

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-20-179/186
Public Notice No. KS-AG-R-20-015/016
Public Notice No. KS-Q-20-147/148

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

Beginning Date: August 13, 2020
Comments Due: September 12, 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-20-179/186
Pending Permits for Confined Feeding Facilities

<u>Name and Address of Applicant</u>	<u>Legal Description</u>	<u>Receiving Water</u>
McCarty Family Farms, LLC McCarty Family Farms 2231 CR 31 Rexford, KS 67753	W/2 & NE/4 of Section 18 and NW/4 of Section 17 T07S, R31W Thomas County	Solomon River Basin

Kansas Permit No.: A-SOTH-D001 Federal Permit No.: KS0095150

The proposed action is to **modify** and **reissue** the existing State/NPDES permit for a facility for a proposed maximum capacity of 10,800 head (15,120 animal units) of mature dairy cows, 1,700 head (1,700 animal units) of cattle weighing more than 700 pounds, and 100 head (50 animal units) of cattle weighing less than 700 pounds; for a total of 16,870 animal units. This represents an increase in the permitted animal units from the previous permit. This permit is also being modified to add eight new free stall barns, two new milking parlors, and three new earthen wastewater retention structures and sediment basins. This facility has an approved Nutrient Management Plan on file with KDHE.

H.J. Stephens & Sons N/2 of Section 8 Upper Republican

J.L. Livengood Feedlot
9544 S. Rd. 90 West
Grinnell, KS 67738

T09S, R42W
Sherman County

River Basin

Kansas Permit No.: A-URSH-C006

Federal Permit No.: KS0094005

This is a renewal permit being issued to an existing confined animal feeding facility for 6,500 head (6,500 animal units) of beef cattle weighing more than 700 pounds. The animal unit capacity has increased since the previous permit.

Ward Feed Yard, Inc.
Ward Feed Yard, Inc.
PO Box H
Larned, KS 67550

W/2 & SE/4 of Section 10
and SW/4 of Section 15
T22S, R16W
Pawnee County

Upper Arkansas
River Basin

Kansas Permit No.: A-UAPN-C004

Federal Permit No.: KS0086487

An update to the Mortality Management section of the Nutrient Management Plan and permit 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 mortality management method has changed from rendering to rendering and composting. There has been no change in animal numbers from the last permit. Only the updated portion of the Nutrient Management Plan and permit is subject to comment. This facility has an approved Nutrient Management Plan on file with KDHE.

Opportunity Feeders, LLC
John Lee – President
Opportunity Feeders
509 Ark Ave.
Kismet, KS 67859

NE/4 of Section 14
T33S, R30W
Meade County

Cimarron River Basin

Kansas Permit No.: A-CIME-H005

Federal Permit No.: KS0094692

An update to the Mortality Management section of the Nutrient Management Plan and permit was received for this existing facility currently permitted for 5,760 head (2,304 animal units) of swine weighing greater than 55 pounds. The facility's mortality management method has changed from rendering and incineration to burial. There has been no change in animal numbers from the last permit. Only the updated portion of the Nutrient Management Plan and permit is subject to comment. This facility has an approved Nutrient Management Plan on file with KDHE.

Michael D. Binns - Manager
Brookover Cattle Company of
Scott City, LLC
4000 East Road 200
Scott City, KS 67871

SE/4 of Section 22
T17S, R32W
Scott County

Smoky Hill
River Basin

Kansas Permit No.: A-SHSC-C001

Federal Permit No.: KS0038016

This is a permit modification for an existing facility with the proposed maximum capacity of 26,000 head (26,000 animal units) of cattle weighing greater than 700 pounds. This is an increase in animal numbers only, and only the animal numbers section of the permit being modified is subject to comment. This facility has an approved Nutrient Management Plan on file with KDHE.

John David
David Ranch & Feedlot
PO Box 305
Lenora, KS 67645

NE/4 of Section 19
T05S, R23W
Norton County

Solomon River Basin

Kansas Permit No.: A-SONT-C001

Federal Permit No.: KS0096911

The proposed action is to reissue an existing NPDES permit for an existing facility for 3,000 head (3,000 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.

Larry Wickstrum
Wickstrum Cattle LLC
11870 Hwy 13
Westmoreland, KS 66549

SW/4 of Section 09
and NW/4 of Section 16
T08S, R08E
Pottawatomie County

Kansas River Basin

Kansas Permit No.: A-KSPT-C006

Federal Permit No.: KS0100145

An update to the Nutrient Management plan was received for this existing facility for 14,000 head (14,000 animal units) of cattle weighing more than 700 pounds. The facility's NMP was updated to include a change in the application rate limitation for the fields Brewer Pivot and East Leers. These fields are approved for a less restrictive application rate limitation. There are no changes to the permit or 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.

Heath Allen
Limestone Hills, LLC
522 17th Rd.
Haddam, KS 66944

NW/4 of Section 14
T03S, R01E
Washington County

Lower Republican
River Basin

Kansas Permit No.: A-LRWS-H009

Federal Permit No.: KS0096156

An update to the Nutrient Management Plan (NMP) was received for this existing facility currently permitted for 4,800 head (1,920 animal units) of swine weighing more than 55 pounds and 2,650 head (265 animal units) of swine weighing 55 pounds or less; for a total of 2,185 animal units of swine. The facility's NMP was updated to include a change in the application rate limitations for four fields, to a less restrictive application rate. 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-20-015/016

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>
Landon Schneider PO Box 356 Plainville, KS 67663	SE/4 of Section 27 T09S, R18W	Rooks
T & M Cattle Inc PO Box 247 Falls City, NE 68355	NW/4 of Section 3 T01S, R16E	Brown

Public Notice No.: KS-Q-20-147/148

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>
Clifton, City of PO Box 8 Clifton, KS 66937	Republican River	Treated Domestic Wastewater

Kansas Permit No. M-LR06-OO01 Federal Permit No. KS0048437
 Legal Description: SW¼, SW¼, NE¼, S1, T6S, R1E, Clay 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. This NPDES discharging lagoon wastewater treatment facility has been reviewed for eligibility for the MDV for ammonia and has been determined to be eligible. Eligibility was determined through analysis of the facility's highest attainable criteria (HAC) for ammonia and an Economic Eligibility Determination (EED) that assessed the impact of the cost of a new mechanical facility to the community's rate payers. The ammonia effluent limits was determined on 7/17/2020 by calculating the 99th percentile ammonia value from the facility's discharge monitoring reports resulting in an ammonia limit of **9.5 mg/L** for this facility. The EED was completed on 7/20/2020. The proposed permit contains for biochemical oxygen demand, total suspended solids, pH, ammonia, and E. coli, as well as monitoring for total phosphorus, nitrate + nitrite, total Kjeldahl nitrogen, and total nitrogen.

Pottawatomie County RWD #4 6005 Camp Creek Road Belvue, KS 66407	Kansas River via Lost Creek via Spoils Bank Ditch via Road Ditch	Process Wastewater
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Kansas Permit No. I-KS05-PO02 Federal Permit No. KS0095591
 Legal Description: SE¼, SE¼, S29, T9S, R11E, Pottawatomie County, Kansas
 Facility Name: Pottawatomie County RWD #4 Reverse Osmosis Water Treatment Plant

The proposed action is to reissue an existing State/NPDES permit for an existing facility. This water treatment plant adds chlorine to raw water to oxidize iron and manganese. A two-cell pressure filter system is used to remove the iron and manganese precipitates. The precipitate is treated by three reverse osmosis (R.O.) units and to reduce other contaminants, mainly hardness, in the raw water. The proposed permit contains limits for pH, as well as monitoring for selenium and arsenic.

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 **September 12, 2020**, will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate Kansas document number (KS-AG-20-179/186, KS-AG-R-20-015/016, KS-Q-20-147/148) 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