

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-20-216/220  
Public Notice No. KS-AG-R-20-018  
Public Notice No. KS-Q-20-171/176  
Public Notice No. KS-PT-20-015

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

Beginning Date: October 15, 2020  
Comments Due: November 14, 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-20-216/220**

**Pending Permits for Confined Feeding Facilities**

<u>Name and Address of Applicant</u>	<u>Legal Description</u>	<u>Receiving Water</u>
Duane Meier Meier Dairy of Palmer, Inc. 329 Osage Rd. Palmer, KS 66962	S/2 of Section 16 T05S, R03E Washington County	Big Blue River Basin

Kansas Permit No.: A-BBWS-D001

Federal Permit No.: KS0092681

The proposed action is to **modify** and **renew** an existing State/NPDES permit for a for 230 head (115 animal units) of cattle weighing less than 700 pounds and 840 head (1176 animal units) of mature dairy cattle. There will be no change in the permitted animal units from the previous permit. The permit contains modifications to the waste management systems, including new inlet concrete chutes, pipes, water control structures, and a composted manure storage building. In addition, an additional waste storage pond (South Pond) will be constructed south of the existing waste storage pond (North Pond). A concrete chute design is also planned to replace a piped inlet, which is plugged. A compost building (90' x 200') is planned to store fully composted manure which will be used on-site, as agronomically applied fertilizer or animal bedding or exported (sold or given away as fertilizer). This facility has an approved Nutrient Management Plan on file with KDHE.

Lloyd Borntrager  
Borntrager Dairy  
10610 S. Halstead St.  
Hutchinson, KS 67501

SW/4 of Section 28  
T24S, R05W  
Reno County

Lower Arkansas  
River Basin

Kansas Permit No.: A-ARRN-M044

This is a renewal permit for an existing facility with a maximum capacity of 35 head (49 animal units) of mature dairy cattle, 30 head (15 animal units) of cattle weighing less than 700 pounds, and 20 head (20 animal units) of cattle weighing more than 700 pounds; for a total of 84 animal units of cattle. The facility consists of a parlor, an open lot area, an earthen retention structure, and approximately 20 acres of pasture.

Richard W. Porter  
Porter Cattle Company  
3309 Road W7  
Reading, KS 66868

S/2 of Section 20,  
W/2 & SE/4 of Section 28  
and SE/4 of Section 29  
T16S, R13E

Marais des Cygnes  
River Basin

Kansas Permit No.: A-MCLY-C004

Federal Permit No.: KS0037966

This is a renewal permit for an existing facility for 7,000 head (7,000 animal units) of cattle weighing greater than 700 pounds, 2,500 head (1,250 animal units) of cattle weighing less than 700 pounds and 7 head (14 animal units) of horses; for a total of 8,264 animal units. This facility has an approved Nutrient Management Plan on file with KDHE.

Daniel J. Kerschen  
3K Holstein Farm Inc.  
430 S. 263<sup>rd</sup> West  
Garden Plain, KS 67050

SW/4 of Section 22  
T27S, R03W  
Sedgwick County

Lower Arkansas  
River Basin

Kansas Permit No.: A-ARSG-M043

This is a renewal permit for an existing dairy facility for a maximum capacity of 160 head (224 animal units) of mature dairy cattle or any combination of dairy and/or beef cattle not to exceed 224 animal units.

Steven J. Eichman  
Rock Creek Finishing Farms, LLC  
13075 Brush Creek Rd.  
Westmoreland, KS 66549

SE/4 of Section 28  
T08S, R09W  
Pottawatomie County

Kansas River Basin

Kansas Permit No.: A-KSPT-H001

Federal Permit No.: KS0091260

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 greater than 55 pounds. The facility's NMP was updated to include a change in the application rate limitation for field B-C from 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.

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**Public Notice No. KS-AG-R-20-018**

**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>
Circle R Farms LLP 24430 Aiken Switch Rd. Onaga, KS 66521	S/2 of Section 6 T08S, R12E	Pottawatomie

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**Public Notice No.: KS-Q-20-171/176**

**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>
Kansas State University 108 Edwards Hall Manhattan, KS 66506	Kansas River via Storm Water Sewer	Process Wastewater

Kansas Permit No. I-KS38-CO02                      Federal Permit No. KS0094811  
 Legal Description: SE¼, NW¼, SW¼, S17, T10S, R8E, Riley County, Kansas  
 Facility Name: Throckmorton Hall Growth Chamber Closed Loop System

The proposed action is to reissue an existing State/NPDES permit for an existing facility. Kansas State University's power plant provides cooling to the main campus building through a closed loop water chiller system. The proposed permit contains generic language to protect the waters of the State.

Sabetha, City of PO Box 187 Sabetha, KS 66534	Delaware River	Treated Domestic Wastewater
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Kansas Permit No. M-KS65-OO02                      Federal Permit No. KS0096245  
 Legal Description: SE¼, NW¼, S13, T2S, R14E, Nemaha County, Kansas

The proposed action is to reissue an existing State/NPDES permit for an existing facility. This facility consists of a bar screen, grit removal, Aeromod activated sludge system, and ultraviolet disinfection of effluent. The proposed permit contains limits for biochemical oxygen demand, total suspended solids, ammonia, pH, and E. coli, as well as monitoring for dissolved oxygen, total phosphorus, nitrate + nitrite, total Kjeldahl nitrogen, total nitrogen, and flow.

Shawnee County Parks & Recreation 3137 SE 29 <sup>th</sup> Street Topeka, KS 66605	Soldier Creek via Indian Creek	Treated Domestic Wastewater
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Kansas Permit No. M-KS72-OO06                      Federal Permit No. KS0117561  
 Legal Description: SW¼, NE¼, NE¼, S5, T11S, R16E, Shawnee County, Kansas

Facility Name: Shawnee North Community Center  
Facility Address: 300 NE 43<sup>rd</sup> Street, Topeka, KS 66617

The proposed action is to reissue an existing State/NPDES permit for an existing facility. This facility consists of an activated sludge package plant, followed by a polishing pond. The proposed permit contains limits for biochemical oxygen demand, total suspended solids, pH, ammonia, and E. coli, as well as monitoring for total phosphorus.

Ulysses, City of 115 W Grant Ulysses, KS 67880	Frazier Lake via North Fork Cimarron River	Treated Domestic Wastewater
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Kansas Permit No. M-CI22-OO04      Federal Permit No. KS0098825  
Legal Description: NE¼, S2, T29S, R37W, Grant 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, followed by two 4.7-acre wetland treatment cells. Effluent is also chlorinated and irrigated to the municipal golf course and cemetery. The facility receives domestic wastewater from residential and commercial areas. The proposed permit contains limits for biochemical oxygen demand, total suspended solids, pH, ammonia, E. coli, total residual chlorine, and dissolved oxygen, as well as total phosphorus, chloride, selenium, nitrate + nitrite, total Kjeldahl nitrogen, total nitrogen, and flow

Boettcher Enterprises, Inc PO Box 486 Beloit, KS 67420	Republican River via Pipeline	Process Wastewater
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Kansas Permit No. I-LR05-PO01      Federal Permit No. KS0090018  
Legal Description: SW¼, S7, T8S, R3E, Clay County, Kansas  
Facility Name: Valley Fertilizer Wastewater Treatment Facility  
Facility Address: 2<sup>nd</sup> and Clarke Street, Clay Center, KS 67432

The proposed action is to reissue an existing State/NPDES permit for an existing facility. Nitrate contaminated groundwater is pumped out through Recovery Wells (RW), RW-1 and RW-3 at the rate of up to 200 gpm total. The wells are operated as part of the groundwater remediation project under the purview of the KDHE Bureau of Environmental Remediation. The groundwater has been impacted by the operation of a former agricultural chemical distributor. The proposed permit contains limits for pH and nitrate, as well as monitoring for flow.

Winfield, City of PO Box 646 Winfield, KS 67156	Walnut River	Treated Domestic Wastewater
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Kansas Permit No. M-WA17-OO01      Federal Permit No. KS0051926  
Legal Description: SW¼, NE¼, NE¼, S33, T32S, R4E, Cowley County, Kansas

The proposed action is to reissue an existing State/NPDES permit for an existing facility. This is a mechanical wastewater treatment plant consisting of influent lift station, mechanical bar screen vortex grit removal, activated sludge basins with anoxic (2) and aerated (5) basins, final clarifiers (3), UV disinfection, extraneous flow basin with screw pumps, aerobic sludge digestion basins (3), effluent recycle/reuse pump station, irrigation lake (golf course irrigation), sludge belt press and gravity belt filter press, and sludge drying beds. The proposed permit contains limits for biochemical oxygen demand, total suspended solids, pH, ammonia, whole effluent toxicity, priority pollutants, and E. coli, as well as monitoring for total phosphorus, nitrate + nitrite, total Kjeldahl nitrogen, total nitrogen, and flow.

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**Public Notice No. KS-PT-20-015**

The requirements of the draft permit public noticed below are pursuant to the Kansas Administrative Regulations 28-16-82 through 28-16-98, and U.S. Environmental Protection Agency Pretreatment Regulation 40 CFR 403.

<u>NAME AND ADDRESS OF APPLICANT</u>	<u>RECEIVING FACILITY</u>	<u>TYPE OF DISCHARGE</u>
Diversified Services, Inc 27 Clark Ave, Industrial Park #2 Wellington, KS 67152	Wellington MWWTP	Process Wastewater

Kansas Permit No. P-AR92-OO03

Federal Permit No. KSP000003

The proposed action is to reissue an existing pretreatment permit for an existing facility. This facility conducts anodizing, non-destructive testing, shot peening cleaning, priming and painting of aluminum parts for aircraft and other uses. This facility specializes in processing long aluminum parts. The proposed permit contains pretreatment limitations for pH, total toxic organics, cadmium, chromium, copper, lead, nickel, silver, zinc, and cyanide.

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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 **November 14, 2020**, will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate Kansas document number (KS-AG-20-216/220, KS-AG-R-20-018, KS-Q-20-171/176, KS-PT-20-015) 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**