

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-22-123/130
Public Notice No. KS-AG-R-22-009
Public Notice No. KS-EG-22-006/010

Beginning Date: May 19, 2022
Comments Due: June 18, 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-22-123/130

Pending Permits for Confined Feeding Facilities

<u>Name and Address of Applicant</u>	<u>Legal Description</u>	<u>Receiving Water</u>
Brian Regier 1614 S. Oliver Rd. Newton, KS 67114	NW/4 of Section 25 T23S, R01E Harvey County	Little Arkansas River Basin

Kansas Permit No.: A-LAHV-B011

The proposed action is to modify and reissue the existing State permit for a facility for a proposed maximum capacity of 280 head (140 animal units) of cattle weighing less than 700 pounds, 280 head (280 animal units) of cattle weighing greater than 700 pounds and 500 head (50 animal units) of sheep for a total of 470 animal units. This represents an increase in the permitted animal head from the previous permit. Animal units remain the same. This permit is also being modified to convert a swine building and swine open lots to use for sheep. This facility has an approved Waste Management Plan on file with KDHE.

Steven J. Eichman
Eichman Brothers, Inc.
13075 Brush Creek Rd.

S/2 of Section 28
T08S, R09E
Pottawatomie County

Kansas River Basin

Westmoreland, KS 66549

Kansas Permit No.: A-KSPT-S021

The proposed action is to reissue an existing State permit, with a previously-approved expansion, for an existing facility with a maximum capacity of 600 head (240 animal units) of swine greater than 55 pounds and 4,800 (480 animal units) of swine 55 pounds or less; for a total of 720 animal units. The proposed expansion consists of the addition of an enclosed nursery building. 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.

Jennifer A. Gerety J-Six Enterprises, LLC – Schultejeans Site 887 O Road Goff, KS 66428	NE/4 of Section 29 T04S, R13E Nemaha County	Kansas River Basin
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Kansas Permit No.: A-KSNM-S037

The proposed action is to reissue an existing State permit for an existing facility for 2,400 head (960 animal units) of swine more than 55 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.

Stan Kaiser Merlin Grimes Highway Pens P.O. Box 307 St. John, KS 67576	SE/4 of Section 21 T22S, R13W Stafford County	Upper Arkansas River Basin
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Kansas Permit No.: A-ARSF-B005

The proposed action is to reissue an existing State permit for an existing facility for 550 head (275 animal units) of cattle weighing 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.

Carmen Schmitt Diamond Cattle Company P.O. Box 47 Great Bend, KS 67530	SW/4 of Section 30 T21S, R09W Rice County	Lower Arkansas River Basin
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Kansas Permit No.: A-ARRC-C005 Federal Permit No.: KS0092746

The proposed action is to approve an update to the Nutrient Management Plan (NMP) received for this existing facility currently permitted for 4,000 head (4,000 animal units) of cattle weighing greater than 700 pounds. The facility's NMP was updated to include a change in the application rate limitation for one field. The field's application rate limitation has become less restrictive than the previous NMP. 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.

Randy Fanshier
Fanshier Pork
2008 NW 10th Ave.
Great Bend, KS 67530

W/2 of Section 04
T21S, R13W
Stafford County

Upper Arkansas
River Basin

Kansas Permit No.: A-UASF-H001

Federal Permit No.: KS0095281

The proposed action is to approve an update to the Nutrient Management Plan (NMP) received for this existing facility currently permitted for 3,600 head (1,440 animal units) of swine weighing greater than 55 pounds. The facility's NMP was updated to include a change in the application rate limitation for field one field. The field's application rate limitation has become less restrictive than the previous NMP. 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.

Randy Fanshier
Fanshier Pork – Sharp Site
204 SE 70 Rd.
Great Bend, KS 67530

SW/4 of Section 35
T20S, R13W
Barton County

Upper Arkansas
River Basin

Kansas Permit No.: A-UABT-H001

Federal Permit No.: KS0092096

The proposed action is to approve an update to the Nutrient Management Plan (NMP) received for this existing facility currently permitted for 4,000 head (1,600 animal units) of swine weighing greater than 55 pounds. The facility's NMP was updated to include a change in the application rate limitation for field two fields. The field's application rate limitations have become less restrictive than the previous NMP. There is also an addition of one new land application field. 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.

Box K Ranch, LLC
1663 Road 14
Hugoton, KS 67951

NW/4 of Section 02
T33S, R37W
Stevens County

Cimarron River Basin

Kansas Permit No.: A-CISV-C004

Federal Permit No.: KS0096555

The proposed action is to approve an update to the Nutrient Management Plan (NMP) received for this existing facility currently permitted for 2,200 head (2,200 animal units) of cattle more than 700 pounds and 2,300 head (1,150 animal units) of cattle 700 pounds or less, for a total of 4,500 head (3,350 animal units) of cattle. The facility's NMP was updated to include a change in the application rate limitation for one field. The field's application rate limitation has become less restrictive than the previous NMP. There is also an addition of one new land application field. 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.

Public Notice No. KS-AG-R-22-009

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>
Dale Keesecker 2069 Prairie Rd. Washington, KS 66968	NW/4 of Section 20 T02S, R03E	Washington

Public Notice No.: KS-EG-22-006/10

In accordance with K.A.R. 28-46-7 and the authority vested with the State by the administrator of the U.S. Environmental Protection Agency, draft permits have been prepared for the use of the well(s) described below within the State of Kansas.

NAME AND ADDRESS OF APPLICANT

Occidental Chemical Corporation
6200 South Ridge Road
Wichita, KS 67215
Permit No.: KS-03-173-OP3

Legal Description: Pauly 3-1: NE¼, NW¼, NW¼, S29, T29S, R2W, Sedgwick County, Kansas
Pauly 3-2: NW¼, NE¼, NW¼, S29, T29S, R2W, Sedgwick County, Kansas
Pauly 3-3: NW¼, NE¼, NW¼, S29, T29S, R2W, Sedgwick County, Kansas
Pauly 3-4: NE¼, NE¼, NW¼, S29, T29S, R2W, Sedgwick County, Kansas
Pauly 3-5: NE¼, NE¼, NW¼, S29, T29S, R2W, Sedgwick County, Kansas

Well Number

Location

Pauly 3-1:	Latitude: 37.502692" Longitude: -97.565525"
Pauly 3-2:	Latitude: 37.502694" Longitude: -97.564489"
Pauly 3-3:	Latitude: 37.502697" Longitude: -97.563456"
Pauly 3-4:	Latitude: 37.502701" Longitude: -97.562422"
Pauly 3-5:	Latitude: 37.502703" Longitude: -97.561386"

The proposed action is to modify five Class III Injection Well permits for the wells listed above. These wells are authorized to mine salt from the Hutchinson Salt Member of the Wellington Formation by solution mining methods or as otherwise specified within the permit. Freshwater shall be injected into and saturated brine withdrawn from wells Pauly 3-1, 3-2, 3-3, 3-4 and 3-5. The top of the cavity shall be no shallower than 250 feet below land surface. Mining shall not extend into the upper 50 feet of the salt deposit. The maximum operational injection pressure is not to exceed 130 pounds per square inch at the wellhead. The Wellington Formation consists of inter-bedded salt and shale deposits with minor amounts of gypsum. The upper portion of the formation is primarily clayey shale with small amounts of gypsum present. The lower portion, which is known as the Hutchinson Salt member, is mainly salt with inter-bedded shale deposits. The salt deposits beneath Occidental Chemical Corporation's salt mining operations described herein are first encountered at about 200 feet below ground surface and extended to a depth of about 405 feet. All construction, monitoring, and operation of these wells shall meet the requirements that apply to Class III Injection wells under the Kansas UIC Regulations, K.A.R. 28-46-1 through 28-46-45 and other requirements of 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 **June 18, 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-22-123/130, KS-AG-R-22-009, KS-EG-22-006/010) 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