

State of Kansas
Department of Health and Environment

Public Notice Concerning Kansas / Federal
Water Pollution Control Permits and Applications

State of Kansas
Department of Health and Environment
Division of Environment-Bureau of Water
1000 SW Jackson St., Suite 420
Topeka, Kansas 66612-1367
Telephone: (785) 296-6432 - Ag Permits
(785) 296-3056 - All Others

Public Notice No. KS-AG-21-379/386
Public Notice No. KS-AG-R-21-029/031
Public Notice No. KS-EG-21-011

Beginning Date: December 23, 2021
Comments Due: January 22, 2022

In accordance with Kansas Administrative Regulations 28-16-57a through 63, 28-18-1 through 17, 28-18a-1 through 31 and 33, 28-16-150 through 154, 28-46-7, and the authority vested with the State by the administrator of the U.S. Environmental Protection Agency, various draft water pollution control documents (permits, notices to revoke and reissue, notices to terminate) have been prepared and/or permit applications have been received for discharges to waters of the United States and the state of Kansas for the class of discharges described below.

The proposed actions concerning the draft documents are based on staff review, applying the appropriate standards, regulations, and effluent limitations of the state of Kansas and the Environmental Protection Agency. The final action will result in a Federal National Pollutant Discharge Elimination System Authorization and/or a Kansas Water Pollution Control permit being issued, subject to certain conditions, revocation, and reissuance of the designated permit or termination of the designated permit.

Public Notice No. KS-AG-21-379/386

Pending Permits for Confined Feeding Facilities

<u>Name and Address of Applicant</u>	<u>Legal Description</u>	<u>Receiving Water</u>
Douglas Claassen Henry Creek Farms, Inc 10636 NW 110 th Street Whitewater, KS 67154	SW/4 of Section 06 T24S, R04E Butler County	Walnut River Basin

Kansas Permit No.: A-WABU-H001

Federal Permit No.: KS0089451

The proposed action is to modify and reissue an existing State/NPDES permit for a facility for 2,918 head (291.8 animal units) of swine weighing less than 55 pounds each, housing 3,480 head (1,392.0 animal units) of swine weighing more than 55 pounds each, and 500 head (250 animal units) of cattle weighing less than 700 pounds for a total of 1,933.8 animal units. There is no change in the permitted number of animal units from the previous permit. This permit is being modified to remove three existing swine buildings, replace a fourth building and remodel the remaining five buildings. There are no changes proposed to the existing multi-cell wastewater retention system, nor the cattle portion of the facility. This facility has an approved Nutrient Management Plan on file with KDHE.

Jeff George

NW/4 & S/2 of Section 31

Upper Arkansas

Finney County Feed Yard, LLC
4170 N. Finney County Feeders Rd.
Garden City, KS 67846

T23S, R31W and
SE/4 of Section 36
T23S, R32W
Finney County

River Basin

Kansas Permit No.: A-UAFI-C002

Federal Permit No.: KS0037583

The proposed action is to modify and reissue an existing State/NPDES permit for a facility for 50,000 head (50,000 animal units) of cattle weighing greater than 700 pounds. Proposed modifications include a 130.2 total acre expansion (122.63 acre feedlot drainage area and 7.57 acre retention structure). The new area includes; open cattle lots, feed roads, sediment conveyance channels, sediment basin, and retention control structure RS 6. There is no change in the permitted number of animal units from the previous permit. This facility has an approved Nutrient Management Plan on file with KDHE.

Kevin Morgan
Morgan Creek Farms
612 Lark Road
Hope, KS 67451

S/2 of Section 33
T15S, R03E
Dickinson County

Smoky Hill
River Basin

Kansas Permit No.: A-SHDK-B020

The proposed action is to reissue an existing State permit for an existing facility for 950 head (950 animal units) of cattle more than 700 pounds. There will be no change in the operation or permitted number of animal units from the previous permit. This facility has an approved Waste Management Plan on file with KDHE.

J. D. Nuss
Nuss Feedyard
32386 NW 210 Road
Jetmore, KS 67854

SW/4 of Section 11
T21S, R25W
Hodgeman County

Upper Arkansas
River Basin

Kansas Permit No.: A-UAHG-B005

The proposed action is to reissue an existing State permit for an existing facility for 999 head (499.5 animal units) of cattle weighing less than 700 pounds. There will be no change in the operation or permitted number of animal units from the previous permit. This facility has an approved Waste Management Plan on file with KDHE.

Kenneth Winter
Lariat Feeders, Inc.
11431 E. Highway 400
Dodge City, KS 67801

NW/4 & E/2 of Section 33
NW/4 of Section 34
T26S, R24W
Ford County

Upper Arkansas
River Basin

Kansas Permit No.: A-UAFO-C001

Federal Permit No.: KS0040584

The proposed action is to reissue an existing NPDES permit for an existing facility for 30,000 head (30,000 animal units) of cattle weighing greater than 700 pounds and 6 head (12 animal units) of horses

for a total of 30,012 animal units. There will be no change in the operation or permitted number of animal units from the previous permit. This facility has an approved Nutrient Management Plan on file with KDHE.

Kathleen Sinn
5990 Silver Creek Road
Manhattan, KS 66503

NW/4 of Section 14
T09S, R06E
Riley County

Kansas River Basin

Kansas Permit No.: A-KSRL-S004

The proposed action is to reissue an existing State permit for an existing facility for 449 head (179.6 animal units) of swine more than 55 pounds, 430 head (43 animal units) of swine 55 pounds or less, 100 head (100 animal units) of cattle more than 700 pounds and 175 head (87.5 animal units) of cattle 700 pounds or less, for a total of 410.1 animal units. There will be no change in the operation or permitted number of animal units from the previous permit. This facility has an approved Waste Management Plan on file with KDHE.

Keith Erickson
Erickson Farms
1197 West Iron Rd.
Prairie View, KS 67664

SW/4 of Section 11
T02S, R20W
Phillips County

Solomon River Basin

Kansas Permit No.: A-SOPL-B007

The proposed action is to reissue an existing State permit for an existing facility for 230 head (115 animal units) of cattle weighing 700 pounds or less. There will be no change in the operation or permitted number of animal units from the previous permit. This facility has an approved Waste Management Plan on file with KDHE.

Lee Springer – Elevator Facility
3321 CR 5800
Independence, KS 67301

SW/4 of Section 23
SE/4 of Section 22
T31S, 15E
Montgomery County

Verdigris River Basin

Kansas Permit No.: A-VEMG-H002

Federal Permit No.: KS0087114

The proposed action is to approve an update to the Nutrient Management Plan (NMP) received for this existing facility currently permitted for 5,700 head (2,280 animal units) of swine weighing more than 55 pounds and 3,000 head (300 animal units) of swine weighing 55 pounds or less for a total of 2,580 animal units. The facility's NMP was updated to include the addition of a new land application field. There are no changes to the permit or in the permitted number of animal units. Only the updated portion of the Nutrient Management Plan is subject to comment. This facility has an approved Nutrient Management Plan on file with KDHE.

Public Notice No. KS-AG-R-21-029/031

Per Kansas Statutes Annotated 65-171d, the following Registration has been received for a proposed facility:

<u>Name and Address of Registrant</u>	<u>Legal Description</u>	<u>County</u>
Kenton Siebert 2401 K-25 Colby, KS 67701	SW/4 of Section 06 T07S, R33W	Thomas
Leon Huser 2758 Antonio Rd. Victoria, KS 67671	E/2 of Section 04 T15S, R16W	Ellis
Tanner & Deidra Jessup 315 S. Main Gas, KS 66742	NE/4 of Section 32 T24S, R19E	Allen

Public Notice No.: KS-EG-21-011

In accordance with K.A.R. 28-46-7 and the authority vested with the State by the administrator of the U.S. Environmental Protection Agency, draft permits have been prepared for the use of the well(s) described below within the State of Kansas.

NAME AND ADDRESS OF APPLICANT

Underground Cavern Stabilization, LLC
P.O. Box 225
Great Bend, KS 67530
Operator: Advantek Cavern Solutions, LLC
1100 Richmond Ave., Suite 190
Houston, TX 77042
Permit No.: KS-05-155-002

Facility Location: 7513 South K-14 Highway, Hutchinson, KS 67501
Legal Description: NE¼, S14, T24S, R6W, Reno County, Kansas

Well Number

AM#5

Location

Latitude: 37.96603" Longitude: -97.94781"

The proposed action is to issue a new Class V Injection Well permit for the owner/operator listed above. The facility currently emplaces non-hazardous chloride impacted materials, under a separate UIC Class V permit, to enhance the overall stabilization of the existing salt cavern well field, which helps minimize potential subsidence. These caverns also provide a suitable place for disposal of biosolids and semi biosolids from animal manures, agricultural residuals and plant wastes, and other organic sources into the open-hole void space within an existing plugged and abandoned cavern well located on the property.

Cavern AM#5 will be opened, and upon confirmation of suitable conditions, utilized for the emplacement of organic material as described in this permit. No other materials will be allowed without prior approval from KDHE. Emplacement is made into Cavern AM#5 solution mined in the Hutchinson Salt member of the Wellington Formation from approximately 561 to 781 feet below the ground surface. Emplacement pressure into the cavern will not exceed 80 psig at the well head. The maximum rate of injection will be 12,000 barrels per day. The Hutchinson Salt interval consists mostly of salt with shale interbeds and is encountered at a depth of approximately 455 feet below the ground surface. There are no Hutchinson Salt Formation waters and the disposal zone is below the USDW. All construction, monitoring, and operation of these wells shall meet the requirements that apply to Class V Injection wells under the Kansas UIC Regulations, K.A.R. 28-46-1 through 28-46-44 and other requirements of KDHE.

Persons wishing to comment on or object to the draft documents and/or permit applications must submit their comments in writing to the Kansas Department of Health and Environment (KDHE) if they wish to

have the comments or objections considered in the decision-making process. All written comments regarding the draft documents, application or registration notices received on or before **January 22, 2022** will be considered in the formulation of the final determination regarding this public notice. Please refer to the appropriate Kansas document number (KS-AG-21-379/386, KS-AG-R-21-029/031, KS-EG-21-011) and name of the applicant/permittee when preparing comments.

All comments received will be responded to at the time the Secretary of Health and Environment issues a determination regarding final agency action on each draft document/application. If response to any draft document/application indicates significant public interest, a public hearing may be held in conformance with K.A.R. 28-16-61 (28-46-21 for UIC). A request for public hearing must be submitted in writing and shall state the nature of the issues proposed to be raised during the hearing.

Comments or objections for agricultural related draft documents, permit applications, registrations or actions should be submitted to the attention of Paige Drury, Livestock Waste Management Section at the KDHE, Bureau of Environmental Field Services (BEFS), 1000 SW Jackson, Suite 430, Topeka, KS 66612. Comments or objections for all other proposed permits or actions should be sent to Michael Beezhold at the KDHE, Bureau of Water, 1000 SW Jackson St., Suite 420, Topeka, KS 66612.

All draft documents/applications and the supporting information including any comments received are on file and may be inspected at the offices of the KDHE. For agricultural related draft documents or applications an appointment can be scheduled, or copies requested by contacting the Livestock Waste Management Section at 1000 SW Jackson St., Suite 430, Topeka, KS 66612, telephone (785) 296-6432 or email at kdhe.feedlots@ks.gov. For all other proposed permits or actions an appointment can be scheduled, or copies requested by contacting Christopher Zwiener, Bureau of Water, 1000 SW Jackson St., Suite 420, Topeka, KS 66612, telephone (785) 296-3056 or email at Christopher.Zwiener@ks.gov. These documents are available upon request at the copying cost assessed by KDHE. Application information and components of plans and specifications for all new and expanding swine facilities are available on the Internet at <http://www.kdheks.gov/feedlots>. Division of Environment offices are open from 8 a.m. to 5 p.m., Monday through Friday, excluding holidays.

**Janet Stanek
Acting Secretary
Kansas Department of Health and Environment**