

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

Public Notice No. KS-AG-22-103/109

Telephone: (785) 296-6432 - Ag Permits
(785) 296-3056 - All Others

Beginning Date: April 28, 2022
Comments Due: May 28, 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-22-103/109

Pending Permits for Confined Feeding Facilities

<u>Name and Address of Applicant</u>	<u>Legal Description</u>	<u>Receiving Water</u>
Southwest Cattle, LLC Southwest Cattle 960 CR 50 Sublette, KS 67877	N/2 & SE/4 of Section 28 T27S, R33W Haskell County	Upper Arkansas River Basin

Kansas Permit No.: A-UAHS-C001

Federal Permit No.: KS0099465

The proposed action is to modify and reissue an existing NPDES permit for an expanding facility for 52,500 head (26,250 animal units) of cattle weighting 700 pounds or less and 20,000 head (20,000 animal units) of cattle weighing greater than 700 pounds for a total animal unit capacity of 46,250. There is no change in the permitted number of animal units from the previous permit. The permit contains proposed modifications consisting of an additional 159 acres of new open lot pens, calf pen area, and one additional wastewater retention control structure.

Orval Thiessen Inc.
Thiessen Orval Inc.
182 Old Mill Rd.

NW/4 of Section 34
T22S, R03E
Marion County

Walnut River Basin

Peabody, KS 66866

Kansas Permit No.: A-WAMN-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 and 410 head (205 animal units) of cattle 700 pounds or less; for a total 605 animal units of 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.

Edwin Busenitz
1376 10th St.
Peabody, KS 66866

SE/4 of Section 31
T22S, R03E
Marion County

Walnut River Basin

Kansas Permit No.: A-WAMN-S004

The proposed action is to reissue an existing State permit for an existing facility for 240 head (96 animal units) of swine weighing more than 55 pounds, 220 head (22 animal units) of swine weighing 55 pounds or less, 270 head (135 animal units) of cattle weighing less than 700 pounds, and 1 horse (2 animal units) for a total of 255 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.

Dale Knaus
Wayne Knaus Farm
14680 NW 2000 Rd.
Garnett, KS 66032

NE/4 of Section 16
T20S, R18E
Anderson County

Marias des Cygnes
River Basin

Kansas Permit No.: A-MCAN-S017

The proposed action is to reissue an existing State permit for an existing facility for 1,566 head (626.4 animal units) of swine more than 55 pounds and 360 head (36 animal units) of swine 55 pounds or less; for a total of 662.4 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.

Ken Georg
Georg Farms LLC
2490 136th Rd.
Sabetha, KS 66534

SE/4 of Section 30
T03S, R15E
Brown County

Kansas River Basin

Kansas Permit No.: A-KSBR-B002

The proposed action is to reissue an existing State permit for an existing facility for 350 head (350 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.

Dewey Feedyard
P.O. Box 269
Cimarron, KS 67835

N/2 of Section 24
T26S, R27W
Gray County

Upper Arkansas
River Basin

Kansas Permit No.: A-UAGY-C012

Federal Permit No.: KS0093483

The proposed action is to approve an update to the Nutrient Management Plan (NMP) received for this existing facility currently permitted for 5,500 head (2,750 animal units) of cattle weighing less than 700 pounds. The facility's NMP was updated to include less-limiting rate limitation changes to two fields. There are no changes to the permit or in the permitted number of animal units. Only the updated portions of the Nutrient Management Plan are subject to comment. This facility has an approved Nutrient Management Plan on file with KDHE.

Henry Creek Farms Inc.
10636 NW 110th St.
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

An update to the Nutrient Management Plan (NMP) was received for this existing facility currently permitted for 3,602 head (1,440.8 animal units) of swine weighing more than 55 pounds and 2,430 head (243 animal units) of swine weighing 55 pounds or less and 500 head (250 animal units) of cattle weighing 700 pounds or less; for a total of 1933.8 animal units. The facility's NMP was updated to include less-limiting rate limitation changes to two fields. There are no changes to the permit or in the permitted number of animal units. Only the updated portions of the Nutrient Management Plan are subject to comment. This facility has an approved Nutrient Management Plan on file with 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 **May 28, 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-22-103/109) 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 Mirina Landry at 1000 SW Jackson St., Suite 430, Topeka, KS 66612, telephone (785) 296-0076 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
Secretary
Kansas Department of Health and Environment