

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-23-064/066
Public Notice No. KS-Q-23-035/043
Public Notice No. KS-AG-R-23-005
Public Notice No. KS-PT-23-004

Beginning Date: March 23rd, 2023
Comments Due: April 22nd, 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-23-064/066
Pending Permits for Confined Feeding Facilities

<u>Name and Address of Applicant</u>	<u>Legal Description</u>	<u>Receiving Water</u>
Vernon Storm Storm Feed Lot 9505 S Herford Rd Scott City, KS 67871	N/2 of Section 05 T20S, R33W Scott County	Upper Arkansas River Basin

Kansas Permit No.: A-UASC-C027 Federal Permit No.: KS0097195

The proposed action is to reissue an existing NPDES permit for an existing facility for 4,500 head (4,500 animal units) of cattle weighing more 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.

Southwest Feeders, Inc. Southwest Feeders – Danbury 1169 EE Lane Danbury, NE 69026	NE/4 of Section 01 T01S, R29W and NW/4 of Section 06 T01S, R28W Decatur County	Upper Republican River Basin
---	--	---------------------------------

Kansas Permit No.: A-URDC-C003

Federal Permit No.: KS0092541

The proposed action is to reissue an existing NPDES permit for an existing facility for 12,500 head (12,500 animal units) of cattle weighing more 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.

Julia Nelson
Prairie Dog Pork
530 W 1300 Rd
Long Island, KS 67647

W/2 of Section 34
T01S, R20W
Phillips County

Upper Republican
River Basin

Kansas Permit No.: A-URPL-H010

Federal Permit No.: KS0101249

The proposed action is to reissue an existing NPDES permit for an existing facility 4,668 head (1,867.2 animal units) of swine weighing greater than 55 pounds and 5,620 head (562 animal units) of swine weighing less than 55 pounds for a total of 10,288 head (2,429.2 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.

Public Notice No. KS-AG-R-23-005

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>
Jeff Deines Deines Farms, Inc. – North Site 3454 Timber Ramona, KS 67475	NW/4 of Section 06 T17S, R04E	Marion

Public Notice No.: KS-Q-23-035/043

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>
Goddard, City of P.O. Box 667 Goddard, KS 67052	Cowskin Creek via Dry Creek via unnamed tributary	Treated Domestic Wastewater

Kansas Permit No. M-AR37-OO02

Federal Permit No. KS0098485

Legal Description: N½, SW¼, & S½, NW¼, Section 29, Township 27S, Range 2W of Sedgwick County, KS
Facility Location: 37.67167, -97.56677

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: influent lift station, mechanical screens, vortex grit unit and dewatering screen, extended aeration activated sludge (Aero-Mod), intermediate pump station, effluent filtration (Fuzzy Filter), closed chamber UV disinfection, aerobic sludge diester station, RAS/WAS activated sludge pump, sludge belt filter press, emergency generator, three cell extraneous flow basin system (13.9 acres), and effluent storage lagoon cell (9.3 acres). The proposed

permit contains limits for Biochemical Oxygen Demand, Total Suspended Solids, pH, Ammonia, E. coli, and Total Phosphorus; as well as monitoring for Total Phosphorus, Nitrates + Nitrites, Total Kjeldahl Nitrogen, and total Nitrogen.

Viola, City of
P.O. Box 302
Viola, KS 67149

Ninnescah River via
unnamed tributary

Treated Domestic
Wastewater

Kansas Permit No. M-AR90-0001

Federal Permit No. KS0027880

Legal Description: SE $\frac{1}{4}$, SW $\frac{1}{4}$, NE $\frac{1}{4}$, Section 33, Township 29S, Range 3W of Sedgwick County, KS
Facility Location: 37.48294, -97.64889

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 proposed permit contains limits for Biochemical Oxygen Demand, Total Suspended Solids, and Ammonia; as well as monitoring for pH and E. coli.

Burlington, City of
P.O. Box 207
Burlington, KS 66839

Neosho River

Treated Domestic
Wastewater

Kansas Permit No. M-NE07-0002

Federal Permit No. KS0090417

Legal Description: NE $\frac{1}{4}$, SW $\frac{1}{4}$, Section 35, Township 21S, Range 15E of Coffey County, KS
Facility Location: 38.17515, -95.73267

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. The facility receives domestic wastewater from residential and commercial areas and industrial wastewater from local manufacturers. The detention time at design flow is 103 days. The proposed permit contains limits for Biochemical Oxygen Demand, Total Suspended Solids, and Ammonia; as well as monitoring for pH, E. coli, Total Phosphorus, Nitrates + Nitrites, Total Kjeldahl Nitrogen, and Total Nitrogen.

Canton, City of
P.O. Box 476
Canton, KS 67428

Cottonwood River via
Dry Creek

Treated Domestic
Wastewater

Kansas Permit No. M-NE09-0002

Federal Permit No. KS0087426

Legal Description: E $\frac{1}{2}$, NW $\frac{1}{4}$, SE $\frac{1}{4}$, Section 15, Township 19S, Range 1W of McPherson County, KS
Facility Location: 38.39643, -97.41464

The proposed action is to reissue an existing State/NPDES permit for an existing facility. The existing permit was issued for a design flow of 0.119 MGD and included technology based effluent limits for biochemical oxygen demand and total suspended solids. Monitoring of pH, ammonia, E. coli, and sulfates was also required. The proposed permit contains limits for Biochemical Oxygen Demand, Total Suspended Solids, and Ammonia; as well as monitoring for pH, E. coli, Sulfates, and Total Phosphorus.

Conway Springs, City of
P.O. Box 187
Conway Springs, KS 67031

Slate Creek via
unnamed tributary

Treated Domestic
Wastewater

Kansas Permit No. M-AR25-OO01

Federal Permit No. KS0030651

Legal Description: E $\frac{1}{2}$, NE $\frac{1}{4}$, SW $\frac{1}{4}$, Section 34, Township 30S, Range 3W of Sumner County, KS
Facility Location: 37.39336, -97.63334

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 with a minimum of 120 days detention. The first two cells are equipped with mechanical aerators. The improvements in 2022 included a fine screen prior to the influent lift station. The proposed permit contains limits for Biochemical Oxygen Demand, Total Suspended Solids, Ammonia, and E. coli; as well as pH, Total Phosphorus, and Arsenic. This NPDES discharging lagoon wastewater treatment facility has been reviewed for eligibility for the MDV for ammonia and has been determined to be eligible. Eligibility was determined through analysis of the facility's highest attainable criteria (HAC) for ammonia and an Economic Eligibility Determination (EED) that assessed the impact of the cost of a new mechanical facility to the community's rate payers. The ammonia effluent limit was determined on 1/30/2023 by calculating the 99th percentile ammonia value from the facility's discharge monitoring reports resulting in an ammonia limit of 8.0 mg/L for this facility. The EED was completed on 2/2/2023. By August 1, 2023, the facility shall retain a KDHE-certified operator to supervise the operation of this facility in compliance with K.S.A. 65-4501 et seq. and K.A.R. 28-16-30 et seq.

Norwich, City of
P.O. Box 100
Norwich, KS 67118

Ninnescah River via
Sand Creek

Treated Domestic
Wastewater

Kansas Permit No. M-AR67-OO02

Federal Permit No. KS0095494

Legal Description: S $\frac{1}{2}$, NE $\frac{1}{4}$, Section 2, Township 30S, Range 5W of Kingman County, KS
Facility Location: 37.46800, -97.83070

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. Three groundwater monitoring wells were constructed onsite to monitor groundwater, based on concerns with onsite soils and groundwater conditions. The proposed permit contains limits for Biochemical Oxygen Demand, Total Suspended Solids, and Ammonia; as well as monitoring for pH and E. coli. This NPDES discharging lagoon wastewater treatment facility has been reviewed for eligibility for the MDV for ammonia and has been determined to be eligible. Eligibility was determined through analysis of the facility's highest attainable criteria (HAC) for ammonia and an Economic Eligibility Determination (EED) that assessed the impact of the cost of a new mechanical facility to the community's rate payers. The ammonia effluent limit was determined on 7/15/2022 by calculating the 99th percentile ammonia value from the facility's discharge monitoring reports resulting in an ammonia limit of 5.8 mg/L for this facility. The EED was completed on 9/15/2022.

Martin B. Caldwell
815 NE 94th Road
Topeka, KS 66617

Kansas River via
West Fork Muddy Creek
via unnamed tributary

Processed Wastewater

Kansas Permit No. I-KS25-PO01

Federal Permit No. KS0098213

Legal Description: S 1/2 of SE 1/4 of Section 31, Township 9S, Range 16E of Jackson County, KS

Facility Location: 39.21833, -95.66946

The proposed action is to reissue an existing State/NPDES permit for an existing facility. This is a clay mining operation that is inactive most of the time. Outfall 001A and 002A consists of stormwater runoff and pit water, which will be treated, before discharging. The proposed permit contains generic language to protect the waters of the state.

Keith Scott & Co.
P.O. Box 1626
Blue Springs, MO 64057

Kansas River via
Mission Creek via
unnamed tributary

Processed Wastewater

Kansas Permit No. I-KS92-PO03

Federal Permit No. KS0099155

Legal Description: SW 1/4 of Section 8 and W 1/2 of Section 17, Township 13S, Range 13E of Wabaunsee County, KS

Facility Location: 38.93057, -95.00715

The proposed action is to reissue an existing State/NPDES permit for an existing facility. This facility strip mines slab rock used in landscaping and retaining walls. Outfalls 001A and 006A– 012A consists of stormwater runoff, which is treated either by berms, grass filter strips and/or a sedimentation pond. The proposed permit contains generic language to protect the waters of the state.

Gary Servaes Enterprises
4756-254th Road
Atchison Quarry, KS 66002

Missouri River via
Walnut Creek via
unnamed tributary

Processed Wastewater

Kansas Permit No. I-MO01-PO13

Federal Permit No. KS0098973

Legal Description: NE 1/4 of Section 30, Township 6S, Range 21E of Atchison County, KS

Facility Location: 39.49858, -95.11205

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

Public Notice No. KS-PT-23-004

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.

NAME AND ADDRESS OF APPLICANT

POTW RECEIVING WASTES

TYPE OF DISCHARGE

Qualawash Holdings LLC
500 N. Westshore Blvd., Suite 5651
Tampa, Florida 33609

Chisholm Creek
Utility Authority (CCUA)

Processed Wastewater

Kansas Permit No. P-LA19-OO03

Federal Permit No. KSP000202

Facility Address: 5951 N. Prospect Road, Park City, KS 67204

Facility Location: 37.79202, -97.34308

The proposed action is to issue a new State/NPDES permit for a new facility. This facility cleans the interiors of tank trucks containing food grade products, in three bays and cleans chemical cargos in a separate bay. This facility has a primary Standard Industrial Classification (SIC) code of 7699. Approximately 86% of the trucks cleaned contain food grade products, 12% may contain chemical products and 2% may contain petroleum products. On average, approximately 13,350 gallons per day of process wastewater is expected to be generated from the cleaning process. Boiler blowdown and sanitary wastes from restrooms are also discharged. Oil and grease is removed from process wastewater using a Triple Trap Gravity Separator, before treated wastewater is discharged to the sanitary sewer. The proposed permit contains limits for pH, Non-polar Material, Copper, and Mercury.

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.

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 22nd, 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-23-064/066, KS-AG-R-23-005, KS-Q-23-035/043, KS-PT-23-004) 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 Erich Glave, Director, 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**