

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-22-147/149
Public Notice No. KS-Q-22-053
Public Notice No. KS-EG-22-014/015

Beginning Date: June 16, 2022
Comments Due: July 16, 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-22-147/149

Pending Permits for Confined Feeding Facilities

<u>Name and Address of Applicant</u>	<u>Legal Description</u>	<u>Receiving Water</u>
Johnny Penner Penner Trucking, Inc. 1808 Road PP Sublette, KS 67877	NW/4 of Section 34 T29S, R32W Haskell County	Cimarron River Basin

Kansas Permit No.: A-CIHS-T002

The proposed action is to issue a new State permit for a truck washing facility. The facility will consist of a wash bay, sediment basin, and a retention structure. This facility has an approved Waste Management Plan on file with KDHE.

Royal Farms Dairy, LLC
Royal Farms Dairy
3705 F Rd
Garden City, KS 67846

S/2 of Section 28 &
N/2 and SW/4 of Section 33
T24S, R30W
Gray County

Upper Arkansas
River Basin

Kansas Permit No.: A-UAGY-D001

Federal Permit No.: KS0095362

The proposed action is to modify and reissue the existing State/NPDES permit for a facility for a proposed maximum capacity of 8,500 head (11,900 animal units) of mature dairy cattle, 15,000 head (15,000 animal units) of cattle weighing more than 700 pounds, and 8,000 head (4,000 animal units) of cattle weighing less than 700 pounds for a total of 31,500 head of dairy cattle (30,900 animal units). This represents a decrease in the permitted animal units from the previous permit. This permit is also being modified to add the Young Stock expansion including approximately 120 acres of open lot pens, feed roads, sediment basin, and wastewater storage pond to the west of the existing East Dairy. This facility has an approved Nutrient Management Plan on file with KDHE.

Frank Wedel
 Wedel Feedlot
 1012 West CR K
 Leoti, KS 67861

SE/4 of Section 20 &
 NE/4 of Section 29
 T17S, R38W
 Wichita County

Smoky Hill River Basin

Kansas Permit No.: A-SHWH-C006

Federal Permit No.: KS0093564

The proposed action is to reissue an existing NPDES permit for an existing facility for 2,800 head (2,800 animal units) of cattle weighing 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 Nutrient Management Plan on file with KDHE.

Public Notice No.: KS-Q-22-053

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>
Augusta, City of P.O. Box 489 Augusta, KS 67010-1297	Whitewater River via Elm Creek via Augusta City Lake	Treated Domestic Wastewater

Kansas Permit No. M-WA03-OO04

Federal Permit No. KS0101214

Legal Description: NE¼, NE¼, NE¼, S15, T27S, R4E, Butler County, Kansas

Facility Name: Shryock Park Splash Pad

The proposed action is to reissue an existing State/NPDES permit for an existing facility. This facility consists of a recreational splash pad located in Shryock Park in Augusta, Kansas. The proposed permit includes a supplemental condition stating the facility shall have signs posted notifying the users the drainage from the splash pad discharges to a public water supply lake. The signs shall include the statement "Do not discharge waste, splash pad drains to public water supply lake." The proposed permit contains limits for biochemical oxygen demand, total suspended solids, E. coli, and total residual chlorine, as well as monitoring for pH, nitrate + nitrite, total Kjeldahl nitrogen, total nitrogen, total phosphorus, and flow.

Public Notice No.: KS-EG-22-014/015

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

MGPI Processing, Inc.
100 Commercial Street
Atchison, KS 66002
Permit No.: KS-01-005-001
Legal Description: S1, T6S, R20E, Atchison County, Kansas

Well Number

Location

#1 Latitude N: 39.558689" Longitude W: -95.131522"

Facility Description: The proposed action is to reissue an existing Class I Injection Well permit for the facility listed above. Injection of non-hazardous liquid waste from this facility consisting of a protein and starch based water stream (C-30) which is high in phosphorus and total dissolved solids. The C-30 waste stream will be treated with anti-scalant prior to injection. Injection is made into the Arbuckle group through openhole from an estimated depth of +/-2,450 feet to +/-3,030 feet. Disposal will be by means of gravity flow; wellhead pressure will not be allowed. The maximum rate of injection will be 576,000 gallons per day. All construction, monitoring, and operation of these wells shall meet the requirements that apply to Class I Injection wells under the Kansas UIC Regulations, K.A.R. 28-46-1 through 28-46-45 and other requirements of KDHE

MGPI Processing, Inc.
100 Commercial Street
Atchison, KS 66002
Permit No.: KS-01-005-002
Legal Description: S1, T6S, R20E, Atchison County, Kansas

Well Number

Location

#2 Latitude N: 39.55855" Longitude W: -95.134722"

Facility Description: The proposed action is to reissue an existing Class I Injection Well permit for the facility listed above. Injection of non-hazardous liquid waste consisting of a protein and starch based waste stream (C-30) which is high in phosphorus and total dissolved solids. The C-30 waste stream will be treated with anti-scalant prior to injection. Injection is made into the Arbuckle group through open hole from an estimated depth of +/-2,450 feet to +/-3,030 feet. Disposal will be by means of gravity flow; wellhead pressure will not be allowed. The maximum rate of injection will be 576,000 gallons per day. All construction, monitoring, and operation of these wells shall meet the requirements that apply to Class I 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 **July 16, 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-22-147/149, KS-Q-22-053, KS-EG-22-014/015) 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