

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-22-110/115  
Public Notice No. KS-Q-22-041/043  
Public Notice No. KS-PT-22-005

Beginning Date: May 5, 2022  
Comments Due: June 4, 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-22-110/115**  
**Pending Permits for Confined Feeding Facilities**

<u>Name and Address of Applicant</u>	<u>Legal Description</u>	<u>Receiving Water</u>
St. Francis Feedyard, LLC St. Francis Feedyard 1170 Road 11 St. Francis, KS 67756	W/2 of Section 07 T04S, R40W Cheyenne County	Upper Republican River Basin

Kansas Permit No.: A-URCN-C003

Federal Permit No.: KS00289486

This permit is being modified and reissued for an existing facility with maximum capacity of 10,000 head (10,000 animal units) of cattle more than 700 pounds. An area of 7.5 acres of pens will be constructed within the existing extraneous drainage area at the facility. This facility has an approved Nutrient Management Plan on file with KDHE.

Mark Noll  
Noll Farms  
1023 330<sup>th</sup> St.  
Hiawatha, KS 66434

SW/4 of Section 14 &  
SE/4 of Section 15  
T01S, R16E  
Brown County

Missouri River Basin

Kansas Permit No.: A-MOBR-S007

The proposed action is to modify and reissue an existing State permit for an existing facility with a maximum capacity of 850 head (340 animal units) of swine more than 55 pounds, 300 head (30 animal units) of swine 55 pounds or less, and 300 head (300 animal units) of cattle more than 700 pounds, for a total of 670 animal units. This represents a decrease in the permitted animal units from the previous permit. This permit is also being modified to incorporate details in the facility description about decommissioned areas of the facility and add new reporting and record keeping requirements. This facility has an approved Waste Management Plan on file with KDHE.

Jerry Regier  
5119 NE 12<sup>th</sup>  
Newton, KS 67114

NW/4 of Section 18  
T23S, R02E  
Harvey County

Little Arkansas  
River Basin

Kansas Permit No.: A-LAHV-S024

The proposed action is to reissue an existing State permit for an existing facility for 524 head (209.6 animal units) of swine more than 55 pounds and 246 head (24.6 animal units) of swine 55 pounds or less, for a total of 770 head (234.2 animal units) of swine. At time of permit issuance facility is 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.

Double B & S Cattle  
Double B & S Cattle Co Yard 2  
10320 Wrangler Rd.  
Fowler, KS 67844

SE/4 of Section 34  
T29S, R26W  
Ford County

Cimarron River Basin

Kansas Permit No.: A-CIFO-B001

The proposed action is to reissue an existing State permit for an existing facility 574 head (287 animal units) of cattle more than 700 pounds and 6 head (12 animal units) of horses, for a total of 299 animal units of cattle and horses, or 287 head (287 animal units) of cattle more than 700 pounds and 6 head (12 animal units) of horses, for a total of 299 animal units of cattle and horses, or a combination of the two with the total of cattle confined at any one time not exceeding 299 animal units. This facility has an approved Waste Management Plan on file with KDHE.

Roy Henry  
Henry's LTD  
822 6<sup>th</sup> Rd.  
Longford, KS 67458

NW/4 of Section 08 &  
SE/4 of Section 05  
T10S, R02E  
Clay County

Smoky Hill River Basin

Kansas Permit No.: A-SHCY-H001

Federal Permit No.: KS0017401

An update to the Nutrient Management Plan (NMP) was received for this existing facility currently permitted for 13,836 head (5,534.4 animal units) of swine weighing greater than 55 pounds and 8,596 head (859.6 animal units) of swine weighing 55 pounds or less; for a total of 22,432 head (6,394 animal units) of swine. The facility's NMP was updated to include less-limiting rate limitation changes for three

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.

Scott Foote Decatur County Beef, LLC 2361 Hwy 83 Oberlin, KS 67749	SE/4 & W/2 of Section 01 & N/2 of Section 12 T02S, R29W Decatur County	Upper Republican River Basin
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Kansas Permit No.: A-URDC-C002                      Federal Permit No.: KS0115690

The proposed action is to approve an update to the Nutrient Management Plan (NMP) received for this existing facility currently permitted for 60,000 head (60,000 animal units) of beef greater than 700 pounds. The facility's NMP was updated to include the addition of nine new land application fields. There are no changes to the permit or in the permitted number of animal units. Only the updated portion of the Nutrient Management Plan is subject to comment. This facility has an approved Nutrient Management Plan on file with KDHE.

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**Public Notice No.: KS-Q-22-041/043**

**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>
N.R. Hamm Quarry, Inc. P.O. Box 17 Perry, KS 66073	Kansas River via Stranger Creek	Process Wastewater

Kansas Permit No. I-KS13-PO02                      Federal Permit No. KS0118486  
Legal Description: SW¼, S7, T8S, R21E, Leavenworth County, Kansas  
Facility Name: Pennington Quarry #66

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 some rock washing. The wash-water generated on site and stormwater runoff is treated by a settling pond and does not discharge. Outfall 001A and 002A consist of quarry pit water and stormwater runoff. The proposed permit includes generic language to protect the waters of the State.

Jefferson County R.W.D. #13 1951 Wellman Road Lawrence, KS 66044	Kansas River via Mud Creek	Process Wastewater
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Kansas Permit No. I-KS31-PO20                      Federal Permit No. KS0096814  
Legal Description: SE¼, S8, T12S, R20E, Douglas County, Kansas  
Facility Name: Jefferson County RWD #13 Lime Softening Water Treatment Plant  
Facility Location: 1915 E. 1600 Rd, Lawrence, KS 66044

The proposed action is to reissue an existing State/NPDES permit for an existing facility. This facility is a lime softening water treatment plant that treats groundwater from two Kansas River alluvial wells. Wastewater from the lime softening operation is discharged to a two-cell lagoon system for treatment,

which has a 0.69 surface area. Treatment sequence features a pre-chlorination unit, an aerator, a polymer feed system, a dual lime basin and filter backwash system. The proposed permit includes limits for total residual chlorine, total suspended solids, and pH.

St. John, City of  
P.O. Box 367  
St. John, KS 67576

Rattlesnake Creek

Treated Domestic  
Wastewater

Kansas Permit No. M-AR77-0001                      Federal Permit No. KS0027791  
Legal Description: SW¼, SW¼, SW¼, S21, T23S, R13W, Stafford County, Kansas  
Facility Location: NW 10<sup>th</sup> Avenue & NE 50<sup>th</sup> Street

The proposed action is to reissue an existing State/NPDES permit for an existing facility. This facility is a three-cell wastewater stabilization lagoon system. The proposed permit contains limits for biochemical oxygen demand, total suspended solids, and ammonia, as well as limits for pH, E. coli, and total phosphorus. 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 10/22/2021 by calculating the 99th percentile ammonia value from the facility's discharge monitoring reports resulting in an ammonia limit of **2.7 mg/L** for this facility. The EED was completed on 3/7/2022.

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**Public Notice No. KS-PT-22-005**

**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>
Watco Companies, Inc. 315 W. 3 <sup>rd</sup> Street Pittsburg, KS 66762	Neodesha Municipal Wastewater Treatment Plant	Process Wastewater

Kansas Permit No. P-VE29-0003                      Federal Permit No. KSP000094  
Facility Name: Watco Mechanical Services, LLC  
Facility Location: 701 Klayder Drive, Neodesha, KS 66757

The proposed action is to reissue an existing pretreatment permit for an existing facility. This facility repairs and rebuilds tank and hopper railcars and has a primary Standard Industrial Classification (SIC) code of 4789. Approximately 50% of the rail cards cleaned may contain petroleum products, 32% may contain food grade products and 18% may contain chemical products. Since this area does not have a roof, contaminated storm-water runoff is also considered process wastewater. Process wastes can be neutralized and treated using a DAF system, if necessary, before being discharged to the City sanitary sewer. The proposed permit contains pretreatment limitations for pH, non-polar material, fluoranthene, and phenanthrene.

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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 **June 4, 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-22-110/115, KS-Q-22-041/043, KS-PT-22-005) 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](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.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**