

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-20-189/194  
Public Notice No. KS-EG-20-019

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

Beginning Date: August 27, 2020  
Comments Due: September 26, 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.

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**Public Notice No. KS-AG-20-189/194**  
**Pending Permits for Confined Feeding Facilities**

<u>Name and Address of Applicant</u>	<u>Legal Description</u>	<u>Receiving Water</u>
John Baumgartner Baumgartner, Les Inc. 3013 T Road Sabetha, KS 66534	SE/4 of Section 6 and SW/4 of Section 5 T01S, R14E Nemaha County	Missouri River Basin

Kansas Permit No.: A-MONM-B015

The proposed action is to issue a new State permit for a facility for up to 700 head (700 animal units) of cattle weighing greater than 700 pounds and 500 head (250 animal units) of cattle weighing less than 700 pounds for a total of up to 1200 head (950 animal units) of cattle. This seasonal use facility will consist of open lot pens and a waste management system consisting of fresh water diversions and constructed and monitored vegetative treatment areas (grass buffers). This facility has an approved Waste Management Plan on file with KDHE.

Craig Larson Larson Feedlot	SE/4 of Section 13 T03S, R30W	Upper Republican River Basin
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583 P Lane  
Oberlin, KS 67749

Decatur County

Kansas Permit No.: A-URDC-C005

Federal Permit No.: KS0097438

An update to the Land Application section of the Nutrient Management Plan and permit was received for this existing facility currently permitted for 2,500 head (2,500 animal units) of cattle weighing greater than 700 pounds. The facility's land application has changed to 100% export. 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.

Nightengale Grain & Livestock  
Nightengale Grain & Livestock  
9961 W. Road 270  
Scott City, KS 67871

NW/4 of Section 21  
T16S, R34S  
T16S, R34W  
Scott County

Smoky Hill  
River Basin

Kansas Permit No. A-SHSC-B006

This is a renewal permit for an existing facility for 999 head (999 animal units) of cattle weighing greater than 700 pounds. There has been no change in animal numbers from the previous permit.

Randy Case  
Case Farm  
605 14<sup>th</sup> Avenue  
McPherson, KS 67460

E/2 of the NE/4 of Section 32  
T20S, R03W  
McPherson County

Little Arkansas  
River Basin

Kansas Permit No.: A-LAMP-M002

This is a renewal permit for a confined animal feeding operation for 80 head (80 animal units) of cattle weighing greater than 700 pounds, 15 head (7.5 animal units) of cattle weighing less than 700 pounds, and 250 head (350 animal units) of mature dairy cattle, for a total of 437.5 animal units. There has been no change in animal numbers since the last permit.

John C. Bauman  
Bauman's Cedar Valley Farms  
24161 NW Kentucky Rd.  
Garnett, KS 66032

SE/4 of Section 5  
T21S, R19E  
Anderson County

Marais de Cygnes  
River Basin

Kansas Permit No.: A-MCAN-M016

This is a renewal permit for an existing facility for the maximum capacity of 40 head (56 animal units) of mature dairy cattle, 1,200 head of free-range poultry (9.6 animal units), and a poultry processing facility. There have been no changes in the permitted animal units from the previous permit.

Brian Brooks

SW/4 of Section 6

Smoky Hill

Brian Brooks  
234 N. Lane Scott Rd.  
Healy, KS 67850

T17S, R30W  
Lane County

River Basin

Kansas Permit No.: A-SHLE-B002

The proposed action is to **reissue** an existing State permit for an existing facility for 900 head (450 animal units) of beef cattle weighing less than 700 pounds. There will be no change in the operation or permitted number of animal units from the previous permit.

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**Public Notice No.: KS-EG-20-019**

**In accordance with K.A.R. 28-46-7 and the authority vested with the State by the administrator of the U.S. Environmental Protection Agency, draft permits have been prepared for the use of the well(s) described below within the State of Kansas.**

**NAME AND ADDRESS OF APPLICANT**

Occidental Chemical Corporation  
14555 Dallas Parkway, Ste 400  
Dallas, TX 75254

Kansas Permit No. KS-03-173-OPI

Legal Description: S20, T29S, R2W, Sedgwick County, Kansas

Facility Name: Occidental Chemical Corporation, Wichita Plant

Facility Location: 6200 S. Ridge Road, Wichita, KS 67277

**Well & Permit Number**

**Location**

Pauly 1-1	Latitude: 37.50632", Longitude: -97.56124"
Pauly 1-2	Latitude: 37.50691", Longitude: -97.56051"
Pauly 1-3	Latitude: 37.50574", Longitude: -97.56050"
Pauly 1-4	Latitude: 37.50572", Longitude: -97.56199"
Pauly 1-5	Latitude: 37.50690", Longitude: -97.56197"

The proposed action is to reissue five existing Class III Injection Well permits for the existing permits listed above. Injection is to be made into the Hutchinson Salt member of the Wellington formation. Freshwater shall be injected into wells Pauly 1-2 and Pauly 1-5 with saturated brine being withdrawn from Pauly 1-1. Mining shall not extend into the upper 40 feet of the salt deposit. Wells Pauly 1-3 and 1-4 are permanently out of service and shut-in for monitoring purposes. The maximum operational injection pressure is not to exceed 130 pounds per square inch at the wellhead. The Wellington formation consists inter-bedded salt and shale deposits with minor amounts of gypsum. The upper portion is primarily clayey shale with small amounts of gypsum present. The lower portion, which is known as the Hutchinson Salt member, is mainly salt with inter-bedded shale deposits. The salt deposits beneath Occidental's salt mining operations described herein are first encountered at about 199 feet below ground surface and extend to a depth of about 404 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.

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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 26, 2020**, will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate Kansas document number (KS-AG-20-189/194, KS-EG-20-019) 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**