Kansas Register Notice  
Department of Health and Environment  
Public Notice of Proposed Permit Renewal Action

The Kansas Department of Health and Environment (KDHE) received a Resource Conservation and Recovery Act (RCRA) permit renewal application for hazardous waste treatment and storage from Ash Grove Cement Company (Ash Grove), the owner and operator of the facility located at 1801 North Santa Fe Street, Chanute, Kansas. KDHE is providing notice of their intent to renew the Ash Grove RCRA permit, EPA identification number KSD031203318.

The permit will allow Ash Grove to: thermally treat on-site and off-site generated hazardous waste in the facility’s cement kiln; receive hazardous waste via rail and over the road in both bulk and palletized containers from off-site generators and other hazardous waste processors; store a total of 190,000 gallons of liquid hazardous waste in five (5) above ground storage tanks; store a total of 196,864 gallons of solid hazardous waste in six (6) container storage areas; store up to 300 cubic yards of bulk solid hazardous waste in an above ground storage silo; conduct manual bulk container cleaning operations; and transfer hazardous waste not suitable for processing into a fuel to other RCRA permitted facilities. The waste materials managed at the facility will include ignitable, corrosive, reactive, toxic, and listed liquid or solid hazardous wastes. In addition to allowing the treatment and storage of hazardous waste, the permit also requires the continued implementation of previously approved corrective actions and general corrective action provisions to address any newly identified releases, solid waste management units, or areas of concern.

The draft permit is being considered for issuance under authority of the Kansas Statutes Annotated (K.S.A.) 65-3430 et seq. and Kansas Administrative Regulations (K.A.R.) 28-31-4 through 28-31-279a. Documents that support the draft permit conditions and all data submitted by the applicant are part of the administrative record.

State hazardous waste laws require that the public be given at least 45 days to review the administrative record for the draft permit prior to KDHE taking a final action. The purpose of having a public comment period is to ensure that interested parties have an opportunity to evaluate the conditions specified in the draft permit and to provide their input into the permit decision-making process. A copy of the administrative record which includes the draft permit, the fact sheet, the permit application, and all information pertaining to this permit action is available for public review December 9, 2021 through January 23, 2022, Monday through Friday, during normal business hours at the following locations:

Kansas Department of Health and Environment  
Hazardous Waste Permits Section  
1000 SW Jackson, Suite 320  
Topeka, Kansas 66612  
Contact: Steve Sellmeyer  
(785) 296-1236
Anyone wishing to comment on the draft permit should submit written comments postmarked no later than January 23, 2022 to the KDHE contact at the above listed address.

A public hearing has not been scheduled; however, any interested person may request a public hearing in writing which states the nature of the issues proposed to be raised in a public hearing. If written requests are received which indicate a significant degree of public interest in the draft permit, a public hearing will be scheduled, and advanced notice of hearing will be given to the public. After consideration of all comments received, the Secretary of KDHE will make a final decision to issue or deny the permit. Notice of the Secretary’s decision will be given to the applicant, all persons who submitted written comments, those who commented at the public hearing, and those who requested notice of the final permit decision. If none of the comments received during the public comment period result in revision(s) to the draft permit, the permit will become effective immediately upon its issuance. If comments received during the public comment period result in revision(s), the permit will become effective 30 days after service of notice of the final decision to allow for public review of the revisions in accordance with 40 CFR 124.15 and K.A.R. 28-31-124(c)(8). Any appeal of the final permit decision must be filed within 15 days after service of notice in accordance with K.S.A 65-3440 and K.S.A. 77-601 et seq.

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