

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-23- 039/046

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

Beginning Date: February 23rd, 2023
Comments Due: March 25th, 2023

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-23-039/046

Pending Permits for Confined Feeding Facilities

<u>Name and Address of Applicant</u>	<u>Legal Description</u>	<u>Receiving Water</u>
Daniel Regier Daniel Regier & Sara Rickard Hog Farm 4828 NE 24 th Newton, KS 67114	SW/4 of Section 06 T23S, R02E Harvey County	Walnut River Basin

Kansas Permit No.: A-WAHV-S001

The proposed action is to reissue an existing State permit for an existing facility for 460 head (184 animal units) of swine weighing more than 55 pounds, and 400 head (40 animal units) of swine weighing 55 pounds or less for a total of 224 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.

Dwight Busenitz South Springs, LLC 13340 NW 40 th Rd Benton, KS 67017	SE/4 of Section 10 T25S, R03E Butler County	Walnut River Basin
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Kansas Permit No.: A-WABU-H002

Federal Permit No.: KS0090611

The proposed action is to reissue an existing NPDES permit for an existing facility for 8,520 head (3,408 animal units) of swine weighing greater than 55 pounds and 2,880 head (288 animal units) of swine weighing 55 pounds or less for a total of 3,696 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 Nutrient Management Plan on file with KDHE.

Ruff Farms, Inc.
Musil Site
39344 SE O Rd
Hanston, KS 67849

E/2 of Section 29
T21S, R20W
Pawnee County

Upper Arkansas
River Basin

Kansas Permit No.: A-UAPN-B008

The proposed action is to reissue an existing State permit for an existing facility for 990 head (495 animal units) of cattle 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.

Clayton Cox
North Wheatridge, LLC
W 1200 Rd
Long Island, KS 67647

SW/4 of Section 02
T01S, R20W
Phillips County

Upper Republican
River Basin

Kansas Permit No.: A-URPL-H006

Federal Permit No.: KS0094307

The proposed action is to reissue an existing NPDES permit for an existing facility for 8,400 head (3,360 animal units) of swine weighing more than 55 pounds and 3,600 head (360 animal units) for a total of 3,720 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 Nutrient Management Plan on file with KDHE.

Seaboard Foods, LLC
Cook Farm #1, #200 and Truckwash
15990 W Road 2 and
10350 N Road Y and
15060 W Road 2
Johnson, KS 67855

NE/4, SE/4 & NW/4 of Section 09
T27S, R43W
Stanton County

Cimarron River Basin

Kansas Permit No.: A-CIST-H001

Federal Permit No.: KS0091278

The proposed action is to reissue an existing NPDES permit for an existing facility for 10,592 head (4,236.8 animal units) of swine weighing more than 55 pounds and 4,918 head (491.8 animal units) of swine weighing 55 pounds or less for a total of 4,728.6 animal units of swine. 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.

Sunbelt Feed Yard
1551 Road U
Hugoton, KS 67951

All of Section 24
T32S, R37W
Stevens County

Cimarron River Basin

Kansas Permit No.: A-CISV-C002

Federal Permit No.: KS0116203

The proposed action is to reissue an existing NPDES permit for an existing facility for 32,500 head (32,500 animal units) of cattle weighing more than 700 pounds and 15 head (30 animal units) of horses; for a total of 32,530 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 Nutrient Management Plan on file with KDHE.

Marvin & Armin Scripter
3421 Mink Rd
Abilene, KS 67410

SE/4 of Section 17
T11S, R03E
Dickinson County

Smoky Hill River Basin

Kansas Permit No.: A-SHDK-B040

The proposed action is to reissue an existing State permit for 70 head (70 animal units) of cattle more than 700 pounds, and 176 head (88 animal units) of cattle 700 pounds or less, and 5 head (10 animal units) of horses, for a total of 168 animal units. There has been a decrease in animal units from the previous permit. This facility is no longer permitted for swine. This facility has an approved Waste Management Plan on file with KDHE.

Cow Camp Feed Yard
P.O. Box 103, 1611 100 Ave.
Ramona, KS 67475

SW/4 of Section 34
T16S, R03E
Dickinson County

Smoky Hill River Basin

Kansas Permit No.: A-SHDK-C001

Federal Permit No.: KS0086614

The proposed action is to approve an update to the Nutrient Management Plan (NMP) received for this existing facility currently permitted for 7,999 head (7,999 animal units) of beef cattle weighing more than 700 pounds. The facility's NMP was updated to include the addition/expansion of two fields and less restrictive rate changes in the application rate limitations for three 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. This facility has an approved Nutrient Management Plan on file with 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 **March 25th, 2023** will be considered in the formulation of the final determination regarding this public notice. Please refer to the appropriate Kansas document number (KS-AG-23- 039/046) 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 Neal Niceswanger, Bureau of Water, 1000 SW Jackson St., Suite 420, Topeka, KS 66612, telephone (785) 296-6804 or email at Neal.Niceswanger@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**