

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) 296-3056 - All Others

Public Notice No. KS-AG-25-183/191
Public Notice No. KS-Q-25-118/122
Public Notice No. KS-AG-R-25-014/015

Beginning Date: JULY 10, 2025
Comments Due: AUGUST 9, 2025

In accordance with Kansas Administrative Regulations 28-16-57a through 63, 28-18-1 through 17, 28-18a-1 through 31 and 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.

Las acciones propuestas con respecto a los documentos preliminares se basan en la revisión del personal, aplicando los estándares, regulaciones y limitaciones de efluentes apropiados del estado de Kansas y de la Agencia de Protección Ambiental de Estados Unidos. La acción final resultará en la emisión de una Autorización Federal del Sistema Nacional de Eliminación de Descargas de Contaminantes y un permiso de Control de Contaminación del Agua de Kansas, sujeto a ciertas condiciones, revocación y reemisión del permiso designado o terminación del permiso designado. Si desea obtener más información en español o tiene otras preguntas, por favor, comuníquese con el Coordinador de No Discriminación al 785-296-5156 o en: KDHE.NonDiscrimination@ks.gov.

Public Notice No. KS-AG-25-183/191

Pending Permits for Confined Feeding Facilities

Name and Address of Applicant	Legal Description	Receiving Water
Apple-A-Day Foods, Inc. ADF Inc. 1969 200th Rd Sabetha, KS 66534	SE/4 of Section 30 T01S, R14E Nemaha County	Missouri River Basin

Kansas Permit No.: A-MONM-M030

The proposed action is to modify and reissue the existing State permit for a facility for a proposed maximum capacity of 150 head (210 AU) of mature dairy cattle, 150 head (150 AU) of cattle weighing more than 700 pounds, 150 head (75 AU) of cattle weighing 700 pounds or less; for a total animal

capacity of 435 AU. The facility has proposed removal of swine from the permit with this modification. This represents an increase in the permitted animal units from the previous permit. This permit is also being modified for the installation of a robotic milker system. This facility has an approved Waste Management Plan on file with KDHE.

Buffalo Creek Holding Pond
N. Terry Nelson
NW of Intersection of Road I & Road E12
Almena, KS 67647

SE/4 of Section 10
T02S, R21W
Norton County

Upper Republican
River Basin

Kansas Permit No.: A-URNT-W001

The proposed action is to issue a new state permit for a livestock wastewater storage facility with an earthen retention control structure. No livestock will be confined at this facility (0 animal units). The proposed earthen retention control structure will both receive imported wastewater for storage and export it for land application. This facility has an approved Waste Management Plan on file with KDHE.

HJ Stephens & Sons
Mike Stephens
9544 S Rd 90W
Grinnell, KS 67738

SW/4 of Section 31
T09S, R29W
Sheridan County

Saline River Basin

Kansas Permit No.: A-SASD-C001

Federal Permit No.: KS0080608

The proposed action is to reissue an existing NPDES permit for an existing facility for 2,000 head (2,000 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.

Justin Reynolds – Main Yard
320 2350 Ave
Solomon, KS 67480

SW/4 of Section 09
T13S, R01E
Dickinson County

Smoky Hill River Basin

Kansas Permit No.: A-SHDK-B013

The proposed action is to reissue an existing State permit for an existing facility for 950 head (475 animal units) of beef cattle weighing 700 pounds or less. 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.

Neosho Valley Feeders
Greg Gleue
225 Verdure Rd
Le Roy, KS 66857

SW/4 of Section 08
T23S, R17E
Coffey County

Neosho River Basin

Kansas Permit No.: A-NECF-B001

The proposed action is to reissue an existing State permit for an existing facility for 598 head (299 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. This facility has an approved Waste Management Plan on file with KDHE.

Diamond Cattle Company
745 Ave X
Alden, KS 67512

SW/4 of Section 30
T21S, R09W
Rice County

Lower Arkansas
River Basin

Kansas Permit No.: A-ARRC-C005

Federal Permit No.: KS0092746

The proposed action is to approve an update to the Nutrient Management Plan (NMP) received for this existing facility currently permitted for 4,000 head (4,000 animal units) of cattle weighing more than 700 pounds. The facility's NMP was updated to include a change in the application rate limitations for their fields. The application rate limitation for one field has become less restrictive than the previous NMP. There are no changes to the permit or in the permitted number of animal units. Only the updated portion of the Nutrient Management Plan is subject to comment. This facility has an approved Nutrient Management Plan on file with KDHE.

KRB Pork, Inc.
543 National Rd
Palmer, KS 66962

SE/4 of Section 10
T05S, R02E
Washington County

Lower Republican
River Basin

Kansas Permit No.: A-LRWS-H007

Federal Permit No.: KS0094956

The proposed action is to approve an update to the Nutrient Management Plan (NMP) received for this existing facility currently permitted for 8,000 head (3,200 animal units) of swine weighing greater than 55 pounds. The facility's NMP was updated to include a change in the application rate limitations for their fields. The application rate limitation for two fields have become less restrictive than the previous NMP. There are no changes to the permit or in the permitted number of animal units. Only the updated portion of the Nutrient Management Plan is subject to comment. This facility has an approved Nutrient Management Plan on file with KDHE.

Mann's ATP Inc.
7865 NW 80th St
Potwin, KS 67123

W/2 of Section 22 &
SW/4 of Section 26
NW/4 of Section 27
T24S, R04E
Butler County

Walnut River Basin

Kansas Permit No.: A-WABU-C007

Federal Permit No.: KS0088901

The proposed action is to approve an update to the Nutrient Management Plan (NMP) received for this existing facility currently permitted for 9,999 head (9,999 animal units) of cattle weighing more than 700 pounds. The facility's NMP was updated to include a change in the application rate limitations for their fields. The application rate limitation for one field has become less restrictive than the previous NMP. There are no changes to the permit or in the permitted number of animal units. Only the updated portion of the Nutrient Management Plan is subject to comment. This facility has an approved Nutrient Management Plan on file with KDHE.

Tate Grow Yard
Intersection of County Road 25 & Road Y
Deerfield, KS 67838

NW/4 of Section 03
T25S, R35W
Kearny County

Upper Arkansas
River Basin

Kansas Permit No.: A-UAKE-C006

Federal Permit No.: KS0095478

The proposed action is to approve an update to the Nutrient Management Plan (NMP) received for this existing facility currently permitted for 3,100 head (3,100 animal units) of cattle weighing more than 700 pounds. The facility's NMP was updated to include a change in the application rate limitations for their fields. The application rate limitation for one field has become less restrictive than the previous NMP. There are no changes to the permit or in the permitted number of animal units. Only the updated portion of the Nutrient Management Plan is subject to comment. This facility has an approved Nutrient Management Plan on file with KDHE.

Public Notice No. KS-AG-R-25-014/015

Per Kansas Statutes Annotated 65-171d, the following Registration has been received for a proposed facility:

Name and Address of Registrant

Cordell Cattle Company, LLC
Kassie Remington
1284 F Road
Morland, KS 67650

Legal Description

S/2 of Section 04
T10S, R25W

County

Graham

Dry Creek Livestock
Jeremiah Busenitz
8421 NW Tawakoni Rd
Whitewater, KS 67154

NE/4 of Section 03
T24S, R05E

Butler

Public Notice No.: KS-Q-25-118/122

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

Axtell, City of
PO Box A
Axtell, KS 66403

RECEIVING STREAM

Big Blue River
via North Fork Black Vermillion River

TYPE OF DISCHARGE

Treated Domestic

Permit No. M-BB01-OO01

Federal Permit No. KS0047228

Legal Description: SE¼, NW¼, SW¼, Section 24, Township 2S, Range 10E, Marshall County

Latitude: 39.86160

Longitude: -96.25520

The proposed action consists of reissuance of a Kansas/NPDES Water Pollution Control permit for an existing facility. The existing facility is a two-cell wastewater stabilization lagoon system with a minimum of 150 days detention time. The facility receives domestic wastewater from residential and commercial areas from local manufacturers. This permit contains limits for Biochemical Oxygen Demand, Total Suspended Solids, Ammonia, and E. coli. The permit contains monitoring for pH, Total Phosphorus, and Lead.

KDOT-Wabaunsee Co Rest Area I-70
700 SW Harrison

Mill Creek
via Unnamed Tributary

Treated Domestic

Topeka, KS 66603-3754

Permit No. M-KS57-OO02

Federal Permit No. KS0080241

Legal Description: SW¼, SE¼, SE¼, Section 30, Township 11S, Range 12E, Wabaunsee County

Latitude: 39.05948

Longitude: -96.11719

The proposed action consists of reissuance of a Kansas/NPDES Water Pollution Control permit for an existing facility. The existing facility is a three-cell wastewater stabilization lagoon system with aeration and a minimum of 120 days detention time. The facility serves a public rest area for commuters designed for 0.008 MGD and receives domestic wastewater from a transient population. This permit contains limits for Biochemical Oxygen Demand, Total Suspended Solids, and Ammonia. The permit contains monitoring for pH, and E. coli. The permit contains a schedule of compliance for the facility to retain a KDHE-certified operator to supervise the operation of this facility By November 1, 2025.

Soldier, City of

Soldier Creek

Treated Domestic

PO Box 65

Soldier, KS 66540

Permit No. M-KS70-OO01

Federal Permit No. KS0081035

Legal Description: SE¼, NE¼, NE¼, Section 16, Township 6S, Range 13E, Jackson County

Latitude: 39.53280

Longitude: -95.96193

The proposed action consists of reissuance of a Kansas/NPDES Water Pollution Control permit for an existing facility. The existing facility is a three-cell wastewater stabilization lagoon system with a minimum of 120 days detention time. The facility receives domestic wastewater from residential areas. The total detention time at design flow is 124 days. . This permit contains limits for Biochemical Oxygen Demand, Total Suspended Solids, and Ammonia. The permit contains monitoring for pH, and E. coli.

Wheaton, City of

Clean Fork

Treated Domestic

342 Main St

of the Black Vermillion River

Wheaton, KS 66551

Permit No. M-KS79-OO01

Federal Permit No. KS0094013

Legal Description: NW¼, NW¼, NE¼, Section 29, Township 6S, Range 10E, Pottawatomie County

Latitude: 39.50651

Longitude: -96.32258

The proposed action consists of reissuance of a Kansas/NPDES Water Pollution Control permit for an existing facility. The existing facility is a three-cell wastewater stabilization lagoon system with a minimum of 120 days detention time. The facility receives domestic wastewater from residential areas. The total detention time at design flow is 120 days. This permit contains limits for Biochemical Oxygen Demand, Total Suspended Solids, Ammonia, and E. coli. The permit contains monitoring for pH, Total Phosphorus, and Lead. 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. The ammonia effluent limit was determined on 4/8/2025 by calculating the 99th percentile ammonia value from the facility's discharge monitoring reports resulting in an ammonia limit of 4.6 mg/L for this facility.

MGPI Processing, Inc

Missouri River

Process Wastewater

1300 Main St

PO Box 130

Atchison, KS 66002

Permit No. I-MO01-PO16

Federal Permit No. KS0100269

Legal Description: NW¼, Section 1, Township 6S, Range 20E, Atchison County

Latitude: 39.55955

Longitude: -95.13463

The proposed action consists of renewal and modification of an existing Kansas/NPDES Water Pollution Control Permit for an existing facility. The modification consists of the addition of a Class 1 injection well to handle high nutrient wastewater. This facility produces fuel ethanol through fermentation and

distillation processes. Process wastewater treated by an activated sludge treatment system flows to a common collection pit where it combines with 0.11 MGD average daily flow of non-contact cooling tower blowdown and boiler blowdown before an average daily flow of 1.21 MGD is discharged to White Clay Creek through a common Outfall 001X. Approximately 0.259 MGD of high nutrient wastewater from the starch washing process is directed to a membrane filtration system before being injected in the Class 1 well. This permit contains limits for TRC, pH, WET, BOD, and TSS. The permit contains monitoring for Temperature, Apparent Color, Phosphorus, Nitrate/Nitrite, Total Kjeldahl Nitrogen, Total Nitrogen, Chloride, Sulfate, and Total Dissolved Solids.

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 (KDHE) if they wish to have the comments or objections considered in the decision-making process. All written comments regarding the draft documents, application or registration notices received on or before **AUGUST 9, 2025** will be considered in the formulation of the final determination regarding this public notice. Please refer to the appropriate Kansas document number (KS-AG-25-183/191, KS-AG-R-25-014/015, KS-Q-25-118/122) and name of the applicant/permittee when preparing comments.

All comments received will be responded to at the time the Secretary of Health and Environment issues 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). A request for public hearing must be submitted in writing and shall state the nature of the issues proposed to be raised during the hearing.

Comments or objections for agricultural related draft documents, permit applications, registrations or actions should be submitted to the attention of Casey Guccione, Livestock Waste Management Section at the KDHE, Bureau of Environmental Field Services (BEFS), 1000 SW Jackson, Suite 430, Topeka, KS 66612. Comments or objections for all other proposed permits or actions should be sent to Andrew Bowman at the KDHE, Bureau of Water, 1000 SW Jackson St., Suite 420, Topeka, KS 66612.

All draft documents/applications and the supporting information including any comments received are on file and may be inspected at the offices of the KDHE. For agricultural related draft documents or applications an appointment can be scheduled, or copies requested by contacting Jada Martin at 1000 SW Jackson St., Suite 430, Topeka, KS 66612, telephone (785) 296-0076 or email at kdhe.feedlots@ks.gov. Las preguntas o comentarios por escrito deben dirigirse a Erich Glave, Director, Bureau of Environmental Field Services en KDHE: 1000 SW Jackson St., Suite 430, Topeka, Kansas 66612-1367; por correo electrónico: kdhe.feedlots@ks.gov; por teléfono: (785) 296-6432. For all other proposed permits or actions an appointment can be scheduled, or copies requested by contacting Jamie Packard, Bureau of Water, 1000 SW Jackson St., Suite 420, Topeka, KS 66612, telephone (785) 296-4148 or email at Jamie.Packard@ks.gov. 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.kdhe.ks.gov/livestock>. Division of Environment offices are open from 8 a.m. to 5 p.m., Monday through Friday, excluding holidays.

Janet Stanek
Secretary
Kansas Department of Health and Environment