

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

Public Notice No. KS-AG-20-142/152
Public Notice No. KS-AG-R-20-010
Public Notice No. KS-Q-20-113/123

Telephone: (785) 296-6432 - Ag Permits
(785) 296-5517 - All Others

Beginning Date: July 16, 2020
Comments Due: August 15, 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-20-142/152

Pending Permits for Confined Feeding Facilities

<u>Name and Address of Applicant</u>	<u>Legal Description</u>	<u>Receiving Water</u>
Daniel Unruh Daniel Unruh 147 A Road Burns, KS 66840	SW/4 of Section 36 T22S, R05E Chase County	Neosho River Basin

Kansas Permit No.: A-NECS-C003

Federal Permit No.: KS0101052

This permit is being modified to add 3 acres of receiving pen drainage area runoff that will be controlled by a sediment basin and existing wastewater retention structure. There are no other changes to the permit. Only the portions of the permit being modified are subject to comment. This facility has an approved Nutrient Management Plan on file with KDHE.

Wigginton Farm Trust Wigginton Farm Trust RR 2 Box 16 Hoxie, KS 67740	SW/4 of Section 18 T09S, R29W Sheridan County	Solomon River Basin
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Kansas Permit No.: A-SOSD-B001

This permit is being reissued for an existing facility with a maximum capacity of 200 head (100 animal units) of cattle 700 pounds or less and 100 head (100 animal units) of cattle more than 700 pounds, for a total of 300 head (200 animal units). There is no change in the permitted animal units.

Tim J. Pauly
C & T Dairy
1381 W. 80th Ave. N
Conway Springs, KS 67031

NW/4 of Section 12
T31S, R04W
Sumner County

Lower Arkansas
River Basin

Kansas Permit No.: A-ARSU-M006

This is a permit renewal for a dairy facility with the maximum capacity of 150 head (210 animal units) of mature dairy cattle and consists of a dairy parlor, 0.5-acre open dirt lot, concrete pen area, concrete manure dry stack and an earthen wastewater retention structure. There has been no change in the permitted animal units.

Seaboard Foods, LLC
Williams Isolation Unit #68
2801 Hurliman Rd.
Guymon, OK 73942

SW/4 of Section 1
T32S, R42W
Morton County

Cimarron River Basin

Kansas Permit No.: A-CIMT-S008

This is a renewal permit for an existing facility for 100 head (40 animal units) of swine weighing greater than 55 pounds. There has been no change in the permitted animal units from the last permit.

Pawnee River Farms Inc. – Roger Ewy
Pawnee River Farms Inc.
40586 W Road
Hanston, KS 67849

SE/4 of Section 17
T22S, R22W
Hodgeman County

Upper Arkansas
River Basin

Kansas Permit No.: A-UAHG-C012

Federal Permit No.: KS0100188

This is a renewal permit for an existing facility for 1,899 head (949.5 animal units) of cattle weighing 700 pounds or less. The facility consists of approximately 15.74 acres of open lot pens and miscellaneous feedlot area. Surface runoff is collected by two sediment basins, a diversion and two earthen retention structures. There has been no change in animal numbers from the last permit. This facility has an approved Nutrient Management Plan on file with KDHE.

Gardiner Angus Ranch, Inc.
Gardiner Angus Ranch
2605 CR 13
Ashland, KS 67831

NE/4 of Section 10
and NW/4 of Section 11
T34S, R24W
Clark County

Cimarron River Basin

Kansas Permit No.: A-CICA-C005

Federal Permit No.: KS0100773

This is a renewal permit for an existing facility for a maximum permitted capacity of 4,000 head (4,000 animal units) of beef cattle weighing greater than 700 pounds. There is no increase in the permitted number of animal units. This facility has an approved Nutrient Management Plan on file with KDHE.

Rick Stimatze
J & G Cattle Company
553 R Road
Pawnee Rock, KS 678567

All of Section 01
T27S, R17W
and SW/4 of Section 6
T27S, R16W
Kiowa County
and SW/4 of Section 31
T26S, R16W
Edwards County

Lower Arkansas
River Basin

Kansas Permit No.: A-ARKW-C002

Federal Permit No.: KS0098876

The proposed action is to **reissue** an existing NPDES permit for an existing facility for 9,500 head (9,500 animal units) of cattle weighing more than 700 pounds. There will be no change in the operation or permitted number of animal units from the previous permit. This facility has an approved Nutrient Management Plan on file with KDHE.

Triangle H
Triangle H
1955 W Plymell Rd.
Garden City, KS 67846

NE/4 of Section 24
T24S, R35W
Kearny County

Upper Arkansas
River Basin

Kansas Permit No.: A-UAKE-C008

Federal Permit No.: KS0097241

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 is no change in the permitted animal units. This facility has an approved Nutrient Management Plan on file with KDHE.

Victor L. Schwarz
Schwarz Feedlot Inc.
1326 Co. Rd. 37
Menlo, KS 67753

E/2 of Section 36
T08S, R31W
Thomas County

Solomon River Basin

Kansas Permit No.: A-SOTH-C004

Federal Permit No.: KS0081337

An update to the Nutrient Management Plan (NMP) was received for this existing facility currently permitted for 4,000 head (4,000 animal units) of cattle weighing more than 700 pounds. The facility's NMP was updated to include a change in the application rate limitations for fields E Half 36. The field's application rate limitation has become less restrictive than the previous NMP. There are no changes to the permit or in the permitted number of animal units. Only the updated portion of the Nutrient Management Plan is subject to comment. This facility has an approved Nutrient Management Plan on file

with KDHE.

Chuck Springer
Chuck Springer – Box Facility
5881 County Road 3300
Independence, KS 67301

SW/4 of Section 04
T31S, R14E
Montgomery County

Verdigris River Basin

Kansas Permit No.: A-VEMG-H010

Kansas Permit No.: KS0095346

An update to the Nutrient Management Plan (NMP) was received for this existing facility currently permitted for 5,660 head (2,264 animal units) of swine weighing greater than 55 pounds and 4,220 head (422 animal units) of swine weighing 55 pounds or less; for a total of 2,686 animal units of swine. The facility's NMP was updated to include a change in the application rate limitation for one field. The field's application rate limitation has become less restrictive than the previous NMP. There are no changes to the permit or in the permitted number of animal units. Only the updated portion of the Nutrient Management Plan is subject to comment. This facility has an approved Nutrient Management Plan on file with KDHE.

Dale Springer
Dale Springer – Main Farm
5816 County Road 3300
Independence, KS 67301

N/2 of Section 23
T31S, R15E
Montgomery County

Verdigris River Basin

Kansas Permit No.: A-VEMG-H009

Federal Permit No.: KS0085448

An update to the Nutrient Management Plan (NMP) was received for this existing facility currently permitted for 6,070 head (2,428 animal units) of swine weighing greater than 55 pounds; and 3,252 head (325.2 animal units) of swine weighing 55 pounds or less; for a total of 2,753.2 animal units of swine. The facility's NMP was updated to include changes in the application rate limitations for Miller North and Miller Middle fields. The field's application rate limitations have become less restrictive than the previous NMP. 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-AG-R-20-010

Per Kansas Statutes Annotated 65-171d, the following Registration has been received for a proposed facility:

<u>Name and Address of Registrant</u>	<u>Legal Description</u>	<u>County</u>
Eldon Wiens 1244 140th Hillsboro, KS 67063	SW/4 of Section 25 T20S, R02E	Marion

Public Notice No.: KS-Q-20-113/123

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>
Atlanta, City of PO Box 15	Lower Dutch Creek via Unnamed Tributary	Treated Domestic Wastewater

Atlanta, KS 67008-0015

Kansas Permit No. M-WA02-OO01 Federal Permit No. KS0086801
Legal Description: NE¼, SW¼, NE¼, S16, T30S, 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 E. coli.

Axtell, City of PO Box A Axtell, KS 66403	Big Blue River via North Fork Black Vermillion River	Treated Domestic Wastewater
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Kansas Permit No. M-BB01-OO01 Federal Permit No. KS0047228
Legal Description: SE¼, NW¼, SW¼, S24, T2S, R10E, Marshall 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, pH, ammonia, and E. coli, as well as total phosphorus.

Cornejo Quality Stone 2060 Tulsa Wichita, KS 67216	Verdigris River via Elk River via South Fork Wildcat Creek	Process Wastewater
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Kansas Permit No. I-VE27-PO02 Federal Permit No. KS0095664
Legal Description: S½, S12 and N½, S13, T31S, R10E, Elk County, Kansas
Facility Name: Moline Quarry

The proposed action is to reissue an existing State/NPDES permit for an existing facility. This facility is engaged in a limestone quarrying operation with some rock washing. Outfall 001A1 consists of pit dewatering, stormwater and treated wash-water, which is treated in settling ponds in series, before being discharged. Outfall 002A1 consists of stormwater runoff only. An asphalt plant exists on-site but does not generate a discharge of wastewater. The proposed permit contains limits for total suspended solids.

Douglass, City of PO Box 412	Walnut River	Treated Domestic Wastewater
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Kansas Permit No. M-WA07-OO03 Federal Permit No. KS0097845
Legal Description: SW¼, NW¼, NE¼, S29, T29S, R4E, Butler 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 E. coli.

Elbing, City of	Whitewater River via	Treated Domestic
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PO Box 99
Elbing, KS 67041

Henry Creek

Wastewater

Kansas Permit No. M-WA08-OO01

Federal Permit No. KS0116645

Legal Description: NE¼, SE¼, SW¼, S8, T23S, R3E, Butler 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, ammonia, and E. coli, as well as monitoring for total phosphorus and arsenic.

Hanover, City of
315 South Denver Avenue
Hanover, KS 66945

Little Blue River

Treated Domestic
Wastewater

Kansas Permit No. M-BB10-OO02

Federal Permit No. KS0095745

Legal Description: NW¼, SW¼, NE¼, S17, T2S, R5E, Washington 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, ammonia, and E. coli, as well as monitoring for total phosphorus.

Hoyt, City of
PO Box 204
Hoyt, KS 66640

West Fork Muddy Creek

Treated Domestic
Wastewater

Kansas Permit No. M-KS25-OO01

Federal Permit No. KS0030635

Legal Description: NE¼, NW¼, NE¼, S23, T9S, R15E, Jackson 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. The proposed permit contains limits for biochemical oxygen demand, total suspended solids, pH, ammonia and E. coli.

Kansas Dept. of Transportation
Eisenhower State Office Bldg, 14th Floor
700 SW Harrison
Topeka, KS 66603-3754

South Branch Little Walnut
River via
Unnamed Tributary

Treated Domestic
Wastewater

Kansas Permit No. M-WA23-OO02

Federal Permit No. KS0092444

Legal Description: NE¼, NW¼, NE¼, S34, T27S, R8E, Greenwood County, Kansas

Facility Name: Greenwood County Rest Area (US 400 Highway)

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 E. coli, as well as monitoring for ammonia.

McFarland, City of
PO Box 183
McFarland, KS 66501

Mill Creek via
Paw Paw Creek

Treated Domestic
Wastewater

Kansas Permit No. M-KS41-OO01 Federal Permit No. KS0024686
Legal Description: NW¼, NE¼, NW¼, S31, T11S, R11E, Wabaunsee 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 E. coli.

Rossville, City of
PO Box 337
Rossville, KS 66533

Cross Creek

Treated Domestic
Wastewater

Kansas Permit No. M-KS64-OO01 Federal Permit No. KS0046477
Legal Description: NE¼, NW¼, SW¼, S3, T11S, R13E, Shawnee 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, ammonia, and E. coli, as well as monitoring for total phosphorus.

Summerfield, City of
PO Box 100
Summerfield, KS 66541

Robidoux Creek

Treated Domestic
Wastewater

Kansas Permit No. M-BB23-OO01 Federal Permit No. KS0025500
Legal Description: N½, SW¼, SE¼, S1, T1S, R9E, Marshall 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, pH, ammonia and E.coli, as well as monitoring for total phosphorus.

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 **August 15, 2020**, will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate Kansas document number (KS-AG-20-142/152, KS-AG-R-20-010, KS-Q-20-113/123) 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