

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-23-047/051  
Public Notice No. KS-Q-23-025/029  
Public Notice No. KS-PT-23-001/003  
Public Notice No. KS-EG-23-003

Beginning Date: March 2<sup>nd</sup>, 2023  
Comments Due: April 1<sup>st</sup>, 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.

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**Public Notice No. KS-AG-23-047/051**

**Pending Permits for Confined Feeding Facilities**

<u>Name and Address of Applicant</u>	<u>Legal Description</u>	<u>Receiving Water</u>
Windmill Ranch LLC 7800 NW Tawakoni Rd Whitewater, KS 67154	SW/4 of Section 24 & NW/4 of Section 25 & NE/4 of Section 26 T24S, R03E Butler County	Walnut River Basin

Kansas Permit No.: A-WABU-C002

Federal Permit No.: KS0037567

The proposed action is to reissue an existing NPDES permit for an existing facility for 20,000 head (20,000 animal units) of beef cattle weighing more than 700 pounds. This facility has an approved Nutrient Management Plan on file with KDHE.

Vance Kells  
Circle Bar Heifer Ranch, LLC  
842 60<sup>th</sup> Rd  
Satanta, KS 67870

S/2 of Section 29  
T27S, R33W  
Haskell County

Upper Arkansas  
River Basin

Kansas Permit No.: A-UAHS-C002

Federal Permit No.: KS0096466

The proposed action is to reissue an existing NPDES permit for an existing facility for 28,000 head (28,000 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.

Jacob W. Roenbaugh  
Roenbaugh Cattle Pens  
2751 S Rd.  
Haviland, KS 67059

N/2 of Section 04  
T26S, R16W  
Edwards County

Lower Arkansas  
River Basin

Kansas Permit No.: A-ARED-C006

Federal Permit No.: KS0097543

The proposed action is to reissue an existing NPDES permit for an existing facility for 1,500 head (1,500 animal units) of cattle weighing greater than 700 pounds, and 8 head (16 animal units) of horses; for a total of 1,516 animal units of livestock. 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.

Jeff Mills  
Mills Dairy  
15777 W 191<sup>st</sup> St  
Spring Hill, KS 66083

SW/4 of Section 35  
T18S, R23E  
Miami County

Marais des Cygnes  
River Basin

Kansas Permit No.: A-MCMI-M015

The proposed action is to reissue an existing State permit for an existing facility for 120 head (168 animal units) of mature dairy cattle, 32 head (32 animal units) of dairy heifers and bulls weighing more than 700 pounds and 26 head (13 animal units) of dairy calves weighing less than 700 pounds, for a total of 213 animal units of dairy cattle. There will be no change in the operation or permitted number of animal units from the previous permit. Facility is currently inactive. This facility has an approved Waste Management Plan on file with KDHE.

Rocking Heifer – Ulysses  
430 E Road 4  
Ulysses, KS 67880

SW/4 of Section 15 &  
NW/4 of Section 22  
T27S, R37W  
Grant County

Cimarron River Basin

Kansas Permit No.: A-CIGT-C005

Federal Permit No.: KS0093670

The proposed action is to approve an update to the Nutrient Management Plan (NMP) received for this existing facility currently permitted for 24,000 head (24,000 animal units) of cattle weighing greater than 700 pounds. The facility's NMP was updated to include the addition of eight (8) 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. This facility has an approved Nutrient Management Plan on file with KDHE.

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**Public Notice No.: KS-Q-23-025/029**

**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>
Mastercraft Pattern 1912 N. Elm Pittsburg, KS 66762	Cow Creek via unnamed tributary	Processed Wastewater

Kansas Permit No. C-NE57-OO03                      Federal Permit No. KS0091901  
 Legal Description: E½, NW¼, NE¼, Section 7, Township 31S, Range 25E of Crawford County, KS  
 Facility Location: 37.36592, -94.71183

The proposed action is to reissue an existing State/NPDES permit for an existing facility. The existing facility is a mechanical wastewater treatment plant consisting of: a Norweco "Modulair" activated sludge plant with chlorination and dechlorination. The facility serves Mastercraft Pattern industrial facility. The proposed permit contains limits for Biochemical Oxygen Demand, Total Suspended Solids, pH, and E. coli; as well as monitoring for Ammonia, Nitrates + Nitrites, Total Kjeldahl Nitrogen, Total Nitrogen, and Total Phosphorus.

N. R. Hamm Quarries, Inc. 609 Perry Place Perry, Kansas 66073-0017	Kansas River via Vermillion Creek via Indian Creek via unnamed tributary	Processed Wastewater
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Kansas Permit No. I-KS79-PO02                      Federal Permit No. KS0080977  
 Legal Description: S ½ of Section 3, N ½ and SE ¼ of Section 10, NW ¼ of Section 11, Township 7S,  
 Range 10E of Pollawatomie County, KS  
 Facility Location: 39.45878 , -96.28181

The proposed action is to reissue an existing State/NPDES permit for an existing facility. This is a limestone quarrying and crushing operation, with some washing. Outfall 001A was eliminated, when a portion of the quarry was reclaimed. Outfalls 002A and 004A consists of treated wash water and stormwater runoff, which is treated a series of settling ponds. Outfalls 003A and 005A consists of stormwater runoff from exposed areas of the quarry. An asphalt plant is on-site, but is dry and does not discharge any water. The proposed permit contains limits for Total Suspended Solid.

Americus, City of P.O. Box 526 Americus, KS 66835	Pester Creek	Treated Domestic Wastewater
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Kansas Permit No. M-NE02-OO01                      Federal Permit No. KS0047406  
 Legal Description: SW¼, Section 12, Township 18S, Range 10E of Lyon County, KS  
 Facility Location: 38.49696, -96.25720

The proposed action is to reissue an existing State/NPDES permit for an existing facility. The existing facility is a three-cell wastewater stabilization lagoon system with a minimum of 120 days detention time. The facility receives domestic wastewater from residential and commercial areas. The detention time at

design flow is 164 days. The proposed permit contains limits for Biochemical Oxygen Demand, Total Suspended Solids, and Ammonia; as well as monitoring for pH and E. coli.

Harshman Construction  
1632 F P Road  
Cedar Point, KS 66843

Verdigris River via Fall River    Processed Wastewater  
via unnamed tributary

Kansas Permit No. I-VE17-PO03

Federal Permit No. KS0200005

Legal Description: NW 1/4, Section 11, Township 28S, Range 12E of Greenwood County, KS  
Facility Location: 37.62940, -96.05879

The proposed action is to reissue an existing State/NPDES permit for an existing facility. This is a limestone quarrying and crushing operation that occasionally washes rock, but all wash water is sent to a sedimentation pond, which does not discharge. Outfalls 001A consists of pit water and stormwater runoff and discharges to a waterway before discharging to the Fall River. An asphalt plant is on-site, but it does not use water. The proposed permit contains generic language to protect the waters of the State.

Nelson Quarries Inc.  
P.O. Box 100  
Gas, KS 66742

Neosho River via Rock Creek    Processed Wastewater  
via unnamed tributary

Kansas Permit No. I-NE78-PO01

Federal Permit No. KS0099210

Legal Description: SW ¼ of Section 36, Township 26S, Range 21E of Bourbon County, KS  
Facility Location: 37.73434, -95.06698

The proposed action is to reissue an existing State/NPDES permit for an existing facility. This is a limestone quarrying and crushing operation, no rock washing. Outfall 001A and 002A consists of treated wash water and stormwater runoff. The proposed permit contains generic language to protect the waters of the State.

**Public Notice No. KS-PT-23-001/003**

**The requirements of the draft permit public noticed below are pursuant to the Kansas Administrative Regulations 28-16-82 through 28-16-98, and U.S. Environmental Protection Agency Pretreatment Regulation 40 CFR 403.**

<u>NAME AND ADDRESS OF APPLICANT</u>	<u>POTW RECEIVING WASTES</u>	<u>TYPE OF DISCHARGE</u>
Schenck Process Holding North America 810 S. Old Hwy 75 Sabetha, Kansas 66534	Sabetha WWTP	Processed Wastewater

Kansas Permit No. P-KS65-OO02

Federal Permit No. KSP000201

Facility Address: 810 S. Old Hwy 75, Sabetha, Kansas 66534  
Facility Location: 39.89500, -95.28921

The proposed action is to issue a new State/NPDES permit for a new facility. This facility manufacturers various types of pneumatic material handling equipment made of stainless steel. These metal parts are processed in one of two wash bays, using a conversion coating operation, to prepare the metal for paint or to clean the metal parts. Outfall 001A consists of spent wastes from two wash bays that discharges to two, 500-gallon plastic holding tanks in series, before discharging to the City sanitary sewer. The

proposed permit contains limits for Flow, pH, Total Toxic Organics, Cadmium, Chromium, Copper, Lead, Nickel, Silver, Zinc, and Cyanide. In compliance with Kansas and federal law, KDHE has approved an antidegradation review for this new facility for increased concentrations and mass of some pollutants to the receiving stream. The water quality of the receiving stream will not be lowered below the quality necessary to support existing designated uses.

Sigma Tek Inc.  
1001 Industrial Road  
Augusta, Kansas 67010

Augusta WWTP

Processed Wastewater

Kansas Permit No. P-WA03-0001      Federal Permit No. KSP000204  
Facility Address: 1001 Industrial Road, Augusta, Kansas 67010  
Facility Location: 37.68205, -96.96502

The proposed action is to issue a new State/NPDES permit for an existing facility. This facility manufacturers various types of avionic equipment made of aluminum for the aircraft industry. These metal parts are processed (dipped) in a series of chemical tanks, which is the chem film operation, which is a type of conversion coating. Two tumblers are also used occasionally. Outfall 001A consists of spent wastes discharged to a sediment pit at the end of the chem film operation, before the wastewater discharges to the City sanitary sewer. The proposed permit contains limits for Flow, pH, Total Toxic Organics, Cadmium, Chromium, Copper, Lead, Nickel, Silver, Zinc, and Cyanide. In compliance with Kansas and federal law, KDHE has approved an antidegradation review for this new facility for increased concentrations and mass of some pollutants to the receiving stream. The water quality of the receiving stream will not be lowered below the quality necessary to support existing designated uses.

Yoder Smokers Inc.  
1816 E. Wasp Road

Reno County S.D. #202

Processed Wastewater

Kansas Permit No. P-AR98-0003      Federal Permit No. KSP000203  
Facility Address: 1816 E. Wasp Road, Hutchinson, KS 67501  
Facility Location: 37.92197, -97.89445

The proposed action is to issue a new State/NPDES permit for a new facility. This facility manufacturers various types of wood smokers and charcoal grills. The metal parts are processed in a wash bay, using a conversion coating operation, to prepare the metal for paint. Outfall 001A consists of spent wastes from the conversion coating operation that discharges to a sump pit, before discharging to the sanitary sewer. The proposed permit contains limits for pH, Total Toxic Organics, Cadmium, Chromium, Copper, Lead, Nickel, Silver, Zinc, and Cyanide. In compliance with Kansas and federal law, KDHE has approved an antidegradation review for this new facility for increased concentrations and mass of some pollutants to the receiving stream. The water quality of the receiving stream will not be lowered below the quality necessary to support existing designated uses.

**Public Notice No.: KS-EG-23-003**

**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**

Underground Cavern Stabilization, LLC  
P.O. Box 225  
Great Bend, KS 67530  
Permit No.: KS-01-155-012  
Legal Description: Section 14, Township 24 South, Range 6 West of Reno County, KS.

**Well Number**

AMDW #2:

**Location**

Latitude: 37.9647694, Longitude: -97.9502389

The proposed action is for a modification of an existing permit pertains to the deep Underground Injection Control (UIC) Class I disposal well located at Latitude: 37.9647694, Longitude: 97.9502389; Section 14, Township 24 South, Range 6 West, in Reno County, Kansas. The permittee would be authorized to inject non-hazardous liquid wastes generated from on-site and off-site sources. On-site liquid waste consists of fluids generated by the ACS facility and include waste brine displaced from the salt cavern emplacement process. Off-site liquid waste consist non-hazardous fluids not generated by the ACS facility and are transported to the facility for disposal including but not limited to saturated brines and salt water, pipeline test and cleanout wastewater, oily water, oil water separators, contaminated storm water, acidic wastewater, caustic wastewater, chemical wastewater, rail car or tanker washout water, coolant wastewater, pesticide waste fluid, and landfill leachate. The Arbuckle group is a sequence of dolomites, limestones and occasional sandstone units which are extensively used for disposal of oil field brine and treated industrial wastewater. In well AMDW #2, the Arbuckle is at least 550 feet thick and the top of the sequence is encountered at a depth of approximately 4,200 feet. All construction, monitoring, and operation of this well meet the requirements that apply to Class I injection wells as outlined in Kansas Administrative Regulations (K.A.R.) for Underground Injection Control, K.A.R. 28-46-1 through 28-46-45. The permittee must agree to all conditions stated in the final permit as required by the Department.

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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 **April 1<sup>st</sup>, 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-23-047/051, KS-Q-23- 23-025/029, KS-PT-23-001/003, KS-EG-23-003) 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 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](mailto: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**