

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-19-082/101
Public Notice No. KS-Q-19-079/082
Public Notice No. KS-PT-19-003
Public Notice No. KS-EG-19-007/009

Beginning Date: April 4, 2019
Comments Due: May 4, 2019

In accordance with Kansas Administrative Regulations 28-16-57 through 63, 28-18-1 through 17, 28-18a-1 through 33, 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.

Public Notice No. KS-AG-19-082/101

Pending Permits for Confined Feeding Facilities

<u>Name and Address of Applicant</u>	<u>Legal Description</u>	<u>Receiving Water</u>
Jack Eklund Eklund Feedlot P.O. Box 665 Goodland, KS 67735	SE/4 of Section 14 T08S, R40W Sherman County	Upper Republican River Basin

Kansas Permit No.: A-URSH-B007

This is a renewal permit for an existing facility for 900 head (450 animal units) of cattle weighing 700 pounds or less. There has been no change in animal units from the last permit. This facility is currently inactive.

Ken Kammer
Kammer Livestock
1851 CR-2
Brewster, KS 67732

S/2 of Section 5
T08S, R36W
Thomas County

Upper Republican
River Basin

Kansas Permit No.: A-URTH-B002

This is a renewal permit for an existing facility for 950 head (950 animal units) of cattle weighing more than 700 pounds. There has been no change in animal units from the last permit.

Ron Suther
Ron Suther
11415 Davis Road
Blaine, KS 66549

SE/4 of Section 31
T06S, R09E
NE/4 of Section 6
T07S, R09E
Pottawatomie County

Big Blue
River Basin

Kansas Permit No.: A-BBPT-S008

This is a renewal permit for an existing facility for 1,550 head (155 animal units) of swine weighing 55 pounds or less and 2 head (4 animal units) of horses, for a total of 159 animal units. There has been no change in animal units from the last permit.

Larry D. Wehner
Wehner Farms
2944 94th Road
Rossville, KS 66533

SE/4 of Section 33
T09S, R13E
Jackson County

Kansas River Basin

Kansas Permit No.: A-KSJA-S021

This is a renewal permit for an existing facility for 200 head (80 animal units) of swine weighing more than 55 pounds and 200 head (20 animal units) of swine weighing 55 pounds or less, for a total of 100 animal units. There has been no change in animal units from the last permit.

Ronald Korber	SW/4 of Section 12	Missouri
Ronald Korber	T01S, R12E	River Basin
2913 L4 Road	Nemaha County	
Bern, KS 66408		

Kansas Permit No.: A-MONM-S009

This is a renewal permit for an existing facility for 1,600 head (640 animal units) of swine weighing greater than 55 pounds, 600 head (60 animal units) of swine weighing 55 pounds or less, and 149 head (74.5 animal units) of cattle weighing 700 pounds or less; for a total of 774.5 animal units. There has been no change in animal units from the last permit.

Pakkebier Farms LLC	S/2 of Section 30	Solomon
Pakkebier Farms Feedlot	T04S, R21W	River Basin
22998 Road E 9	Norton County	
Lenora, KS 67645		

Kansas Permit No.: A-SONT-B003

This is a renewal permit for an existing facility for 700 head (700 animal units) of cattle weighing more than 700 pounds. There has been no change in animal units from the last permit.

Stan Albers	SE/4 of Section 18	Solomon
Albers Feedlot	T08S, R29W	River Basin
8104 WR 10S	Sheridan County	
Hoxie, KS 67740		

Kansas Permit No.: A-SOSD-B010

This is a renewal permit for an existing facility for 600 head (600 animal units) of cattle weighing greater than 700 pounds. There has been no change in animal units from the last permit.

Stephen F. Cordel	NE/4 of Section 12	Solomon
D S & R Cordel	T05S, R10W	River Basin
429 30 Road	Jewell County	
Cawker City, KS 67430		

Kansas Permit No.: A-SOJW-S018

This is a renewal permit for an existing facility for 2,190 head (876 animal units) of swine weighing more than 55 pounds and 1,200 head (120 animal units) of swine weighing 55 pounds or less, for a total of 996 animal units. There has been no change in animal units from the last permit.

Brice & Lynn Sawin	NE/4 of Section 24	Big Blue
Brylin Farms, LLC – East Site	T02S, R02E	River Basin
11258 FM Road 2073	Washington County	
Vernon, TX 76384		

Kansas Permit No.: A-BBWS-S057

This is a renewal permit for an existing facility for 2,400 head (960 animal units) of swine weighing more than 55 pounds. There has been no change in animal units from the last permit.

Greving Farms, Inc.	SE/4 of Section 23	Solomon
Greving Farms Feedlot	T02S, R20W	River Basin
979 West 1100 Road	Phillips County	
Prairie View, KS 67664		

Kansas Permit No.: A-SOPL-B009

This is a renewal permit for an existing facility for 990 head (990 animal units) of cattle weighing more than 700 pounds. There has been no change in animal units from the last permit.

Brian M. Bauer	SW/4 of Section 20	Lower Republican
Brian M. Bauer	T08S, R03E	River Basin
2243 Quail Road	Clay County	
Clay Center, KS 67432		

Kansas Permit No.: A-LRCY-B005

This is a renewal permit for an existing facility of 280 head (280 animal units) of cattle more than 700 pounds. There has been no change in animal units from the last permit.

H & H Farms, Inc.	NE/4 of Section 34	Solomon
H & H Farms, Inc.	SE/4 of Section 27	River Basin
P.O. Box 564	T08S, R33W	
Colby, KS 67701	Thomas County	

Kansas Permit No.: A-SOTH-C001 Federal Permit No.: KS0115754

This is a renewal permit for an existing facility for 4,000 head (4,000 animal units) of cattle weighing more than 700 pounds. There has been no change in animal numbers from the last permit. This facility has an approved Nutrient Management Plan on file with KDHE.

Sappa Bend Farm, Inc.	NE/4 of Section 15	Upper Republican
Selby Feedlot	T08S, R37W	River Basin
3495 Road 66	Sherman County	
Brewster, KS 67732		

Kansas Permit No.: A-URSH-B004

This is a renewal permit for an existing facility for 950 head (950 animal units) of cattle weighing more than 700 pounds. There has been no change in animal units from the last permit.

Steve Luthi	NE/4 of Section 7	Lower Republican
Luthi Farms	NW/4 of Section 8	River Basin
1178 Navajo Road	T09S, R03E	
Clay Center, KS 67432	Clay County	

Kansas Permit No.: A-LRCY-S017

This is a renewal permit for an existing facility for 1,860 head (744 animal units) of swine weighing more than 55 pounds, 900 head (90 animal units) of swine weighing 55 pounds or less, 60 head (60 animal units) of cattle weighing more than 700 pounds, and 60 head (30 animal units) of cattle weighing 700 pounds or less, for a total of 924 animal units. There has been no change in animal units from the last permit.

Alan Pohlman	SE/4 of Section 17	Upper Arkansas
Barton County Feeders, Inc.	E/2 of Section 20	River Basin
1164 SE 40 Road	W/2 of Section 21	
Ellinwood, KS 67526	T20S, R11W	

Kansas Permit No.: A-UABT-C007 Federal Permit No.: KS0042323

An update to the Nutrient Management Plan (NMP) was received for this existing facility currently permitted for 30,000 head (30,000 animal units) of cattle weighing greater than 700 pounds. The facility's NMP was updated to include a change in the application rate limitation for fields Circle 1 and Circle 5 from a 1.0 x crop P removal application rate limitation to a 1.5 x crop P removal application rate limitation.

There are no changes to the permit or in the permitted number of animal units. Only the updated portions of the Nutrient Management Plan are subject to comment. This facility has an approved Nutrient Management Plan on file with KDHE.

Chris Burris	W/2 and SE/4 of Section 10	Upper Arkansas
Ward Feed Yard, Inc.	SW/4 of Section 15	River Basin
P.O. Box H	T22S, R16W	
Larned, KS 67550	Pawnee County	

Kansas Permit No.: A-UAPN-C004	Federal Permit No.: KS0086487
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An update to the Nutrient Management Plan (NMP) was received for this existing facility currently permitted for 26,000 head (26,000 animal units) of cattle weighing greater than 700 pounds. The facility's NMP was updated to include a new application field. There are no changes to the permit or in the permitted number of animal units. Only the updated portions of the Nutrient Management Plan are subject to comment. This facility has an approved Nutrient Management Plan on file with KDHE.

Michael Schartz	E/2 of Section 21	Upper Arkansas
Ward Feed Yard South	T22S, R16W	River Basin
P.O. Box H	Pawnee County	
Larned, KS 67550		

Kansas Permit No.: A-UAPN-C001	Federal Permit No.: KS0037575
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An update to the Nutrient Management Plan (NMP) was received for this existing facility currently permitted for 33,000 head (33,000 animal units) of cattle weighing greater than 700 pounds. The facility's NMP was updated to include a change in the application rate limitation for Field 56 S/2 from 1.0 x crop P removal to 1.5 x crop P removal application rate limitation rate limitation. There are no changes to the permit or in the permitted number of animal units. Only the updated portions of the Nutrient Management Plan are subject to comment. This facility has an approved Nutrient Management Plan on file with KDHE.

Kent F. Condray	NW/4 and SE/4 of Section 15	Lower Republican
KC Pork, Inc.	T05S, R01E	River Basin
451 3 rd Rd.	Washington County	
Clifton, KS 66937		

Kansas Permit No.: A-LRWS-H002	Federal Permit No.: KS0085740
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An update to the Nutrient Management Plan (NMP) was received for this existing facility currently permitted for 5,346 head (2,138.4 animal units) of swine weighing more than 55 pounds and 11,350 head (1,135 animal units) of swine weighing 55 pounds or less; for a total of 3,273.4 animal units of swine. The facility's NMP was updated to include a change in the application rate limitation for Fields 6, 8 and 16 from 1.0 or 1.5 x crop P removal application rate limitation to Agronomic N application rate limitation. There are no changes to the permit or in the permitted number of animal units. Only the updated portions of the Nutrient Management Plan are subject to comment. This facility has an approved Nutrient Management Plan on file with KDHE.

Derek Martin	All of Section 13	Upper Arkansas
Kinsley Feeders, LLC	25S, R19W	River Basin
1278 P Road	Edwards County	
Kinsley, KS 67547		

Kansas Permit No.: A-UAED-C004 Federal Permit No: KS0053562

An update to the Nutrient Management Plan (NMP) was received for this existing facility currently permitted for 36,000 head (36,000 animal units) of cattle weighing greater than 700 pounds. The facility's NMP was updated to include a new application field. There are no changes to the permit or in the permitted number of animal units. Only the updated portions of the Nutrient Management Plan are subject to comment. This facility has an approved Nutrient Management Plan on file with KDHE.

Edmund J. Jr. and Alice L. Theis	NW/4 of Section 19	Missouri
April Valley Farms LLC	T08S, R22E	River Basin
18432 Mt. Olivet Road	Leavenworth County	
Leavenworth, KS 66048		

Kansas Permit No.: A-MOLV-S002

This is a renewal permit for an existing facility for 757 head (302.8 animal units) of swine weighing greater than 55 pounds, 832 head (83.2 animal units) of swine weighing 55 pounds or less, 80 head (80 animal units) of cattle weighing greater than 700 pounds, and 10 head (5 animal units) of cattle weighing 700 pounds or less; for a total of 471 animal units. There has been no change in animal units from the last permit.

Public Notice No.: KS-Q-19-079/082

The requirements of the draft permit public noticed below are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28 (b-g), and Federal Surface Water Criteria.

<u>NAME AND ADDRESS OF APPLICANT</u>	<u>RECEIVING STREAM</u>	<u>TYPE OF DISCHARGE</u>
Beverly, City of P.O. Box 137 Beverly, KS 67423	Saline River via Unnamed Tributary	Treated Domestic Wastewater

Kansas Permit No. M-SA01-OO01

Federal Permit No. KS0095141

Legal Description: SW¼, SW¼, NE¼ & NW¼, NW¼, SE¼, S15, T12S, R6W, Lincoln County, Kansas

The proposed action is to reissue an existing State/NPDES permit for an existing facility. This facility is a three-cell wastewater stabilization lagoon system. The proposed permit contains limits for biochemical oxygen demand, total suspended solids and pH, as well as monitoring for ammonia, E. coli, chlorides, and sulfates. Monitoring for ammonia is required because there isn't sufficient data to determine multi-discharge variance eligibility.

Delphos, City of P.O. Box 376 Delphos, KS 67436	Solomon River	Treated Domestic Wastewater
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Kansas Permit No. M-SO11-OO02

Federal Permit No. KS0092169

Legal Description: SE¼, NE¼, NE¼, S21, T9S, R4W, Ottawa County, Kansas

The proposed action is to reissue an existing State/NPDES permit for an existing facility. This facility is a three-cell wastewater stabilization lagoon system. The proposed permit contains limits for biochemical oxygen demand, total suspended solids and pH, as well as monitoring for ammonia, E. coli, chlorides and sulfates. Monitoring for ammonia is required because there isn't sufficient data to determine multi-discharge variance eligibility.

Lucas, City of P.O. Box 308 Lucas, KS 67648	Saline River via Wolf Creek	Treated Domestic Wastewater
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Kansas Permit No. M-SA08-OO02

Federal Permit No. KS0095222

Legal Description: SE¼, SW¼, NE¼, S34, T11S, R11W, Russell County, Kansas

The proposed action is to reissue an existing State/NPDES permit for an existing facility. This facility is a two-cell wastewater stabilization lagoon system. The proposed permit contains limits for biochemical oxygen demand, total suspended solids and pH, as well as monitoring for ammonia, E. coli, chlorides, sulfates and selenium.

Miltonvale, City of P.O. Box 248 Miltonvale, KS 67466	Chapman Creek	Treated Domestic Wastewater
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Kansas Permit No. M-SH27-OO01

Federal Permit No. KS0021911

encountered about 685 feet below ground surface and extend to a depth of about 900 feet. All construction, monitoring, and operation of these wells shall meet the requirements that apply to Class III Injection wells under the Kansas UIC Regulations, K.A.R. 28-46-1 through 28-46-45 and other requirements of KDHE.

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 **May 4, 2019**, will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate Kansas document number (KS-AG-19-082/101, KS-Q-19-079/082, KS-PT-19-003, KS-EG-19-007/009) 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.

Lee A. Norman, M.D.
Secretary
Kansas Department of Health and Environment