

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-22-116/122  
Public Notice No. KS-AG-R-22-008  
Public Notice No. KS-Q-22-044/046

Beginning Date: May 12, 2022  
Comments Due: June 11, 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-22-116**

**Application(s) for New or Expansion of Existing Swine Facilities**

**Name and Address of Applicant**

**Seaboard Foods LLC  
2801 Hurliman Rd.  
Guymon, OK 73942**

**Owner of Property Where Facility Will Be Located**

**Seaboard Foods LLC  
2801 Hurliman Rd.  
Guymon, OK 73942**

**Legal Description**

**E/2 of Section 12,  
NE/4 of Section 13  
T16S, R40W and  
W/2 of Section 07,  
N/2 & SW/4 of Section 18,  
SE/4 of Section 19,  
NE/4 & S/2 of Section 20,  
SW/4 of Section 21,  
N/2 of Section 29  
T16S, R39W  
Greeley County**

**Receiving Water**

**Smoky Hill River Basin**

**Kansas Permit No.: A-SHGL-H001**

**Federal Permit No.: KS0100315**

This is notification KDHE has received a complete permit application for modifications to the operation of a swine waste management facility capable of housing 198,000 head (79,200 animal units) of swine weighing more than 55 pounds each. The complete application can be viewed at the office of the Greeley County Clerk, the KDHE Southwest District Office in Dodge City, Kansas or the KDHE Main Office in Topeka, KS. A permit to operate the proposed modified swine waste management system will not be issued without additional public notice.

**Public Notice No. KS-AG-21-117/122**  
**Pending Permits for Confined Feeding Facilities**

<u>Name and Address of Applicant</u>	<u>Legal Description</u>	<u>Receiving Water</u>
Seaboard Foods LLC Ladder Creek East Site Intersection of Road D & Road 20 Tribune, KS 67879	E/2 of Section 12, NE/4 of Section 13 T16S, R40W and W/2 of Section 07, N/2 & SW/4 of Section 18, SE/4 of Section 19, NE/4 & S/2 of Section 20, SW/4 of Section 21, N/2 of Section 29 T16S, R39W Greeley County	Smoky Hill River Basin

Kansas Permit No.: A-SHGL-H001

Federal Permit No.: KS0100315

The proposed action is to modify and reissue the existing State/NPDES permit for a facility for a proposed maximum capacity of 198,000 head (79,200 animal units) of swine weighing more than 55 pounds. This represents a decrease in the permitted animal units from the previous permit. This permit is also being modified to reflect proposed changes to the existing waste management system. The proposed modifications are to modify eight (8) existing earthen wastewater retention structures to be utilized as covered anaerobic methane digesters to capture biogas for beneficial use, construct six (6) new earthen wastewater retention structures, and use six (6) existing earthen wastewater retention structures. This facility has an approved Nutrient Management Plan on file with KDHE.

Cole Mazanec Mazanec Cattle Company, LLC 1655 CR 15 Colby, KS 67701	NW/4 of Section 16 & NE/4 of Section 17 T08S, R34W Thomas County	Upper Republican River Basin
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Kansas Permit No.: A-URTH-C004

Federal Permit No.: KS0092461

The proposed action is to modify and reissue the existing NPDES permit for a facility with a maximum capacity of 4,850 head (4,850 animal units) of cattle weighing more than 700 pounds and 2,000 head (1,000 animal units) of cattle weighing less than 700 pounds for a total of 5,850 animal units. There is no change in the permitted number of animal units from the previous permit. This permit is also being modified to add approximately 6.2 acres of open lot pens that will drain to WSP 3 and increase the wastewater storage of WSP 3. This facility has an approved Nutrient Management Plan on file with KDHE.

Fairleigh Feed Yard, Inc.  
Fairleigh Feed Yard  
7400 S. Falcon Rd.  
Scott City, KS 67871

All of Section 25  
T19S, R34W and  
All of Section 30  
T19S, R33W  
Scott County

Upper Arkansas  
River Basin

Kansas Permit No.: A-UASC-C001

Federal Permit No.: KS0038059

The proposed action is to modify and reissue the existing State/NPDES permit for a facility for a proposed maximum capacity of 100,000 head (100,000 animal units) of cattle weighing greater than 700 pounds. This represents an increase in the permitted animal units from the previous permit. This permit is also being modified to increase the size of Area E and add an additional retention structure interconnected to RS E Cell 1 (RS E Cell 2). The modified RS E Cell 1 and RS E Cell 2 will together contain runoff from expanding Area E. This facility has an approved Nutrient Management Plan on file with KDHE.

TJ McClure  
Prairie Wind Heifer Development, LLC  
P.O. Box 98  
Johnson, KS 67855

E/2 of Section 01  
T28S, R41W and  
W/2 of Section 06  
T28S, R40W  
Stanton County

Cimarron River Basin

Kansas Permit No.: A-CIST-C008

Federal Permit No.: KS0097390

The proposed action is to modify and reissue the existing NPDES permit for a facility for a proposed maximum capacity of 14,000 head (14,000 animal units) of cattle weighing greater than 700 pounds, and 5 head (10 animal units) of horses, for a total of 14,010 animal units. This represents an increase in the permitted animal units from the previous permit. This permit is also being modified to add additional pens, sediment basin, and retention control structure to the south side of the facility.

Mull Land and Cattle, Inc.  
Mull Land and Cattle Feedlot  
23495 49<sup>th</sup> Ave.  
Haviland, KS 67059

S/2 & NW/4 of Section 19  
T25S, R17W  
Edwards County

Lower Arkansas  
River Basin

Kansas Permit No.: A-ARED-C004

Federal Permit No.: KS0097403

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

Hilltop Hog & Grain  
2526 E Road  
Baileyville, KS 66404

SE/4 of Section 34 &  
SW/4 of Section 35  
T01S, R11E

Missouri River Basin

Nemaha County

Kansas Permit No.: A-MONM-S013

The proposed action is to reissue an existing State permit for an existing facility for 1,400 head (560 animal units) of swine more than 55 pounds, 1,160 head (116 animal units) of swine 55 pounds or less, and 150 head (150 animal units) of cattle more than 700 pounds, for a total of 826 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.

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**Public Notice No. KS-AG-R-22-008**

**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>
Austin Stallbaumer 1549 F Road Centralia, KS 66415	NE/4 of SE/4 of Section 23 T03S, R11E	Nemaha

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**Public Notice No.: KS-Q-22-044/046**

**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>
APAC Kansas P.O. Box 23910 Overland Park, KS 66283	Kansas River via Kill Creek via Unnamed Tributary	Process Wastewater

Kansas Permit No. I-KS20-PO01                      Federal Permit No. KS0098957  
Legal Description: SW¼, S13, T14S, R22E, Johnson County, Kansas  
Facility Name: Gardner 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 rock washing. A majority of the site has been reclaimed and the quarry is inactive most of the time. However, rock will be quarried on demand. Outfalls 001A and 002A consist of stormwater runoff from the exposed quarry area, after the stormwater has been treated by an onsite pond. The proposed permit contains generic language to protect the waters of the State.

Harshman Construction, LLC 1632 F P Road Cedar Point, KS 66843	Verdigris River via Fall River via Otter Creek via Tadpole Creek via Unnamed Tributary	Process Wastewater
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Kansas Permit No. I-VE08-PO02                      Federal Permit No. KS0098892  
Legal Description: NW¼, SW¼, S3, T27S, R10E, Greenwood County, Kansas  
Facility Name: Braden 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. Outfall 001A consists of stormwater runoff

and pit water that may leave the site after a heavy rain. The proposed permit contains generic language to protect the waters of the State.

Mid-States Materials, LLC  
P.O. Box 236  
Topeka, KS 66601

Verdigris River via  
Caney Creek via  
Shrader Branch Creek

Process  
Wastewater

Kansas Permit No. I-VE19-PO01                      Federal Permit No. KS0101168  
Legal Description: NW¼, S10, T31S, R8E, Elk County, Kansas  
Facility Name: Grand Summit 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 some rock washing. A portable asphalt plant is on-site but does not have a discharge, except for stormwater runoff. Outfall 001A consists of treated wash-water, stormwater and some stockpile runoff, which is treated by Settling Pond (SP01). Outfall 002A consists of stormwater runoff from the asphalt plant, which is treated by Settling Pond (SP02).

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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 11, 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-22-116/122, KS-AG-R-22-008, KS-Q-22-044/046) 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**