

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-19-393/406
Public Notice No. KS-Q-19-327/333
Public Notice No. KS-NQ-19-011

Beginning Date: December 26, 2019
Comments Due: January 25, 2020

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-19-393/406
Pending Permits for Confined Feeding Facilities

<u>Name and Address of Applicant</u>	<u>Legal Description</u>	<u>Receiving Water</u>
Vince Wagoner Vince Wagoner PO Box 5 Lenora, KS 67645	NE/4 of Section 10 T05S, R24S Norton County	Solomon River Basin

Kansas Permit No.: A-SONT-B009

This is a renewal permit for an existing facility for 500 head (250 animal units) of cattle weighing 700 pounds or less. There is no change in the permitted animal units. This facility has an approved Waste Management Plan on file with KDHE.

Lawson Wideman L2 Cattle LLC 847 County Road J Minneola, KS 67865	SE/4 of Section 20 T30S, R24W Clark County	Cimarron River Basin
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Kansas Permit No.: A-CICA-B001

This is a renewal permit for an existing facility for 999 head (999 animal units) of cattle weighing more than 700 pounds. There is no change in the permitted animal units. This facility has an approved Waste Management Plan on file with KDHE.

Greene Farms, Inc.
Greene Farms, Inc.
PO Box 24
Jewell, KS 66949

NE/4 of Section 32
T04S, R07W
Jewell County

Lower Republican
River Basin

Kansas Permit No.: A-LRJW-B006

This is a renewal permit for an existing facility for 999 head (999 animal units) of cattle more than 700 pounds. There is no change in the permitted animal units. This facility has an approved Nutrient Management Plan on file with KDHE.

Stacy Koehn
Bar W Feeders
19714 Road R
Kismet, KS 67859

NE/4 of Section 14
T32S, R32W
Seward County

Cimarron
River Basin

Kansas Permit No.: A-CISW-C005

Federal Permit No.: KS0094790

This is a renewal permit for an existing facility for 10,000 head (10,000 animal units) of cattle weighing greater than 700 pounds. There has been no change in the permitted animal units from the previous permit. This facility has an approved Nutrient Management Plan on file with KDHE.

Luke Busenitz
Luke Busenitz #2
2188 NW Tawakoni Rd
Benton, KS 67017

SW/4 of Section 24
T25S, R03E
Butler County

Walnut River Basin

Kansas Permit No.: A-WABU-B019

This is a renewal permit for an existing facility with the maximum capacity for 999 head (999 animal units) of cattle weighing greater than 700 pounds. The facility consists of approximately 18.9 acres of open lot pens, feed roads, manure storage area, mortality composting area, feed storage area, and other associated feedlot areas. Surface runoff is collected by three sediment basins and stored in an earthen waste storage pond.

H.J. Stephens & Sons, Inc.
H.J. Stephens & Sons, Inc.
9544 S. Rd. 90 West
Grinnell, KS 67738

SW/4 of Section 31
T09S, R29W
Sheridan County

Saline River Basin

Kansas Permit No.: A-SASD-C001

Federal Permit No.: KS0080608

This is a renewal permit for an existing facility for 2,000 head (2,000 animal units) of cattle weighing more than 700 pounds. There is no change in the permitted animal units. This facility has an approved Nutrient Management Plan on file with KDHE.

Hybrid Turkeys, LLC
Moundridge Farm
PO Box 250
Newton, KS 67114

NW/4 of Section 5
T23S, R02W
Harvey County

Little Arkansas
River Basin

Kansas Permit No.: A-LAHV-F005

This is a renewal permit for an existing facility for 7,300 head (131.4 animal units) of turkeys. There has been no change in animal units from the previous permit.

Doug Thiessen
Thiessen Cattle Company
3393 Jazmine Trail
Beloit, KS 67420

NE/4 of Section 13
T07S, R07W
Mitchell County

Solomon
River Basin

Kansas Permit No.: A-SOMC-B002

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

Dale Kessecker
Keesecker Agri Business, Inc.
2069 Prairie Rd.
Washington, KS 66968

NE/4 of Section 21
T02S, R03E
Washington County

Big Blue
River Basin

Kansas Permit No.: A-BBWS-S043

This is a renewal permit for an existing facility for 9,990 head (999 animal units) of swine weighing 55 pounds or less. There is no change in the permitted animal units. This facility has an approved Waste Management Plan on file with KDHE.

Travis McGuire – Manager
Wilroads Feedyard LLC – Yard 2
11449 Lariat Way
Dodge City, KS 67801

W/2 of Section 7
T27S, R24W
Ford County

Upper Arkansas
River Basin

Kansas Permit No.: A-UAFO-C016

Federal Permit No.: KS0094340

This is a renewal permit for an existing facility for 2,000 head (2,000 animal units) of cattle weighing more than 700 pounds. There is no change in the permitted animal units from the previous permit. An approved Nutrient Management Plan for the facility is on file with KDHE.

Alfred Smith – Operation Manager
Kansas-Smith Farms LLC 9 North,
9 South and Genetic Complex
23179 #5 Road
Plains, KS 67869

NE/4 of Section 35
T33S, R30W
Meade County

Cimarron
River Basin

Kansas Permit No.: A-CIME-H006

Federal Permit No.: KS0099643

An amendment to the Nutrient Management Plan (NMP) and a new Dead Handling Plan was received for this existing facility currently permitted for 5,790 head (2,316 animal units) of swine weighing greater than 55 pounds. The facility's NMP was amended to reflect the change in Mortality Management. There are no changes in the permitted number of animal units. Only the Amended portion of the NMP and the modified portion of the Permit are subject to comment. This facility has an approved NMP on file with KDHE.

Kansas-Smith Farms LLC
Alfred Smith – Operation Manager
Farm #11 Finishing
23179 #5 Road
Plains, KS 67869

S/2 of Section 8
T34S, R30W
Meade County

Cimarron
River Basin

Kansas Permit No.: A-CIME-H003

Federal Permit No.: KS0089044

An amendment to the Nutrient Management Plan (NMP) and a new Dead Handling Plan was received for this existing facility currently permitted for 6,080 head (2,432 animal units) of swine weighing more than 55 pounds. The facility's NMP was amended to reflect the change in Mortality Management. There are no changes in the permitted number of animal units. Only the Amended portion of the NMP and the modified portion of the Permit are subject to comment. This facility has an approved NMP on file with KDHE.

Rick Blattner
Fowler Feeders LLC
5113 23rd Rd.
Fowler, KS 67844

S/2 of Section 27
T30S, R27W
Meade County

Cimarron
River Basin

Kansas Permit No.: A-CIME-C003

Federal Permit No.: KS0086142

An update to the Nutrient Management Plan (NMP) was received for this existing facility currently permitted for 24,000 head (24,000 animal units) of cattle weighing greater than 700 pounds. The facility's NMP was updated to include a change in the application rate limitations for fields NW27, NE27, SW27 and S2 26 Angels. These fields' application rate limitations have become less restrictive than the previous permit. 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.

Bruce Livingston
LEI Flat View, LLC
1501 K St., Ste 106
Fairbury, KS 678350

SW/4 of Section 8
T01S, R02E
Washington County

Big Blue
River Basin

Kansas Permit No.: A-BBWS-H013

Federal Permit No.: KS0101087

An update to the Nutrient Management Plan (NMP) was received for this existing facility currently permitted for 4,980 head (1,992 animal units) of swine weighing more than 55 pounds. The facility's NMP was updated to include a change in the application rate limitations for fields NW/4 29 and SE/4 8. These fields' application rate limitations have become less restrictive than the previous permit. 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.

Public Notice No.: KS-Q-19-327/333

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>
Burden, City of PO Box 37 Burden, KS 67019	Silver Creek via Unnamed Tributary	Treated Domestic Wastewater

Kansas Permit No. M-AR14-OO02

Federal Permit No. KS0088455

Legal Description: NW¼, S34, T31S, R6E, Cowley 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, pH, and ammonia, as well as monitoring for dissolved oxygen and E. coli.

Johnson County Wastewater
11811 S Sunset Dr, Ste 2500
Olathe, KS 66061

Kansas River

Treated Domestic
Wastewater

Kansas Permit No. M-KS68-OO04

Federal Permit No. KS0088269

Legal Description: NE¼, S2 and NW¼, S1, T12S, R23E, Johnson County, Kansas

Outfall Location: SE¼, NE¼, SE¼, S31, T11S, R24E, Wyandotte County, Kansas

Facility Name: Mill Creek Regional Wastewater Treatment Facility

The proposed action is to reissue an existing State/NPDES permit for an existing facility. The existing facility is a mechanical wastewater treatment plant consisting of influent pump station, mechanical bar screen, grit chambers, blower building, and a treatment facility consisting of a five-cell aerated lagoon system. The proposed permit contains a schedule of compliance stating that the permittee has submitted to KDHE an Integrated Management Plan (IMP) to address system-wide wastewater infrastructure needs. The proposed permit contains limits for total suspended solids, E. coli,

carbonaceous biochemical oxygen demand, pH, whole effluent toxicity, and ammonia, as well as monitoring for biochemical oxygen demand, total phosphorus, total Kjeldahl nitrogen, nitrate + nitrite, total nitrogen, priority pollutants, and flow.

Johnson County Wastewater
11811 S Sunset Dr, Ste 2500
Olathe, KS 66061

Turkey Creek

Treated Domestic
Wastewater

Kansas Permit No. M-KS45-0001

Federal Permit No. KS0055492

Legal Description: N½, NE¼, S5, T12S, R25E, Johnson County, Kansas

Facility Name: Nelson Complex Wastewater Treatment Plant

The proposed action is to reissue an existing State/NPDES permit to an existing facility. This facility is a combination of two mechanical treatment plants with a common influent structure and a combined effluent disinfection structure. The proposed permit contains a schedule of compliance outlining an Integrated Management Plan (IMP) to address system-wide wastewater infrastructure needs. KDHE has agreed to use the IMP when making future regulatory decisions, including compliance schedules. The proposed permit contains limits for carbonaceous biochemical oxygen demand, total suspended solids, pH, dissolved oxygen, ammonia, E. coli, total residual chlorine, and whole effluent toxicity, as well as monitoring for total phosphorus, nitrate + nitrite, total Kjeldahl nitrogen, total nitrogen, priority pollutants and flow.

Midwest Minerals, Inc
PO Box 412
Pittsburg, KS 66762

Marmaton River via
Drywood Creek via
Buck Run Creek via
Unnamed Tributary

Process
Wastewater

Kansas Permit No. I-MC11-PO06

Federal Permit No. KS0081655

Legal Description: NW¼, S32, T26S, R25E, Bourbon County, Kansas

Facility Name: Fort Scott Quarry #11

The proposed action is to reissue an existing State/NPDES permit for an existing facility. This facility is a limestone quarrying and crushing operation with no washing. Outfall 001 consists of stormwater runoff and quarry pit water. The proposed permit contains generic language to protect the waters of the State.

Nelson Quarries Inc
PO Box 100
Gas, KS 66742

Marais des Cygnes River
via South Fork of
Pottawatomie Creek via
Bradshaw Creek

Process
Wastewater

Kansas Permit No. I-MC53-PO02

Federal Permit No. KS0093521

Legal Description: SE¼, SW¼, S30, T21S, R20E, Wabaunsee County, Kansas

Facility Name: Welda Quarry

The proposed action is to reissue an existing State/NPDES permit for an existing facility. This facility is a limestone quarrying and crushing operation with no washing. Outfall 001 consists of stormwater runoff and pit water. An asphalt plant is on-site but does not use water. The proposed permit contains generic

language to protect the waters of the state.

Russell, City of
PO Box 112
Russell, KS 67665

Fossil Creek via
Unnamed Tributary

Treated Domestic
Wastewater

Kansas Permit No. M-SH31-OO02

Federal Permit No. KS0091367

Legal Description: SE¼, S35, T13S, R14W, Russell County, Kansas

The proposed action is to reissue an existing State/NPDES permit for an existing facility. This facility is a four-cell wastewater stabilization lagoon system. Reclaimed wastewater for the golf course is chlorinated and utilized for irrigation. The proposed permit contains a schedule of compliance stating the permittee shall hire a consulting engineer to study the collection system for improvements to reduce excessive infiltration/inflow (I/I) and to eliminate sanitary sewer overflows (SSO's) and to submit a plan to upgrade the facility to meet ammonia limits. The proposed permit contains limits for biochemical oxygen demand, total suspended solids, pH, and E. coli, as well as monitoring for ammonia, total phosphorus, total Kjeldahl nitrogen, nitrate + nitrite, total nitrogen, chlorides, sulfates, arsenic, selenium and flow.

Tyson Fresh Meats, Inc
800 Stevens Port Drive
Dakota Dunes, SD 57049

Neosho River via
Cottonwood River via
Unnamed Tributary

Process
Wastewater

Kansas Permit No. I-NE24-PO02

Federal Permit No. KS0000817

Legal Description: SW¼, S17, T19S, R11E (001) and SE¼, S18, T19S, R11E (002), Lyon County
Facility Location: 2101 W 6th Street, Emporia, KS 66801

The proposed action is to reissue an existing State/NPDES permit for an existing facility. This facility processes cut beef brought in from other locations. The facility is a former beef complex slaughterhouse with associated rendering and hide curing processing plant. The processing of cut beef produces an average of 0.65 million gallons per day (MGD) of process wastewater from the cut floor, sanitary wastewater, boiler wastewater and stormwater runoff which is treated in an anaerobic lagoon and an eight (8) cell facultative wastewater lagoon system prior to discharge. The facility retains facilities and wastewater treatment capability to allow restarting of slaughterhouse operations. There are 17 groundwater monitoring wells in the vicinity of the eight-cell lagoon system. Those wells are permitted separately under KWPC Permit No. I-NE24-NO09. The proposed permit contains limits for biochemical oxygen demand, total suspended solids, oil and grease, ammonia, pH, fecal coliform, whole effluent toxicity, and total nitrogen, as well as monitoring for flow, nitrate + nitrite, total Kjeldahl nitrogen, and total phosphorus.

Public Notice No. KS-NQ-19-011

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).

NAME AND ADDRESS OF APPLICANT

Sunflower Electric Power Corporation
PO Box 430
Holcomb, KS 67851

LEGAL LOCATION

SE¼, S29, T24S, R33W,
SE¼, S30, T24S, R33W,
NW¼, S31, T24S, R33W,
NE¼, S32, T24S, R33W,
Finney County, Kansas

TYPE OF DISCHARGE

Non-Overflowing

Kansas Permit No. I-UA18-NP02

Federal Permit No. KSJ000476

Facility Name: Holcomb Power Station

Facility Location: 2440 Holcomb Lane, Holcomb, KS 67851

The proposed action is to reissue an existing State/NPDES permit for an existing facility. This facility generates electric power with high pressure steam. The facility uses about 4 million gallons per day (MGD) of water from a well field and receives about 0.15 MDG of treated wastewater effluent from the City of Holcomb. Cooling tower blowdowns and process wastewaters are stored in eight (8) non-discharging lined basins for reuse at the facility. The Power Station is designed to maximize water reuse resulting in zero wastewater discharge. The proposed permit contains a schedule of compliance stating that the permittee shall submit to KDHE for review a procedure to evaluate the integrity of the basin liner system for Basins A, C, E and F. The permittee shall also provide KDHE a report providing the evaluation(s) conducted.

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 **January 25, 2020**, will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate Kansas document number (KS-AG-19-393/406, KS-Q-19-327/333, KS-NQ-19-011) 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