

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-09-261/266

Beginning Date: October 15, 2009
Comments Due: November 14, 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.

Public Notice No. KS-AG-09-261/266

Pending Permits for Confined Feeding Facilities

<u>Name And Address of Applicant</u>	<u>Legal Description</u>	<u>Receiving Water</u>
Chuck Springer - Box Facility 5881 County Road 3300 Independence, KS 67301	SW/4 of Section 04 T31S, R14E Montgomery County	Verdigris River Basin

Kansas Permit No.: A-VEMG-H010

Federal Permit No.: KS0095346

This is a re-issuance of a permit for an existing and expanding facility for 5,264 head (2,105.6 animal units) of swine weighing greater than 55 pounds and 2,960 head (296 animal units) of swine weighing 55 pounds or less to bring the total permitted capacity to 5,264 head (2,105.6 animal units) of swine weighing greater than 55 pounds and 3,200 head (320 animal units) of swine weighing 55 pounds or less. The Department is also re-approving expansion plans initially approved on September 10, 2003 and the construction of two additional nursery buildings.

Rethman Farms, Inc.
Douglas Rethman
1157 120th Road

SE/4 of Section 14
T03S, R12E
Nemaha County

Missouri River Basin

Seneca, KS 66538

Kansas Permit No.: A-MONM-S001

This existing permit is being re-issued with a modification for a facility with a maximum capacity of 1,720 head (688 animal units) of swine weighing more than 55 pounds and 840 head (84 animal units) of swine weighing 55 pounds or less, for a total of 772 animal units. The modification to the permit consists of the addition of an existing building to the facility.

Kevin Holthaus
646 176th Road
Seneca, KS 66538

NW/4 of Section 13
T02S, R11E
Nemaha County

Missouri River Basin

Kansas Permit No.: A-MONM-B008

This permit is being re-issued for a confined animal feeding operation for 80 head (80 animal units) of cattle weighing more than 700 pounds and 270 head (135 animal units) of cattle weighing less than 700 pounds. This represents an increase in the permitted number of beef cattle and removal of swine as previously permitted, however this is an overall reduction in permitted animal units for this facility. The permit contains modifications consisting of additional grass buffer areas and constructing two diversions to direct runoff.

Heinco Inc.
Clif Heiniger
370 180th Street
Fairview, KS 66425

SE/4 of Section 21
T03S, R15E
Brown County

Kansas River Basin

Kansas Permit No.: A-KSBR-S025

This is a re-issuance of a permit for an existing facility for 600 head (240 animal units) of swine weighing greater than 55 pounds and 300 head (30 animal units) of swine weighing 55 pounds or less for a total of 900 head (270 animal units) of swine.

Leon T. Eck
1250 P Road
Tipton, KS 67485

NE/4 of Section 26
T08S, R10W
Mitchell County

Solomon River Basin

Kansas Permit No.: A-SOMC-S017

This permit is being re-issued for an existing facility with a maximum capacity of 800 head (320 animal units) of swine more than 55 pounds. There is no change in the permitted animal units from the previous permit.

Leon T. Eck
1250 P Road
Tipton, KS 67485

NE/4 of Section 21
T08S, R10W
Mitchell County

Solomon River Basin

Kansas Permit No.: A-SOMC-S013

This permit is being re-issued for an existing facility with a maximum capacity of 700 head (280 animal units) of swine more than 55 pounds. There is no change in the permitted animal units from the previous permit.

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 14, 2009***, will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate Kansas document number (KS-AG-09-261/266) 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.