

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-22-141/146

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

Beginning Date: June 9, 2022
Comments Due: July 9, 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-22-141

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

Name and Address of Applicant

Owner of Property Where Facility Will Be Located

Seaboard Foods, LLC
Seaboard Foods, LLC – Ladder Creek West
2801 Hurliman Rd.
Guymon, OK 73942

Seaboard Foods, LLC
Seaboard Foods, LLC – Ladder Creek West
2801 Hurliman Rd.
Guymon, OK 73942

Legal Description

Receiving Water

NE/4 and SW/4 of Section 16 &
S/2 of Section 17 &
N/2 of Section 20
T16S, R41W
Greeley County

Smoky Hill River Basin

Kansas Permit No.: A-SHGL-H002

Federal Permit No.: KS0100862

This is notification KDHE has received a complete permit application for modifications to the operation of a swine waste management facility. The maximum number of animal units at the facility will be 105,600. The facility will be utilized for a maximum of 264,000 head of swine weighing up to 70 pounds, at which point the population will be reduced to 132,000 head of swine

weighing up to 280 pounds. Alternatively, the facility will be utilized for a maximum of 132,000 head of swine weighing greater than 55 pounds. 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 public notice.

Public Notice No. KS-AG-22-142/146

Pending Permits for Confined Feeding Facilities

<u>Name and Address of Applicant</u>	<u>Legal Description</u>	<u>Receiving Water</u>
Seaboard Foods, LLC Seaboard Foods – Ladder Creek West Intersection of Road D and Road 10 Tribune, KS 67879	NE/4 and SW/4 of Section 16 & S/2 of Section 17 & N/2 of Section 20 T16S, R41W Greeley County	Smoky Hill River Basin

Kansas Permit No.: A-SHGL-H002

Federal Permit No.: KS0100862

The proposed action is to modify and reissue the existing State/NPDES permit for a facility for a maximum number of animal units at the facility of 105,600. The facility will be utilized for a maximum of 264,000 head of swine weighing up to 70 pounds, at which point the population will be reduced to 132,000 head of swine weighing up to 280 pounds. Alternatively, the facility will be utilized for a maximum of 132,000 head of swine weighing greater than 55 pounds. This represents no change in the permitted animal units from the previous permit. This permit is also being modified to a maximum of 132,000 head (105,600 animal units) of swine weighing more than 55 pounds. This permit is also being modified to reflect proposed changes to the existing waste management system. The proposed modifications are to modify five (5) existing earthen wastewater retention structures to be utilized as covered anaerobic methane digesters to capture biogas for beneficial use, construct two (2) new earthen wastewater retention structures, and utilize four (4) existing earthen wastewater retention structures.

Denver Lawson 367 W. Hwy 126 Pittsburg, KS 66762	NW/4 of Section 27 T30S, R23E Crawford County	Neosho River Basin
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Kansas Permit No.: A-NECR-F001

The proposed action is to reissue an existing State permit for an existing facility for 46,500 head (837 animal units) of turkeys. 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.

Mercer Dairy LLC 525 N. Bluff Rd. Argonia, KS 67004	SE/4 of Section 24 T31S, R04W Sumner County	Lower Arkansas River Basin
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Kansas Permit No.: A-ARSU-M004

The proposed action is to reissue an existing State permit for an existing facility for 100 head (140 animal units) of mature dairy 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.

Michael Watts
Watts Dairy
21350 Jackson Rd
Chanute, KS 66720

SW/4 of Section 20
T27S, R19E
Neosho County

Neosho River Basin

Kansas Permit No.: A-NENO-M012

The proposed action is to reissue an existing State permit for an existing facility for 65 head (91 animal units) of mature dairy cattle and 25 head (12.5 animal units) of dairy calves, for a total of 103.5 animal units of dairy 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.

McCarty Family Farms LLC
McCarty Family Farms – Rexford
2231 CR 31
Rexford, KS 67753

W/2 & NE/4 of Section 18 &
NW/4 of Section 17
T07S, R31W
Thomas County

Solomon River Basin

Kansas Permit No.: A-SOTH-D001

Federal Permit No.: KS0095150

The proposed action is to approve an update to the Nutrient Management Plan (NMP) received for this existing facility currently permitted for 10,800 head (15,120 animal units) of mature dairy cattle; 1,700 head (1,700 animal units) of dairy cattle weighing more than 700 pounds; and 100 head (50 animal units) of dairy cattle weighing 700 pounds or less; for a total of 12,600 head (16,870 animal units) of dairy cattle. The facility’s NMP was updated to include the addition of seven 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.

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 9, 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-22-141/146) 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