

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-22-135/140
Public Notice No. KS-Q-22-049/052
Public Notice No. KS-EG-22-011/013

Beginning Date: June 2, 2022
Comments Due: July 2, 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-22-135/140

Pending Permits for Confined Feeding Facilities

<u>Name and Address of Applicant</u>	<u>Legal Description</u>	<u>Receiving Water</u>
Ty Brookover Brookover Feedyard Scott City 4000 E. Road 200 Scott City, KS 67871	SE/4 of Section 22 & W/2 of Section 23 T17S, R32W Scott County	Smoky Hill River Basin

Kansas Permit No.: A-SHSC-C001

Federal Permit No.: KS0038016

The proposed action is to reissue an existing NPDES permit for an existing facility for 26,000 head (26,000 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.

Carlen Busenitz
14488 NW 60th St.
Whitewater, KS 67154

SE/4 of Section 33
T24S, R03E
Butler County

Walnut River Basin

Kansas Permit No.: A-WABU-B020

The proposed action is to reissue an existing State permit for an existing facility for 995 head (995 animal units) of cattle weighing more than 700 pounds and 10 head (4 animal units) of swine weighing more than 55 pounds, for a total of 999 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.

Walter Penner
Walter Penner Farm
15622 NW 130th St.
Whitewater, KS 67154

SW/4 of Section 29
T23S, R03E
Butler County

Walnut River Basin

Kansas Permit No.: A-WABU-S001

The proposed action is to reissue an existing State permit for an existing facility for 380 head (152 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.

Jim Coberly
Glenn Coberly Feedlot
691 County Road 54
Gove, KS 67736

NW/4 of Section 02 &
NE/4 of Section 03
T15S, R28W
Gove County

Smoky Hill River Basin

Kansas Permit No.: A-SHGO-B032

The proposed action is to reissue an existing State permit for an existing facility for 999 head (999 animal units) of cattle 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.

Dr. Paul A. McRae, DVM
Northglen Farms
1976 250th Rd.
Hays, KS 67601

NW/4 of Section 34
T12S, R18W
Ellis County

Smoky Hill River Basin

Kansas Permit No.: A-SHEL-B004

The proposed action is to reissue an existing State permit for an existing facility for 760 head (380 animal units) of cattle weighing less 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.

Bruce Feldhausen
Rock Hog Farm
2166 Ridge Rd.

SE/4 of Section 33
T03S, R09E
Marshall County

Big Blue River Basin

Frankfort, KS 66427

Kansas Permit No.: A-BBMS-S038

The proposed action is to reissue an existing State permit for an existing facility for 820 head (328 animal units) of swine greater than 55 pounds, 400 head (40 animal units) of swine 55 pounds or less, and 80 head (80 animal units) of cattle greater than 700 pounds; for a total of 448 animal units. This represents a decrease in the permitted animal units from the previous permit. This facility has an approved Waste Management Plan on file with KDHE.

Public Notice No.: KS-Q-22-049/052

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>
Clearwater, City of P.O. Box 453 Clearwater, KS 67026	Ninnescah River	Treated Domestic Wastewater

Kansas Permit No. M-AR22-0001 Federal Permit No. KS0022365
Legal Description: SW¼, SE¼, SE¼, S26, T29S, R2W, Sedgwick County, Kansas

The proposed action is to reissue an existing State/NPDES permit for an existing facility. This facility is a four-cell wastewater stabilization lagoon system. The proposed permit includes a schedule of compliance stating the permittee shall implement operational changes to improve the quality of effluent and to bring the facility into compliance. The proposed permit contains limits for biochemical oxygen demand, total suspended solids, and ammonia, as well as monitoring for pH, E. coli, and chlorides.

Dunn Material Handling, LLC 1022 N. 2nd Fredonia, KS 66736	Verdigris River via Fall River via Unnamed Tributary	Process Wastewater
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Kansas Permit No. I-VE18-PO03 Federal Permit No. KS0099520
Legal Description: SW¼, S18, T28S, R14E, Wilson County, Kansas
Facility Name: White Sandstone 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. Some of the quarry areas are active and others are abandoned and are being reclaimed. Sandstone is ripped with a dozer and pushed into piles and then loaded into trucks with front end loaders and hauled to local cement plants. Outfalls 001A and 002A consist of pit water and stormwater runoff, which flows into settling ponds by gravity, for treatment before discharge. The proposed permit contains generic language to protect the waters of the State.

Fredonia, City of 100 N. 15 th St. Fredonia, KS 66736	Fall River	Treated Domestic Wastewater
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Kansas Permit No. M-VE18-0001 Federal Permit No. KS0045985

Legal Description: NE¼, SE¼, SW¼, S14, T29S, R14E, Wilson County, Kansas

The proposed action is to reissue an existing State/NPDES permit for an existing facility. This facility is a mechanical wastewater treatment plant consisting of an influent lift station, bar screen, oxidation ditch, final clarification, UV disinfection, sludge drying beds, sludge belt press, sludge loading pad, peak flow pump station, and peak flow storage basin (750,000 gallons). The proposed permit includes a schedule of compliance to implement the requirements of Consent Order No. 19-E-12-BOW from KDHE. The proposed permit contains limits for biochemical oxygen demand, total suspended solids, ammonia, E. coli, and pH, as well as monitoring for nitrate + nitrite, total Kjeldahl nitrogen, total nitrogen, total phosphorus, and flow.

St. Francis, City of
P.O. Box 517
St. Francis, KS 67756

South Fork of
Republican River

Treated Domestic
Wastewater

Kansas Permit No. M-UR18-0001

Federal Permit No. KS0031089

Legal Description: NW¼, NW¼, NW¼, S23, T3S, R40W, Cheyenne County, Kansas

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. 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 5/20/2022 by calculating the 99th percentile ammonia value from the facility's discharge monitoring reports, resulting in an ammonia limit of **4.1 mg/L** for this facility. The EED was completed on 3/1/2022. The proposed permit contains limits for biochemical oxygen demand, total suspended solids, and ammonia, as well as monitoring for pH, E. coli, fluoride, and arsenic.

Public Notice No.: KS-EG-22-011/013

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

Northern Natural Gas Company (NNG)
1111 S. 103rd Street
Omaha, NE 68124-1000
Facility: Cunningham Storage Facility
20307 NE 150th Avenue
Cunningham, KS 67035
Permit No's: KS-05-151-001, KS-05-151-002, KS-05-151-003

Well Number

WIW #1
WIW #2
WIW#3

Location

Latitude: 37.7321" Longitude: -98.4801"
Latitude: 37.7517" Longitude: -98.5009"
Latitude: 37.76723" Longitude: -98.48393"

Well Number

Legal Description

WIW #1
WIW #2
WIW #3

S1, T27S, R11W, Pratt County
S26, T26S, R11W, Pratt County
S23 T26S, R11W, Pratt County

The proposed action is to reissue three Class V Injection Well permits for the owner/operator listed above. This facility is a porosity natural gas storage facility. Brine produced from the Arbuckle Formation is injected for the purpose of stabilizing the pressure in the Viola Formation to prevent the migration of storage gas. The Viola Formation is a limestone at the base of the formation grading upwards to a dolomite. The Viola Formation is a major oil and gas producer in the area and is used for the storage of natural gas at the NNG facility. The Viola is encountered at a depth of approximately 4285 feet. The Viola Formation is capable of receiving significant quantities of fluid without use of wellhead pressure due to its porous and permeable nature. The injection interval is the Viola Formation from a bottom depth of approximately 4,289 feet to a top depth of approximately 4,301 feet below ground surface. Injection is by means of gravity flow, no pump pressure is allowed during normal injection operation. The maximum rate of injection is 4,000 barrels per day (168,000 gallons per day) per well. All construction, monitoring, and operation of these wells shall meet the requirements that apply to Class V Injection wells under the Kansas UIC Regulations, K.A.R. 28-46-1 through 28-46-44, appropriate Federal Regulations and the 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 **July 2, 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-22-135/140, KS-Q-22-049/052, KS-EG-22-011/013) 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**