

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) 296-5517 - All Others

Public Notice No. KS-AG-09-253/261  
KS-Q-09-166/175  
KS-EG-09-004

Beginning Date: October 8, 2009  
Comments Due: November 7, 2009

In accordance with Kansas Administrative Regulations 28-16-57 through 63, 28-18-1 through 15, 28-18a-1 through 32, 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.

All Kansas Department of Health and Environment district office addresses and telephone numbers are listed below.

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**Public Notice No. KS-AG-09-253/261**  
**Pending Permits for Confined Feeding Facilities**

<u>Name And Address of Applicant</u>	<u>Legal Description</u>	<u>Receiving Water</u>
Diamond C Feeders Gail Cornett 1328 Rock Road Scandia, KS 66966	SW/4 of Section 19 T03S, R03W Republic County	Lower Republican River Basin

Kansas Permit No.: A-LRRP-B005

This is a new permit for a proposed facility that shall consist of 10 confinement pens for 998 head (499 animal units) of beef cattle weighing less than 700 pounds. Runoff from the pens will drain to a dense vegetative buffer.

Heartland Jerseys Inc. Jerry Spielman 1892 M Road Seneca, KS 66538	NW/4 of Section 06 T03S, R13E Nemaha County	Missouri River Basin
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Kansas Permit No.: A-MONM-M009

This permit contains modifications consisting of a new calf shed with a commodity storage area on the south side of the west facility. This permit is being re-issued for a confined animal feeding operation for 187 head (187 animal units) of cattle weighing more than 700 pounds, 448 head (224 animal units) of cattle weighing less than 700 pounds, and 357 head (499.8 animal units) of mature dairy cattle. This represents an increase in the permitted animal units from the previous permit.

LaCrosse Livestock Market, Inc.  
Frank Seidel  
Box 657  
LaCrosse, KS 67548

SW/4 of Section 27  
T17S, R18W  
Rush County

Upper Arkansas  
River Basin

Kansas Permit No.: A-UARH-B010

This permit contains modifications consisting of 2.4 acres of additional pens southwest of the sale barn. This permit is being re-issued for a confined animal feeding operation for 131.2 animal units of beef cattle weighing more than 700 pounds. This represents an increase in the permitted animal units from the previous permit.

Rock Creek Ranch L.P.  
Steven C. Hamlin  
23754 SW Pickrell  
Douglass, KS 67039

SW/4 of Section 26 &  
NW/4 of Section 35  
T29S, R05E  
Butler County

Walnut River Basin

Kansas Permit No.: A-WABU-B011

This permit is being re-issued with modifications consisting of the proposed construction of two new settling basins. The operation is also downsizing from 3,250 head (3,250 animal units) of cattle weighing more than 700 pounds to a total maximum capacity of 999 head (999 animal units) of cattle weighing more than 700 pounds.

Clare Shriwise, Inc.  
Sid Shriwise  
22709 NW 217 Road  
Jetmore, KS 67854

NE/4 of Section 35  
T22S, R24W  
Hodgeman County

Upper Arkansas  
River Basin

Kansas Permit No.: A-UAHG-B012

This is a re-issuance of a permit for an existing facility for 999 head (999 animal units) of cattle weighing greater than 700 pounds.

Dickinson Ranch  
Kirk Dickinson  
2324 370<sup>th</sup> Avenue  
Gorham, KS 67640

SW/4 of Section 10  
T12S, R16W  
Ellis County

Saline River Basin

Kansas Permit No.: A-SAEL-B001



Cherokee Co. RWD #3  
c/o Jon Houser  
PO Box 492  
Columbus, KS 66725

Spring River via  
Brush Creek via  
Bitter Creek via  
Unnamed Tributary

Process Wastewater

Kansas Permit No. I-NE06-PO04

Federal Permit No. KS0098558

Legal Description: SW $\frac{1}{4}$ , SW $\frac{1}{4}$ , SE $\frac{1}{4}$ , S17, T34S, R24E, Cherokee County, KS

Facility Name: Cherokee County RWD #3 Water Treatment Plant

Facility Location: 1521 SE Beasley Road, Baxter Springs, KS 66713

Facility Description: The proposed action is to reissue an existing permit for discharge of wastewater from an existing public water treatment plant. Wastewater from the filter backwashing operation, miscellaneous drains and occasional blowdowns from, and an annual draining of the two detention basins is directed to the two-cell wastewater lagoon system. Domestic wastewater is directed to a septic tank/lateral system. The proposed permit contains limits for total suspended solids and pH as well as monitoring of total residual chlorine. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria.

East Kansas Agri-Energy, LLC  
1304 South Main Street  
Garnett, KS 66032

Pottawatomie Creek via  
So Fork Pottawatomie Creek  
via Unnamed Tributary

Process Wastewater

Kansas Permit No. I-MC13-PO04

Federal Permit No. KS0093025

Legal Description: SE $\frac{1}{4}$ , S30, T20S, R20E, Anderson County, KS

Facility Description: This action consists of re-issuance of an existing Kansas/ NPDES Water Pollution Control permit for an existing facility. This facility dry grinds corn and sorghum, adds water and yeast to form slurry, and heats the slurry, to manufacture ethanol via fermentation. Treated wastewater and Lake Garnett water is used in the cooling towers. Cooling tower blowdown, RO reject, and softener regenerate are discharged to surface waters through an earthen polishing pond. Sanitary wastewater and filter backwash is discharged to the City sanitary system. The proposed permit contains limits for total residual chlorine, biochemical oxygen demand, total suspended solids, and pH, as well as monitoring of temperature, ammonia, chloride, fluoride, sulfate, dissolved oxygen, total recoverable copper, hardness, whole effluent toxicity, and effluent flow. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria.

Johnson County Wastewater  
11811 S. Sunset Drive, Suite 2500  
Olathe, KS 66061-0761

Indian Creek

Treated Domestic  
Wastewater

Kansas Permit No. M-MO28-OO01

Federal Permit No. KS0119601

Legal Description: NW $\frac{1}{4}$ , S13, T13S, R24E, Johnson County, KS

Facility Name: Johnson County Douglas L. Smith Middle Basin

Facility Location: 10001 College Blvd., Overland Park, KS 66210

Facility Description: The proposed action consists of re-issuance of an existing Kansas/NPDES Water Pollution Control permit for an existing facility. The facility was recently extensively upgraded and the design flow was increased from 12.0 MGD to 14.5 MGD. The upgraded wastewater treatment facility consists of primary clarification, BNR basins, final clarification, anaerobic sludge digestion, UV disinfection of effluent, and cascade reaeration. A two cell peak wet weather biological basin handles extraneous flows. The facility receives domestic wastewater from residential and commercial areas and industrial wastewater from local manufacturers. The proposed permit contains limits for biochemical oxygen demand, total suspended solids, ammonia, E. coli, dissolved oxygen, whole effluent toxicity, and pH, as well as monitoring of temperature, total phosphorus, nitrate + nitrite, total Kjeldahl nitrogen, total nitrogen, total residual chlorine, priority pollutants, and effluent flow. Contained in the permit is a schedule of compliance requiring the permittee to complete the upgrade project by March 31, 2010 and to then conduct a study, downstream, on the effects of the effluent discharge on the quality and biota in the receiving stream. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water

Johnson County Wastewater  
11811 S. Sunset Drive, Suite 2500  
Olathe, KS 66061-0761

Blue River (MO) via  
Indian Creek

Treated Domestic  
Wastewater

Kansas Permit No. M-MO27-OO01

Federal Permit No. KS0055484

Legal Description: SW¼, S10, T13S, R25E, Johnson County, KS

Facility Name: Tomahawk Creek M.S.D. No. 1

Facility Location: 10701 Lee Blvd., Leawood, KS 66211

Facility Description: The proposed action consists of re-issuance of an existing Kansas/NPDES Water Pollution Control permit for an existing facility. The Tomahawk Creek M.S.D. #1 facility consists of bar screening and grit removal, primary and final clarification, a trickling filter, chlorination and dechlorination and a peak flow holding basin. Excess flows can also be routed to a Kansas City, Missouri WWTF. Sludge from the facility is treated at the Johnson County Middle Basin or Nelson Complex WWTF's. The facility receives domestic wastewater from residential and commercial areas and industrial wastewater from local manufacturers. The proposed permit contains limits for biochemical oxygen demand, total suspended solids, ammonia, E. coli, dissolved oxygen, total residual chlorine, whole effluent toxicity, and pH, as well as monitoring of temperature, total phosphorus, nitrate + nitrite, total Kjeldahl nitrogen, total nitrogen, priority pollutants, and effluent flow. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water.

Marion, City of  
208 E. Santa Fe  
Marion, KS 66861

Clear Creek

Process Wastewater

Kansas Permit No. I-NE45-PO03

Federal Permit No. KS0098795

Legal Description: NW¼, NW¼, SW¼, S32, T19S, R4E, Marion County, KS

Facility Name: Marion Water Treatment Plant

Facility Location: 540 Walnut, Marion, KS 66861

Facility Description: The proposed action is to reissue an existing permit for discharge of wastewater from an existing public water treatment plant. About 0.12 MGD of wastewater from the primary and secondary clarifier basins, filter backwash, filter-to-waste and miscellaneous drains is discharged to a two-cell wastewater treatment lagoon system which discharges to an abandoned part of Mud Creek now incorporated as a continuation of Clear Creek. The proposed permit contains limits for total suspended solids and pH as well as monitoring of total residual chlorine and sulfates. The proposed permit contains a schedule of compliance requiring that the permittee either show consistent compliance in meeting the total residual chlorine requirement of 100ug/l, or provide a plan and schedule to upgrade the facility to meet this requirement. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria.

Osawatomie, City of  
PO Box 37  
Osawatomie, KS 66064

Marais des Cygnes River

Process Wastewater

Kansas Permit No. I-MC30-CO01

Federal Permit No. KS0078930

Legal Description: NE¼, S10, T18S, R22E, Miami County, KS

Facility Name: Osawatomie Municipal Power Plant

Facility Description: The proposed action consists of re-issuance of the existing Kansas/NPDES Water Pollution Control permit for the above referenced existing facility. This facility is an electric power generating station used for peaking and emergency power primarily during the summer. When the plant is operating, once through, non-contact cooling water is pumped from the Marais des Cygnes River and directed through tube heat exchangers. Low volume wastes are pumped to an above ground tank used as an oil/water separator. Sanitary waste is discharged to a septic tank lateral field. The proposed permit requires monitoring of temperature and effluent flow. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria.

Osawatomie, City of  
PO Box 37  
Osawatomie, KS 66064-0037

Marais des Cygnes River

Process Wastewater

Kansas Permit No. I-MC30-PO06

Federal Permit No. KS0097250

Legal Description: NE¼, S10, T18S, R22E, Miami County, KS

Facility Name: Osawatomie Water Treatment Plant

Facility Location: 100 11<sup>th</sup> Street, Osawatomie, KS 66064

Facility Description: The proposed action is to reissue an existing permit for discharge of wastewater from an existing public water treatment plant. Wastewater from the presedimentation basin, the sedimentation basin (with lime softening) and the filter backwash operation is discharged to an existing single cell wastewater treatment lagoon system. Discharge from the lagoon system is routed to the Marais des Cygnes River. The proposed permit contains limits for total suspended solids, and pH as well as monitoring of total residual chlorine and ammonia. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria.

Salina, City of  
PO Box 736  
Salina, KS 67402-0736

Smoky Hill River

Treated Domestic  
Wastewater

Kansas Permit No. M-SH33-IO01

Federal Permit No. KS0038474

Legal Description: NE¼, NW¼, S8, T14S, R2W, Saline County, KS

Facility Description: The proposed action consists of re-issuance of an existing Kansas/NPDES Water Pollution Control permit for an existing facility. The facility is a mechanical treatment plant consisting of screening and grit removal, primary clarification, trickling filters, intermediate clarification, activated sludge nitrification basins, final clarification, and UV disinfection of effluent. The facility receives domestic wastewater from residential and commercial areas and industrial wastewater from local manufacturers. Sludge is thickened and dewatered on a belt filter press. The proposed permit contains limits for biochemical oxygen demand, total suspended solids, ammonia, E. coli, dissolved oxygen, whole effluent toxicity, and pH, as well as chlorides, sulfates, total phosphorus, nitrate + nitrite, total Kjeldahl nitrogen, total nitrogen, priority pollutants, and effluent flow. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria.

Topeka, City of  
Water Pollution Control  
1115 N.E. Poplar Street  
Topeka, KS 66616

Kansas River

Treated Domestic  
Wastewater

Kansas Permit No. M-KS72-IO02

Federal Permit No. KS0042714

Legal description: S24, T11S, R15E, Shawnee County, KS

Facility Name: Topeka Municipal Wastewater Treatment Plant (North Plant)

Facility Location: 1600 N.W. Button Road, Topeka, KS 66618

Facility Description: The proposed action consists of re-issuance of an existing Kansas/NPDES Water Pollution Control permit for an existing facility. This facility is a mechanical treatment plant consisting of bar screens and vortex grit removal, primary clarification, complete mix activated sludge, final clarification, and chlorine disinfection of effluent followed by dechlorination. The facility receives domestic wastewater from residential and commercial areas and industrial wastewater from local manufacturers. Sludge is thickened and dewatered prior to disposal at a permitted solid waste landfill. The proposed permit contains limits for biochemical oxygen demand, total suspended solids, ammonia, E. coli, total residual chlorine, whole effluent toxicity, and pH, as well as monitoring of total phosphorus, nitrate + nitrite, total Kjeldahl nitrogen, total nitrogen, total recoverable lead, priority pollutants, and effluent flow. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria.

**Public Notice No. KS-EG-09-004**

**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**

Morton International, Inc.  
 1000 Morton Drive  
 South Hutchinson, KS 67505

Facility Location: Hutchinson, Kansas

Well and Permit Number	Location
NW 3-1 KS-03-155-152	3265 feet from south line and 1567 feet from east line of Section 22-23-6W, Reno County, Kansas (SE SW NE)
NW 3-2 KS-03-155-153	3570 feet from south line and 1610 feet from east line of Section 22-23-6W, Reno County, Kansas (NE SW NE)
NW 3-3 KS-03-155-154	3875 feet from south line and 1610 feet from east line of Section 22-23-6W, Reno County, Kansas (NE SW NE)
NW 3-4 KS-03-155-155	4180 feet from south line and 1610 feet from east line of Section 22-23-6W, Reno County, Kansas (SE NW NE)
NW 3-5 KS-03-155-156	4485 feet from south line and 1610 feet from east line of Section 22-23-6W, Reno County, Kansas (SE NW NE)
NW 3-6 KS-03-155-157	4790 feet from south line and 1610 feet from east line of Section 22-23-6W, Reno County, Kansas (NE NW NE)

Facility Description: The proposed action is to reissue six existing Class III injection well permits. The injection fluids consist of freshwater and weak brine. Injection is made into Hutchinson Salt member of the Wellington formation. Mining shall not extend into the upper 40 feet of the salt member. The maximum operation injection pressure is not to exceed 165 pounds per square inch at the well head. All construction, monitoring and operation of these wells will meet the requirements that apply to Class III Injection wells under the Kansas Underground Injection Control Regulations, K.A.R. 28-43-1 through 28-43-11 and Kansas Underground Injection Control Regulations, K.A.R. 28-46-1 through 28-46-44.

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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 if they wish to have the comments or objections considered in the decision making process. Comments or objections should be submitted to the attention of Livestock Waste Management Section for agricultural related draft documents or applications, or to the permit clerk for all other permits, at the Kansas Department of Health and Environment, Division of Environment, Bureau of Water, 1000 SW Jackson St., Suite 420, Topeka, Kansas 66612-1367.

All comments regarding the draft documents or application notices received on or before **November 7, 2009**, will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate Kansas document number (KS-AG-09-253/261, KS-Q-09-166/175, KS-EG-09-004) and name of the applicant/permittee when preparing comments.

After review of any comments received during the public notice period, the Secretary of Health and Environment will issue 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).

All draft documents / application and the supporting information including any comments received are on file and may be inspected at the offices of the Kansas Department of Health and Environment, Bureau of Water, 1000 SW Jackson St., Suite 420, Topeka, Kansas. 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.kdheks.gov/feedlots>. Division of Environment offices are open from 8 a.m. to 5 p.m., Monday through Friday, excluding holidays.