West Douglas Avenue, Suite 600
Wichita, KS 67202-3006

Dear Ms. Hinnen:

This is in reply to your request for comments, submitted on behalf of the city of Cedar Vale, concerning the wastewater system improvements. It was received on September 19, 2022. The project is located in Section 11, Township 34 south, Range 8 East, Chautauqua County, Kansas [Latitude: 37.1063, Longitude: -96.4991].

The Corps of Engineers has jurisdiction over all waters of the United States. Discharges of dredged or fill material in waters of the United States, including wetlands, require prior authorization from the Corps under Section 404 of the Clean Water Act (USC 1344). The implementing regulation for this Act is found at 33 CFR 320-332.

Should the proposed improvements require the discharge of dredged or fill material in any waters of the United States, including wetlands, a Department of the Army (DA) permit may be required. However, if the proposed improvements do not require the discharge of dredged or fill material in any waters of the United States, including wetlands, a DA permit will not be required.

Federal regulations require that a DA permit be issued by the Corps of Engineers prior to the initiation of any construction on the portion of a proposed activity which is within the Corps' regulatory jurisdiction.

Enclosed is a copy of our Regulatory Brochure. Should your proposed work require a DA permit, the application form and instructions may be downloaded at: <https://www.nwk.usace.army.mil/Missions/Regulatory-Branch/> and submitted electronically to the appropriate Regulatory Office.

We are interested in your thoughts and opinions concerning your experience with the Kansas City District, Corps of Engineers Regulatory Program. Please feel free to complete our Customer Service Survey form on our website at: <https://regulatory.ops.usace.army.mil/customer-service-survey/>. You may also call and request a paper copy of the survey which you may complete and return to us by mail.

Ms. Dorothy Stimac, Regulatory Specialist, reviewed the information furnished and made this determination. If you have any questions concerning this matter, please feel free to contact Ms. Stimac at 816-389-3372 or by email at dorothy.m.stimac@usace.army.mil. Please reference Regulatory File No. NWK-2022-00728 in all comments and/or inquiries relating to this project. This letter is only being provided to you electronically at: chinnen@ransonfinancial.com.

Enclosure

The following form may be used by the Review Agency/Commission for comments in response to the request for clearance from the proposed Municipal Loan Fund Project No. C20-3061-01.

- Army Corps of Engineers
- Kansas Biological Survey
- Division of Conservation/ Kansas Department of Agriculture
- Kansas Corporation Commission
- Division of Water Resource/Kansas Department of Agriculture
- Kansas Geological Survey
- Kansas State Historical Society, State Historic Preservation Office
- Kansas Water Office
- Kansas Department of Wildlife & Parks
- US Dept. Agriculture - Natural Resources Conservation Service
- Kansas Department of Health and Environment
- US Dept of the Interior - Fish and Wildlife Service

Agency Review Comments: (to be completed by reviewing agency and returned to applicant contact person at name and address shown below)

Comments: According to our records, Cedar Vale's Water Conservation Plan (WCP) is not up-to-date with the 2007 guidelines. However, the city is working with our office to get this updated. Practices need to be put in place to protect surface and groundwater in the area, if the project is approved.

Recommended Action: (to be completed by the reviewing agency and returned to applicant contact person at name and address shown below)

- Clearance of project should be granted.
- Clearance of project should not be granted.
- Clearance of project should be delayed until the issues or questions have been clarified.
- Clearance of project should not be delayed, but the applicant (in the application) should address or clarify the questions or concerns indicated above.

<u>Kirk Tjelmeland</u>	<u>Kansas Water Office</u>	<u>09/20/2022</u>
Reviewer's Name	Division/Agency/Commission	Date

Project Title: Municipal Programs Loan Fund Application, Wastewater System Improvement Project No. C20-3061-01.

Applicant: City of Cedar Vale

Contact Person: Crystal Hinnen, Ransom Financial, Group, LLC

Address: 200 W. Douglas Ave. Site 60006

City, State: Wichita, Kansas Zip: 67202-3006 Phone: (316) 264- 3400

Email: chinnen@ransonfinancial.com

Office of the Secretary
Curtis State Office Building
1000 SW Jackson St., Suite 540
Topeka, KS 66612-1367



Phone: 785-296-0461
www.kdheks.gov

Janet Stanek, Secretary

Laura Kelly, Governor

Comments by: KDHE

Transmittal Date: October 7, 2022

This form provides notification and the opportunity for your agency to review and comments on this proposed project as required by Executive Order 12372. Review Agency, please complete Parts II and III as appropriate and return to the contact person listed below. Your prompt response will be appreciated.

Return To: Crystal Hinnen

Email: chinnen@ransonfinancial.com

PART I

REVIEW AGENCIES/COMMISSION

- | | | |
|--|--|---|
| <input type="checkbox"/> Aging | <input type="checkbox"/> Education | <input type="checkbox"/> State Forester |
| <input type="checkbox"/> Agriculture | <input type="checkbox"/> Geological Survey, KS | <input type="checkbox"/> Transportation |
| <input type="checkbox"/> Biological Survey | <input checked="" type="checkbox"/> Health & Environment | <input type="checkbox"/> Water Office, KS |
| <input type="checkbox"/> Conservation Commission | <input type="checkbox"/> Historical Society | <input type="checkbox"/> Wildlife & Parks |
| <input type="checkbox"/> Corporation Commission | <input type="checkbox"/> Social & Rehabilitation | <input type="checkbox"/> Commerce |

PART II

AGENCY REVIEW COMMENTS

(Attach additional sheet if necessary) Re: Cedar Vale C-20-3061-01

Kevin Heit / Jeff Walker, Bureau of Waste Management: Comments and an attachment are enclosed for this project.
Bureau of Environmental Remediation: Randy Carlson, The Remedial Section has no concerns with this project, Christopher Wierman; comments are enclosed for this project, Brett Tavener; comments are enclosed for this project, Delbert Smith; comments are enclosed for this project, Wyatt Harness comments are enclosed for this project, Redevelopment Section: Jorge Jacobs; No comments at this time.

Connie Ellis, Bureau of Air: BOA comments: Just a suggestion, cured in place piping has generated complaints in the past due to the smell. Community outreach notifying occupants of the possibility of the smell may help reduce the complaints.

Erich Glave, Bureau of Environmental Field Services, BEFS has no comments.

Tom Stiles, Bureau of Water: Comments are enclosed for this project.

PART III

RECOMMENDED ACTION COMMENTS

- | | |
|--|--|
| <input type="checkbox"/> Clearance of the project should be granted. | <input checked="" type="checkbox"/> Clearance of the project should not be delayed but the Applicant should (in the final application) address and clarify the question or concerns indicated above. |
| <input type="checkbox"/> Clearance of the project should not be granted. | <input type="checkbox"/> Request the opportunity to review final application prior to submission to the federal funding agency. |
| <input type="checkbox"/> Clearance of the project should be delayed until the issues or questions above have been clarified. | |
| <input type="checkbox"/> Request a State Process Recommendation in concurrence with the above comments | |

DIVISION/ AGENCY/ COMMISSION:

Judi Dunn, Division of Environment Director's Office

Phone: 785.291-3092

Email: Judi.Dunn@ks.gov

Division of Environment
Curtis State Office Building
1000 SW Jackson St., Suite 400
Topeka, KS 66612-1367



Phone: 785-296-1535
Fax: 785-559-4264
www.kdheks.gov

Janet Stanek, Secretary

Laura Kelly, Governor

MEMORANDUM

TO: Judi Dunn

CC: Julie Coleman, Amy Thompson, Kevin Heit

FROM: Jeff Walker – Bureau of Waste Management

DATE: September 22, 2022

RE: Intergovernmental Agency Review requested by Ranson Financial for Kansas Department of Health & Environment State Revolving Loan Fund sponsored Wastewater activities in the City of Cedar Vale, in Chautauqua County, KS.

The City of Cedar Vale and its contractor(s) should review the attached Technical Guidance Document and ensure all waste is properly disposed. Additionally, the City of Cedar Vale and its contractors should be aware that there are six Disposal Without A Permit sites (see attached map) near the vicinity of the project. This site should not be disturbed with the project activities. Waste that does not meet the definition of clean rubble or construction/demolition waste should be disposed at a permitted municipal solid waste landfill. If further information is required, I may be reached via email at Jeff.Walker@ks.gov or by phone at (785) 291-3764.



952 ft

Beloit St
Sheridan St
N River Rd
N River Rd
Mill St



Construction and Demolition Wastes and Clean Rubble Guidance Document

Construction and Demolition (C&D) waste is solid waste generated during construction or demolition activities. Clean rubble is also generated during construction or demolition activities, but it differs in composition from C&D waste. This document explains the definitions of C&D waste and clean rubble and acceptable methods for disposal of both.

Construction and Demolition Waste

Definition of C&D waste

C&D waste is defined in KSA 65-3402(u) as:

- solid waste resulting from the construction, remodeling, repair and demolition of structures, roads, sidewalks and utilities;
- untreated wood and untreated sawdust from any source;
- treated wood from construction or demolition projects;
- small amounts of municipal solid waste generated by the consumption of food and drinks at construction or demolition sites, including, but not limited to, cups, bags and bottles;
- furniture and appliances from which ozone depleting chlorofluorocarbons have been removed in accordance with the provisions of the federal clean air act;
- solid waste consisting of motor vehicle window glass; and
- solid waste consisting of vegetation from land clearing and grubbing, utility maintenance, and seasonal or storm related cleanup.

Such wastes include, but are not limited to, bricks, concrete, and other masonry materials, roofing materials, soil, rock, wood, wood products, wall or floor coverings, plaster, drywall, plumbing fixtures, electrical wiring, electrical components containing no hazardous materials, non-asbestos insulation and construction related packaging.

Other statutes and regulations further refine the definition:

Construction related packaging means small quantities of packaging wastes that are generated in the construction, remodeling or repair of structures and related appurtenances. "Construction related packaging" does not include packaging wastes that are generated at retail establishments selling construction materials, chemical containers generated from any source or packaging generated during maintenance of existing structures. *KSA 65-3402(dd)*

Furniture and appliances do not include computer monitors and other computer components, televisions, videocassette recorders, stereos, and similar waste electronics.

KAR 28-29-300(a)(4)(A)

Treated wood includes wood treated with any of the following:

- (i) Creosote;
- (ii) oil-borne preservatives, including pentachlorophenol and copper naphthenate;

- (iii) waterborne preservatives, including chromated copper arsenate (CCA), ammoniacal copper zinc arsenate (ACZA), and ammoniacal copper quaternary compound (ACQ); or
- (iv) any other chemical that poses risks to human health and the environment that are similar to the risks posed by the chemicals specified in paragraphs (i) through (iii).

KAR 28-29-300(a)(4)(B)

Untreated wood includes the following, if the wood has not been treated with any of the chemicals listed in the definition of treated wood:

- (i) Coated wood, including wood that has been painted, stained, or varnished; and
- (ii) engineered wood, including plywood, laminated wood, oriented-strand board, and particle board.

KAR 28-29-300(a)(4)(C)

Wastes which may be disposed of in a C&D landfill

In addition to the items *explicitly* identified as C&D waste in KSA 65-3402(u), the Kansas Department of Health and Environment (KDHE) considers the following materials as *acceptable* for disposal in a C&D landfill:

1. Uncontaminated wooden pallets;
2. Street sweepings (litter must be removed and concentrations of metals, volatile organic compounds, and other compounds must be below regulatory levels);
3. Floor tile, siding, and roofing material containing non-friable asbestos. This material should be:
 - a. handled so it remains non-friable (e.g., may have to be manually removed prior to demolition of structure);
 - b. transported wet (covered with a mist spray to suppress dust) or transported with tarp cover; and
 - c. covered immediately at the landfill;
4. Trees, brush, sod, and incidental quantities of leaves and grass;
5. Ash and other residues from the burning of trees and brush (trees and brush must have been burned in accordance with KAR 28-19-647);
6. Metal scrap (e.g. tie strapping);
7. Mobile homes and trailers (except the tires and fuel tanks). KDHE encourages the recycling of metal components.

Dry mud trap solids from commercial car washes may be applied as cover at a C&D landfill. To be considered a solid the material must pass the paint filter test, EPA method SW 846/9095.

Wastes which may *not* be disposed of in a C&D landfill

Construction and demolition waste does not include waste material containing friable asbestos, garbage, appliances from which ozone depleting chlorofluorocarbons have not been removed in accordance with the provisions of the federal clean air act, electrical equipment containing hazardous materials, tires, drums and containers even though such wastes resulted from construction and demolition activities.

KSA 65-3402(u)

In addition to the items *explicitly* identified as not being C&D waste, KDHE considers the following wastes *unacceptable* for disposal in a C&D landfill:

1. Processed tires - i.e. cut or baled;
2. Mud trap wastes from businesses other than commercial car washes;
3. Bagged or bulk quantities of leaves and/or grass clippings;
4. Trash bags, unless demonstrated to contain only acceptable wastes.

Disposal options for C&D wastes

Acceptable C&D wastes may be disposed of in either a municipal solid waste landfill (MSWLF) or in a C&D landfill. Both MSWLFs and C&D landfills must be approved by KDHE through a permit process. But because of the relatively inert nature of the wastes disposed in C&D landfills, these landfills do not have to meet design standards as strict as those for MSWLFs.

Most C&D landfills will, on occasion, receive waste that is not appropriate for disposal. Therefore, all C&D landfills should conduct waste screening (i.e., inspect incoming waste and remove unacceptable materials) and maintain a dumpster or roll-off container onsite for unacceptable wastes which are received at the landfill. Waste screening is covered in Guidance Document Waste Screening and General Operations at Construction & Demolition Landfills, and storage of unapproved wastes screened from construction and demolition landfills is addressed in Bureau of Waste Management Policy 02-01.

Clean Rubble

Definition of clean rubble

According to KSA 65-3402(w), “Clean rubble means the following types of construction and demolition waste: concrete and concrete products including reinforcing steel, asphalt pavement, brick, rock and uncontaminated soil as defined in rules and regulations adopted by the secretary.”

KSA 65-3415b lists “clean rubble” as a waste which is exempt from the state solid waste tonnage fee. The definition of “construction and demolition waste” in KSA 65-3402(u) states: “Clean rubble that is mixed with other construction and demolition waste during demolition or transportation shall be considered to be construction and demolition waste.”

Clean rubble that is brought separately to a construction and demolition landfill or a municipal solid waste landfill is not subject to the tonnage fee, even if the clean rubble is mixed with construction and demolition waste or municipal solid waste upon disposal.

Disposal of clean rubble

The stable nature of the materials in clean rubble means it may be disposed of with C&D waste, or it may be disposed of separately at a clean rubble site. However, clean rubble that is mixed with other C&D waste during demolition or transportation is considered to be C&D waste and must be disposed of at either a MSWLF or at a C&D landfill.

Unlike a C&D landfill, state statutes do not require a solid waste permit for operation of a site that accepts only clean rubble. However, a clean rubble site may be subject to local city or county requirements such as local approval (zoning or land use) and local ordinances.

Approval from the Division of Water Resources (DWR) may be required if the site is located in the 100-year flood plain. The operation and appearance of the site must not create a public nuisance or adversely affect the public health or the environment.

Issued: 04/1994; Content revised 01/20/1998, 09/1998, 05/29/2002, 07/02/2002, 10/03/2007, and 09/29/2014; Revised 06/23/2022: updated formatting and contact information and added hyperlinks

For additional information regarding proper management of solid or hazardous waste in Kansas, you may contact the Bureau of Waste Management at (785) 296-1600 or the address at the top of this document, or visit the Bureau’s website at www.kdhe.ks.gov/Waste.

Division of Environment
Curtis State Office Building
1000 SW Jackson St., Suite 410
Topeka, KS 66612-1367



Phone: 785-296-1660
Fax: 785-559-4261
www.kdheks.gov

Janet Stanek, Secretary

Laura Kelly, Governor

MEMORANDUM

TO: Judi Dunn
FROM: Christopher Wierman
DATE: September 20, 2022
RE: Intergovernmental Agency Review requested by Ranson Financial Group for Wastewater System Improvements in the City of Cedar Vale

The Kansas Department of Health and Environment Bureau of Environmental Remediation (KDHE/BER), Assessment and Restoration Section, Dry Cleaner / Superfund Unit, has not identified contaminated Drycleaner or Superfund sites within the vicinity of the proposed project.

Staff members or representatives for Ranson Financial Group or the City of Cedar Vale are welcome to come and view the KDHE/BER files in accordance with the Kansas Open Records Act. Please contact me at (785) 296-5548 or by email at christopher.wierman@ks.gov if you have any questions.

Division of Environment
Curtis State Office Building
1000 SW Jackson St., Suite 410
Topeka, KS 66612-1367



Phone: 785-296-1660
Fax: 785-559-4261
www.kdheks.gov

Janet Stanek, Secretary

Laura Kelly, Governor

MEMORANDUM

TO: Judi Dunn
FROM: Brett Tavener
DATE: September 19, 2022
RE: Intergovernmental Agency Review for Wastewater System Improvements, Cedar Vale, KS

The Kansas Department of Health and Environment Bureau of Environmental Remediation (KDHE/BER), Storage Tank Section, did identify one active storage tank facility within the vicinity of the proposed project area.

1. **Short Stop, Inc. (1520 Marsh St.)** – There are three active aboveground storage tanks in use at the facility. A fuel release was reported in 2011 when gasoline vapors were reported in the nearby sewer system. An investigation discovered both petroleum contaminated soil and groundwater at the site. When performing sewer line repairs in this area, the Vendor may want to consider a petroleum resistant liner material.

Clearance for the project should be granted.

Staff members or representatives for the City of Cedar Vale or their consultant are welcome to come and view the KDHE/BER files in accordance with the Kansas Open Records Act. Please contact me at 785-291-3105 or brett.tavener@ks.gov if you have any questions or concerns.

Division of Environment
Curtis State Office Building
1000 SW Jackson St., Suite 410
Topeka, KS 66612-1367



Phone: 785-296-1660
Fax: 785-559-4261
www.kdheks.gov

Janet Stanek, Secretary

Laura Kelly, Governor

MEMORANDUM

TO: Judi Dunn
FROM: Delbert Smith
DATE: September 19, 2022
RE: Intergovernmental Agency Review requested by Ranson Financial Group (City of Cedar Vale – Strother Field Water Storage Improvements).

The Kansas Department of Health and Environment Bureau of Environmental Remediation (KDHE/BER), Assessment and Restoration Section, Spills Unit, has no identified contaminated spill sites within the vicinity of the proposed project.

Staff members or representatives for Ranson Financial Group or the City of Cedar Vale are welcome to come and view the KDHE/BER files in accordance with the Kansas Open Records Act. Please contact me at (785) 368-7301 or by email at delbert.smith@ks.gov if you have any questions.

Division of Environment
Curtis State Office Building
1000 SW Jackson St., Suite 410
Topeka, KS 66612-1367



Phone: 785-296-1660
Fax: 785-559-4261
www.kdheks.gov

Janet Stanek, Secretary

Laura Kelly, Governor

MEMORANDUM

TO: Judi Dunn
FROM: Wyatt Harness
DATE: September 27, 2022
RE: Intergovernmental Agency Review requested by Ranson Financial Group, LLC on behalf of the cities of Winfield and Arkansas City regarding the Water Tower Replacement Project.

The Kansas Department of Health and Environment Bureau of Environmental Remediation (KDHE/BER), Assessment and Restoration Section, Orphan Sites Unit, has not identified any sites within the vicinity of the project which would be impacted by or would impact the proposed project.

Staff members or representatives for Ranson Financial Group, LLC, are welcome to come and view the KDHE/BER files in accordance with the Kansas Open Records Act. Please contact me at (785) 296-1681 or by email at Wyatt.Harness@ks.gov if you have any questions.

Office of the Secretary
Curtis State Office Building
1000 SW Jackson St., Suite 540
Topeka, KS 66612-1367



Phone: 785-296-0461
www.kdheks.gov

Janet Stanek, Secretary

Laura Kelly, Governor

MEMORANDUM

TO: Judi Dunn
FROM: Thomas C. Stiles
DATE: 10/7/2022
RE: Cedar Vale WW System Improvements Environmental Review Comments from BOW

No Concerns or Comments from BOW

Thomas C. Stiles
Director, Bureau of Water
Kansas Department of Health and Environment
1000 SW Jackson Street, Suite 420
Topeka, KS 66612
785-296-6170
Tom.stiles@ks.gov

The following form may be used by the Review Agency/Commission for comments in response to the request for clearance from the proposed Municipal Programs Loan Fund Project.

- Army Corps of Engineers
- Kansas Biological Survey
- State Conservation Commission
- Kansas Corporation Commission
- Division of Water Resources/Kansas Department of Agriculture
- Kansas Geological Survey
- Kansas State Historical Society, State Historic Preservation Office
- Kansas Water Office
- Kansas Department of Wildlife & Parks
- US Dept of Agriculture - Natural Resources Conservation Service
- Kansas Department of Health and Environment
- US Dept of the Interior - Fish and Wildlife Service

Agency Review Comments: (to be completed by reviewing agency and returned to applicant contact person at name and address shown below)

The Division of Conservation notes that the project is located within a Watershed District.
Comments: _____

They ask that you contact Dale Steward (jdsteward@sktc.net) or Debbie Wall (dbwall59@gmail.com)

_____ for comments from the Big Caney WJD #31. The Division of Water Resources has no comment.

Recommended Action: (to be completed by the reviewing agency and returned to applicant contact person at name and address shown below.)

- Clearance of project should be granted
- Clearance of project should not be granted
- Clearance of project should be delayed until the issues or questions have been clarified.
- Clearance of project should not be delayed, but the applicant (in the application) should address or clarify the questions or concerns indicated above.)

<i>Laura Moody</i>	Kansas Department of Agriculture - Division of Water Resources	9/28/2022
Reviewer's Name	Division/Agency/Commission	Date

KDHE Project Number: C20-3061-01

Project Title: Municipal Programs Loan Fund Application

Applicant: City of Cedar Vale

Contact Person: Crystal Hinnen

Address: 200 W Douglas, Ste. 600

City, State: Wichita, KS Zip: KS Phone: (316)-264-3400