

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-22-023/036
Public Notice No. KS-AG-R-22-001
Public Notice No. KS-Q-22-001/002
Public Notice No. KS-NQ-22-001

Beginning Date: January 20, 2022
Comments Due: February 19, 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-22-023/036

Pending Permits for Confined Feeding Facilities

<u>Name and Address of Applicant</u>	<u>Legal Description</u>	<u>Receiving Water</u>
Marc & Kate Henry Henry Land & Cattle, LLC 875 6 th Road Longford, KS 67458	NE/4 of Section 04 T10S, R02E Clay County	Upper Arkansas River Basin

Kansas Permit No.: A-SHCY-H003

Federal Permit No.: KS0101753

The proposed action is to modify the current NPDES permit for an existing facility with a maximum capacity of 5684 head (2273.6 animal units) of swine weighing more than 55 pounds each and 8192 head (819.2 animal units) of swine weighing less than 55 pounds each for a total of 3092.8 animal units. Modifications to the permit includes: the addition of newly constructed buildings to the facility description, burial as the method for mortality disposal and the removal of all SOC requirements. 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. Only the portions of the permit being modified are subject to comment.

Douglas Claussen

W/2 of Section 12 &

Upper Arkansas

High Choice Feeders, LLC I
553 West Road 40
Scott City, KS 67871

N/2 & SW/4 of Section 13
T20S, R33W
Scott County

River Basin

Kansas Permit No.: A-UASC-C012

Federal Permit No.: KS0118541

The proposed action is to modify and reissue the existing NPDES permit for a facility for a proposed maximum capacity of 30,000 head (30,000 animal units) of beef cattle weighing more than 700 pounds. This represents an increase in the permitted animal units from the previous permit. This permit is also being modified to add one retention structure, 2 sediment basins, and approximately 38 acres of open lot pens. This facility has an approved Nutrient Management Plan on file with KDHE.

Don & Mark Bethe
712 Hawk Road
Hope, KS 67451-9146

SW/4 of Section 34
T15S, R02E
Dickinson County

Smoky Hill River Basin

Kansas Permit No.: A-SHDK-B008

The proposed action is to reissue an existing State permit for an existing facility for 500 head (250 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.

Darrell D. Parks
Parks Farm
1001 E. 26th Ave.
Manhattan, KS 66502

NW/4 of Section 26 &
SE/4 of Section 23
T10S, R08E
Riley County

Kansas River Basin

Kansas Permit No.: A-KSRL-S006

The proposed action is to reissue an existing State permit for an existing facility for 365 head (146 animal units) of swine more than 55 pounds and 200 head (20 animal units) of swine 55 pounds or less, for a total of 166 animal units of 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.

Brent Buessing
Buessing Holsteins
2130 E Road
Baileyville, KS 66404

SW/4 of Section 23
T02S, R11E
Nemaha County

Missouri River Basin

Kansas Permit No.: A-MONM-M029

The proposed action is to reissue an existing State permit for an existing facility for a maximum capacity of 300 head (420 animal units) of mature dairy cattle, 150 head (150 animal units) of dairy heifers, and 187 head (93.5 animal units) of dairy calves, for a total of 637 head (663.5 animal units) of dairy cattle. 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.

Carl F. Meyer
Carl & Nila Meyer LLC
4819 W 201 St
Osage City, KS 66523

SE/4 of Section 36
T15S, R14E
Osage County

Marias des Cygnes
River Basin

Kansas Permit No.: A-MCOS-B003

The proposed action is to reissue an existing State permit for an existing facility for 300 head (300 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.

Jerry Goetz
Goetz & Son Feedlot
13563 S Road 45 E
Park, KS 67751

NE/4 of Section 30
T10S, R27W
Sheridan County

Saline River Basin

Kansas Permit No.: A-SASD-C002

Federal Permit No.: KS0092363

The proposed action is to reissue an existing NPDES permit for an existing facility for 3,000 head (3,000 animal units) of 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 Nutrient Management Plan on file with KDHE.

Roderick Arnoldy
266 W 190th Dr.
Tipton, KS 67485

SW/4 of Section 03
T09S, R11W
Osborne County

Solomon River Basin

Kansas Permit No.: A-SOOB-B007

The proposed action is to reissue an existing State permit for an existing facility for 300 head (300 animal units) of cattle weighing more than 700 pounds, and 300 head (150 animal units) of cattle weighing 700 pounds or less, for a total of 600 head (450 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.

Virginia Hurtig Estate
Hurtig Farm
1268 Cloud Road
Delphos, KS 67436

SE/4 of Section 31
T08S, R03W
Cloud County

Solomon River Basin

Kansas Permit No.: A-SOCD-B001

The proposed action is to reissue an existing State permit for an existing facility for 400 head (400 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.

James Dobbins
1473 Hwy 9
Goff, KS 66428

SE/4 of Section 32
T04S, R13E
Nemaha County

Kansas River Basin

Kansas Permit No.: A-KSNM-S006

The proposed action is to reissue an existing State permit for an existing facility for 75 head (30 animal units) of swine weighing more than 55 pounds and 320 head (32 animal units) of swine weighing 55 pounds or less for a total of 62 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.

James Ninemire
28266 Road W9 Ln
Lenora, KS 67645

SE/4 of Section 30
T05S, R24W
Norton County

Solomon River Basin

Kansas Permit No.: A-SONT-B010

The proposed action is to reissue an existing State permit for an existing facility for 249 head (249 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.

Norma Rockers
Rockers Farms
22262 NW 2050 Rd
Garnett, KS 66032

SW/4 of Section 11 &
SE/4 of Section 10
T20S, R19E
Anderson County

Marais des Cygnes
River Basin

Kansas Permit No.: A-MCAN-B001

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

Joseph Stich
8740 150th Road
Chanute, KS 66720

NW/4 of Section 16
T28S, R19E
Neosho County

Neosho River Basin

Kansas Permit No.: A-NENO-E001

The proposed action is to reissue an existing State permit for an existing facility for 35,000 (35 animal units) of pheasants and 20,000 (20 animal units) of chukar partridges, for a total of 55 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.

Livingston Enterprises
Livingston Enterprises – Hillside View
429 29th Road
Mahaska, KS 66955

SW/4 of Section 03
T01S, R01E
Washington County

Big Blue River Basin

Kansas Permit No.: A-BBWS-S059

The proposed action is to reissue an existing State permit for an existing facility for 4,800 head (480 animal units) of swine 55 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.

Public Notice No. KS-AG-R-22-001

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>
Kyle Wamsley 1750 CR 15 Sharon Springs, KS 67758	NW/4 of Section 08 T13S, R40W	Wallace

Public Notice No.: KS-Q-22-001/002

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>
Every, Inc. 818 Kansas Avenue Topeka, KS 66612	Kansas River	Process Wastewater

Kansas Permit No. I-KS31-PO09 Federal Permit No. KS0079821
Legal Description: NW¼, S14, T12S, R19E, Douglas County, Kansas
Facility Name: Lawrence Energy Center
Facility Address: 1250 N. 1800 Road, Lawrence, KS 66044

The proposed action is to reissue an existing State/NPDES permit for an existing facility. This facility is an electrical generating power station that has a maximum capacity of 550 megawatts powered by two (2) coal fired high-pressure steam generators (Units 4 and 5). Unit 3 is no longer active. The facility obtains makeup water from a surface water intake structure on the Kansas River for cooling tower and blowdown use. The proposed permit contains a Schedule of Compliance for the facility to meet Federal regulations 40 CFR 423, Steam Electric Effluent Limit Guidelines for flue gas desulfurization (FGD) and bottom ash transport water discharges. The facility has filed a Notice of Planned Participation in order to meet requirements. The proposed permit contains limits for total suspended solids, oil and grease, pH, free available oxidant, whole effluent toxicity, and zinc, as well as monitoring for flow, biochemical oxygen demand, mercury, selenium, copper, total chloride, total sulfate, total phosphorus, and priority pollutants.

Harshman Construction Verdigris River via Process

1632 F P Road
Cedar Point, KS 66843

Elk River via Game Creek
via Polk Daniels Lake
Unnamed Tributary

Wastewater

Kansas Permit No. I-VE22-PO01

Federal Permit No. KS0097284

Legal Description: N½, S4, T30S. R11E. Elk County, Kansas

Facility Name: Black 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 that occasionally washes rock, but all wash water is sent to a sedimentation pond, which does not discharge. Outfall 001A consists of pit water and stormwater runoff. To discharge, a pump must be used. Since the quarry pit is very large, a discharge from Outfall 001A seldom occurs. The proposed permit contains generic language to protect the waters of the State.

Public Notice No. KS-NQ-22-001

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>
Veritas Christian School 256 N Michigan St Lawrence, KS 66044	S½, SW¼, NW¼ S36, T13S, R19E Douglas County, Kansas	Non-Overflowing

Kansas Permit No. C-KS31-NO10

Federal Permit No. KSJ001004

Facility Name: Veritas Christian School Wastewater Treatment Facility

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 with two septic tanks. The proposed permit contains a variance review to address Kansas Administrative Regulations (K.A.R.) 28-16-160 through K.A.R. 28-16-174.

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 **February 19, 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-22-023/036, KS-AG-R-22-001, KS-Q-22-001/002, KS-NQ-22-001) 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 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.kdhe.ks.gov/livestock>. 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