

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-09-283
KS-Q-09-188/194
KS-NQ-09-019

Beginning Date: November 12, 2009
Comments Due: December 12, 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-09-283

Pending Permits for Confined Feeding Facilities

<u>Name And Address of Applicant</u>	<u>Legal Description</u>	<u>Receiving Water</u>
Prairie Haven Pork, LLC Christopher and Steven Cox 504 W. 1500 Road Long Island, KS 67647	SE/4 of Section 03 T16S, R05E Morris County	Kansas River Basin

Kansas Permit No.: A-KSMR-H001

Federal Permit No.: KS0089745

This permit is being reissued for an existing facility with a maximum capacity of 7,680 head (3,072 animal units) of swine more than 55 pounds and 4,000 head (400 animal units) of swine 55 pounds or less, for a total of 3,472 animal units. There is no change in the permitted animal units from the previous permit.

Public Notice No. KS-Q-09-188/194

NAME AND ADDRESS OF APPLICANT

Anderson County Commission
100 East 4th Street
Garnett, KS 66032

RECEIVING STREAM

Cedar Creek via
Unnamed Tributary

TYPE OF DISCHARGE

Treated Domestic
Wastewater

Kansas Permit No. M-MC53-OO01

Federal Permit No. KS0096946

Legal description: NE¼, NE¼, S3, T22S, R19E, Anderson County, KS

Facility Name: Welda Sewer District #1

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.

Miami County Commission
201 S. Pearl, Suite 201
Paola, KS 66071

Bull Creek via Ten Mile
Creek via Unnamed
Tributary via Community Lake

Treated Domestic
Wastewater

Kansas Permit No. M-MC60-OO02

Federal Permit No. KS0093441

Legal Description: SW¼, NW¼, S7, T16S, R24E, Miami County, KS

Facility Name: Walnut Creek Estates Sewer District

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, 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.

Overbrook, City of
PO Box 288
Overbrook, KS 66524

Pomona Reservoir via
Valley Brook Creek

Treated Domestic
Wastewater

Kansas Permit No. M-MC32-OO01

Federal Permit No. KS0046451

Legal Description: NW¼, SW¼, SW¼, S5, T15S, R17E, Osage 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. Included in this permit is a schedule of compliance requiring the permittee to obtain the services of a KDHE-certified wastewater treatment plant operator to achieve compliance with this permit. 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.

St. George, City of
PO Box 33
St. George, KS 66535

Kansas River

Treated Domestic
Wastewater

Kansas Permit No. M-KS66-OO02

Federal Permit No. KS0099139

Legal Description: N½, NE¼, NW¼, S16, T10S, R9E, Pottawatomie County, KS

Facility Description: The proposed action consists of issuance of a new Kansas/NPDES Water Pollution Control permit for a new mechanical wastewater treatment plant. This facility will replace an existing mechanical plant. The facility consists of an activated sludge system with an anoxic tank and four aeration basins followed by two clarifiers, UV disinfection, and a belt filter press for sludge dewatering. The proposed permit contains limits for biochemical oxygen demand, total suspended solids, E. coli, and pH, as well as monitoring of ammonia, total phosphorus, nitrate + nitrite, total Kjeldahl nitrogen, and effluent flow. Contained in the permit is a schedule of compliance requiring that plans and specifications for the upgraded facility be delivered by January 1, 2010 and the construction for the project be completed and compliance be achieved by July 1, 2011. 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.

Smith Center, City of
119 West Court Street
Smith Center, KS 66967

Beaver Creek via
Unnamed Tributary

Treated Domestic
Wastewater

Kansas Permit No. M-SO38-OO02

Federal Permit No. KS0098221

Legal Description: NW¼, NW¼, S32, T3S, R13W, Smith 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, residual chlorine, and E. coli, as well as monitoring of ammonia, total recoverable 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.

Waverly, City of
PO Box 308
Waverly, KS 66871

Marais des Cygnes River
Via Rock Creek

Treated Domestic
Wastewater

Kansas Permit No. M-MC47-OO01

Federal Permit No. KS0022705

Legal Description: SW¼, NE¼, S14, T19S, R16E, Coffey 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 recoverable selenium, 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.

Westphalia, City of

Pottawatomie Creek via

Treated Domestic

PO Box 202
Westphalia, KS 66093

Cherry Creek via
Unnamed Tributary

Wastewater

Kansas Permit No. M-MC49-0001

Federal Permit No. KS0082996

Legal Description: SW¼, S26, T21S, R17E, Anderson 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.

Public Notice No. KS-NQ-09-019

NAME AND ADDRESS OF APPLICANT

Herington, City of
PO Box 31
Herington, KS 67449

LEGAL LOCATION

NW¼, S31, T15S, R6E,
Morris County, KS

TYPE OF DISCHARGE

Non-Overflowing

Kansas Permit No. I-SH17-NP02

Federal Tracking No. KSJ000143

Facility Name: Herington Regional Airport

Facility Description: The proposed action is to reissue an existing wastewater permit for an existing non-overflowing wastewater retention system. Contained in the permit are requirements for monitoring of biochemical oxygen demand, total suspended solids, E. coli, pH, rainfall, perchlorate, water level in the final cell, and any discharge event.

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 12, 2009**, will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate Kansas document number (KS-AG-09-283, KS-Q-09-188/194, KS-NQ-09-019) 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.