

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-09-279/282
KS-Q-09-182/187
KS-EG-09-005

Beginning Date: November 5, 2009
Comments Due: December 5, 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-09-279/282

Pending Permits for Confined Feeding Facilities

<u>Name And Address of Applicant</u>	<u>Legal Description</u>	<u>Receiving Water</u>
David L. Beachy 5005 West Longview Road Hutchinson, KS 67501	NW2 of Section 20 T24S, R06W Reno County	Lower Arkansas River Basin

Kansas Permit No.: A-ARRN-M018

This permit is being reissued for a maximum capacity of 80 head (112 animal units) of mature dairy cattle and 80 head (40 animal units) of cattle weighing 700 pounds or less, for a total of 160 head (152 animal units) of dairy cattle. This represents an increase in the permitted animal units from the previous permit. Other modifications include the addition of a free stall barn and manure dry stack within the existing drainage area that have each been constructed during the previous permit cycle.

KSU - Animal Sciences & Industry
Joel DeRouchey
232 Weber Hall

E/2 of Section 36
T09S, R07E
Riley County

Big Blue River Basin

Manhattan, KS 66506

Kansas Permit No.: A-BBRL-C001

Federal Permit No.: KS0086282

This is a re-issuance of a permit for an existing confined animal feeding operation for 624.6 animal units of swine [1,364 head of swine weighing 55 pounds or more (545.6 animal units) and 790 head of swine weighing less than 55 pounds (79 animal units)] and 1,781.3 animal units other than swine (beef, dairy cattle and poultry)

Offsite
Steven & Chris Cox
504 West 1500 Road
Long Island, KS 67647

SW/4 of Section 13
T01S, R20W
Phillips County

Upper Republican
River Basin

Kansas Permit No.: A-URPL-S007

This is a re-issuance of a permit for an existing facility for 1,600 head (640 animal units) of swine weighing greater than 55 pounds.

Schou Feeders
Einer Schou
2758 Queen Road
Cuba, KS 66940

SE/4 of Section 16
T03S, R01W
Republic County

Lower Republican
River Basin

Kansas Permit No.: A-LRRP-B004

This permit is being re-issued for an existing facility with a maximum capacity of 999 head (999 animal units) of beef cattle more than 700 pounds. There is no change in the permitted animal units from the previous permit.

Public Notice No. KS-Q-09-182/187		
<u>NAME AND ADDRESS OF APPLICANT</u>	<u>RECEIVING STREAM</u>	<u>TYPE OF DISCHARGE</u>
Baldwin City, City of PO Box 86 Baldwin City, KS 66006	Tauy Creek via East Fork Tauy Creek	Treated Domestic Wastewater

Kansas Permit No. M-MC04-OO03 Federal Permit No. KS0097381
Legal Description: SW¼, SE¼, S9, T15S, R20E, Douglas 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 proposed permit contains limits for biochemical oxygen demand, total suspended solids, ammonia, E. coli, dissolved oxygen, and pH, as well as monitoring for total phosphorus, nitrate+nitrite, total Kjeldahl nitrogen, total nitrogen, 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.

Brookville, City of
PO Box 14
Brookville, KS 67425

West Spring Creek

Treated Domestic
Wastewater

Kansas Permit No. M-SA02-OO01

Federal Permit No. KS0096831

Legal Description: SW $\frac{1}{4}$, SW $\frac{1}{4}$, S3, T15S, R5W, 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 proposed permit contains limits for biochemical oxygen demand and total suspended solids, as well as monitoring for ammonia, E. coli, total phosphorus, total recoverable copper and pH. 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.

Glen Elder, City of
PO Box 85
Glen Elder, KS 67446

Solomon River via
Limestone Creek

Treated Domestic
Wastewater

Kansas Permit No. M-SO18-OO01

Federal Permit No. KS0020982

Legal Description: NW $\frac{1}{4}$, NE $\frac{1}{4}$, NW $\frac{1}{4}$, S35, and S $\frac{1}{2}$, SW $\frac{1}{4}$, S26, Township 6S, R9W, Mitchell 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 proposed permit contains limits for biochemical oxygen demand and total suspended solids, as well as monitoring of ammonia, E. coli, selenium, sulfates, and pH. 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.

Hoxie, City of
PO Box 898
Hoxie, KS 67740

South Fork Solomon River
via Sand Creek

Treated Domestic
Wastewater

Kansas Permit No. M-SO20-OO01

Federal Permit No. KS0030562

Legal Description: NE $\frac{1}{4}$, NE $\frac{1}{4}$, NW $\frac{1}{4}$, S22, T8S, R28W, Sheridan 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 proposed permit contains limits for biochemical oxygen demand, total suspended solids, and pH, as well as monitoring for 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.

Kansas Department of Transportation
700 SW Harrison, 14th Floor
Topeka, KS 66603-3754

Smoky Hill River via
West Kentucky Creek

Treated Domestic
Wastewater

Kansas Permit No. M-SH21-OO02

Federal Permit No. KS0081469

Legal Description: E½, SW¼, S14, T18S, R3W, McPherson 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 proposed permit contains limits for biochemical oxygen demand and total suspended solids, as well as monitoring for ammonia, E. coli, and pH. 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.

Dredge America, Inc.
6295 SE Thomas Drive
Stuart, FL 34997

Smoky Hill River

Process Wastewater

Kansas Permit No. I-SH19-PO08

Federal Permit No. KS0099937

Legal Description: NE¼, S3, T17S, R6W, Ellsworth County, KS

Facility Name: Kanopolis Lake Sediment Removal Project

Facility Location: Marquette, Kansas

Facility Description: The proposed action is to issue a new Kansas/NPDES Water Pollution Control permit for a new facility. Sediment is hydraulically dredged from Kanopolis Lake and pumped by 8" diameter pipeline at 1,000 gallons per minute to a one acre sediment settling basin located approximately 1,200 feet upstream from the lake. Dredged sediment is contained in the settling basin. Settled dredge return water passes over a spillway at the outlet of the basin and returns by overland flow back to Kanopolis Lake. The permits 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-09-005

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

ONEOK, Inc.
PO Box 871
Tulsa, OK 74102-0871

Facility Name: Bushton Processing Plant

Facility Location: Bushton, KS

Well and Permit Number	Location
#7 KS-01-053-006	2964 feet from south line and 2630 feet from east line of SE Corner, Section 31-17-9W, Ellsworth County, Kansas (SW SW NE)

Facility Description: The proposed action is to reissue an existing Class I deep disposal well permit. This facility is a hydrocarbon processing plant and hydrocarbon storage well facility. The fluids to be injected are described as non-hazardous liquid waste consisting of near saturated mineralized waste brines, hydrocarbon processing waste, and non-hazardous waste from the nearby Linde Plant. Injection is made into the Arbuckle formation through open-hole from a depth of 3335 feet to 3800 feet. Disposal will be by means of gravity flow only. The maximum injection rate will be 2,000,000 gallons per day. All construction, monitoring and operation of these wells will meet the requirements that apply to Class I Non-Hazardous 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.

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 **December 5, 2009**, will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate Kansas document number (KS-AG-09-279/282, KS-Q-09-182/187, KS-EG-09-005) 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.