

Division of Environment
Curtis State Office Building
1000 SW Jackson St., Suite 400
Topeka, KS 66612-1367



Phone: 785-296-1535
Fax: 785-559-4264
www.kdheks.gov

Lee A. Norman, M.D., Secretary

Laura Kelly, Governor

August 26, 2019

Great Bend, City of
Howard Partington
PO Box 1168
Great Bend, KS 67530

RE: Kansas Public Notice No. KS-Q-19-207
Kansas Water Pollution Control Permit
Permit No. M-UA16-SN01
Great Bend MS4

Dear Permittee:

The enclosed public notice and draft permit pertain to the referenced pending Kansas Water Pollution Control Permit and Authorization to Discharge under the National Pollutant Discharge Elimination System (NPDES).

Regulations require this department to issue a public notice to inform interested persons of the agency's intent to issue a Kansas/Federal Water Pollution Control Permit. The notice allows a 30-day period for comment by the applicant or other interested parties. If response to the notice indicates significant interest, a public hearing may be held. Please post the draft permit and the public notice in a conspicuous public place in your place of business (if a private business) or other public building (if a governmental entity) until the Comments Due Date identified in the public notice.

Also, please note that if the permit requires routine monitoring and reporting, the table under section A will contain a new term called "EDMR code". This term stands for Electronic Discharge Monitoring Report and is an addition to the permits to allow all permittees, in the future, to report the discharge monitoring report data electronically instead of on paper.

Any comments you have regarding the proposed permit should be sent to this office. If you have any questions, please contact me at (785) 296-5513.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael Beezhold".

Michael Beezhold
Permits & Compliance

NW - District
RW- Permit File

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

Public Notice No. KS-AG-19-272/276
Public Notice No. KS-Q-19-200/213

Beginning Date: August 29, 2019
Comments Due: September 28, 2019

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-19-272/276

Pending Permits for Confined Feeding Facilities

<u>Name and Address of Applicant</u>	<u>Legal Description</u>	<u>Receiving Water</u>
Ray R. Yoder Yoder Farm 10051 Trego Rd Oswego, KS 67356	NW/4 of Section 25 T33S, R20E Labette County	Neosho River Basin

Kansas Permit No.: A-NELB-M019

This is a new permit for an existing facility with the maximum capacity of 12 head (6 animal units) of calves weighing 700 pounds or less, 10 head (10 animal units) of cattle weighing more than 700 pounds, 30 head (42 animal units) of mature dairy cattle, and 9 head (18 animal units) of horses; for a total of 76 animal units of livestock. This facility will be modified to consist of two confinement buildings, of which one includes a milking parlor; three adjacent open lot confinement pens; and several existing non-confined feeding areas. A concrete storage tank is used to collect wastewater from the milking parlor and milk storage room. A vegetative buffer area is used to control surface runoff from the confinement pens.

CP Feeders, LLC

SW/4 of Section 4

Saline River Basin

CP Feeders, LLC
327 County Road F
Brewster, KS 67732

and NW/4 of Section 9
T10S, R36W
Thomas County

Kansas Permit No.: A-SATH-C002

Federal Permit No: KS0093200

This permit is being re-issued for an existing, expanding facility for 5,000 head (5,000 animal units) of cattle weighing more than 700 pounds, and 4 head (8 animal units) of horses. This represents an increase in the permitted animal units from the previous permit. Seven acres of pens will be constructed in previously permitted pen areas that drain to the existing wastewater control system. This facility has an approved Nutrient Management Plan on file with KDHE.

Heartland Feeders
Stampede Feeders
5503 East Road 210
Scott City, KS 67871

W/2 of Section 24
T17S, R32W
Scott County

Smoky Hill
River Basin

Kansas Permit No.: A-SHSC-C012

Federal Permit No.: KS0086886

This is a permit renewal with modifications for an existing facility that wishes to expand. The existing facility consists of approximately 110.4 acres of open lot pens, calf hutch area, manure stockpile area, commodities area, and other associated feedlot areas for the maximum capacity of 20,000 head (20,000 animal units) of cattle weighing greater than 700 pounds. Surface runoff and process water is collected and stored in five earthen retention control structures (RCS). Expansion plans include; adding another approximately 45.6 Acres of open lot pens, including run-off diversions (East and West) that drain runoff to a sixth earthen RCS (RS-3). The new proposed maximum capacity is 25,000 head (25,000 animal units) of cattle weighing greater than 700 pounds. This facility has an approved Nutrient Management Plan on file with KDHE.

Chris Harting & Mindy Harting
KWWs Feeders
16799 Road U
Norton, KS 67654

SW/4 of Section 18
T04S, R22W
Norton County

Solomon
River Basin

Kansas Permit No.: A-SONT-B002

This is a renewal permit for an existing facility for 999 head (499.5 animal units) of cattle weighing 700 pounds or less. There has been no change in animal numbers from the last permit.

Chris and Mindy Harting
C & M Starters
16799 Road U
Norton, KS 67654

SE/4 of Section 11
T04S, R23W
Norton County

Solomon
River Basin

Kansas Permit No.: A-SONT-C003

Federal Permit No.: KS0100617

This is a renewal permit for an existing facility for 2,200 head (1,100 animal units) of cattle weighing 700 pounds or less. There is no change in the permitted animal units or to the facility. This facility has an approved Nutrient Management Plan on file with KDHE.

Public Notice No.: KS-Q-19-200/213

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.

NAME AND ADDRESS OF APPLICANT APAC – Kansas Inc PO Box 1605 Hutchinson, KS	RECEIVING STREAM Saline River via Bullfoot Creek (001); Saline River (002)	TYPE OF DISCHARGE Process Wastewater
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Legal Description: SW $\frac{1}{4}$ of NE $\frac{1}{4}$, S14, T12S, R8W and NE $\frac{1}{4}$, S12, T12S, R8W, Lincoln County
Facility Name: Quartzite Quarry/Lincoln (Mulloy) Quarry

The proposed action is to reissue an existing State/NPDES permit to an existing facility. This is a quartzite (sandstone) quarrying and crushing operation, with some washing. Wash-water is treated by settling ponds, however, these wash pits do not discharge since the wash-water is recycled on site. Both Outfalls 001 and 002 consists of pit dewatering and stormwater runoff. The proposed permit has monitoring for sulfates.

Arkansas City, City of
118 West Central
Arkansas City, KS 67005

Lower Arkansas River

Stormwater Point Source

Kansas Permit No. M-AR06-SN01
Facility Name: Arkansas City Mun

Federal Permit No. KSR440001

The proposed action is to issue a new individual NPDES Municipal Separate Storm Sewer System (MS4) permit from an existing MS4 general permit. The proposed MS4 permit requires the permittee to develop, implement, and enforce a stormwater management program designed to reduce the discharge of pollutants from the MS4 to the maximum extent practicable, to protect water quality, and to satisfy the appropriate water quality requirements of the Clean Water Act and Kansas surface water quality statutes and regulations. The proposed permit requires the permittee to update the Stormwater Management Program document, implement six minimum control measures and implement best management practices to reduce identified total maximum daily load (TMDL) regulated pollutants. If a there is an identified TMDL regulated pollutant, surface water monitoring is required on the impaired water body to evaluate performance of the best management practices. Monitoring of industrial stormwater discharges and oversite of construction activities within the MS4 may be required if it is applicable. The proposed permit requires the submittal of an annual report that addresses all compliance requirements for the previous year.

Coffeyville, City of
PO Box 1629
Coffeyville, KS 67337

Verdigris River

Stormwater Point Source

Kansas Permit No. M-VE09-SN01

Federal Permit No. KSR440002

Facility Name: Coffeyville Municipal Separate Storm Sewer System

The proposed action is to issue a new individual NPDES Municipal Separate Storm Sewer System (MS4) permit from an existing MS4 general permit. The proposed MS4 permit requires the permittee to develop, implement, and enforce a stormwater management program designed to reduce the discharge of pollutants from the MS4 to the maximum extent practicable, to protect water quality, and to satisfy the appropriate water quality requirements of the Clean Water Act and Kansas surface water quality statutes and regulations. The proposed permit requires the permittee to update the Stormwater Management Program document, implement six minimum control measures and implement best management practices to reduce identified total maximum daily load (TMDL) regulated pollutants. If a there is an identified TMDL regulated pollutant, surface water monitoring is required on the impaired water body to evaluate performance of the best management practices. Monitoring of industrial stormwater discharges and oversite of construction activities within the MS4 may be required if it is applicable. The proposed permit requires the submittal of an annual report that addresses all compliance requirements for the previous year.

Dodge City, City of
PO Box 880
Dodge City, KS 67801

Upper Arkansas River

Stormwater Point
Source

Kansas Permit No. M-UA11-SN01

Federal Permit No. KSR440003

Facility Name: Dodge City Municipal Separate Storm Sewer System

The proposed action is to issue a new individual NPDES Municipal Separate Storm Sewer System (MS4) permit from an existing MS4 general permit. The proposed MS4 permit requires the permittee to develop, implement, and enforce a stormwater management program designed to reduce the discharge of pollutants from the MS4 to the maximum extent practicable, to protect water quality, and to satisfy the appropriate water quality requirements of the Clean Water Act and Kansas surface water quality statutes and regulations. The proposed permit requires the permittee to update the Stormwater Management Program document, implement six minimum control measures and implement best management practices to reduce identified total maximum daily load (TMDL) regulated pollutants. If a there is an identified TMDL regulated pollutant, surface water monitoring is required on the impaired water body to evaluate performance of the best management practices. Monitoring of industrial stormwater discharges and oversite of construction activities within the MS4 may be required if it is applicable. The proposed permit requires the submittal of an annual report that addresses all compliance requirements for the previous year.

El Dorado, City of
220 East 1st
El Dorado, KS 67042

Walnut River

Stormwater Point
Source

Kansas Permit No. M-WA09-SN01

Federal Permit No. KSR440004

Facility Name: El Dorado Municipal Separate Storm Sewer System

The proposed action is to issue a new individual NPDES Municipal Separate Storm Sewer System (MS4) permit from an existing MS4 general permit. The proposed MS4 permit requires the permittee to develop, implement, and enforce a stormwater management program designed to reduce the discharge of pollutants from the MS4 to the maximum extent practicable, to protect water quality, and to satisfy the

appropriate water quality requirements of the Clean Water Act and Kansas surface water quality statutes and regulations. The proposed permit requires the permittee to update the Stormwater Management Program document, implement six minimum control measures and implement best management practices to reduce identified total maximum daily load (TMDL) regulated pollutants. If a there is an identified TMDL regulated pollutant, surface water monitoring is required on the impaired water body to evaluate performance of the best management practices. Monitoring of industrial stormwater discharges and oversite of construction activities within the MS4 may be required if it is applicable. The proposed permit requires the submittal of an annual report that addresses all compliance requirements for the previous year.

Emporia, City of
522 Mechanic Street
Emporia, KS 66801

Neosho River

Stormwater Point Source

Kansas Permit No. M-NE24-SN01

Federal Permit No. KSB440005

Facility Name: Emporia Municipal Separate Storm Sewer System

The proposed action is to issue a new individual NPDES Municipal Separate Storm Sewer System (MS4) permit from an existing MS4 general permit. The proposed MS4 permit requires the permittee to develop, implement, and enforce a stormwater management program designed to reduce the discharge of pollutants from the MS4 to the maximum extent practicable, to protect water quality, and to satisfy the appropriate water quality requirements of the Clean Water Act and Kansas surface water quality statutes and regulations. The proposed permit requires the permittee to update the Stormwater Management Program document, implement six minimum control measures and implement best management practices to reduce identified total maximum daily load (TMDL) regulated pollutants. If a there is an identified TMDL regulated pollutant, surface water monitoring is required on the impaired water body to evaluate performance of the best management practices. Monitoring of industrial stormwater discharges and oversite of construction activities within the MS4 may be required if it is applicable. The proposed permit requires the submittal of an annual report that addresses all compliance requirements for the previous year.

Garden City, City of
PO Box 998
Garden City, KS 67846

Upper Arkansas River

Stormwater Point Source

Kansas Permit No. M-UA14-SN01

Federal Permit No. KSB440006

Facility Name: Garden City Municipal Separate Storm Sewer System

The proposed action is to issue a new individual NPDES Municipal Separate Storm Sewer System (MS4) permit from an existing MS4 general permit. The proposed MS4 permit requires the permittee to develop, implement, and enforce a stormwater management program designed to reduce the discharge of pollutants from the MS4 to the maximum extent practicable, to protect water quality, and to satisfy the appropriate water quality requirements of the Clean Water Act and Kansas surface water quality statutes and regulations. The proposed permit requires the permittee to update the Stormwater Management Program document, implement six minimum control measures and implement best management practices to reduce identified total maximum daily load (TMDL) regulated pollutants. If a there is an identified TMDL regulated pollutant, surface water monitoring is required on the impaired water body to evaluate performance of the best management practices. Monitoring of industrial stormwater discharges

and oversite of construction activities within the MS4 may be required if it is applicable. The proposed permit requires the submittal of an annual report that addresses all compliance requirements for the previous year.

Great Bend, City of
PO Box 1168
Great Bend, KS 67530

Upper Arkansas River

Stormwater Point Source

Kansas Permit No. M-UA16-SN01 Federal Permit No. KSR440007
Facility Name: Great Bend Municipal Separate Storm Sewer System

The proposed action is to issue a new individual NPDES Municipal Separate Storm Sewer System (MS4) permit from an existing MS4 general permit. The proposed MS4 permit requires the permittee to develop, implement, and enforce a stormwater management program designed to reduce the discharge of pollutants from the MS4 to the maximum extent practicable, to protect water quality, and to satisfy the appropriate water quality requirements of the Clean Water Act and Kansas surface water quality statutes and regulations. The proposed permit requires the permittee to update the Stormwater Management Program document, implement six minimum control measures and implement best management practices to reduce identified total maximum daily load (TMDL) regulated pollutants. If a there is an identified TMDL regulated pollutant, surface water monitoring is required on the impaired water body to evaluate performance of the best management practices. Monitoring of industrial stormwater discharges and oversite of construction activities within the MS4 may be required if it is applicable. The proposed permit requires the submittal of an annual report that addresses all compliance requirements for the previous year.

Green Acres Company
4772 E 205th Street
Overbrook, KS 66524

110 Mile Creek via Unnamed Tributary

Treated Domestic Wastewater

Kansas Permit No. M-MC58-OO01 Federal Permit No. KS0097764

Legal Description: SE $\frac{1}{4}$, NW $\frac{1}{4}$, NE $\frac{1}{4}$, S30, T16S, R17E

Facility Name: Green Acres Company Wastewater Treatment Facility

Facility Location: 4961 Highway K-268 at Pomona Dam Entrance Road, Vassar, KS 66543

The proposed action is to reissue an existing State/NPDES permit to 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, and pH, as well as ammonia and E. coli. The proposed permit includes a schedule of compliance stating that the permittee shall retain a KDHE-certified operator to supervise the operation of the facility.

Harshman Construction, LLC
1632 FP Road
Cedar Point, KS 66843

Marais des Cygnes River
via Long Creek via
Frog Creek

Process Wastewater

Kansas Permit No. I-MC23-PO02
Legal Description: S $\frac{1}{2}$, NW $\frac{1}{4}$ and
Facility Name: Melvern Quarry

Federal Permit No. KS0089711
4, S16, T18S, R16E, Osage County

The proposed action is to reissue an existing State/NPDES permit to an existing facility. This facility is engaged in a limestone quarrying operation with some washing. Rock is crushed, process and washed to meet specifications. Outfall 001A1 consists of stormwater run-off and treated wash-water, which is treated by a large settling pond. Outfall 002A1 consists of stormwater runoff only. The proposed permit contains limits for total suspended solids.

Hays, City of
PO Box 490
Hays, KS 67601

Smoky Hill River

Stormwater Point
Source

Kansas Permit No. M-SH16-SN01

Federal Permit No. KSR440008

Facility Name: Hays Municipal Separate Storm Sewer System

The proposed action is to issue a new individual NPDES Municipal Separate Storm Sewer System (MS4) permit from an existing MS4 general permit. The proposed MS4 permit requires the permittee to develop, implement, and enforce a stormwater management program designed to reduce the discharge of pollutants from the MS4 to the maximum extent practicable, to protect water quality, and to satisfy the appropriate water quality requirements of the Clean Water Act and Kansas surface water quality statutes and regulations. The proposed permit requires the permittee to update the Stormwater Management Program document, implement six minimum control measures and implement best management practices to reduce identified total maximum daily load (TMDL) regulated pollutants. If a there is an identified TMDL regulated pollutant, surface water monitoring is required on the impaired water body to evaluate performance of the best management practices. Monitoring of industrial stormwater discharges and oversite of construction activities within the MS4 may be required if it is applicable. The proposed permit requires the submittal of an annual report that addresses all compliance requirements for the previous year.

HollyFrontier El Dorado Refining LLC
1401 South Douglas Road
El Dorado, KS 67042

Walnut River (002);
Walnut River via
Unnamed Tributary (001, 003)

Process
Wastewater

Kansas Permit No. I-WA09-PO02

Federal Permit No. KS0000761

Legal Description: SE $\frac{1}{4}$, S15, T26S, R5E, Butler County (Outfall 001A1)

SE $\frac{1}{4}$, S10, T26S, R5E, Butler County (Outfall 002A1)

NE $\frac{1}{4}$, S15, T26S, R5E, Butler County (Outfall 003A1)

SE $\frac{1}{4}$, S10, T26S, R5E, Butler County (Cooling Water Intake)

The proposed action consists of renewal of an existing NPDES/Kansas Water Pollution Control Permit and the incorporation of the new Clean Water Act 316(b) Cooling Water Intake Structure requirements. This is a petroleum refinery producing a full range of products including motor fuels, distillates, propane, heavy fuel oils, residuals, sulfur, aviation jet fuel, and chemicals including benzene and toluene. The refinery presently uses a long-term average of 158.75 thousand barrels (kbb) / day of feedstock to the topping unit. The proposed permit contains limits for chemical oxygen demand, oil and grease, total suspended solids, biochemical oxygen demand, fluoride, ammonia, pH, phenolic compounds, sulfides and whole effluent toxicity, as well as monitoring for flow, nitrate/nitrite, total Kjeldahl nitrogen, phosphorus, E. coli, chloride, and selenium.

Hutchinson, City of
1500 South Plum Street
Hutchinson, KS 67501

Lower Arkansas River

Stormwater Point
Source

Kansas Permit No. M-AR49-SN01

Federal Permit No. KSR440009

Facility Name: Hutchinson Municipal Separate Storm Sewer System

The proposed action is to issue a new individual NPDES Municipal Separate Storm Sewer System (MS4) permit from an existing MS4 general permit. The proposed MS4 permit requires the permittee to develop, implement, and enforce a stormwater management program designed to reduce the discharge of pollutants from the MS4 to the maximum extent practicable, to protect water quality, and to satisfy the appropriate water quality requirements of the Clean Water Act and Kansas surface water quality statutes and regulations. The proposed permit requires the permittee to update the Stormwater Management Program document, implement six minimum control measures and implement best management practices to reduce identified total maximum daily load (TMDL) regulated pollutants. If a there is an identified TMDL regulated pollutant, surface water monitoring is required on the impaired water body to evaluate performance of the best management practices. Monitoring of industrial stormwater discharges and oversite of construction activities within the MS4 may be required if it is applicable. The proposed permit requires the submittal of an annual report that addresses all compliance requirements for the previous year.

Junction City, City of
PO Box 287
Junction City, KS 67441

Kansas River

Stormwater Point
Source

Kansas Permit No. M-LR15-SN01

Federal Permit No. KSR440010

Facility Name: Junction City Municipal Separate Storm Sewer System

The proposed action is to issue a new individual NPDES Municipal Separate Storm Sewer System (MS4) permit from an existing MS4 general permit. The proposed MS4 permit requires the permittee to develop, implement, and enforce a stormwater management program designed to reduce the discharge of pollutants from the MS4 to the maximum extent practicable, to protect water quality, and to satisfy the appropriate water quality requirements of the Clean Water Act and Kansas surface water quality statutes and regulations. The proposed permit requires the permittee to update the Stormwater Management Program document, implement six minimum control measures and implement best management practices to reduce identified total maximum daily load (TMDL) regulated pollutants. If a there is an identified TMDL regulated pollutant, surface water monitoring is required on the impaired water body to evaluate performance of the best management practices. Monitoring of industrial stormwater discharges and oversite of construction activities within the MS4 may be required if it is applicable. The proposed permit requires the submittal of an annual report that addresses all compliance requirements for the previous year.

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 28, 2019**, will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate Kansas document number (KS-AG-19-272/276, KS-Q-19-200/213) 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**

