

DR-78-8 Construction of a Waste Treatment System in the "R-1" Suburban Residential District; south side of the Kans. Turnpike approx one-half mile east of 143 St. East

*105-780  
3-16-78*

# ACTION

DATE

COMMITTEE

M.A.P.C.

*Approved subject to conditions*  
3-30-78

B.C.C./B. CO. C.

*Approved subject to conditions*  
4-26-78

Map No. 6448  
Sec. 13  
Twp. 27  
Range 2E

DATA SHEET  
(ZONING & CONDITIONAL USE)

DR- 78-8  
SCZ- \_\_\_\_\_  
CU- \_\_\_\_\_  
Filed \_\_\_\_\_

- APPLICATION DATA: From \_\_\_\_\_ to \_\_\_\_\_
- Applicant: Crestview Country Club Improvement District  
Address \_\_\_\_\_ Phone \_\_\_\_\_
  - Agent: Dresie, Jorgensen, Wood & Euson  
Address 433 North Broadway Phone 267-8324
  - General Location: South side of the Kansas Turnpike approximately one-half mile east of 143rd Street East Address \_\_\_\_\_
  - Proposed Use: \_\_\_\_\_

- AREA DATA:
- Acres: 1.062 ( 236 ft. by 360 ft.)
  - Adjoining Zoning: E R-1 S R-1 W R-1 N R-1
  - Land Use: East UNDEVELOPED South UNDEVELOPED  
West KANSAS TURNPIKE North KANSAS TURNPIKE
  - Sketch Plan Land Use is for: \_\_\_\_\_
  - Present Land Use is for: UNDEVELOPED
  - Area (is) (is not) platted.

- PROCEDURE DATA:
- Zoning Committee \_\_\_\_\_ by \_\_\_\_\_
  - MAPC Meeting:

Date	Action

- Governing Body (~~Bd. City Commissioners~~ - Bd. County Commissioners)  
Date 4-26-78 Action Agreed as Recommended Resolution 5-3-78

NOTES:

SHAW-WALKER  
No. 2433C  
Simplified  
LONDON, ON - INDEPENDENCE, TX U. S. A.

3-30-78

Map No. 6448  
Sec. 13  
Twp. 27  
Range 2E

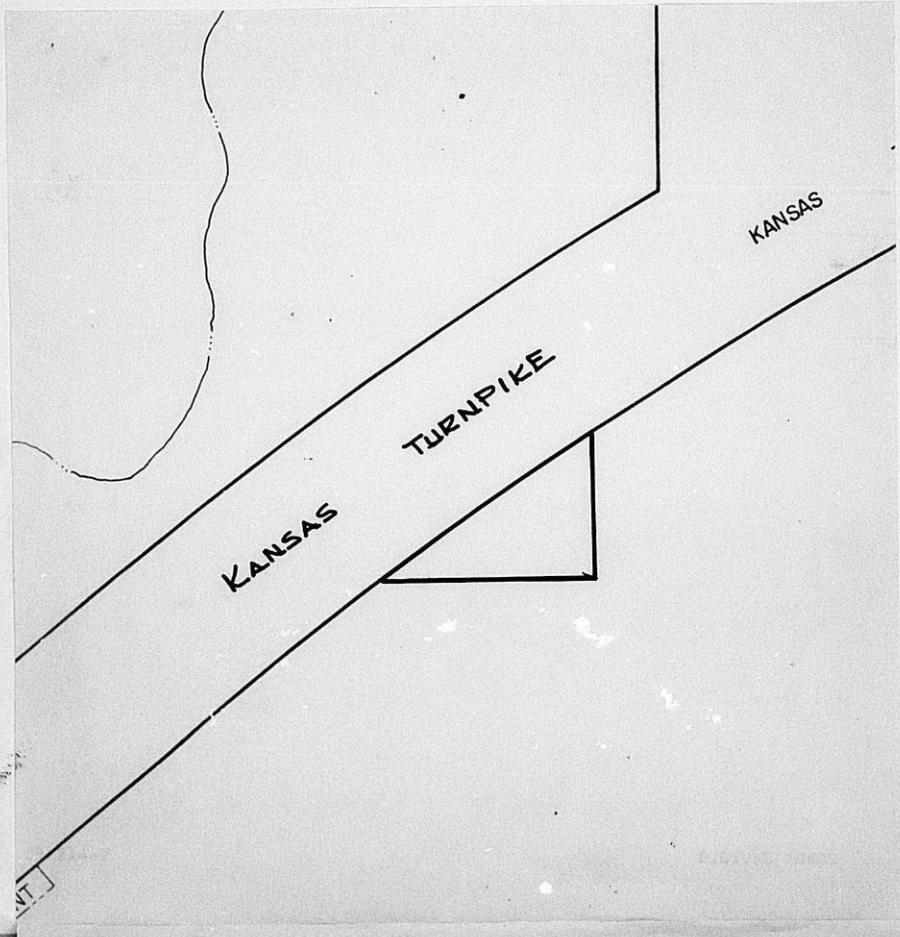
DATA SHEET  
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- APPLICATION DATA: From \_\_\_\_\_ to \_\_\_\_\_
1. Applicant: Crestview Country Club Improvement District  
Address \_\_\_\_\_ Phone \_\_\_\_\_
  2. Agent: Dresie, Jorgensen, Wood & Euson  
Address 433 North Broadway Phone 267-8224
  3. General Location: South side of the Kansas Turnpike approximately  
one-half mile east of 143rd St. East Address \_\_\_\_\_
  4. Proposed Use: \_\_\_\_\_

- AREA DATA:
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  3. Land Use: East UNDEVELOPED South UNDEVELOPED  
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  4. Sketch Plan Land Use is for: \_\_\_\_\_
  5. Present Land Use is for: UNDEVELOPED
  6. Area (is) (is not) platted.

PHOTO DATA:  
Taken by \_\_\_\_\_ Date \_\_\_\_\_ Time \_\_\_\_\_



H  
FM  
TH H

FOURTH ST. NO. CENTRAL

R E S O L U T I O NCASE NO. DR 78-8

A RESOLUTION PERMITTING A SPECIAL PERMIT TO CONSTRUCT A WASTE TREATMENT SYSTEM IN THE "R-1 SUBURBAN RESIDENTIAL DISTRICT, ON CERTAIN LANDS LOCATED WITHIN THE UNINCORPORATED TERRITORY LYING WITHIN THREE MILES OF EITHER THE CITY OF WICHITA, THE CITY OF HAYSVILLE, THE CITY OF DERBY, THE CITY OF MULVANE, THE CITY OF VALLEY CENTER, THE CITY OF GODDARD, AND THAT PORTION OF THE AREA WITHIN THREE MILES OF THE CITY OF CHENEY AS ESTABLISHED BY THE BOARD OF COUNTY COMMISSIONERS ON OCTOBER 3, 1973, ALL IN SEDGWICK COUNTY, KANSAS, UNDER THE AUTHORITY GRANTED BY SECTION 11.F. AND SECTION 11.E OF THE ZONING RESOLUTION ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS, ON MARCH 3, 1958, AND SUBSEQUENT AMENDMENTS THERETO.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF SEDGWICK COUNTY, KANSAS:

SECTION I. That after receiving a recommendation from Wichita-Sedgwick County Metropolitan Area Planning Commission and after said Planning Commission has given proper notice and held a public hearing as provided by law, and under authority granted by Section 11.F. and Section 11.E. of the Zoning Resolution, as amended, a Conditional Use Permit to allow the construction of a waste treatment system in the "R-1 Suburban Residential District, is hereby approved on the lands legally described as follows:

A tract of land located in SW quarter of Section 13, T27, R2E of 6th P.M., Sedgwick County, Kansas, beginning at a point 122 feet west and 870 feet north of the SE corner of the SW quarter of said Section 13; thence west to the south right of way line of the Kansas Turnpike; thence northeasterly along said right of way line of said turnpike to a point being 1106 feet north and 122 feet west of the SE corner of SW quarter of said Section 13; thence south to point of beginning. Generally located on the south side of the Kansas Turnpike approximately one-half mile east of 143rd Street East.

SUBJECT TO THE FOLLOWING CONDITIONS:

- a. The applicant shall arrange for a consulting engineer to design a sewerage system that is acceptable to the State Department of Health and Environment, the Wichita-Sedgwick County Department of Community Health, and the Director of Public Works, and which conforms to the general description of size, capacity, and operating characteristics described in the application.
- b. The system design shall be consistent with the adopted Sewer Plan of MAPC.
- c. The design of the facility shall provide for an initial capacity of not less than 2000 PE. When the influent reaches 2000 PE., the applicants shall provide such additional improvements to provide 3500 PE. capacity. No connections to the sewerage collection system shall be allowed which would exceed the design capacity of the treatment system as may be determined by the Environmental Health Engineer of the Department of Community Health.
- d. The applicant shall provide an agreement signed by the waste treatment site property owner, to be binding upon the heirs and assigns, which shall grant the County the

right to operate, repair, improve and maintain said waste treatment system in accordance with the approved design and plans upon completion of said system.

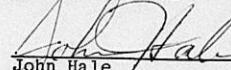
- e. The applicant shall acknowledge, through an appropriate legal document, the future liability for cost of connecting sewer mains and treatment plant facilities at such time as the proposed interim sewage treatment facilities are to be eliminated or replaced, and that all purchasers of real property in the benefit area be informed of the contingent future liability of the real property to pay special taxes to retire this future liability.
- f. Operation of the waste treatment system shall not commence until such time as the applicant has constructed a 72-inch or higher chainlink fence with three or more strands of barbed wire along the perimeter of the holding and aeration ponds, with posts set not more than 16 feet apart. The fence shall provide for reasonable access gates installed at the same time height and construction as the fence, which gates shall be kept locked except when in use.
- g. The County shall have the right to expand the system to accommodate the development of properties outside the improvement district.
- h. This treatment facility is considered as an interim system until replaced with another interim plant or until a Four Mile Creek Sewer Plant is built as determined by the Four Mile Creek Sewage Study. This interim facility is intended to serve an area lying between 13th and Central from 127th Street East to one-half mile east of 143rd Street East. Cost of construction of this facility is to be paid for by the developers of the land described above or any other users attached to the system.
- i. This approval shall be void unless construction shall have commenced in 24 months and completed within 36 months.

SECTION II. That upon the taking effect of this Resolution, the notation of such Conditional Use approval shall be entered in the Official zoning atlas on file in the Office of the County Zoning Administrator and in the Office of the Wichita-Sedgwick County Metropolitan Area Planning Department.

SECTION III. That this Resolution shall take effect and be in force from and after its adoption and publication in the Official County Paper.

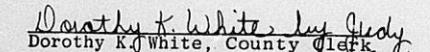
PASSED AND ADOPTED by the Board of County Commissioners at Wichita, Kansas, this 26<sup>th</sup>, day of April, 1978.

  
Everett Patrick, Chairman

  
John Hale, Commissioner

  
Tom Scott, Commissioner

ATTEST:

  
Dorothy K. White, County Clerk  
  
Smith, Deputy County Clerk

(SEAL)

APPROVED AS TO FORM:



Theodore H. Hill, County Counselor

RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION TO  
BOARD OF COUNTY COMMISSIONERS

REQUEST FOR APPROVAL OF A SPECIAL PERMIT

CASE NO. DR 78-8

CONSIDERED BY MAPC: 3-30-78

REQUEST FOR: Approval of a special permit

REASON FOR REQUEST (AS PROVIDED BY APPLICANT):

To construct a waste treatment system in the "R-1" Suburban Residential District.

GENERAL LOCATION: South side of the Kansas Turnpike approximately 1/2 mile east of 143rd Street East.

LEGAL DESCRIPTION:

SEE EXCERPT FROM PLANNING COMMISSION MINUTES  
OF MARCH 30, 1978.

APPLICANT: Crestview Country Club Improvement District, 13 Via Roma Rd.,  
67214

COUNSEL FOR APPLICANT: Dresie, Jorgensen, Wood & Euson, 433 N. Broadway,  
67202

PROTESTORS (LIST COUNSEL) IF ANY: None

SURROUNDING ZONING: North, East, South and West, "R-1".

LAND USE: Existing, East and South, undeveloped; North and West, Kansas Turnpike.

PLANNING COMMISSION RECOMMENDATION:

That this application for a special permit be approved, subject to the following conditions: (See attached excerpt from Planning Commission minutes of March 30, 1978 for conditions.) Bayouth moved, Cole seconded and it carried unanimously. Bell, Jones and Savina were absent.

*Halt  
3-0*

ACTION: 1. Approve the permit as recommended by the Metropolitan Area Planning Commission, subject to the recommended conditions of approval and adopt a resolution effectuating the special permit; or  
2. Deny the permit.

EXCERPT FROM PLANNING COMMISSION MINUTES OF MARCH 30, 1978:

19. Case No. DR 78-8 - Special permit to construct a waste treatment system in the "R-1" Suburban Residential District, south side of the Kansas Turnpike approximately one-half mile east of 143rd Street East.

MEEK outlined the area on the slide and reviewed the following staff report:

Comments:

1. The applicant, Crestview Country Club Improvement District, is requesting a special permit to allow the construction of a waste treatment system on land zoned "R-1" Suburban Residential and located on the south side of the Kansas Turnpike approximately one-half mile east of 143rd Street East.
2. It is proposed that the waste treatment system will be a solution to two problems caused by the existing system. First, move the location of the existing system out of the golf course. The effluent being discharged into the creek, over which people must frequently cross, causes a health hazard. Second, enlarge the treatment process to adequately handle the additional load caused by the new development in the district. At some indefinite date in the future it is proposed the area will be served by sewerage interceptors thus eliminating the permanent need for the proposed facility. For the time being, if additional development is to occur in this area, wastes must be treated locally and on a temporary basis.
3. The proposed system consists of treating of the wastes with an Orbal Activated Sludge Aeration Basin with discharge into Four Mile Creek. The system is designed to meet all current effluent requirements as set by the Kansas State Department of Health and Environment and the Environmental Protection Agency.
4. Basically the Orbal Activated Sludge Extended Aeration treatment process is a system in which biologically active growths are continuously circulated with incoming biologically degradable waste in the presence of oxygen. The oxygen is induced into the process by rotating discs that have holes throughout the area of the disc. The oxygen is transferred to the waste as the disc enters the waste.
5. After a period of time, a large mass of floc or settleable solids are formed. The liquid containing the floc or settleable solids pass through a sedimentation basin where the floc or solids settles out and the liquid then discharges into the receiving stream.
6. The system is designed to handle a maximum population of 3500 PE. The aeration equipment in the aeration basin at the present time is designed to handle a maximum load of 2000 PE. But with the addition of additional aeration equipment the system can handle the maximum population of 3500 PE.
7. This treatment facility is considered as an interim system until a Four Mile Creek Sewer Plant is built. This interim facility is intended to serve an area lying between 13th and Central from 127th Street East to one-half mile east of 143rd Street East. Cost of construction of this facility is to be paid for by the developers of the land described above or any other users attached to the system.
8. It is proposed that this interim treatment facility will be designed and constructed by the improvement district and that assessments will be levied to those within the district. At some future time, the facility will be turned over to the County to operate and the County will have the power to make a sewer charge for the use, maintenance, and repairs of the system.

9. Should the Planning Commission determine that this is an appropriate use for the area, the following are suggested conditions of approval:
- a. The applicant shall arrange for a consulting engineer to design a sewerage system that is acceptable to the State Department of Health and Environment, the Wichita-Sedgwick County Department of Community Health, and the Director of Public Works, and which conforms to the general description of size, capacity, and operating characteristics described in the application.
  - b. The system design shall be consistent with the adopted Sewer Plan of MAPC.
  - c. The design of the facility shall provide for an initial capacity of not less than 2000 PE. When the influent reaches 2000 PE., the applicants shall provide such additional improvements to provide 3500 PE. capacity. No connections to the sewerage collection system shall be allowed which would exceed the design capacity of the treatment system as may be determined by the Environmental Health Engineer of the Department of Community Health.
  - d. The applicant shall provide an agreement signed by the waste treatment site property owner, to be binding upon the heirs and assigns, which shall grant the County the right to operate, repair, improve and maintain said waste treatment system in accordance with the approved design and plans upon completion of said system.
  - e. The applicant shall acknowledge, through an appropriate legal document, the future liability for cost of connecting sewer mains and treatment plant facilities at such time as the proposed interim sewage treatment facilities are to be eliminated or replaced, and that all purchasers of real property in the benefit area be informed of the contingent future liability of the real property to pay special taxes to retire this future liability.
  - f. Operation of the waste treatment system shall not commence until such time as the applicant has constructed a 72-inch or higher chainlink fence with three or more strands of barbed wire along the perimeter of the holding and aeration ponds, with posts set not more than 16 feet apart. The fence shall provide for reasonable access gates installed at the same time height and construction as the fence, which gates shall be kept locked except when in use.
  - g. The County shall have the right to expand the system to accommodate the development of properties outside the improvement district.
  - h. This approval shall be void unless construction shall have commenced in 24 months and completed within 36 months.

MEEK stated that the Crestview Country Club Improvement District has applied for a Conditional Use permit to expand their treatment system. Their present system is inadequate to meet their needs. It needs to be expanded and improved. He recommended approval of this request subject to conditions.

ROBERT A. LAKIN, Director of Planning, stated that the Crestview Country Club Improvement District has been expanded to include an additional half section of land to the east. He pointed out that the Planning Commission has approved a preliminary plat for the 320 acres to the east.

BARTON L. BRANDENBURG, Sanitary Engineer, was asked if he approved this type of plant. He stated that there was a comprehensive sewage plan being prepared for this area. He added that this treatment facility was considered as an interim until the Four Mile Creek Sewer Plant is built, but that another interim plant further downstream might be necessary in the future prior to development of the Four Mile Creek plant and suggested that staff comment #7 be amended to reflect such a possibility as follows:

- "7. This treatment facility is considered as an interim system until replaced with another interim plant or until a Four Mile Creek Sewer Plant is built as determined by the Four Mile Creek Sewage Study. This interim facility is intended to serve an area lying between 13th and Central from 127th Street East to one-half mile east of 143rd Street East. Cost of construction of this facility is to be paid for by the developers of the land described above or any other users attached to the system."

LAKIN commented that he did not see any problems with the change.

BRANDENBURG added that the engineer has made a study of the present system proposed and one of the systems was a third in capital cost and one-half in maintenance cost. If it is going to be a temporary system, the less cost, the better. He said the people living there will be paying for an expensive plant, but item "e" of the conditions hopefully takes care of it.

MOTION: That the Planning Commission recommend to the Board of County Commissioners that this Waste Treatment System be approved subject to the suggested change in staff comment #7 and also the following conditions:

- a. The applicant shall arrange for a consulting engineer to design a sewerage system that is acceptable to the State Department of Health and Environment, the Wichita-Sedgwick County Department of Community Health, and the Director of Public Works, and which conforms to the general description of size, capacity, and operating characteristics described in the application.
- b. The system design shall be consistent with the adopted Sewer Plan of MAPC.
- c. The design of the facility shall provide for an initial capacity of not less than 2000 PE. When the influent reaches 2000 PE., the applicants shall provide such additional improvements to provide 3500 PE. capacity. No connections to the sewerage collection system shall be allowed which would exceed the design capacity of the treatment system as may be determined by the Environmental Health Engineer of the Department of Community Health.
- d. The applicant shall provide an agreement signed by the waste treatment site property owner, to be binding upon the heirs and assigns, which shall grant the County the right to operate, repair, improve and maintain said waste treatment system in accordance with the approved design and plans upon completion of said system.
- e. The applicant shall acknowledge, through an appropriate legal document, the future liability for cost of connecting sewer mains and treatment plant facilities at such time as the proposed interim sewage treatment facilities are to be eliminated or replaced, and that all purchasers of real property in the benefit area be informed of the contingent future liability of the real property to pay special taxes to retire this future liability.

- f. Operation of the waste treatment system shall not commence until such time as the applicant has constructed a 72-inch or higher chainlink fence with three or more strands of barbed wire along the perimeter of the holding and aeration ponds, with posts set not more than 16 feet apart. The fence shall provide for reasonable access gates installed at the same time height and construction as the fence, which gates shall be kept locked except when in use.
- g. The County shall have the right to expand the system to accommodate the development of properties outside the improvement district.
- h. This approval shall be void unless construction shall have commenced in 24 months and completed within 36 months.

Bayouth moved, Cole seconded and it carried unanimously. Bell, Jones and Savina were absent.

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R E S O L U T I O N

CASE NO. DR 78-8

A RESOLUTION PERMITTING A SPECIAL PERMIT TO CONSTRUCT A WASTE TREATMENT SYSTEM IN THE "R-1 SUBURBAN RESIDENTIAL DISTRICT, ON CERTAIN LANDS LOCATED WITHIN THE UNINCORPORATED TERRITORY LYING WITHIN THREE MILES OF EITHER THE CITY OF WICHITA, THE CITY OF HAYSVILLE, THE CITY OF DERBY, THE CITY OF MULVANE, THE CITY OF VALLEY CENTER, THE CITY OF GODDARD, AND THAT PORTION OF THE AREA WITHIN THREE MILES OF THE CITY OF CHENEY AS ESTABLISHED BY THE BOARD OF COUNTY COMMISSIONERS ON OCTOBER 3, 1973, ALL IN SEDGWICK COUNTY, KANSAS, UNDER THE AUTHORITY GRANTED BY SECTION 11.F. AND SECTION 11.E OF THE ZONING RESOLUTION ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS, ON MARCH 3, 1958, AND SUBSEQUENT AMENDMENTS THERETO.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF SEDGWICK COUNTY, KANSAS:

SECTION I. That after receiving a recommendation from Wichita-Sedgwick County Metropolitan Area Planning Commission and after said Planning Commission has given proper notice and held a public hearing as provided by law, and under authority granted by Section 11.F. and Section 11.E. of the Zoning Resolution, as amended, a Conditional Use Permit to allow the construction of a waste treatment system in the "R-1 Suburban Residential District, is hereby approved on the lands legally described as follows:

A tract of land located in SW quarter of Section 13, T27, R2E of 6th P.M., Sedgwick County, Kansas, beginning at a point 122 feet west and 870 feet north of the SE corner of the SW quarter of said Section 13; thence west to the south right of way line of the Kansas Turnpike; thence northeasterly along said right of way line of said turnpike to a point being 1106 feet north and 122 feet west of the SE corner of SW quarter of said Section 13; thence south to point of beginning. Generally located on the south side of the Kansas Turnpike approximately one-half mile east of 143rd Street East.

SUBJECT TO THE FOLLOWING CONDITIONS:

- a. The applicant shall arrange for a consulting engineer to design a sewerage system that is acceptable to the State Department of Health and Environment, the Wichita-Sedgwick County Department of Community Health, and the Director of Public Works, and which conforms to the general description of size, capacity, and operating characteristics described in the application.
- b. The system design shall be consistent with the adopted Sewer Plan of MAPC.
- c. The design of the facility shall provide for an initial capacity of not less than 2000 PE. When the influent reaches 2000 PE., the applicants shall provide such additional improvements to provide 3500 PE. capacity. No connections to the sewerage collection system shall be allowed which would exceed the design capacity of the treatment system as may be determined by the Environmental Health Engineer of the Department of Community Health.
- d. The applicant shall provide an agreement signed by the waste treatment site property owner, to be binding upon the heirs and assigns, which shall grant the County the

right to operate, repair, improve and maintain said waste treatment system in accordance with the approved design and plans upon completion of said system.

- e. The applicant shall acknowledge, through an appropriate legal document, the future liability for cost of connecting sewer mains and treatment plant facilities at such time as the proposed interim sewage treatment facilities are to be eliminated or replaced, and that all purchasers of real property in the benefit area be informed of the contingent future liability of the real property to pay special taxes to retire this future liability.
- f. Operation of the waste treatment system shall not commence until such time as the applicant has constructed a 72-inch or higher chainlink fence with three or more strands of barbed wire along the perimeter of the holding and aeration ponds, with posts set not more than 16 feet apart. The fence shall provide for reasonable access gates installed at the same time height and construction as the fence, which gates shall be kept locked except when in use.
- g. The County shall have the right to expand the system to accommodate the development of properties outside the improvement district.
- h. This treatment facility is considered as an interim system until replaced with another interim plant or until a Four Mile Creek Sewer Plant is built as determined by the Four Mile Creek Sewage Study. This interim facility is intended to serve an area lying between 13th and Central from 127th Street East to one-half mile east of 143rd Street East. Cost of construction of this facility is to be paid for by the developers of the land described above or any other users attached to the system.
- i. This approval shall be void unless construction shall have commenced in 24 months and completed with in 36 months.

SECTION II. That upon the taking effect of this Resolution, the notation of such Conditional Use approval shall be entered in the Official zoning atlas on file in the Office of the County Zoning Administrator and in the Office of the Wichita-Sedgwick County Metropolitan Area Planning Department.

SECTION III. That this Resolution shall take effect and be in force from and after its adoption and publication in the Official County Paper.

PASSED AND ADOPTED by the Board of County Commissioners at Wichita, Kansas, this \_\_\_\_\_, day of \_\_\_\_\_, 19\_\_\_\_.

\_\_\_\_\_, Chairman  
Everett Patrick

\_\_\_\_\_, Commissioner  
John Hale

\_\_\_\_\_, Commissioner  
Tom Scott

ATTEST:

\_\_\_\_\_  
Dorothy K. White, County Clerk

(SEAL)

APPROVED AS TO FORM:

Theodore H. Hill, County Counselor

March 31, 1978

Mr. David J. Wood  
Dresie, Jorgensen, Wood and Enson  
433 N. Broadway  
Wichita, Kansas 67202

Re: DR 78-8 - Construction of Waste  
Treatment System in the "R-1"  
Suburban Residential District;  
south side of the Kansas Turn-  
pike approximately one-half mile  
east of 143rd Street East

Dear Mr. Wood:

At the regular meeting of the Metropolitan Area Planning Commission of March 30, 1978, the above-captioned request for construction of a waste treatment facility was considered. The action of the Commission was to recommend the approval of the request subject to the following conditions:

- a. The applicant shall arrange for a consulting engineer to design a sewerage system that is acceptable to the State Department of Health and Environment, the Wichita-Sedgwick County Department of Community Health, and the Director of Public Works, and which conforms to the general description of size, capacity and operating characteristics described in the application.
- b. The system designed shall be consistent with the adopted Sewer Plan of MAPC.
- c. The design of the facility shall provide for an initial capacity of not less than 2000 P.E. When the influent reaches 2000 P.E., the applicants shall provide such additional improvements to provide 3500 P.E. capacity. No connections to the sewerage collection system shall be allowed which would exceed the design capacity of the treatment system as may be determined by the Environmental Health Engineer of the Department of Community Health.
- d. The applicant shall provide an agreement signed by the waste treatment site property owner, to be binding upon the heirs and assigns, which shall grant the County the right to operate, repair, improve and maintain said waste treatment system in accordance with the approved design and plans upon completion of said system.

David J. Wood  
3-31-78  
Page 2

- e. The applicant shall acknowledge, through an appropriate legal document, the future liability for costs of connecting sewer mains and treatment plant facilities at such time as the proposed interim sewage treatment facilities are to be eliminated or replaced, and that all purchasers of real property in the benefit area be informed of the contingent future liability of the real property to pay special taxes to retire this future liability.
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- g. The County shall have the right to expand the system to accommodate the development of properties outside the improvement district.
- h. This approval shall be void unless construction shall have commenced in 24 months and completed within 36 months.

In addition, the Commission recommended that comment # 7 on the staff report be amended to read as follows:

- "7. This treatment facility is considered as an interim system until replaced with another interim plant or until a Four Mile Creek Sewer Plant is built as determined by the Four Mile Creek Sewage Study. This interim facility is intended to serve an area lying between 13th and Central from 127th Street East to one-half mile east of 143rd Street East. Cost of construction of this facility is to be paid for by the developers of the land described above or any other users attached to the system."

The case will be considered by the Board of Sedgwick County Commissioners on April 26, 1978, said meeting to start at 9:00 a.m., in Room 320, Sedgwick County Courthouse, 525 North Main, Wichita, Kansas.

Please call if you have questions.

Sincerely yours,

Michael Meek  
Senior Planner

MM:bh

David J. Wood  
3-31-78  
Page 3

cc: Mr. Warren Tomlinson, President of the Board of Directors,  
Crestview Country Club Improvement, District of Sedgwick  
County, 13 Via Roma Rd., Wichita, Kansas 67214

Barton L. Brandenburg, Sanitary Engineer, Water Pollution  
Control, State of Kansas, Department of Health and Environ-  
ment, Topeka, Kansas 66620

Al Reiss, Reiss and Goodness Engineers, 2160 W. 21st, 67214

Karl Solomon, Union National Bldg., 67202

James Aiken, Sedgwick County Health Dept., 1900 E. 9th, 67214  
Andy Harkness, Sedgwick County Public Works, 1015 Stillwell, 67213

WICHITA-SEDGWICK COUNTY  
METROPOLITAN AREA PLANNING DEPARTMENT

MAPC HEARING DATE: 3-30-78

Case No. DR 78-8	Request: Special Permit to Construct a Waste Treatment System
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Location: South side of the Kansas Turnpike approximately 1/2  
mile east of 143rd Street East.

Acres: 1.02	Size: 236' x 360' (irregular shape)
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	<u>Land Use</u>	<u>Zoning</u>
Existing	Undeveloped	"R-1"
North	Kansas Turnpike	"R-1"
East	Undeveloped	"R-1"
South	Undeveloped	"R-1"
West	Kansas Turnpike	"R-1"

Platted: No. History: None

Comments:

1. The applicant, Crestview Country Club Improvement District, is requesting a special permit to allow the construction of a waste treatment system on land zoned "R-1" Suburban Residential and located on the south side of the Kansas Turnpike approximately one-half mile east of 143rd Street East.
2. It is proposed that the waste treatment system will be a solution to two problems caused by the existing system. First, move the location of the existing system out of the golf course. The effluent being discharged into the creek, over which people must frequently cross, causes a health hazard. Second, enlarge the treatment process to adequately handle the additional load caused by the new development in the district. At some indefinite date in the future it is proposed the area will be served by sewerage interceptors thus eliminating the permanent need for the proposed facility. For the time being, if additional development is to occur in the area, wastes must be treated locally and on a temporary basis.
3. The proposed system consists of treating of the wastes with an Orbal Activated Sludge Aeration Basin with discharge into Four Mile Creek. The system is designed to meet all current effluent requirements as set by the Kansas State Department of Health and Environment and the Environmental Protection Agency.

4. Basically the Orbal Activated Sludge Extended Aeration treatment process is a system in which biologically active growths are continuously circulated with incoming biologically degradable waste in the presence of oxygen. The oxygen is induced into the process by rotating discs that have holes throughout the area of the disc. The oxygen is transferred to the waste as the disc enters the waste.
5. After a period of time, a large mass of floc or settleable solids are formed. The liquid containing the floc or settleable solids pass through a sedimentation basin where the floc or solids settles out and the liquid then discharges into the receiving stream.
6. The system is designed to handle a maximum population of 3500 PE. The aeration equipment in the aeration basin at the present time is designed to handle a maximum load of 2000 PE. But with the addition of additional aeration equipment the system can handle the maximum population of 3500 PE.
7. This treatment facility is considered as an interim system until a Four Mile Creek Sewer Plant is built. This interim facility is intended to serve an area lying between 13th and Central from 127th Street East to one-half mile east of 143rd Street East. Cost of construction of this facility is to be paid for by the developers of the land described above or any other users attached to the system.
8. It is proposed that this interim treatment facility will be designed and constructed by the improvement district and that assessments will be levied to those within the district. At some future time, the facility will be turned over to the County to operate and the County will have the power to make a sewer charge for the use, maintenance, and repairs of the system.
9. Should the Planning Commission determine that this is an appropriate use for the area, the following are suggested conditions of approval:
  - a. The applicant shall arrange for a consulting engineer to design a sewerage system that is acceptable to the State Department of Health and Environment, the Wichita-Sedgwick County Department of Community Health, and the Director of Public Works, and which conforms to the general description of size, capacity, and operating characteristics described in the application.
  - b. The system design shall be consistent with the adopted Sewer Plan of WAPC.
  - c. The design of the facility shall provide for an initial capacity of not less than 2000 P.E. When the influent reaches 2000 P.E., the applicants shall provide such ad-

ditional improvements to provide 3500 P.E. capacity. No connections to the sewerage collection system shall be allowed which would exceed the design capacity of the treatment system as may be determined by the Environmental Health Engineer of the Department of Community Health.

- d. The applicant shall provide an agreement signed by the waste treatment site property owner, to be binding upon the heirs and assigns, which shall grant the County the right to operate, repair, improve and maintain said waste treatment system in accordance with the approved design and plans upon completion of said system.
  - e. The applicant shall acknowledge, through an appropriate legal document, the future liability for costs of connecting sewer mains and treatment plant facilities at such time as the proposed interim sewage treatment facilities are to be eliminated or replaced, and that all purchasers of real property in the benefit area be informed of the contingent future liability of the real property to pay special taxes to retire this future liability.
  - f. Operation of the waste treatment system shall not commence until such time as the applicant has constructed a 72-inch or higher chainlink fence with three or more strands of barbed wire along the perimeter of the holding and aeration ponds, with posts set not more than 16 feet apart. The fence shall provide for reasonable access gates installed at the same time height and construction as the fence, which gates shall be kept locked except when in use.
  - g. The County shall have the right to expand the system to accommodate the development of properties outside the improvement district.
  - h. This approval shall be void unless construction shall have commenced in 24 months and completed within 36 months.
-

DR-78-8 - 8 "Notice to Adjoining Property Owners and All Interested Parties" mailed 3/16/78 for MAPC meeting 3/30/78  
4 sent interoffice mail to Jim Aiken, Grover McLune, Syd Werbin and Andy Harkness (including 2 maps ea)

—  
12 TOTAL .

*Note corrections on 2<sup>nd</sup> page  
of notice to property owners*

WICHITA-SEDGWICK COUNTY  
METROPOLITAN AREA PLANNING COMMISSION  
CITY HALL, TENTH FLOOR, 455 NORTH MAIN STREET  
WICHITA, KANSAS 67202

NOTICE TO ADJOINING PROPERTY OWNERS AND ALL INTERESTED PARTIES:

March 16, 1978

The Wichita-Sedgwick County Metropolitan Area Planning Commission will consider the following item in The City Commission Meeting Room, City Hall, First Floor, 455 North Main Street, Wichita, Kansas, at its meeting on March 30, 1978, which will commence at 1:30 p.m. You may appear either in person or by agent or attorney, if you so desire.

DR 78-8

Request for a Special Permit to Construct a Waste Treatment System in the "R-1" Suburban Residential District.

A tract of land located in SW quarter of Section 13, T27, R2E of 6th P.M., Sedgwick County, Kansas, beginning at a point 122 feet west and 870 feet north of the SE corner of the SW quarter of said Section 13; thence west to the south right of way line of the Kansas Turnpike; thence northeasterly along said right of way line of said turnpike to a point being 1106 feet north and 122 feet west of the SE corner of SW quarter of said Section 13; thence south to point of beginning. Generally located on the south side of the Kansas Turnpike approximately one-half mile east of 143rd Street East.

The Special Permit Request and supporting information including a Site Plan is on file in the Planning Department Office, Tenth Floor, City Hall, 455 North Main Street, Wichita, Kansas, and is available for public information and review.

The proposed system consists of treating of the wastes with an Orbal Activated Sludge Aeration Basin with discharge into Four Mile Creek. The system is designed to meet all current effluent requirements as set by the Kansas State Department of Health & Environment and the Environmental Protection Agency.

Basically the Orbal Activated Sludge Extended Aeration treatment process is a system in which biologically active growths are continuously circulated with incoming biologically degradable waste in the presence of oxygen. The oxygen is induced into the process by rotating discs that have holes throughout the area of the disc. The oxygen is transferred to the waste as the disc enters the waste.

After a period of time, a large mass of floc or settleable solids are formed. The liquid containing the floc or settleable solids pass through a sedimentation basin where the floc or solids settles out and the liquid then discharges into the receiving stream.

The system is designed to handle a maximum population of 3500 PE. The aeration equipment in the aeration basin at the present time is designed to handle a maximum load of 2000 PE. But with the addition of additional aeration equipment the system can handle the maximum population of 3500 PE.

This treatment facility is considered as an interim system until a Four Mile Creek Sewer Plant is built. This interim facility is intended to serve an area lying between ~~14th~~ and Central from 127th Street East to one-half mile east of 14th Street East. Cost of construction of this facility is to be paid for by the developers of the land described above or any other users attached to the system.

Subject request will be discussed and considered by the Wichita-Sedgwick County Metropolitan Area Planning Commission and all persons interested in said matter will be heard at this time concerning their views and wishes in the premises, and any protest against any of the provisions of the proposed Special Permit will be considered as by law provided.

NOTE: It is the policy of the Planning Commission that any request for a deferral of the hearing of this case shall be submitted to the Secretary, Robert A. Lakin, City Hall, Tenth Floor, 455 North Main Street, 7 days prior to the meeting. The Chairman or the Secretary may grant such a request for deferral. Persons requesting deferrals will be charged with the cost of preparing and mailing new notices.

Robert A. Lakin  
Secretary

LAW OFFICES  
DRESIE, JORGENSEN, WOOD & EUSON

433 NORTH BROADWAY  
WICHITA, KANSAS 67202  
(316) 267-3271

GREY DRESIE  
J. PAUL JORGENSEN (1912-1967)  
JOHN F. JORGENSEN  
DAVID J. WOOD  
RICHARD A. EUSON

MT. HOPE, KANSAS 67108  
P. O. Box 292  
(316) 667-2402

February 24, 1978

Mr. Robert Lakin, Director  
Metropolitan Area Planning Dept.  
City Building  
455 North Main  
Wichita, Kansas 67202

Re: Crestview Country Club Improvement District  
Special Permit - Zoning Resolution - Sedgwick  
County, Kansas - Section 11, Paragraph F

Dear Mr. Lakin:

This application is made for a special permit on behalf of the Crestview Country Club Improvement District of Sedgwick County, Kansas, in conformity with the above cited section of the Sedgwick County Zoning Resolution. We requested a special permit for the construction, temporary operation and maintenance of a waste treatment system described in the attachments hereto. It is proposed that this treatment system will be located on the following described real property, to-wit:

A tract of land located in SW quarter of Section 13, T27, R2E of 6th P.M., Sedgwick County, Kansas, beginning at a point 122 feet west and 870 feet north of the SE corner of the SW quarter of said Section 13; thence west to the south right of way line of the Kansas Turnpike; thence north-easterly along said right of way line of said turnpike to a point being 1106 feet north and 122 feet west of the SE corner of SW quarter of said Section 13; thence south to point of beginning.

Submitted herewith are the plans and specifications for the installation. Also enclosed is a certificate prepared by the Security Abstract & Title, Co., Inc., of Wichita, Kansas, showing the names and addresses of the owners of property located within a 1,000 foot radius of the above described real property. Also attached is a copy in draft form of a permit which will be issued by the Department of Health and Environment of the State of Kansas at the time that such construction is completed.

Mr. Robert Lakin  
February 24, 1978  
Page Two

Also find attached hereto a copy of a letter from the Department of Health and Environment of the State of Kansas in which they set out their intention to issue such permit after the facility is constructed.

We request that this application for special permit be set for hearing before the Metropolitan Area Planning Commission of Sedgwick County, Kansas, and that such commissioners recommend to the Board of County Commissioners of Sedgwick County, Kansas, that a special permit for this proposed use be granted and that you give notice of the hearing before the various commissioners to the persons named on the attached ownership list.

If you have any need for further information please feel free to request the same from us.

Very truly yours,

DRESIE, JORGENSEN, WOOD & EUSON, P.A.

By: 

GD/js

Enclosures

WASTE TREATMENT SYSTEM  
CRESTVIEW IMPROVEMENT DISTRICT  
SEDGWICK COUNTY, KANSAS

The purpose of this report is to describe and explain the waste treatment system proposed for Crestview Improvement District, Sedgwick County, Kansas. Sheet No. #1 included in this report illustrates the configuration of the proposed system. Sheet No. #1 shows the location of the proposed treatment plant, near the intersection of the Kansas Turnpike and Central Avenue. The area will be served by sewer interceptors in the future.

The proposed treatment system is a solution to two problems caused by the existing system. First, move the location of the existing system out of the golf course. The effluent being discharged into the creek over which people must frequently cross causes a health hazard. Second, enlarge the treatment process to adequately handle the additional load caused by the new development in the district.

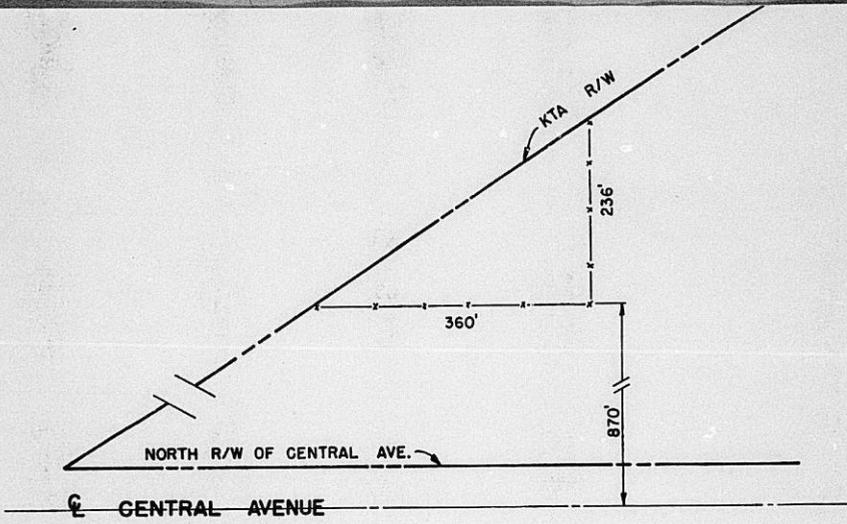
The proposed system consists of treating of the wastes with an Orbal Activated Sludge Aeration Basin with discharge into Four Mile Creek. The system is designed to meet all current effluent requirements as set by the Kansas State Department of Health & Environment and the Environmental Protection Agency.

Basically the Orbal Activated Sludge Extended Aeration treatment process is a system in which biologically active growths are continuously circulated with incoming biologically degradable waste in the presence of oxygen. The oxygen is induced into the process by rotating discs that have holes throughout the area of the disc. The oxygen is transferred to the waste as the disc enters the waste.

After a period of time, a large mass of floc or settleable solids are formed. The liquid containing the floc or settleable solids pass through a sedimentation basin where the floc or solids settles out and the liquid then discharges into the receiving stream.

The system is designed to handle a maximum population of 3500 PE. The aeration equipment in the aeration basin at the present time is designed to handle a maximum load of 2000 PE. But with the addition of additional aeration equipment the system can handle the maximum population of 3500 PE.

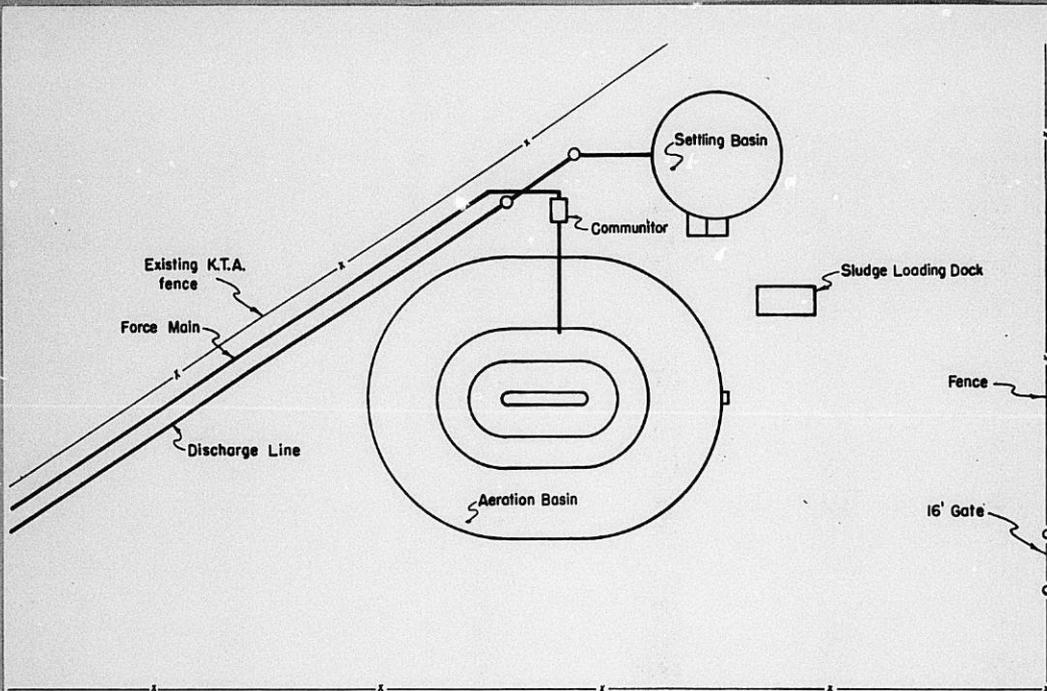
The Improvement District understands that when interceptors are extended into the area they will be expected to abandon this operation and connect to the interceptors.



**PLANT SITE  
CRESTVIEW IMPROVEMENT DISTRICT  
SEDGWICK COUNTY, KANSAS**

**REISS & GOODNESS ENGINEERS**  
2160 WEST 21<sup>ST</sup> STREET  
WICHITA, KANSAS 67204





SKETCH NO. 2

CRESTVIEW IMPROVEMENT DISTRICT  
 IN  
 SEDGWICK COUNTY, KANSAS  
 1978

REISS & GOODNESS ENGINEERS

2160 WEST 21<sup>ST</sup> STREET  
 WICHITA, KANSAS 67204  
 (316) 832-0213



DRAFT

DRAFT

KANSAS WATER POLLUTION CONTROL PERMIT  
AND  
AUTHORIZATION TO DISCHARGE UNDER THE  
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM

State Water Pollution Control Permit No. M-WA20-D003(KS-0117684)  
(Permit originally issued August 18, 1975)

*Pursuant to the provisions of the Kansas Statutes Annotated 65-164 and 65-165  
and pursuant to the provisions of the Federal Water Pollution Control Act as  
amended, (33 U.S.C. 1251 et seq; the "Act"),*

Crestview Improvement District  
Sedgwick County

*is authorized to discharge from a facility located at*  
Crestview Improvement District Municipal Wastewater Treatment Plant  
Sec. 13, R2E, T27S

*to receiving waters named*  
Four Mile Creek  
Walnut River Basin

*in accordance with effluent limitations, monitoring requirements and other condi-  
tions set forth in Parts I, II, and III hereof.*

*This permit shall become effective on \_\_\_\_\_ and will  
supersede all previous permits and/or agreements in effect between the Kansas  
Department of Health and Environment and the permittee.*

*This permit and the authorization to discharge shall expire at midnight,  
August 17, 1980.*



\_\_\_\_\_  
Secretary, Department of Health and Environment

Date \_\_\_\_\_

## PART I

## A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS - FINAL

1. During the period beginning on the effective date , and lasting until the date of expiration of the permit, the permittee is authorized to discharge from all outfalls.

Such discharges shall be limited and monitored by the permittee as specified below:  
Discharge limitations (lbs/day, kg/day) are based on a flow of 0.3 MGD.

## DISCHARGE LIMITATIONS

EFFLUENT CHARACTERISTICS	Concentration in mg/l		kg/day (lbs/day)		MINIMUM MONITORING REQUIREMENTS		
	Monthly Average	Weekly Average	Monthly Average	Weekly Average	Measurement Frequency*	Sample Type	
Biochemical Oxygen Demand (5-Day)	30	45	34.1 (75.1)	51.1 (112.6)	Once monthly	grab	
Suspended Solids	30	45	34.1 (75.1)	51.1 (112.6)	**Once monthly	grab	
pH - Standard Units	6.0 - 9.0 (not to be averaged)					**Once monthly	grab
Flow - mgd	—	—	—	—	Once each weekday (Monday thru Friday)	—	

\*One annual composite (24 hour) sample will be taken for BOD<sub>5</sub> and Suspended Solids in lieu of one monthly grab sample.

## \*\*Influent sample

The arithmetic mean of the values for effluent samples measuring biochemical oxygen demand (5-Day) and suspended solids collected in a period of 30 consecutive days shall not exceed 15 percent of the arithmetic mean of the values for influent samples collected at approximately the same times during the same period (85 percent removal-minimum).

There shall be no discharge of floating solids or visible foam in other than trace amounts.

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location(s): Influent - where influent enters facility, but prior to any treatment process,  
Effluent - where effluent exits facility.

PART I

Page 3 of 12

Kansas Permit No. M-WA20-D003

B. MONITORING AND REPORTING

1. Representative Sampling

Samples and measurements taken as required herein shall be representative of the volume and nature of the monitored discharge.

2. Reporting

Monitoring results obtained from the three month sampling period shall be summarized and reported on a Discharge Monitoring Report Form. The initial sampling period shall begin in \_\_\_\_\_, and terminate in \_\_\_\_\_.

Each consecutive three month period thereafter shall constitute a sampling period. The completed form(s) shall be received at the address stipulated below no later than twenty-eight (28) days following the completed three (3) month reporting period. Signed copies of these, and all other reports required herein, shall be submitted to the State at the following address:

State of Kansas  
Department of Health and Environment  
Division of Environment  
Water Pollution Control Section  
Topeka, Kansas 66620

3. Other Reporting Conditions

Any unforeseen or anticipated modifications in influent characteristics or volume, waste collection systems, industrial contributions, treatment and disposal facilities, changes in operational procedures, elimination of discharge, industry relocation, or other significant activities which alter the nature and/or frequency of the discharge(s), or otherwise affect the conditions of this permit, shall be enumerated in a written report accompanying the earliest subsequent monitoring report. This report shall include information on the quantity and quality of the changes to the influent to the treatment facility and any impact of such changes to the facility effluent.

PART I

Page 4 of 12

Kansas Permit No. M-WA20-D003

4. Test Procedures

Test procedures for the analysis of pollutants shall conform to regulations published pursuant to Section 304(g) of the Act, under which such procedures may be required.

5. Recording of Results

For each measurement or sample taken pursuant to the requirements of this permit, the permittee shall record the following information:

- a. The exact place, date, and time of sampling;
- b. The dates the analyses were performed;
- c. The person(s) who performed the analyses;
- d. The analytical techniques or methods used; and
- e. The results of all required analyses.

6. Additional Monitoring by Permittee

If the permittee monitors any pollutant at the location(s) designated herein more frequently than required by this permit, using approved analytical methods as specified above, the results of such monitoring shall be included in the calculation and reporting of the values required in the Discharge Monitoring Report Form. Such increased frequency shall also be indicated.

7. Records Retention

All records and information resulting from the monitoring activities required by this permit including all records of analyses performed and calibration and maintenance of instrumentation and recordings from continuous monitoring instrumentation shall be retained for a minimum of three (3) years, or longer if requested by the Director of the Division of Environment.

PART I

Page 5 of 12

Kansas Permit No. M-WA20-D003

8. Definitions

- a. The "monthly average", other than for fecal coliform bacteria, is the arithmetic mean of the values for effluent samples collected in a period of 30 consecutive days. The monthly average for fecal coliform bacteria is the geometric mean of the value of the effluent samples collected in a period of 30 consecutive days.
- b. The "weekly average", other than for fecal coliform bacteria, is the arithmetic mean of the values for effluent samples collected in a period of seven consecutive days. The weekly average for fecal coliform bacteria is the geometric mean of the values for effluent samples collected in a period of seven consecutive days.
- c. A "grab sample" is an individual sample collected in less than 15 minutes. For fecal coliform bacteria, a grab sample consists of one effluent portion collected during a 24-hour period.
- d. A "composite sample" is a combination of individual samples obtained at regular intervals over a time period. Either the volume of each individual sample is proportional to discharge flow rates or the sampling frequency (for constant volume samples) is proportional to the flow rates over a time period used to produce the composite. A 24-hour composite sample consists of several effluent portions collected in a 24-hour period and composited according to flow.
- e. A "major contributing industry" is a wastewater source that:
  - (a) has a flow of 50,000 gallons or more per average workday;
  - (b) has a flow greater than five percent of the flow carried by the municipal system receiving the waste; (c) has in its waste a toxic pollutant in toxic amounts as defined in standards issued under Section 307(a) of the Act; or (d) has significant impact, either singly or in combination with other contributing industries on the treatment works or the quality of its effluent.
- f. "Compatible pollutants" are biochemical oxygen demand, suspended solids, pH and fecal coliform bacteria, plus additional pollutants identified in the NPDES permit if the publicly owned treatment works was designed to treat such pollutants, and in fact does remove such pollutants to a substantial degree, e.g., nitrogen and phosphorus.
- g. An "incompatible pollutant" is any pollutant which is not a compatible pollutant as defined above.

**C. SCHEDULE OF COMPLIANCE**

The permittee shall achieve compliance with the effluent limitations specified for discharges in accordance with the following schedule:

*W.1.2. Wastewater and Effluent*

This facility shall be considered a temporary treatment system. The permittee will transport all wastewater to a more permanent facility as recommended in the Four Mile Creek Basin Facilities Plan (Federal Grants Project No. C20 0691) and the Metro Supplement to the 303(e) Point Source Basin Plan for the Lower Arkansas River Basin.

PART II

Page 7 of 12

Kansas Permit No. M-WA20-D003

A. MANAGEMENT REQUIREMENTS

1. Change in Discharge

All discharges authorized herein shall be consistent with the terms and conditions of this permit. The discharge of any pollutant identified in this permit more frequently than or at a level in excess of that authorized shall constitute a violation of the permit. Any anticipated facility expansion, additions, or modifications, as well as any new industrial discharge or substantial change in an existing industrial discharge to the treatment system, which will result in new, different, or increased discharges of pollutants must be reported by submission of a new NPDES application or, if such changes will not violate the effluent limitations specified in this permit, by notice to the Director of the Division of Environment of such changes. Following such notice, the permit may be modified to reflect any necessary changes in permit conditions or to specify and limit any pollutants not previously limited. In no case are any new connections, increased flows or major changes in influent quality permitted that will cause violation of the stated effluent limitations.

2. Noncompliance Notification

If, for any reason, the permittee does not comply with or will be unable to comply with any effluent limitation specified in this permit due to an unusual or extraordinary occurrence, the permittee shall immediately notify and provide the Director of the Division of Environment with the following information, in writing, within five (5) days of becoming aware of such condition:

- a. A description of the discharge and cause of noncompliance; and
- b. The period of noncompliance, including exact dates and times; or if not corrected, the anticipated time the noncompliance is expected to continue, and steps being taken to reduce, eliminate and prevent recurrence of the noncomplying discharge.

3. Onshore-Offshore Construction

This permit does not authorize or approve the construction of any onshore or offshore physical structures or facilities or the undertaking of any work in any navigable waters.

PART II

Page 8 of 12

Kansas Permit No. M-WA20-D003

4. Adverse Impact

The permittee shall take all reasonable steps to minimize any adverse impact to navigable waters resulting from noncompliance with any effluent limitations specified in this permit, including such accelerated or additional monitoring as necessary to determine the nature and impact of the noncomplying discharge.

5. Bypassing

Any diversion from or bypass of facilities necessary to maintain compliance with the terms and conditions of this permit is prohibited, except (i) where unavoidable to prevent loss of life or severe property damage, or (ii) where excessive storm drainage or runoff would damage any facilities necessary for compliance with the effluent limitations and prohibitions of this permit. The permittee shall promptly notify the Director of the Division of Environment in writing of each such diversion or bypass.

6. Removed Substances

Solids, sludges, filter backwash, or other pollutants removed from or resulting from treatment or control of wastewaters shall be disposed of in a manner such as to prevent any pollutant from such materials from entering navigable waters.

7. Power Failures

In order to maintain compliance with the effluent limitations and prohibitions of this permit, the permittee shall either:

a. In accordance with the Schedule of Compliance contained in Part I, provide an alternative power source sufficient to operate the wastewater control facilities;

or, if no date for implementation appears in Part I,

b. Halt, reduce or otherwise control, production and/or all discharges upon the reduction, loss, or failure of one or more of the primary sources of power to the wastewater control facilities.

PART II

Page 9 of 12

Kansas Permit No. M-WA20-D003

8. Facility Operation and Quality Control

All waste collection, control, treatment and disposal facilities shall be operated in a manner consistent with the following:

- a. At all times, all facilities shall be operated as efficiently as possible and in a manner which will minimize upsets and discharges of excessive pollutants.
- b. The permittee shall provide an adequate operating staff which is duly qualified to carry out the operation, maintenance and testing functions required to insure compliance with the conditions of this permit.
- c. Maintenance of treatment facilities that result in degradation of effluent quality shall be scheduled during non-critical water quality periods and shall be carried out in a manner approved by the permitting authority.

9. Discharge Consistency

The permittee shall maintain and operate the facilities under his control with sufficient personnel, standby equipment, adequate power, an inventory of replacement parts, and a satisfactory contingency plan to assure that the quality of the discharge(s) will meet the effluent limitation requirements.

10. Industrial Users

The permittee shall require any industrial user of the treatment works to comply with the requirements of Sections 204(b), 307, and 308 of the Act. Any industrial user subject to the requirements of Section 307 of the Act shall be required by the permittee to prepare and transmit to the Director of the Division of Environment periodic notice (over intervals not to exceed nine (9) months) of progress toward full compliance with Section 307 requirements.

The permittee shall require any industrial user of storm sewers to comply with the requirement of Section 308 of the Act.

PART II

Page 10 of 12

Kansas Permit No. M-WA20-D003

B. RESPONSIBILITIES

1. Right of Entry

The permittee shall allow the Director of the Division of Environment and/or his authorized representatives, upon the presentation of credentials:

- a. To enter upon the permittee's premises where an effluent source is located or in which any records are required to be kept under the terms and conditions of this permit; and
- b. At reasonable times to have access to and copy any records required to be kept under the terms and conditions of this permit; to inspect any monitoring equipment or monitoring method required in this permit; and to sample any discharge of pollutants.

2. Transfer of Ownership or Control

In the event of any change in control or ownership of facilities from which the authorized discharges emanate, the permittee shall notify the succeeding owner or controller of the existence of this permit by letter, a copy of which shall be forwarded to the Director of the Division of Environment.

3. Availability of Reports

Except for data determined to be confidential under Section 308 of the Act, all reports prepared in accordance with the terms of this permit shall be available for public inspection at the offices of the Kansas Department of Health and Environment. As required by the Act, effluent data shall not be considered confidential. Knowingly making any false statement on any such report may result in the imposition of criminal penalties as provided for in Section 309 of the Act.

4. Permit Modification

After notice and opportunity for a hearing, this permit may be modified, suspended, or revoked in whole or in part during its term for cause including, but not limited to, the following:

- a. Violations of any terms or conditions of this permit;
- b. Obtaining this permit by misrepresentation or failure to disclose fully all relevant facts; or
- c. A change in any condition that requires either a temporary or permanent reduction or elimination of the authorized discharge.

5. Toxic Pollutants

Notwithstanding Part II, B-4 above, if a toxic effluent standard or prohibition (including any schedule of compliance specified in such effluent standard or prohibition) is established under Section 307(a) of the Act for a toxic pollutant which is present in the discharge and such standard or prohibition is more stringent than any limitation for such pollutant in this permit, this permit shall be revised or modified in accordance with the toxic effluent standard or prohibition and the permittee so notified.

6. Civil and Criminal Liability

Except as provided in permit conditions on "Bypassing" (Part II, A-5) and "Power Failures" (Part II, A-7), nothing in this permit shall be construed to relieve the permittee from civil or criminal penalties for noncompliance, whether or not such noncompliance is due to factors beyond his control, such as accidents, equipment breakdowns, or labor disputes.

7. Oil and Hazardous Substance Liability

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject under Section 311 of the Act.

8. Property Rights

The issuance of this permit does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of Federal, State or local laws or regulations.

9. Severability

The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.

PART III

Page 12 of 12

Kansas Permit No. M-WA20-D003

FACILITY DESCRIPTION

1. Activated Sludge Basin Utilizing Orbal Discs
2. Design P.E. 2000 (1983)
3. Design Flow 300,000 gpd (with provisions for future expansion)

OTHER REQUIREMENTS

State of Kansas . . . ROBERT F. BENNETT, Governor

DEPARTMENT OF HEALTH AND ENVIRONMENT

DWIGHT F. METZLER, Secretary

Topeka, Kansas 66620



February 2, 1978

Mr. Warren Tomlinson  
President of the Board of Directors  
Crestview Country Club Improvement  
District of Sedgwick County  
13 Via Roma Road  
Wichita, Kansas 67214

Re: Permit M-WA20-D003 (KS-0117684)  
Crestview Improvement District

Dear Mr. Tomlinson:

It is our intention to issue a National Pollutant Discharge Elimination System permit to the Crestview Country Club Improvement District upon completion of the sewage treatment plant construction in accordance with the approved plans and specifications. This intention is based upon the Improvement District's written statements in the correspondence of January 20, 1978, and February 3, 1978, responding to Mr. Gray's comments. We believe everyone is aware of the temporary nature of the treatment plant and that abandonment will be forthcoming according to the recommendations of the Four Mile Creek Basin Facilities Plan.

Sincerely yours,

Division of Environment

*Barton L. Brandenburg*  
Barton L. Brandenburg  
Sanitary Engineer  
Water Pollution Control

BLB:jaw

cc: South Central District  
James Aiken, Sedgwick Co. Health Dept.  
Al Reiss, Reiss and Goodness Engrs.  
William Keltner, PEC  
Bob Lakin, Director of Planning  
Andy Harkness, Sedgwick Co. Public Works

STATUTORY WARRANTY DEED

The Grantors, KARL SOLOMON and BARBARA SOLOMON, his wife, convey and warrant to CRESTVIEW COUNTRY CLUB IMPROVEMENT DISTRICT, Sedgwick County, Kansas, all the following described real estate, situated in the County of Sedgwick and State of Kansas, to-wit:

A tract of land located in the Southwest Quarter of Section 13, Township 27, Range 2 East of the 6th P. M., Sedgwick County, Kansas, more particularly described as beginning at a point on the East line of said Southwest Quarter, 810 feet North of the Southeast corner of said Southwest Quarter; thence West and parallel to the South line of said Southwest Quarter to the South right of way line of the Kansas Turnpike; thence Northeasterly along the South right of way line of the Kansas Turnpike to the intersection of said South right of way line with the East line of said Southwest Quarter; thence South along the East line of said Southwest Quarter to the point of beginning,

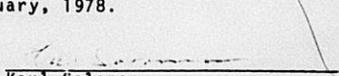
together with an easement for purposes of ingress and egress and for the purpose of extending public utility services to and from the above described property over, under and across the following described real estate, situated in the County of Sedgwick and State of Kansas, to-wit:

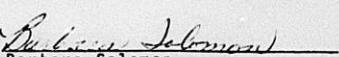
A tract of land located in the Southwest Quarter of Section 13, Township 27, Range 2 East of the 6th P. M., Sedgwick County, Kansas, more particularly described as beginning at the Southeast corner of said Southwest Quarter; thence North along the East line of said Southwest Quarter a distance of 810 feet; thence West and parallel to the South line of said Southwest Quarter a distance of 30 feet; thence South and parallel to the East line of said Southwest Quarter, a distance of 810 feet more or less to the South line of said Southwest Quarter; thence East along the South line of said Southwest Quarter to the point of beginning, subject to road right of way on South,

for the sum of One Dollar (\$1.00) and other good and valuable consideration.

If Grantee shall, within six months from the date hereof, be unable to obtain zoning or a conditional use permit which will permit the Grantee to construct a sewage disposal facility upon the real property first described herein, or if after obtaining such zoning or permit Grantee or its assigns shall fail to commence construction of a sewage disposal facility within six months, or after commencing such construction shall fail to use or cease to use said property for the construction, operation and maintenance of a sewage disposal facility (except for brief periods required for maintenance, alteration or enlargement purposes), then all right, title and interest in and to said property and the easement granted herein shall revert to and revest in the Grantors or their heirs and assigns as fully and completely as if this instrument had not been executed.

Dated this 14th day of February, 1978.

  
Karl Solomon

  
Barbara Solomon

STATE OF KANSAS, SEDGWICK COUNTY, ss.:

BE IT REMEMBERED, that on this 14th day of February, 1978, before me, the undersigned, a Notary Public in and for the County and State aforesaid, came Karl Solomon and Barbara Solomon, his wife, who are personally known to me to be the same persons who executed the within instrument of writing and such persons duly acknowledged the execution of the same.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Official Seal, the day and year last above written.

Carroll A. Cunningham  
Notary Public

My commission expires:

July 19, 1981



DR 78-8

DESCRIPTION OF ACTUAL PLANT SITE

CRESTVIEW

*A tract of land located in SW quarter of Section 13, T27, R2E of 6th P.M., Sedgwick County, Kansas beginning at a point 122 feet west and 870 feet north of the SE corner of the SW quarter of said Section 13; thence west to the south right of way line of the Kansas Turnpike; thence northeasterly along said right of way line of said turnpike to a point being 1106 feet north and 122 feet west of the SE corner of SW quarter of said Section 13; thence south to point of beginning.*

2-16-78

We have attached a Statutory Warranty Deed from Karl Solomon to the Improvement District which was filed for record on February 27, 1978.

O W N E R S H I P   L I S T

Tract	Property Owner
Beginning at the SE corner of the SW $\frac{1}{4}$ of Section 13-27-2E, thence North to the Southerly row line of the K.T.A., thence SWly along said South row line to the South line of Section 13, thence East to beginning, except a tract described as beginning 530 feet West of the SE corner of the SW $\frac{1}{4}$ of Section 13, thence North 242 feet, West 180 feet, South 242 feet, East to beginning	Karl Solomon Union National Bldg. 67202
Beginning 530 feet West of the SE corner of the SW $\frac{1}{4}$ of Section 13-27-2E, North 242 feet, West 180 feet, South 242 feet, East to beginning	Ruth Duncan aka G. Ruth and James S. Duncan 14930 East Central 67230
The SW $\frac{1}{4}$ of Section 13-27-2E except that portion condemned for K.T.A and except the last 2 above described deeds	Glenn M. Fisher, deceased c/o Marlin J. Fisher Benton, Kansas
The SE $\frac{1}{4}$ of Section 13-27-2E except the West 795 feet, except that portion condemned for K.T.A. and except that portion platted as Brookhaven Estates	Roy Wilson Smith and Esther N. Smith 567 N. Brookhaven Drive 67230
All that part of the West 795 feet of the SE $\frac{1}{4}$ of Section 13-27-2E lying South of Kansas Turnpike row	John Simon Fisher <del>653 S. Volusia 67211</del> <i>71 Willwood Road Andover Mass. 01810</i> Clara S. Fisher 653 S. Volusia 67211
The West 795 feet of the SE $\frac{1}{4}$ of Section 13-27-2E except that portion lying South of Kansas Turnpike	OK
The NE $\frac{1}{4}$ of Section 24-27-2E	Helen E. Smith and Clyde M. Smith 15315 East Central 67230
Lot 1, Blk 3                      Shadybrook Farm Addition	John E. Siefkes and Janice G. Siefkes 200 West Douglas, Suite 140 67202
lots 9 & 10 Block 4                      Same	Same
Reserve A, Block 2                      Same	Same



434 NORTH MAIN  
WICHITA, KANSAS 67202  
267-8371

We hereby certify the foregoing to be a true and correct list of the property owners of:

A 1000 foot radius of: a tract of land located in the SW $\frac{1}{4}$  of Section 13-27-2E described as beginning at a point 122 feet West and 870 feet North of the SE corner of the SW $\frac{1}{4}$  of Section 13; thence West to the South row line of the Kansas Turnpike; thence NEly along said row line of said turnpike to a point 1106 feet North and 122 feet West of the SE corner of said SW $\frac{1}{4}$  of Section 13; thence South to the point of beginning

as shown by the last deeds of record on file in the Office of the Register of Deeds of Sedgwick County, Kansas, on the 23rd day of February, 1978 at 7:00 o'clock A.M.

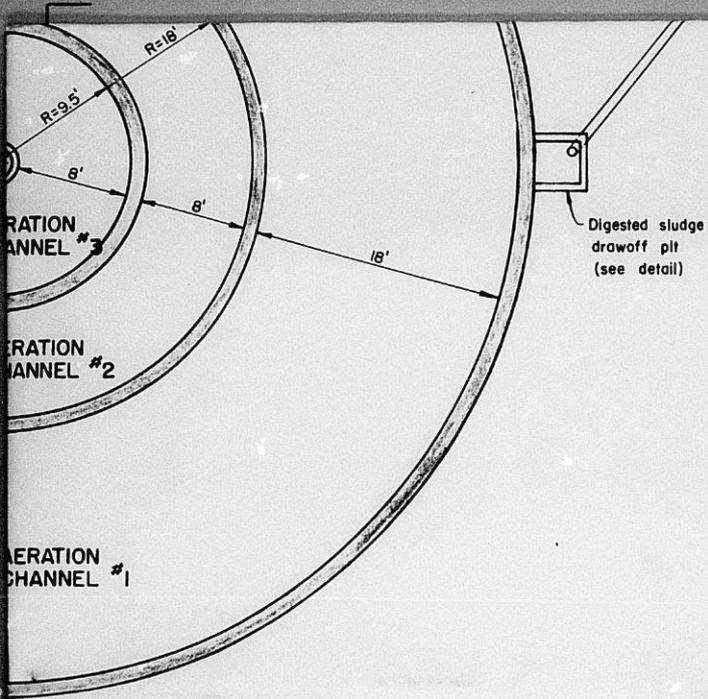
THE SECURITY ABSTRACT & TITLE COMPANY, INC.

By

*Mary Gable*

Vice President

Order No. 261419  
wh



4" conc. pad  
 size to fit  
 drive assembly

*DR 78-8*

REISS & GOODNESS ENGINEERS  
 2160 WEST 21<sup>ST</sup> STREET  
 WICHITA, KANSAS 67204  
 (316) 832-0213

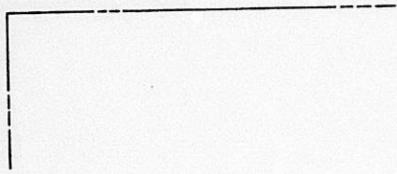


**DISTRICT SEDGWICK CO. KANSAS**

SCALE	Given	PROJECT NO.
DATE	10-3-77	SHEET 7 OF 13

30'-24" CMP  
culvert

SE corner SW  
sec. 13-27-2 E



1'-0"

rd so

DAC

*DR 78-8*

REISS & GOODNESS ENGINEERS  
2100 WEST 21<sup>ST</sup> STREET  
WICHITA, KANSAS 67204  
(316) 832-0213



**CO. KANSAS**

SCALE 1"=100'	PROJECT NO.
DATE 9-21-77	SHEET 2 OF 13

MI