

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-22-150/152  
Public Notice No. KS-AG-R-22-10

Beginning Date: June 23, 2022  
Comments Due: July 23, 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-22-150/152**

**Pending Permits for Confined Feeding Facilities**

<u>Name and Address of Applicant</u>	<u>Legal Description</u>	<u>Receiving Water</u>
Kevin Lueger 1548 R Rd Goff, KS 66428	SW/4 of Section 24 T03S, R13E Nemaha County	Kansas River Basin

Kansas Permit No.: A-KSNM-S031

The proposed action is to reissue an existing State permit for an existing facility for 1,200 head (480 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.

Daniel Beachy 4705 W Longview Rd Hutchinson, KS 67501	NW/4 of Section 20 T24S, R06W Reno County	Lower Arkansas River Basin
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Kansas Permit No.: A-ARRN-M007

The proposed action is to reissue an existing State permit for an existing facility for 80 head (112 animal units) of mature dairy cattle, 50 head (25 animal units) of cattle weighing 700 pounds or less, 12 laying hens (0.1 animal units) with other than liquid system and 6 head (12 animal units) of horses; for a total of 149.1 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.

KC Pork, Inc.  
451 3<sup>rd</sup> Rd  
Clifton, KS 66937

NW/4 & SE/4 of Section 15  
T05S, R01E  
Washington County

Lower Republican  
River Basin

Kansas Permit No.: A-LRWS-H002

Federal Permit No.: KS0085740

The proposed action is to approve an update to the Nutrient Management Plan (NMP) received for this existing facility currently permitted for 5,346 head (2,138.4 animal units) of swine weighing more than 55 pounds and 11,350 head (1,135 animal units) of swine weighing 55 pounds or less; for a total of 3,273.4 animal units of swine. The facility's NMP was updated to include application rate limitation changes. The application rate limitation for two fields have become less restrictive. 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.

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**Public Notice No. KS-AG-R-22-010**

**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>
Don Devries M5 LLC 801 FM 694 Dalhart, TX 79022	N/2 of Section 03 & NW/4 & NE/4 of Section 04 T25S, R17W and S/2 of Section 34 T24S, R17W	Edwards

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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 **July 23, 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-22-150/152, KS-AG-R-22-10) 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**