

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-20-221/225  
Public Notice No. KS-Q-20-177

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

Beginning Date: October 22, 2020  
Comments Due: November 21, 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-20-221/225**  
**Pending Permits for Confined Feeding Facilities**

<u>Name and Address of Applicant</u>	<u>Legal Description</u>	<u>Receiving Water</u>
Oatney Farms, Inc. Oatney Farms, Inc. 9516 W. Morgan Ave. Partridge, KS 67566	SE/4 of Section 34 T23S, R07W Reno County	Lower Arkansas River Basin

Kansas Permit No.: A-ARRN-B009

The proposed action is to **reissue** an existing State permit for an existing facility for 300 head (300 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 Waste Management Plan on file with KDHE.

Steven L. & Jessie M. Macke Steven L. & Jessie M. Macke 561 160 <sup>th</sup> Rd. Baileyville, KS 66404	S/2 of Section 23 T02S, R11E Nemaha County	Missouri River Basin
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Kansas Permit No.: A-MONM-B005

This is a permit renewal for an existing facility for 999 head (999 animal units) of beef cattle weighing greater than 700 pounds. Waste control facilities consist of two sediment basins, a retention control facility and a vegetative buffer.

Simon Beachy  
Simon Beachy  
6052 Udall Rd.  
Chetopa, KS 67336

SE/4 of Section 13  
T34S, R20E  
Labette County

Neosho River Basin

Kansas Permit No.: A-NELB-M015

This is a renewal permit for an existing facility for 30 (42 animal units) of mature dairy cows, 5 head (2.5 animal units) of cattle less than 700 pounds; for a total of 44.5 animal units of cattle. An earthen wastewater retention structure captures and controls process wastewater from the milk parlor. There is no change in the permitted animal units from the previous permit. The facility is currently unpopulated.

Wauneta Van Der Veen  
Wauneta Van Der Veen  
404 1<sup>st</sup> St.  
Prairie View, KS 67664

SE/4 of Section 11  
T02S, R20W  
Phillips County

Upper Republican  
River Basin

Kansas Permit No.: A-URPL-B007

This is a renewal permit for an existing confined animal feeding facility with a maximum capacity of 75 head (75 animal units) of beef cattle weighing more than 700 pounds. There will be no change in the permitted number of animal units from the previous permit. This facility has an approved Waste Management Plan on file with KDHE.

Mike Erbe  
Erbe Hog Farm  
7565 Udall Rd.  
Altoona, KS 66710

NW/4 of Section 31  
T29S, R17E  
Wilson County

Verdigris River Basin

Kansas Permit No.: A-VEWL-S003

The proposed action is to **reissue** an existing State permit for an existing facility for 800 head (320 animal units) of swine weighing greater than 55 pounds and 300 head (30 animal units) of swine weighing 55 pounds or less, for a total of 1,100 head (350 animal units) of swine. There will be no change in the operation or permitted number of animal units from the previous permit. This facility has an approved Waste Management Plan on file with KDHE.

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**Public Notice No.: KS-Q-20-177**

**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 Dept. of Wildlife, Parks & Tourism 3400 Hatchery Drive Junction City, KS 66441	Republican River	Process Wastewater

Kansas Permit No. I-LR15-PO02                      Federal Permit No. KS0083275  
Legal Description: NW¼, S21, T11S, R5E, Geary County, Kansas  
Facility Name: Milford Fish Hatchery

The proposed action is to reissue an existing State/NPDES permit for an existing facility. This facility is a State fish hatchery where fish are reared for stocking in public and private waters of the State of Kansas. Domestic sewage from three residences, a visitor center, the fish hatchery, wastewater from the starter facilities, and solids flush from the raceways are directed to the 3-cell stabilization lagoon. The proposed permit contains limits for biochemical oxygen demand, total suspended solids, E. coli, and ammonia, as well as monitoring for flow, pH, total phosphorus, and total recoverable copper.

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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 21, 2020**, will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate Kansas document number (KS-AG-20-221/225, KS-Q-20-177) 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**