

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) 296-5517 - All Others

Public Notice No. KS-AG-21-361/369  
Public Notice No. KS-AG-R-21-027/028  
Public Notice No. KS-Q-21-130  
Public Notice No. KS-NQ-21-012  
Public Notice No. KS-PT-21-010  
Beginning Date: December 9, 2021  
Comments Due: January 8, 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.

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**Public Notice No. KS-AG-21-361/369**

**Pending Permits for Confined Feeding Facilities**

<u>Name and Address of Applicant</u>	<u>Legal Description</u>	<u>Receiving Water</u>
Daryl Bott Bott Cattle Co. Inc. 1663 1 <sup>st</sup> Rd. Palmer, KS 66962	SE/4 of Section 27 & NE/4 of Section 34 T05S, R03E Washington County	Big Blue River Basin

Kansas Permit No.: A-BBWS-C001

Federal Permit No.: KS0117200

The proposed action is to modify an existing NPDES permit for a beef facility for 4,999 head (4,999 animal units) of cattle weighing more than 700 pounds. This permit is being modified to add an enclosed cattle barn with an associated concrete pit beneath it. 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.

Wesley Shaw DBA Preheim Ag  
Preheim Ag  
Sunflower Rd. Between 50<sup>th</sup> and 40<sup>th</sup>  
Peabody, KS 66866

NW/4 of Section 17  
T22S, R04E  
Marion County

Neosho River Basin

Kansas Permit No.: A-NEMN-C006

Federal Permit No.: KS0300000

The proposed action is to issue a new State/NPDES permit for a cattle feed yard with 4,500 head (4,500 animal units) of cattle weighing more than 700 pounds. The facility will consist of a Waste Storage Pond (WSP-1), two Waste Separation Facilities (Sediment Basins), two Waste Transfer pipe outlets, Fencing, and Critical Area Plantings. WSP-1 has sufficient capacity to retain the design level storm (25 Yr., 24 Hr. Precipitation Event). A waste transfer pipeline and center pivot waste application system are also proposed. This facility has an approved Nutrient Management Plan on file with KDHE.

Darwin Carswell  
2386 W. 60<sup>th</sup> Dr.  
Alton, KS 67623

SW/4 of Section 31  
T06S, R14W  
Osborne County

Solomon River Basin

Kansas Permit No.: A-SOOB-B006

The proposed action is to reissue an existing State permit for an existing facility for 500 head (500 animal units) of cattle more than 700 pounds and 250 head (125 animal units) of cattle 700 pounds or less, for a total of 625 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.

Michael Burger  
Smoky Hill Farms  
2903 17<sup>th</sup> Ave.  
Lindsborg, KS 67457

SE/4 of Section 01 &  
NE/4 of Section 12  
T17S, R03W  
McPherson County

Smoky Hill River Basin

Kansas Permit No.: A-SHMP-C002

Federal Permit No.: KS0099597

The proposed action is to reissue an existing NPDES permit for an existing facility for 2,000 head (1,000 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 Nutrient Management Plan on file with KDHE.

Lin-Lea Farms Inc.  
6238 Powell Rd.  
Mound City, KS 66056

SW/4 of Section 21  
T22S, R24E  
Linn County

Marais des Cygnes  
River Basin

Kansas Permit No.: A-MCLN-M002

The proposed action is to reissue an existing State permit for an existing facility for 150 head (210 animal units) of mature dairy cattle, 60 head (30 animal units) of dairy calves, and 25 head (25 animal units) of dairy heifers for a total of 265 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.

Richard Herman

NE/4 of Section 21

Saline River Basin

Richard Herman Farms, Inc.  
1389 310<sup>th</sup> Ave.  
Hill City, KS 67642

T10S, R22W  
Graham County

Kansas Permit No.: A-SAGH-B007

The proposed action is to reissue an existing State permit for an existing facility for 990 head (990 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.

Marvel Torneden  
Five M Farms  
22912 Linwood Rd.  
Linwood, KS 66052

SW/4 of Section 17  
T12S, R21E  
Leavenworth County

Kansas River Basin

Kansas Permit No.: A-KSLV-S017

The proposed action is to reissue an existing State permit for an existing facility for 130 head (52 animal units) of swine more than 55 pounds, 100 head (10 animal units) of swine 55 pounds or less, 16 head (16 animal units) of beef cattle more than 700 pounds and 20 head (10 animal units) beef cattle 700 pounds or less, for a total of 266 head (88 animal units) of beef cattle and swine.. 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.

Jeremy Dennis  
Jeremy Dennis Farms  
1270 East Eagle Rd.  
Kensington, KS 66951

NE/4 of Section 26  
T01S, R16W  
Phillips County

Solomon River Basin

Kansas Permit No.: A-SOPL-B014

The proposed action is to reissue an existing State permit for an existing facility for 150 head (150 animal units) of cattle more than 700 pounds and 150 head (75 animal units) of cattle 700 pounds or less, for a total of 225 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.

Sandy Road Farms, LLC  
Sandy Road Farms 10 Finishing  
23179 #5 Rd.  
Plains, KS 67869

N/2 of Section 16  
T34S, R30W  
Meade County

Cimarron River Basin

Kansas Permit No.: A-CIME-H002

Federal Permit No.: KS0088200

The proposed action is to reissue an existing NPDES permit for an existing facility for 3,850 head (1,540 animal units) of swine weighing greater than 55 pounds. 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.

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**Public Notice No. KS-AG-R-21-027/028**

**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>
Chance Cranston 503 County Road 1 Brewster, KS 67732	SW/4 of Section 07 T10S, R36W	Thomas County

Justin Wiebe 13620 NW Santa Fe Lake Rd. Whitewater, KS 67514	NW/4 of Section 30 T23S, R04E	Butler County
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**Public Notice No.: KS-Q-21-130**

**The requirements of the draft permit public noticed below are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28 (b-g), and Federal Surface Water Criteria.**

<u>NAME AND ADDRESS OF APPLICANT</u>	<u>RECEIVING STREAM</u>	<u>TYPE OF DISCHARGE</u>
Nelson Quarries, Inc. P.O. Box 100 Gas, KS 66742	Verdigris River via Toronto Lake via Unnamed Tributary	Process Wastewater

Kansas Permit No. I-VE36-PO01 Legal Description: SW¼, S26, T25S, R13E, Facility Name: Toronto Quarry	Federal Permit No. KS0100234 Woodson County, Kansas
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The proposed action is to reissue an existing State/NPDES permit for an existing facility. This facility is a limestone quarrying and crushing operation with no washing. Outfall 001A and Outfall 002A consist of quarry pit water and stormwater runoff. The proposed permit contains generic language to protect the waters of the State.

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**Public Notice No. KS-NQ-21-012**

**The requirements of the draft permit public noticed below are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-g).**

<u>NAME AND ADDRESS OF APPLICANT</u>	<u>LEGAL LOCATION</u>	<u>TYPE OF DISCHARGE</u>
Geary County Public Works Dept. 310 E. 8 <sup>th</sup> Street Junction City, KS 66441	SW¼, NE¼, SW¼, S11, T11S, R4E, Geary County, Kansas	Non-Overflowing

Kansas Permit No. M-LR15-NO01 Facility Name: Geary County Sewer District #4 (Laurel Canyon)	Federal Permit No. KSJ001002
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The proposed action is to issue a new non-discharging State/NPDES permit for a new non-discharging facility. This facility is a two-cell wastewater stabilization lagoon system, replacing the existing mechanical treatment plant.

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**Public Notice No. KS-PT-21-010**

**The requirements of the draft permit public noticed below are pursuant to the Kansas**

**Administrative Regulations 28-16-82 through 28-16-98, and U.S. Environmental Protection Agency Pretreatment Regulation 40 CFR 403.**

<u>NAME AND ADDRESS OF APPLICANT</u>	<u>RECEIVING FACILITY</u>	<u>TYPE OF DISCHARGE</u>
Bradford Built Inc. 1803 Industrial Park Drive Washington, KS 66968	Washington Municipal Wastewater Treatment Plant	Process Wastewater

Kansas Permit No. P-BB21-0001

Federal Permit No. KSP000107

The proposed action is to reissue an existing pretreatment permit for an existing facility. This facility manufactures customized agricultural products, such as truck flatbeds and grain hoppers made of steel. A conversion coating (phosphating) operation is used to prepare the steel products for painting. Outfall 001 represented wastewater from the old wash bay, when a phosphating chemical was sprayed on metal parts. This process was discontinued in July 2019. Outfall 002 represents the discharge of spent phosphating chemical and rinse water from the new, three-stage washer. The proposed permit contains pretreatment limitations for pH, total toxic organics, cadmium, chromium, copper, lead, nickel, silver, zinc, and cyanide.

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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 8, 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-21-361/369, KS-AG-R-21-027/028, KS-Q-21-130, KS-NQ-21-012, KS-PT-21-010) 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 Rachel Hammond, BEFS, Livestock Waste Management Section at 1000 SW Jackson St., Suite 430, Topeka, KS 66612, telephone (785) 296-0076 or email at [kdhe.feedlots@ks.gov](mailto: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](mailto: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**