

## NOTICE OF INTENT TO TERMINATE

Pursuant to the requirements of K.A.R. 28-16-60 and K.A.R. 28-16-62, the Kansas Department of Health and Environment (KDHE) hereby provides notice of intent to terminate the following KDHE issued permit.

<u>NAME AND ADDRESS</u>	<u>FACILITY ADDRESS</u>	<u>DOCUMENT NO.</u>
CAG Cimarron Dairy, L.P. % Jack Koopman 6306 20 Road Cimarron, KS 67835	6306 20 Road Cimarron, KS 67835	A-UAGY-D002 KS0091120

The Kansas Department of Health and Environment (KDHE) issued Kansas Water Pollution Control Permit for Agricultural and Related Wastes and Authorization to Discharge under the National Pollutant Discharge Elimination System A-UAGY-D002/KS0091120 to CAG Cimarron Dairy, L.P., Jack Koopman Permittee, with an effective date of May 09, 2008 and expired on August 1, 2011 to operate a 9,050 head (12,670 animal unit) dairy facility. The facility has 4 lagoons, 3 retention structures, 3 basins and 19 drying beds to control the waste generated at the facility. On April 16, 2009, KDHE issued Administrative Order 09-E-0041BOW to the Permittee for numerous violations of the permit requirements. A Consent Agreement and Final Order of the Secretary was entered into on October 16, 2009. The permittee has had a long and continuing history of permit violations; therefore KDHE is public noticing its intent to terminate the permit. Pursuant to K.A.R. 28-16-60 and K.A.R. 28-16-62, KDHE is hereby providing Notice of Intent to terminate the permit to operate the dairy facility and the waste control system for failure to comply with the current permit, state and federal requirements and a Final Order of the Secretary of KDHE. The Permittee may appeal this Notice of Intent to Terminate the permit. The appeal should be sent to the attention of the Livestock Waste Management Section, at the Kansas Department of Health and Environment, Division of Environment, Bureau of Water, 1000 SW Jackson St., Suite 420, Topeka, Kansas 66612-1367.