

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-21-387/400
Public Notice No. KS-Q-21-132/134
Public Notice No. KS-NQ-21-013/015

Beginning Date: December 30, 2021
Comments Due: January 29, 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-21-387/400

Pending Permits for Confined Feeding Facilities

<u>Name and Address of Applicant</u>	<u>Legal Description</u>	<u>Receiving Water</u>
Douglas M. Dolechek 3D Cattle Co. NW 180 Road Hoisington, KS 67544	SW/4 of Section 27 T16S, R14W Barton County	Smoky Hill River Basin

Kansas Permit No.: A-SHBT-B001

The proposed action is to issue a new State permit for a facility for 999 head (999 animal units) of cattle weighing greater than 700 pounds. The facility will consist of 5.2 acres of open pens and a waste management system consisting of a drainage collection channel and an earthen wastewater retention structure. This facility has an approved Waste Management Plan on file with KDHE.

Eugene Sperflage Sperflage Dairy 1672 Q Road Seneca, KS 66538	NW/4 of Section 14 T03S, R13E Nemaha County	Missouri River Basin
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Kansas Permit No.: A-MONM-M022

This permit is being modified for an existing facility. The maximum capacity for the dairy facility is 210 head (294 animal units) of mature dairy cattle, 28 head (28 animal units) of cattle weighing greater than 700 pounds, 37 head (18.5 animal units) of cattle weighing 700 pounds or less, 223 head (89.2 animal units) of swine weighing greater than 55 pounds, and 151 head (15.1 animal units) of swine weighing 55 pounds or less for a total of 444.8 animal units. Modifications include the establishment of grass buffers for the swine and heifer pens, and farrowing huts rather than a barn. Animal unit changes include the addition of 38 head (19 animal units) of cattle weighing less than 700 pounds for a total of 75 head (37.5 animal units) of cattle weighing less than 700 pounds. There are no changes to other animal units.

Scott Foote
Decatur County Beef, LLC
2361 Highway 83
Oberlin, KS 67749

SE/4 and W/2 of Section 01 &
N/2 of Section 12
T02S, R29W
Decatur County

Upper Republican
River Basin

Kansas Permit No.: A-URDC-C002

Federal Permit No.: KS0115690

The proposed action is to modify the current NPDES permit for an existing facility. Modifications to the permit includes: the addition of a detailed description of the existing facility an adjustment to the operating levels according to as-built information. There are no other changes to the permit. Only the portions of the permit being modified are subject to comment. This facility has an approved Nutrient Management Plan on file with KDHE.

Solomon Unruh
Spring Lake Farms
913 S. Spring Lake Rd
Halstead, KS 67056

SE/4 of Section 20
T23S, R02W
Harvey County

Little Arkansas
River Basin

Kansas Permit No.: A-LAHV-S034

The proposed action is to reissue an existing State permit for an existing facility for 1,500 head (600 animal units) of swine weighing more 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 Waste Management Plan on file with KDHE.

Mark G. Wells
Wells M-M Dairy
7051 S. 375th West
Cheney, KS 67025-9122

E/2 of Section 32
T28S, R04W
Sedgwick County

Lower Arkansas
River Basin

Kansas Permit No.: A-ARSG-M025

The proposed action is to reissue an existing State permit for an existing facility for 175 head (245 animal units) of mature dairy cattle, 75 head (75 animal units) of dairy heifers, and 75 head (37.5 animal units) of dairy calves, for a total of 357.5 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.

Rickey A. & Ronda E. Blattner
Rickey and Ronda Blattner
17803 P Road
Cimarron, KS 67835

NE/4 of Section 23
T26S, R28W
Gray County

Upper Arkansas
River Basin

Kansas Permit No.: A-UAGY-B004

The proposed action is to reissue an existing State permit for an existing facility for 599 head (299.5 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.

Luke J. Hoeme
50144 NE 100th Ave.
Preston, KS 67583

W/2 of Section 05
T27S, R11W
Pratt County

Lower Arkansas
River Basin

Kansas Permit No.: A-ARPR-B009

The proposed action is to reissue an existing State permit for an existing facility for 999 head (999 animal units) of cattle weighing 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.

Charles M. Zeller
Plus Z Farms
5776 W. 76th Ave.
Manhattan, KS 66503

E/2 of Section 14
T09S, R06E
Riley County

Kansas – Republican
River Basin

Kansas Permit No.: A-KSRL-B002

The proposed action is to reissue an existing state permit for an existing facility for 999 head (999 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.

Craig Ingram
Ingram Farms Feedyard
220 West 1100 Rd.
Long Island, KS 67647

NW/4 of Section 13 &
NE/4 of Section 14
T01S, R20W
Phillips County

Upper Republican
River Basin

Kansas Permit No.: A-URPL-B003

The proposed action is to reissue an existing State permit for an existing facility for 990 head (495 animal units) of cattle 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
Lee Springer - #2 Sow Farm
3175 County Road 5800
Independence, KS 67301

SE/4 of Section 21
T31S, R15E
Montgomery County

Verdigris River Basin

Kansas Permit No.: A-VEMG-S040

The proposed action is to reissue an existing State permit for an existing facility for 1,350 head (540 animal units) of swine weighing greater than 55 pounds, and 1,760 head (176 animal units) of swine weighing 55 pounds or less, for a total of 716 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.

Lee Springer
Lee Springer (Elk City Facility)
4848 County Road 1900
Elk City, KS 67344

SW/4 of Section 16
T32S, R14E
Montgomery County

Verdigris River Basin

Kansas Permit No.: A-VEMG-S037

The proposed action is to reissue an existing State permit for an existing facility for 2,122 head (848.8 animal units) of swine weighing more than 55 pounds and 1,494 head (149.4 animal units) of swine weighing 55 pounds or less, for a total of 998.2 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.

Brock Miller
Billie M. Thompson Revocable Trust
156 NE 20th Ave.
Great Bend, KS 67530

SW/4 of Section 21
T21S, R20W
Pawnee County

Upper Arkansas
River Basin

Kansas Permit No.: A-UAPN-B001

The proposed action is to reissue an existing State permit for an existing facility for 600 head (600 animal units) of cattle weighing 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.

Jeff P. Unger
Jeff Unger Livestock Facility
26498 Cheney Road
Rexford, KS 67753

SW/4 of Section 10
T05S, R31W
Rawlins County

Upper Republican
River Basin

Kansas Permit No.: A-URRA-B011

The proposed action is to reissue an existing State permit for an existing facility for 999 head (999 animal units) of cattle weighing greater 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.

Jonas Frantz
Pine Lane Dairy
1025 320th Rd.
Tampa, KS 67483

N/2 of Section 34
T17S, R02E
Marion County

Neosho River Basin

Kansas Permit No.: A-NEMN-M017

The proposed action is to reissue an existing State permit for an existing facility for 50 head (70 animal units) of mature dairy cows. Facility is currently unpopulated. 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.

Public Notice No.: KS-Q-21-132/134

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>
Caney, City of P.O. Box 129 Caney, KS 67333	Little Caney River	Treated Domestic Wastewater

Kansas Permit No. M-VE04-0001 Federal Permit No. KS0027481
Legal Description: S½, SE¼, SE¼, S11, T35S, R13E, Montgomery County, Kansas

The proposed action is to reissue an existing State/NPDES permit for an existing facility. This facility is a mechanical treatment plant consisting of a bar screen, Parshall flume, oxidation ditch, two final settling tanks, UV disinfection, dewater (bagging system) of sludge, and sludge drying beds. The proposed permit contains limits for biochemical oxygen demand, total suspended solids, ammonia, E. coli, and pH, as well as monitoring for nitrate + nitrite, total Kjeldahl nitrogen, total nitrogen, total phosphorus, and flow.

Cornejo & Sons, LLC
2060 E. Tulsa St.
Wichita, KS 67216

Verdigris River via
Elk City Reservoir via
Elk River via
Unnamed Tributary

Process
Wastewater

Kansas Permit No. I-VE14-PO01 Federal Permit No. KS0115461
Legal Description: SE¼, S18, T32S, R14E, Montgomery County, Kansas
Facility Name: Elk City Quarry

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. Outfalls 001A, 002A and 003A consist of

stormwater runoff and quarry pit water. The proposed permit contains generic language to protect the waters of the State.

Winchester, City of
P.O. Box 123
Winchester, KS 66097-0123

Crooked Creek via
Unnamed Tributary

Treated Domestic
Wastewater

Kansas Permit No. M-KS84-OO01 Federal Permit No. KS0047511
Legal Description: NE¼, NE¼, SE¼, S27, T8S, R19E, Jefferson County, Kansas

The proposed action is to reissue an existing State/NPDES permit for an existing facility. This facility is a four-cell wastewater stabilization lagoon system. This NPDES discharging lagoon wastewater treatment facility has been reviewed for eligibility for the MDV for ammonia and has been determined to be eligible. Eligibility was determined through analysis of the facility’s highest attainable condition (HAC) for ammonia and an Economic Eligibility Determination (EED) that assessed the impact of the cost of a new mechanical facility to the community’s rate payers. The ammonia effluent limit was determined on 7/30/2021 by calculating the 99th percentile ammonia value from the facility’s discharge monitoring reports resulting in an ammonia limit of **5.5 mg/L** for this facility. The EED was completed on 9/1/2021. The proposed permit contains limits for biochemical oxygen demand, total suspended solids, pH, ammonia and E. coli, as well as monitoring for total phosphorus.

Public Notice No. KS-NQ-21-013/015

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>
Happy Joy Acres P.O. Box 699 Perry, KS 66073	NE¼, NE¼, NW¼, S28, T10S, R18E, Jefferson County, Kansas	Non-Overflowing

Kansas Permit No. C-KS58-NO04 Federal Permit No. KSJ000569
Facility Name: Happy Joy Acres

The proposed action is to reissue an existing non-discharging State/NPDES permit for an existing non-discharging facility. This facility is a one-cell wastewater stabilization lagoon system. The proposed permit contains a schedule of compliance stating the permittee shall have a KDHE certified wastewater treatment operator to oversee the operation of this facility.

Lawrence, City of P.O. Box 708 Lawrence, KS 66044	SE¼, NE¼, SE¼ S17, T13S, R19E Douglas County, Kansas	Non-Overflowing
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Kansas Permit No. M-KS31-NO07 Federal Permit No. KSJ000156
Facility Name: Eagle Bend Golf Course
Facility Address: 1250 E. 902 Road, Lawrence, KS 66044

The proposed action is to reissue an existing non-discharging State/NPDES permit for an existing non-discharging facility. This facility is a two-cell wastewater stabilization lagoon system. The proposed permit contains a schedule of compliance stating the permittee shall have a Kansas licensed professional

engineer and complete an engineering study to determine improvements needed.

Oakley, City of
209 Hudson Avenue
Oakley, KS 67748-1725

SW $\frac{1}{4}$, SE $\frac{1}{4}$, NE $\frac{1}{4}$
S10, T11S, R32W,
Logan County, Kansas

Non-Overflowing

Kansas Permit No. M-SH29-NO01 Federal Permit No. KSJ001003
Facility Address: 3439 U.S. Highway 40, Oakley, KS 67748

The proposed permit is to issue a new State/NPDES permit for a new non-discharging facility. This facility is a three-cell wastewater stabilization lagoon system with a storage cell. The current-in-use facility, Kansas Permit No. M-SH29-OO02 is in effect until completion of the new lagoon system and removal of the Smith and Loveless extended aeration plant and KDHE is notified.

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 29, 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-21-387/400, KS-Q-21-132/134, KS-NQ-21-013/015) 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**