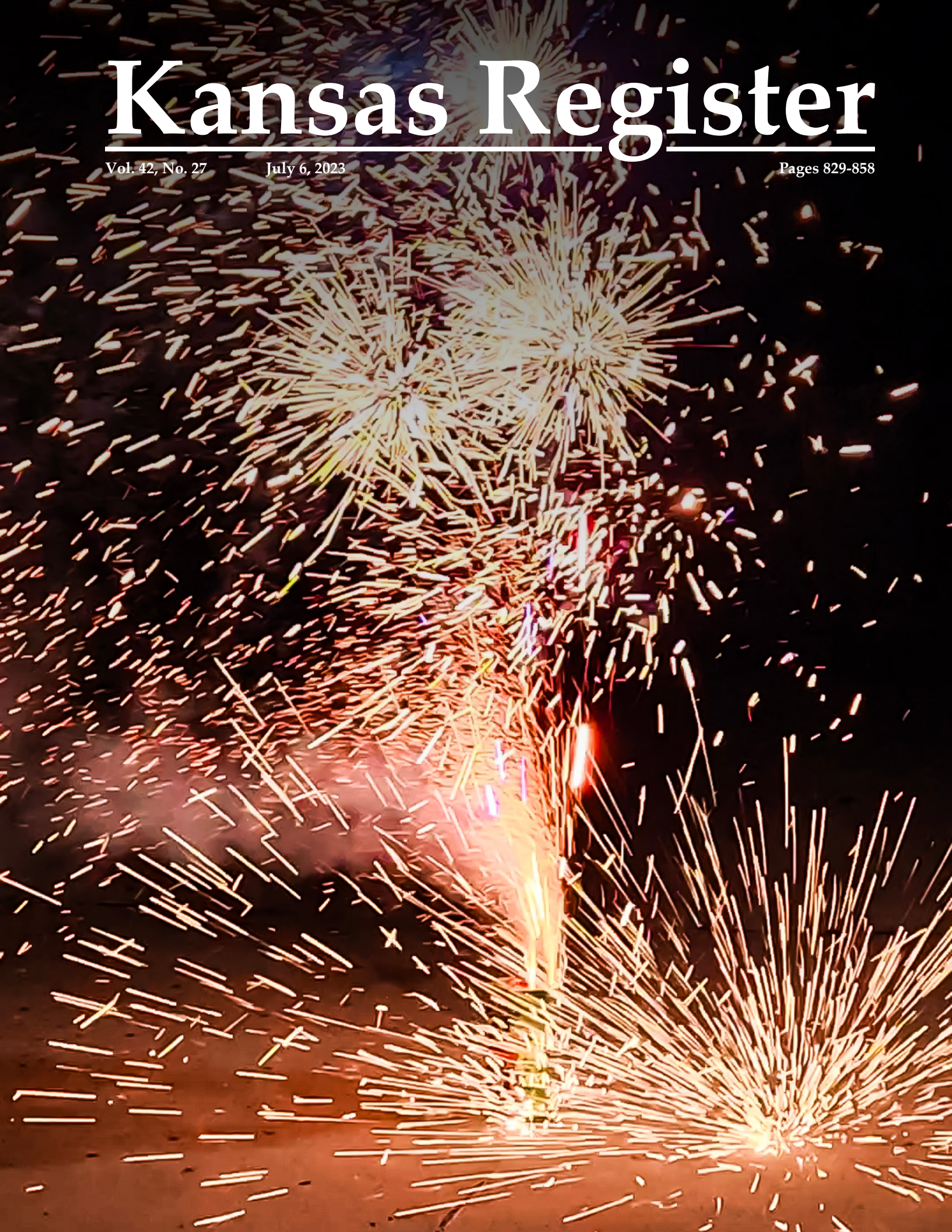


# Kansas Register

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July 6, 2023

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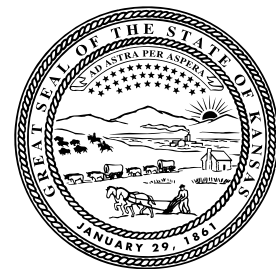
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 Photo by Todd Caywood

State of Kansas

**Legislative Administrative Services**

**Interim Committee Schedule**

The Legislative Research Department gives notice that the following legislative committees plan to meet on the dates listed below based on current information and subject to change. Requests for accommodation to participate in committee meetings should be made at least two working days in advance of the meeting by contacting Legislative Administrative Services at 785-296-2391 or TTY 711, or email [legserv@las.ks.gov](mailto:legserv@las.ks.gov).

Date	Room	Time	Committee	Agenda
June 29	112-N	9:00 a.m.	Joint Committee on Child Welfare System Oversight	Child Welfare system presentations from individuals, providers, and organizations; Updates on 2023 Child Welfare legislation, Department for Children and Families, Child Advocate, Case Management providers; National Child Welfare Workforce Institute Collaborative presentation.
July 6	546-S	12:30 p.m.	Legislative Post Audit Committee	Performance Audits and Evaluations; Election Security, Part 2; K-12 At Risk Moneys; IT Security.
July 6	546-S	3:30 p.m.	Contract Audit Subcommittee	Select contractor for 2023 911 Audit.
July 10	582-N	10:00 a.m.	Joint Committee on Administrative Rules and Regulations	Review of proposed rules and regulations from the Department of Insurance, Board of Nursing, Kansas State Board of Healing Arts, Department of Wildlife and Parks and Department of Transportation.

Tom Day  
Director

Legislative Administrative Services

Doc. No. 051286

State of Kansas

**Pooled Money Investment Board**

**Notice of Investment Rates**

The following rates are published in accordance with K.S.A. 75-4210. These rates and their uses are defined in K.S.A. 12-1675(b)(c)(d) and K.S.A. 12-1675a(g).

**Effective 7-3-23 through 7-9-23**

Term	Rate
1-89 days	5.07%
3 months	5.28%
6 months	5.39%
12 months	5.35%
18 months	5.08%
2 years	4.76%

Joel Oliver  
Executive Director  
Chief Investment Officer  
Pooled Money Investment Board

Doc. No. 051278

State of Kansas

**Secretary of State**

**Notice of Code Mortgage Rate for July 2023**

Pursuant to the provisions of K.S.A. 16a-1-301, Section 11, the code mortgage rate during the period of July 1-31, 2023, is 12 percent. The reference rate referred to in the definition of "code mortgage rate" set forth in K.S.A. 16a-

1-301(11)(b)(i) is discontinued, has become impractical to use, and/or is otherwise not readily ascertainable from the Federal Home Loan Mortgage Corporation.

Scott Schwab  
Secretary of State

Doc. No. 051280

State of Kansas

**Secretary of State**

**Notice of Judgment Interest Rate**

Pursuant to the provisions of K.S.A. 16-204, the rate of interest on judgments rendered by courts of the state of Kansas pursuant to the code of civil procedure is 9.25 percent during the period of July 1, 2023, through June 30, 2024.

Scott Schwab  
Secretary of State

Doc. No. 051281

State of Kansas

**Department of Health and Environment  
Division of Health Care Finance**

**Request for Comments**

The Kansas Department of Health and Environment, Division of Health Care Finance (KDHE-DHCF) in partnership with Kansas Department for Aging and Disabil-

*(continued)*

ity Services (KDADS), requests approval from the Centers for Medicare and Medicaid Services (CMS)

to amend the 1915(c) home and community-based services (HCBS) waivers and submit a new section 1915(b) waiver, to allow for a change in Medicaid authority for mandatory managed care enrollment from the section 1115 waiver to a section 1915(b) waiver. This change impacts the following HCBS waivers:

- Serious Emotional Disturbance Waiver
- Autism Waiver
- HCBS - Intellectual/Developmental Disabilities (I/DD) Waiver
- HCBS Brain Injury Waiver
- HCBS for the Frail Elderly
- Physical Disability Waiver

The Technology Assisted Waiver is currently in renewal and will be amended after CMS approval.

The 1915(b) waiver will mandate managed care enrollment for the following Medicaid eligibility groups regardless of their enrollment in a 1915(c) waiver:

- Foster care and adoption assistance children including any former foster care youth.
- Individuals dually eligible for Medicare and Medicaid.
- Adults and children receiving Supplemental Security Income (SSI) or who would otherwise receive SSI.
- Ticket to work and working disabled persons.

KDHE-DHCF believes there will be no impact to beneficiaries since the amendments to the 1915(c) waivers and new 1915(b) waiver are changing the Medicaid authority under which mandatory managed care enrollment is authorized and the change is not impacting beneficiary coverage.

The proposed effective date of the amendments is January 1, 2024.

#### Comment Process

The full public notice statement and complete version of the proposed amendments for review can be found at <https://www.kancare.ks.gov/home>.

Draft copies of the proposed amendments may also be found at a Local Health Department (LHD) or at front desk of the Kansas Department of Health and Environment, Division of Health Care Finance, at the address below. Locate the nearest LHD by visiting [https://www.kdheks.gov/olrh/local\\_health.html](https://www.kdheks.gov/olrh/local_health.html).

Question or comments may be addressed to Amy Gajda, KDHE/Division of Health Care Finance, 900 SW Jackson, Room 900-N, Topeka, KS 66612-1220, or email [KanCareRenewal@ks.gov](mailto:KanCareRenewal@ks.gov).

Those needing accessibility assistance in order to understand the documents as posed in order to review or respond to the proposed amendment may also contact Amy Gajda by phone at 7852968046 or at the email above.

Comments may be submitted from July 6, 2023 until 12:00 a.m. August 5, 2023.

Sarah Fertig  
State Medicaid Director  
Division of Health Care Finance  
Department of Health and Environment

Doc. No. 051284

(Published in the Kansas Register July 6, 2023.)

## Kansas City, Kansas Community College

### Request for Proposals

Kansas City, Kansas Community College is seeking proposals for website design services. For more information, please visit our website at <https://www.kckcc.edu/about/organization/financial-services/doingbusiness/index.html>.

Linda Burgess  
Purchasing Coordinator  
Kansas City, Kansas Community College

Doc. No. 051292

#### State of Kansas

## Kansas Housing Resources Corporation

### Request for Proposals

Kansas Housing Resources Corporation (KHRC) is requesting proposals (RFP) from interested parties to serve as a subrecipient and administer services under KHRC's Kansas Weatherization Assistance Program (KWAP). Prospective subrecipient(s) will have a territorial coverage of Shawnee, Jackson, Nemaha, Jefferson, Leavenworth, Atchison, Brown, and Doniphan counties.

Funding for the KWAP comes from the federal Department of Energy (DOE) grant, the Low-Income Energy Assistance Program (LIEAP) Weatherization grant, and is combined with additional federal, state, local, and utility funding as available. All combined, PY2022 funding for the eight-county territory exceeds \$900,000 dollars and future growth is anticipated.

RFPs are requested by August 4, 2023, and can be filled out at <https://kshousingcorp.org/homeowners/weatherization-assistance>.

#### Questions

Contact Tyler Wilson, Weatherization Program Manager, at 785-940-4189 for more information.

Christine Reimler  
Division Director  
Kansas Housing Resources Corporation

Doc. No. 051290

#### State of Kansas

## Department of Administration Office of Procurement and Contracts

### Notice to Bidders

Sealed bids for items listed will be received by the Office of Procurement and Contracts until 2:00 p.m. on the date indicated. For more information, call 785-296-2376.

All bids are to be submitted via email only to [procurement@ks.gov](mailto:procurement@ks.gov). For more information, please visit [https://supplier.sok.ks.gov/psc/sokfsprdsup/SUPPLIER/ERP/c/SCP\\_PUBLIC\\_MENU\\_FL.SCP\\_PUB\\_BID\\_CMP\\_FL.GBL](https://supplier.sok.ks.gov/psc/sokfsprdsup/SUPPLIER/ERP/c/SCP_PUBLIC_MENU_FL.SCP_PUB_BID_CMP_FL.GBL).

**There are No Bids Under this  
Website Closing in this Week's Ad**

The above referenced bid documents can be downloaded at the following website:

[https://supplier.sok.ks.gov/psc/sokfsprdsup/SUPPLIER/ERP/c/SCP\\_PUBLIC\\_MENU\\_FL.SCP\\_PUB\\_BID\\_CMP\\_FL.GBL](https://supplier.sok.ks.gov/psc/sokfsprdsup/SUPPLIER/ERP/c/SCP_PUBLIC_MENU_FL.SCP_PUB_BID_CMP_FL.GBL)

Additional files may be located at the following website (please monitor this website on a regular basis for any changes/addenda):

<https://admin.ks.gov/offices/procurement-contracts/bidding--contracts/additional-bid-opportunities>

07/26/2023      A-014844      Chiller Replacement for Birch, Cedar, and Ash

Information regarding prequalification, projects, and bid documents can be obtained at 785-296-8899 or <http://admin.ks.gov/offices/ofpm/dcc>.

Todd Herman  
Director

Office of Procurement and Contracts  
Department of Administration

Doc. No. 051291

**State of Kansas**

**Wichita State University**

**Notice of Intent to Lease Real Property**

Public notice is hereby given that Wichita State University (WSU), directly or through its affiliate corporation Wichita State Innovation Alliance, Inc., intends to lease, subject to all required state approvals, up to four acres of real property located on the Wichita State University’s campus designated as the “Innovation Campus,” for the private development and operation of a partnership building or buildings. The university is interested in leasing such ground to any individual, organization, or entity whose presence on campus would advance the university’s applied learning vision or its mission as an educational, cultural, and economic driver for Kansas and the greater public good. The university intends to lease such space for a mutually agreeable period of time up to sixty years, but extended terms and renewal options would be considered. Interested tenants must be willing to be a good fit with the university’s educational mission and identify anticipated benefits to the university, its students, and the WSU community (i.e. applied learning, joint research, faculty start-up, WSU curriculum or program support, etc.), and must agree to the essential ground lease terms and restrictive covenants. Interested tenants will be evaluated on: proposal terms, demonstrated benefit to WSU, design concepts, financial stability, and proposed use. Interested tenants will be required to construct adjacent and adequate surface parking that will not be included in the leased ground. Rental rate shall be based on fair market value and negotiable based on term of lease, purpose/use of building improvement, and benefit to the university. The university will consider serious offers and inquiries with detailed proposal terms from any financially qualified individual, group, organization. If interested, please contact Senior

Vice President for Industry and Defense Programs, Dr. John Tomblin at [john.tomblin@wichita.edu](mailto:john.tomblin@wichita.edu) or Property Manager Crystal Stegeman at [crystal.stegeman@wichita.edu](mailto:crystal.stegeman@wichita.edu). This publication is being published pursuant to K.S.A. 75-430a(d), to the extent applicable.

Crystal Stegeman  
University Property Manager  
Office of the Vice President for  
Administration and Finance  
Wichita State University

Doc. No. 051040

**State of Kansas**

**Wichita State University**

**Notice of Intent to Lease Real Property**

Public notice is hereby given that Wichita State University (WSU), directly or through its affiliate corporation Wichita State Innovation Alliance, Inc., intends to lease, subject to all required state approvals, up to 1.22 acres of real property located on the northwest corner of the intersection of Fountain Avenue and 21st Street North, directly adjacent to the Wichita State University campus. This location would be designated for private development committed to supporting broadband infrastructure and internet exchanges. The university is interested in leasing such ground to any individual, organization, or entity whose presence would advance WSU’s vision or its mission as an educational, cultural, and economic driver for Kansas and the greater public good. WSU intends to lease such space for a mutually agreeable period of time, but extended terms and renewal options would be considered. Interested tenants must be willing to be a good fit with WSU’s educational mission and identify anticipated benefits to the university, its students, and the surrounding community (i.e. applied learning, joint research, faculty start-up, WSU curriculum or program support, community benefit commitments, etc.), and must agree to the essential ground lease terms and restrictive covenants. Interested tenants will be evaluated on: proposal terms, demonstrated benefit to WSU and the surrounding community, design concepts, financial stability, and proposed use. Interested tenants will be responsible for all costs associated with the development and ongoing maintenance costs of any improvements. Rental rate shall be based on fair market value and negotiable based on term of lease, purpose/use of the improvement, and benefit to WSU. WSU will consider serious offers and inquiries from any financially qualified individual, group, organization. If interested, please contact Property Manager Crystal Stegeman at [crystal.stegeman@wichita.edu](mailto:crystal.stegeman@wichita.edu). This publication is being published pursuant to K.S.A. 75-430a(d), to the extent applicable.

Crystal Stegeman  
University Property Manager  
Office of the Vice President for  
Administration and Finance  
Wichita State University

Doc. No. 051201

## State of Kansas

**Kansas Historic Sites Board of Review****Notice of Meeting**

The Kansas Historic Sites Board of Review will meet at 9:30 a.m. Saturday, August 5, 2023, hosted via Zoom. We invite you to attend the meeting virtually or by phone. The meeting link will be posted on our website 14 days before the meeting and can be found at <https://www.kshs.org/14633>.

The Board will consider the following items:

- Approval of minutes of May 6, 2023 meeting
- Consideration of National Register Nominations (\* denotes properties within a Certified Local Government boundary)
  - Julius Kuhn Block – Atchison, Atchison County
  - Paine Wholesale Photography Building – Fort Scott, Bourbon County
  - Spring Creek Stone Arch Bridge – Arkansas City (vicinity), Cowley County
  - Immanuel Baptist Church – Kansas City, Wyandotte County\*
  - Lone Star Lake CCC Camp – Lawrence, Douglas County\*
  - Lone Star Lake Dam – Lawrence, Douglas County\*
  - Sowers/Crawford Farms Historic District – Overbrook, Douglas County\*
  - Vernon School – Kansas City, Wyandotte County\*
  - Downtown Gardner Historic District – Gardner, Johnson County
  - J.H. Stevens / C.L. Thompson Block – Garden City, Finney County
  - Keraus Hardware Store – WaKeeney, Trego County

The Kansas State Historical Society welcomes individuals with disabilities to participate in its activities. If you have a visual, aural, or other impairment and wish to participate in this meeting, please contact the Cultural Resources Division of the Kansas State Historical Society, 6425 SW 6th Ave., Topeka, KS 66615-1099 or by telephone 785-272-8681 ext., 240 at least two weeks prior to the meeting to discuss how we can ensure your participation.

Patrick Zollner  
Executive Director  
Kansas Historical Society

Doc. No. 051279

## State of Kansas

**Department of Administration  
Office of Facilities and Property Management****Notice of Requested On-Call Architectural Services**

Notice is hereby given of the commencement of the selection process for on-call architectural services for the Kansas State Fair. Services are required for restricted (small) projects with a project budget of \$1,500,000 or less. One or more firms will be selected. The contracts will be for three years with two one-year renewal options.

For more information, contact Bryan Schulz at [bryan.schulz@ks.gov](mailto:bryan.schulz@ks.gov) or 620-669-3625. Firms interested in providing these services should be familiar with the requirements which can be found in Part B-Chapter 4 of the Building Design and Construction Manual at the website below.

To be considered, one (1) PDF file of the following should be provided: State of Kansas Professional Qualifications DCC Forms 051-054, inclusive, and information regarding similar projects. These forms may be found at <https://admin.ks.gov/offices/facilities-property-management/design-construction-compliance/forms-and-documents>. State of Kansas Professional Qualifications DCC Form 050 for each firm and consultant should be provided at the end of each proposal. Please include your firm name, agency abbreviation, and an abbreviated project name in the title of the PDF document. Proposals should be less than 5 Mb and follow the current State Building Advisory Commission guidelines which can be found in Part B – Chapter 2 of the Building Design and Construction Manual at <https://admin.ks.gov/offices/facilities-property-management/design-construction-compliance/building-design-and-construction-manual-bdcm>. Paper copies and flash drives containing copies of the proposals are not required.

Proposals should be sent to [professional.qualifications@ks.gov](mailto:professional.qualifications@ks.gov). Proposals received after the date and time noted below will not be forwarded to the State Building Advisory Commission for review. If you have questions, call 785-296-0749. The PDF proposal submissions shall be delivered to the attention of State Building Advisory Commission by 2:00 p.m. on or before July 21, 2023.

The State of Kansas, as a matter of public policy, encourages anyone doing business with the State of Kansas to take steps to discourage human trafficking. If prospective bidders/vendors/contractors have any policies or participate in any initiatives that discourage human trafficking, then the prospective bidder/vendor/contractor is encouraged to submit same as part of their bid response.

Frank Burnam  
Director

Office of Facilities and Property Management  
Department of Administration

Doc. No. 051293

## State of Kansas

**Department of Health and Environment****Notice Concerning Proposed Kansas Air  
Quality Class I Operating Permit Renewal**

Notice is hereby given that the Kansas Department of Health and Environment (KDHE) is soliciting comments regarding a proposed air quality operating permit. Superior Pipeline Kansas, LLC – Medicine Lodge Compressor Station has applied for a Class I operating permit renewal in accordance with the provisions of K.A.R. 28-19-510 et al. The purpose of a Class I permit is to identify the sources and types of regulated air pollutants emitted from the facility; the emission limitations, standards, and requirements applicable to each source; and the monitoring, record keeping, and reporting re-

quirements applicable to each source as of the effective date of permit issuance.

Superior Pipeline Kansas, LLC – Medicine Lodge Compressor Station, PO Box 702500, Tulsa, OK 74132, owns and operates a compressor station located at Section 25, Township 31S, Range 12W, Barber County, Kansas.

A copy of the proposed permit, permit application, all supporting documentation, and all information relied upon during the permit application review process are available for public review during normal business hours of 8:00 a.m. to 5:00 p.m. at the KDHE, Bureau of Air (BOA), 1000 SW Jackson, Suite 310, Topeka, KS 66612-1366 and at the Southwest District Office, 302 W. McArtor Rd., Dodge City, KS 67801-6098. To obtain or review the proposed permit and supporting documentation, contact Garrett Kersting, 785-296-3589, at the central office of the KDHE or Ethel Evans, 620-356-1075, at the Southwest District Office. The standard departmental cost will be assessed for any copies requested. The proposed permit, accompanied with supporting information, is available, free of charge, at the KDHE BOA Public Notice website at <https://www.kdhe.ks.gov/413/Public-Notices>.

Please direct written comments or questions regarding the proposed permit to Garrett Kersting, KDHE, BOA, 1000 SW Jackson, Suite 310, Topeka, KS 66612-1366. In order to be considered in formulating a final permit decision, written comments must be received no later than 12:00 p.m. Monday, August 7, 2023.

A person may request a public hearing be held on the proposed permit. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Garrett Kersting, KDHE BOA, 1000 SW Jackson, Suite 310, Topeka, KS 66612-1366, no later than 12:00 p.m. Monday, August 7, 2023, in order for the Secretary of Health and Environment to consider the request.

The U.S. Environmental Protection Agency (EPA) has a 45-day review period, which will start concurrently with the public comment period, within which to object to the proposed permit. If the EPA has not objected in writing to the issuance of the permit within the 45-day review period, any person may petition the administrator of the EPA to review the permit. The 60-day public petition period will directly follow the EPA’s 45-day review period. Interested parties may contact KDHE to determine if the EPA’s 45-day review period has been waived.

Any such petition shall be based only on objections to the permit that were raised with reasonable specificity during the public comment period provided for in this notice, unless the petitioner demonstrates that it was impracticable to raise such objections within such period, or unless the grounds for such objection arose after such period. Contact Keith Johnson, U.S. EPA, Region 7, Air Permitting and Compliance Branch, 11201 Renner Blvd., Lenexa, KS 66219, phone 913-551-7960, to determine when the 45-day EPA review period ends and the 60-day petition period commences.

Janet Stanek  
Secretary  
Department of Health and Environment

**State of Kansas**

**Department of Health and Environment**

**Notice Concerning Kansas/Federal Water Pollution Control Permits and Applications**

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.

**Public Notice No. KS-AG-23-149/155**

**Pending Permits for Confined Feeding Facilities**

<b>Name and Address of Applicant</b>	<b>Legal Description</b>	<b>Receiving Water</b>
Conine Companies, LLC Zachery Conine PO Box 382 Scott City, KS 67871	NW/4 & SE/4 of Section 15 T20S, R32W Scott County	Upper Arkansas River Basin
Kansas Permit No. A-UASC-H005 Federal Permit No. KS0094854		

The proposed action is to modify the current NPDES permit and Nutrient Management Plan (NMP) for an existing facility for 54,000 head (21,600 animal units) of swine weighing greater than 55 pounds. The proposed modification is to change the Land Application portion of the permit to all export. There are no other changes to the permit or NMP. Only the portions of the permit and NMP being modified are subject to comment.

<b>Name and Address of Applicant</b>	<b>Legal Description</b>	<b>Receiving Water</b>
Krehbiel Farms, Inc. Brad Krehbiel 7102 E. 95th Ave. Buhler, KS 67522	SE/4 of Section 01 T22S, R05W Reno County	Little Arkansas River Basin
Kansas Permit No. A-LARN-H002 Federal Permit No. KS0098680		

The proposed action is to reissue an existing NPDES permit for an existing facility for 2,400 head (960 animal units) of swine weighing more than 55 pounds and 3,000 head (300 animal units) of swine weighing 55 pounds or less; for a total of capacity of 5,400 head (1,260 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 Nutrient Management Plan on file with KDHE.

<b>Name and Address of Applicant</b>	<b>Legal Description</b>	<b>Receiving Water</b>
Brockoff Farms 540 240th St. Fairview, KS 66425	SW/4 of Section 23 T02S, R15E Brown County	Missouri River Basin

*(continued)*

Kansas Permit No. A-MOBR-B002

The proposed action is to reissue an existing state permit for an existing facility for 880 head (880 animal units) of cattle 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.

Name and Address of Applicant	Legal Description	Receiving Water
Ridge Line Cattle Company, LLC 14031 O Rd. Smith Center, KS 67967	NE/4 of Section 08 & SE/4 of Section 05 T03S, R13W	Solomon River Basin Smith County

Kansas Permit No. A-SOSM-B021

The proposed action is to reissue an existing state permit for an existing facility for 250 head (250 animal units) of cattle weighing more than 700 pounds and 749 head (374.5 animal units) of cattle weighing less than 700 pounds for a total of 624.5 animal units. 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.

Name and Address of Applicant	Legal Description	Receiving Water
Stone Post Dairy, LLC 33002 SE K Rd. Jetmore, KS 67854	W/2 of Section 12 T23S, R23W	Upper Arkansas River Basin Hodgeman County

Kansas Permit No. A-UAHG-D001  
Federal Permit No. KS0115061

The proposed action is to approve an update to the Nutrient Management Plan (NMP) received for this existing facility currently permitted for 5,000 head (7,000 animal units) of mature dairy cows, 850 head (850 animal units) of dairy cattle weighing greater than 700 pounds, and 1,600 head (800 animal units) of dairy cattle weighing 700 pounds or less; for a total of 8,650 animal units of dairy cattle. The facility's NMP update included changes in the application rate limitations for their fields. One of the field's application rate limitations has become less restrictive than the previous NMP. Only the updated portion of the Nutrient Management Plan and permit are subject to comment.

Name and Address of Applicant	Legal Description	Receiving Water
Barton County Feeders, Inc. 1164 SE 40 Rd. Ellinwood, KS 67526	SE/4 of Section 17 & E/2 of Section 20 & W/2 of Section 21 T20S, R11W	Upper Arkansas River Basin Barton County

Kansas Permit No. A-UABT-C007  
Federal Permit No. KS0042323

The proposed action is to approve an update to the Nutrient Management Plan (NMP) received for this existing facility currently permitted for 35,000 head (35,000 animal units) of cattle weighing greater than 700 pounds. The facility's NMP was updated to include a change in the application rate limitation for two fields. The fields application rate limitations 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.

Name and Address of Applicant	Legal Description	Receiving Water
Triple H Feeders, LLC 24052 140 Rd. Lebanon, KS 66952	NE/4 of Section 12 & S/2 & NW/4 of Section 01 T03S, R12W and SW/4 of Section 36 T02S, R12W	Solomon River Basin Smith County

Kansas Permit No. A-SOSM-C002  
Federal Permit No. KS0092576

The proposed action is to approve an update to the Nutrient Management Plan (NMP) received for this existing facility currently permitted for 28,000 head (28,000 animal units) of cattle weighing greater than 700 pounds. The facility's NMP was updated to include a change in the application rate limitation for four fields. The fields' application rate limitations have become less restrictive than the previous NMP. There is also the addition of two new land application fields. 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.

**Public Notice No. KS-AG-R-23-013/014**

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

Name and Address of Registrant	Legal Description	County
JED Trailer Rinse Out Troy Kramer 6713 Pacific St. Corning, KS 66417	SE/4 of Section 35 T04S, R12E	Nemaha

Name and Address of Registrant	Legal Description	County
Clark Family Feeders Robert Clark 550 Nugget Rd. Minneapolis, KS 67467	NW/4 of Section 25 T10S, R05W	Ottawa

**Public Notice No. KS-Q-23-099/100**

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	Receiving Stream	Type of Discharge
Erie, City of 101 N. Main Erie, KS 66733	Neosho River	Treated Domestic Wastewater

Kansas Permit No. M-NE25-0001  
Federal Permit No. KS0045977

Legal Description: E½, NE¼, Section 5, Township 29S, Range 20E of Neosho County, Kansas

Facility Location: Latitude: 37.55469, Longitude: -95.23837

The proposed action is to reissue an existing State/NPDES 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 and commercial areas. The detention time at design flow is 140 days. The proposed permit contains limits for Biochemical Oxygen Demand, Total Suspended Solids, and Ammonia; as well as monitoring for pH and E. coli.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Oneida, City of 8205 5th St. Oneida, KS 66522	South Fork Nemaha River via Harris Creek	Treated Domestic Wastewater

Kansas Permit No. M-MO15-0001  
Federal Permit No. KS0093467

Legal Description: NW¼, NW¼, SW¼, Section 23, Township 2S, Range 13E of Nemaha County, Kansas

Facility Location: Latitude: 39.86309, Longitude: -95.93753



The proposed action is to reissue an existing State/NPDES 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 and commercial areas and industrial wastewater from local manufacturers. The detention time at design flow is 149 days. The proposed permit contains limits for Biochemical Oxygen Demand, Total Suspended Solids, and E. coli; as well as monitoring for pH and Ammonia.

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 July 29, 2023, will be considered in the formulation of the final determination regarding this public notice. Please refer to the appropriate Kansas document number (KS-AG-23-149/155, KS-AG-R-23-013/014, KS-Q-23-099/100) 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, Section Chief, 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 Mirina Landry at 1000 SW Jackson St., Suite 430, Topeka, KS 66612, telephone 785-296-0076 or email at [kdhe.feedlots@ks.gov](mailto:kdhe.feedlots@ks.gov). For all other proposed permits or actions an appointment can be scheduled, or copies requested by contacting Neal Niceswanger, Bureau of Water, 1000 SW Jackson St., Suite 420, Topeka, KS 66612, telephone 785-296-6804 or email at [Neal.Niceswanger@ks.gov](mailto:Neal.Niceswanger@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 <http://www.kdhe.ks.gov/livestock>. Division of Environment offices are open from 8:00 a.m. to 5:00 p.m., Monday through Friday, excluding holidays.

Janet Stanek  
Secretary

Department of Health and Environment

Doc. No. 051294

State of Kansas

Department of Health and Environment

Notice Concerning Kansas/Federal Water Pollution Control Permits and Applications

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.

Public Notice No. KS-AG-23-156/203

Pending Permits for Confined Feeding Facilities

Name and Address of Applicant	Legal Description	Receiving Water
J-Six Enterprises, LLC - Summit Producers Company 292 Quivira Rd. Marquette, KS 67464	SE/4 of Section 09 T18S, R05W McPherson County	Smoky Hill River Basin
Kansas Permit No. A-SHMP-H001 Federal Permit No. KS0086291		

The proposed action is to modify and reissue an existing NPDES permit for a facility for 7,078 head (2,831.2 animal units) of swine weighing greater than 55 pounds and 8,720 head (872 animal units) of swine weighing 55 pounds or less, for a total of 3,703.2 animal units of swine. This permit is being modified to include additions to two existing buildings. There is no change in the permitted number of animal units from the previous permit. This facility has an approved Nutrient Management Plan on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
Ranger Feeders II, LLC 144 S. Ogallalah Rd. Dighton, KS 67839	E/2 of Section 22 & W/2 of Section 23 T18S, R28W Lane County	Upper Arkansas River Basin
Kansas Permit No. A-UALE-C002 Federal Permit No. KS0115096		

The proposed action is to reissue an existing NPDES permit for an existing facility for 18,000 head (18,000 animal units) of cattle greater 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.

Name and Address of Applicant	Legal Description	Receiving Water
Gold Standard Farms, LLC - Turkey Creek 2622 US-24 Hwy. Beloit, KS 67420	NW/4 of Section 02 T07S, R08W Mitchell County	Solomon River Basin

(continued)

Kansas Permit No. A-SOMC-H003  
Federal Permit No. KS0080306

The proposed action is to reissue an existing NPDES permit for an existing facility for 3,750 head (1,500 animal units) of swine weighing more than 55 pounds and 7,200 head (720 animal units) of swine weighing 55 pounds or less for a total of 10,950 head (2,220 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 Nutrient Management Plan on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
Pratt Feeders, LLC - Mott Pens & Bins 40010 NW 20th Ave. Pratt, KS 67124	E/2 of Section 06 T27S, R13W Pratt County	Lower Arkansas River Basin

Kansas Permit No. A-ARPR-B010

The proposed action is to reissue an existing state permit for an existing facility for 700 head (700 animal units) of cattle 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.

Name and Address of Applicant	Legal Description	Receiving Water
Robert Clydesdale 26148 Center Rd. Edmond, KS 67645	SW/4 of Section 10 T05S, R23W Norton County	Solomon River Basin

Kansas Permit No. A-SONT-B001

The proposed action is to reissue an existing state permit for an existing facility for 999 head (999 animal units) of cattle 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.

Name and Address of Applicant	Legal Description	Receiving Water
Whitham Farms Feedyard, L.P. - Krey Lot 462 N. CR 5 Leoti, KS 67861	S/2 of Section 14 T18S, R38W Wichita County	Upper Arkansas River Basin

Kansas Permit No. A-UAWH-B003

The proposed action is to reissue an existing state permit for an existing facility for 999 head (999 animal units) of cattle 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.

Name and Address of Applicant	Legal Description	Receiving Water
Fanshier Pork 2008 NW 10th Ave. Great Bend, KS 67530	W/2 of Section 04 T21S, R13W Stafford County	Upper Arkansas River Basin

Kansas Permit No. A-UASF-H001  
Federal Permit No. KS0095281

The proposed action is to approve an update to the Nutrient Management Plan (NMP) received for this existing facility currently permitted for 3,600 head (1,440 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.

Name and Address of Applicant	Legal Description	Receiving Water
Fanshier Pork - Sharp Site 204 SE 70 Rd. Great Bend, KS 67530	SW/4 of Section 35 T20S, R13W Barton County	Upper Arkansas River Basin

Kansas Permit No. A-UABT-H001  
Federal Permit No. KS0092096

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 (1,600 animal units) of swine weighing greater than 55 pounds. The facility's NMP was updated to include a change in the application rate limitation their fields. One of the fields application rate limitation 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.

Name and Address of Applicant	Legal Description	Receiving Water
Henry's LTD 822 6th Rd. Longford, KS 67458	NW/4 of Section 08 & SE/4 of Section 05 T10S, R02E Clay County	Smoky Hill River Basin

Kansas Permit No. A-SHCY-H001  
Federal Permit No. KS0017401

An update to the Nutrient Management Plan (NMP) was received for this existing facility currently permitted for 13,836 head (5,534.4 animal units) of swine weighing greater than 55 pounds and 8,596 head (859.6 animal units) of swine weighing 55 pounds or less; for a total of 22,432 head (6,394 animal units) of swine. The facility's NMP was updated to include less-limiting rate limitation changes for two fields. 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.

Name and Address of Applicant	Legal Description	Receiving Water
Rolling Hills Pork Clarke and Julia Nelson 7755 Road E 13 Almena, KS 67622	SW/4 of Section 12 T02S, R21W Norton County	Upper Republican River Basin

Kansas Permit No. A-URNT-H011  
Federal Permit No. KS0101290

The proposed action is to modify and reissue the existing State/NPDES permit for a facility for a proposed maximum capacity of 6,800 head (2,720 animal units) of swine weighing more than 55 pounds, and 10,000 head (1,000 animal units) of swine weighing 55 pounds or less; for a total of 3,720 animal units. This represents no change in the permitted animal units from the previous permit. This permit is being modified to a grow-finish operation with the addition of one (1) swine building. This facility has an approved Nutrient Management Plan on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
Stillwater Swine, LLC N. Terry Nelson 7755 Road E 13 Almena, KS 67622	SW/4 of Section 12 T02S, R21W Norton County	Upper Republican River Basin

Kansas Permit No. A-URNT-H010  
Federal Permit No. KS0101281

The proposed action is to modify and reissue the existing State/NPDES permit for a facility for a proposed maximum capacity of 6,800 head (2,720 animal units) of swine weighing more than 55 pounds, and 10,000 head (1,000 animal units) of swine weighing 55 pounds or less; for a total of 3,720 animal units. This represents no change in the permitted animal units from the previous permit. This permit is being modified to a grow-finish operation with the addition of one (1) swine building and one (1) mortality composting structure. This facility has an approved Nutrient Management Plan on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
J&R Farm & Livestock, Inc. Jason Wiebe 3520 NW 160th Burns, KS 66840	S/2 of Section 29 T22S, R05E Marion County	Walnut River Basin

Kansas Permit No. A-WAMN-B004

The proposed action is to issue a new state permit for a facility for 999 head (999 animal units) of cattle weighing more than 700 pounds. The facility will consist of 17-acres of open lot pens and a waste management system consisting of two collection channels, one sediment basin and one waste storage pond. This facility has an approved Waste Management Plan on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
Carpenter Cattle Company, Inc. Wayne Carpenter 2257 CR 2 Brewster, KS 67732	SW/4 of Section 08 & N/2 of Section 17 T07S, R36W Thomas County	Upper Republican River Basin

Kansas Permit No. A-URTH-C003  
Federal Permit No. KS0086592

The proposed action is to modify and reissue the existing State/NPDES permit for a facility for a proposed maximum capacity of 20,000 head (20,000 animal units) of cattle weighing greater than 700 pounds. This represents an increase in the permitted animal units from the previous permit. This permit is also being modified to propose the construction of approximately 40 acres of open lot pens, collection channels, extraneous diversion channels, and associated feedlot areas.

Name and Address of Applicant	Legal Description	Receiving Water
Pratt Feeders, LLC Taylor Hughes 40010 NW 20th Ave. Iuka, KS 67066	S/2 of Section 04 & S/2 & NE/4 of Section 08 & All of Section 09 & NW/4 of Section 16 & N/2 of Section 17 T27S, R13W Pratt County	Lower Arkansas River Basin

Kansas Permit No. A-ARPR-C001  
Federal Permit No. KS0036374

The proposed action is to reissue an existing NPDES permit for an existing facility for 40,000 head (40,000 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.

Name and Address of Applicant	Legal Description	Receiving Water
Hy-Plains Feed Yard, LLC 7505 US-56 Hwy. Montezuma, KS 67867	W/2 & NE/4 of Section 31 T28S, R29W and S/2 of Section 36 T28S, R30W Gray County	Cimarron River Basin

Kansas Permit No. A-CIGY-C001  
Federal Permit No. KS0115738

The proposed action is to reissue an existing NPDES permit for an existing facility for 53,200 head (53,200 animal units) of cattle weighing greater 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.

Name and Address of Applicant	Legal Description	Receiving Water
Reeve Cattle Company, Inc. Lee Reeve 5665 S. Old Hwy. 83 Garden City, KS 67846	E/2 & NW/4 of Section 13 & SW/4 of Section 12 T25S, R33W Finney County	Upper Arkansas River Basin

Kansas Permit No. A-UAFI-C018  
Federal Permit No. KS0091731

The proposed action is to reissue an existing NPDES permit for an existing facility for 58,000 head (58,000 animal units) of beef 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.

Name and Address of Applicant	Legal Description	Receiving Water
Kaufman Dairy 1822 Buckskin Rd. Moundridge, KS 67107	SW/4 of Section 18 T21S, R02W McPherson County	Little Arkansas River Basin

Kansas Permit No. A-LAMP-M005

The proposed action is to reissue an existing state permit for an existing facility for 160 head (224 animal units) of mature dairy cattle, 76 head (76 animal units) of dairy heifers, and 100 head (50 animal units) of dairy calves, for a total of 350 animal units of dairy cattle. 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.

Name and Address of Applicant	Legal Description	Receiving Water
Rock'n R Angus 2070 22nd Rd. Plainville, KS 67663	W/2 of Section 10 T09S, R17W Rooks County	Solomon River Basin

Kansas Permit No. A-SORO-B015

The proposed action is to reissue an existing state permit for an existing facility for 995 head (995 animal units) of cattle weighing more than 700 pounds and 2 head (4 animal units) of horses. 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.

Name and Address of Applicant	Legal Description	Receiving Water
Fairview Farm, Inc. 12763 Fairview Rd. Harveyville, KS 66431	NW/4 of Section 05 & NE/4 of Section 06 T15S, R13E Wabaunsee County	Marais des Cygnes River Basin

Kansas Permit No. A-MCWB-S001

The proposed action is to reissue an existing state permit for an existing facility for 725 head (290 animal units) of swine more than 55 pounds and 620 head (62 animal units) of swine 55 pounds or less, for a total of 352 animal units. This is a reduction in animal units from the previous permit. This facility has an approved Waste Management Plan on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
Don and Kris Haverkamp 1827 US-75 Hwy. Fairview, KS 66425	SW/4 of Section 22 T03S, R15E Brown County	Kansas River Basin

Kansas Permit No. A-KSBR-M002

The proposed action is to reissue an existing state permit for an existing facility for 46 head (46 animal units) of beef cattle weighing more than 700 pounds, 30 head (15 animal units) of beef cattle weighing less than 700 pounds, and 170 head (238 animal units) of mature dairy cattle for a total of 299 animal units. 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.

(continued)

Name and Address of Applicant	Legal Description	Receiving Water
High Choice Feeders II 7721 W. US-56 Hwy. Scott City, KS 67871	NE/4 of Section 22 & N/2 of Section 23 T18S, R34W Scott County	Upper Arkansas River Basin

Kansas Permit No. A-UASC-C015  
Federal Permit No. KS0081175

The proposed action is to approve an update to the Nutrient Management Plan (NMP) received for this existing facility currently permitted for 20,000 head (20,000 animal units) of cattle weighing greater than 700 pounds. The facility's NMP was updated to include changes in the application rate limitation for their fields. One of the field's application rate limitations 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.

Name and Address of Applicant	Legal Description	Receiving Water
Spandet Dairy, LLC 6306 Road 20 Cimarron, KS 67835	SW/4 of Section 29 & SE/4 of Section 30 & E/2 of Section 31 & NW/4 of Section 32 T24S, R27W Gray County	Upper Arkansas River Basin

Kansas Permit No. A-UAGY-D002  
Federal Permit No. KS0091120

The proposed action is to modify and reissue an existing NPDES permit for an expanding facility for 12,000 head (13,440 animal units) of mature dairy cattle, 7,500 head (7,500 animal units) of cattle weighing greater than 700 pounds, and 3,600 head (1,800 animal units) of cattle weighing less than 700 pounds for a total of 23,100 head (26,100 animal units). This permit is being modified for process wastes and wastewaters from a portion of the facility to be transferred to three (3) new tanks that will be utilized as anaerobic digesters before wastewater is transferred to the six (6) existing earthen wastewater structures. There is no change in the permitted number of animal units from the previous permit. This facility has an approved Nutrient Management Plan on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
Steven L. and Jessie M. Macke 561 160th Rd. Baileyville, KS 66404	S/2 of Section 23 T02S, R11E Nemaha County	Missouri River Basin

Kansas Permit No. A-MONM-B005

The proposed action is to modify and reissue an existing state permit for a facility for 999 head (999 animal units) of cattle weighing more than 700 pounds. This permit is being modified to include a recently constructed cattle confinement building with a concrete floor located in the west feedlot. The building measures 51-feet by 1,200-feet with six (6) pens that utilize deep bedding. There is 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.

Name and Address of Applicant	Legal Description	Receiving Water
Kan Sun Cattle, LLC Amy Rich 1129 N. CR 3 Leoti, KS 67861	S/2 of Section 33 T16S, R38W Wichita County	Smoky Hill River Basin

Kansas Permit No. A-SHWH-C004  
Federal Permit No. KS0115282

The proposed action is to reissue an existing NPDES permit for an existing facility for 17,000 head (17,000 animal units) of cattle weighing more than 700 pounds, and 10 head (20 animal units) of horses, for a total of 17,020 animal units. 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.

Name and Address of Applicant	Legal Description	Receiving Water
Top Line Feed Yard 1118 200th Ave. Lewis, KS 67552	NW/4 of Section 29 T24S, R17W Edwards County	Upper Arkansas River Basin

Kansas Permit No. A-UAED-B004

The proposed action is to reissue an existing state permit for an existing facility for 900 head (900 animal units) of cattle weighing more than 700 pounds and 10 head (20 animal units) of horses, for a total of 920 animal units. 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.

Name and Address of Applicant	Legal Description	Receiving Water
Nathan Stutzman 6087 Trego Rd. Chetopa, KS 67336	NW/4 of Section 13 T34S, R20E Labette County	Neosho River Basin

Kansas Permit No. A-NELB-M013

The proposed action is to reissue an existing state permit for an existing facility for 8 head (8 animal units) of cattle weighing more than 700 pounds, 15 head (7.5 animal units) of cattle weighing less than 700 pounds, 31 head (43.4 animal units) of mature dairy cows, and 12 head (24 animal units) of horses for a total of 82.9 animal units. 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.

Name and Address of Applicant	Legal Description	Receiving Water
Wildcat Feeders, LLC 975 Limestone Trail Scandia, KS 66966	SE/4 of Section 21 T03S, R04W Republic County	Lower Republican River Basin

Kansas Permit No. A-LRRP-B003

The proposed action is to reissue an existing state permit for an existing facility for 999 head (999 animal units) of cattle 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.

Name and Address of Applicant	Legal Description	Receiving Water
DLS Farms, Inc. Dave Schamberger 3387 S. K-23 Hwy. Hoxie, KS 67740	SE/4 of Section 28 T08S, R28W Sheridan County	Solomon River Basin

Kansas Permit No. A-SOSD-B006

The proposed action is to reissue an existing state permit for an existing facility for 500 head (500 animal units) of cattle 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.

Name and Address of Applicant	Legal Description	Receiving Water
Fisher Dairy James Fisher 6049 Trego Rd. Chetopa, KS 67336	SW/4 of Section 13 T34S, R20E Labette County	Neosho River Basin

Kansas Permit No. A-NELB-M018

The proposed action is to reissue an existing state permit for an existing facility for 20 head (10 animal units) of cattle weighing more than 700 pounds and 40 head (56 animal units) of mature dairy cows; for a total of 66 animal units. 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.

Name and Address of Applicant	Legal Description	Receiving Water
Bird City Dairy, LLC 1440 CR 32 Bird City, KS 67731	N/2 of SW/4 of Section 27 & S/2 of NW/4 of Section 27 T03S, R37W Cheyenne County	Upper Republican River Basin

Kansas Permit No. A-URCN-D001  
Federal Permit No. KS0099091

The proposed action is to approve an update to the Nutrient Management Plan (NMP) received for this existing facility currently permitted for 3,300 head (4,620 animal units) of mature dairy cattle and 300 head (150 animal units) of dairy cattle less than 700 pounds or less; for a total of 4,770 animal units. The facility's NMP was updated to include the addition of five new land application fields. 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.

Name and Address of Applicant	Legal Description	Receiving Water
Friendship Farms, LLC - #1 1496 Road 210 Lakin, KS 67860	SW/4 & SE/4 of Section 20 T23S, R36W Kearny County	Upper Arkansas River Basin

Kansas Permit No. A-UAKE-H002  
Federal Permit No. KS0094960

The proposed action is to reissue an existing NPDES permit for an existing facility for 43,200 head (17,280 animal units) of swine weighing more than 55 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.

Name and Address of Applicant	Legal Description	Receiving Water
Friendship Farms, LLC #2 2176 Road X Lakin, KS 67860	NW/4 of Section 21 T23S, R35W Kearny County	Upper Arkansas River Basin

Kansas Permit No. A-UAKE-H003  
Federal Permit No. KS0095087

The proposed action is to reissue an existing NPDES permit for an existing facility for 16,200 head (6,480 animal units) of swine weighing more than 55 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.

Name and Address of Applicant	Legal Description	Receiving Water
Rio Vista Farms, LLC Zachary Gale 9801 W. US-50 Hwy., Road F Coolidge, KS 67836	SE/4 of Section 20 & W/2 of Section 21 T23S, R42W Hamilton County	Upper Arkansas River Basin

Kansas Permit No. A-UAHM-D001  
Federal Permit No. KS0093343

The proposed action is to reissue an existing NPDES permit for an existing facility for 6,850 head (9,590 animal units) of mature dairy cattle with an associated 2,800 head (2,800 animal units) replacement heifer operation for a total of 9,650 head (12,390 animal units) of cattle. 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.

Name and Address of Applicant	Legal Description	Receiving Water
Seaboard Foods, LLC - Thomason 202, 203, 205 and 207 1750 and 1765 Blvd., F and 550 Road 17 and 555 Road 18 Elkhart, KS 67950	#202: SW/4 & NW/4 of Section 23 #203: NW/4 & NE/4 of Section 26 #205: NW/4 of Section 26 #207: SE/4 & NE/4 of Section 26 All in T34S, R41W Morton County	Cimarron River Basin

Kansas Permit No. A-CIMT-H003  
Federal Permit No. KS0091928

The proposed action is to reissue an existing NPDES permit for an existing facility for 43,200 head (17,280 animal units) of swine weighing more than 55 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.

Name and Address of Applicant	Legal Description	Receiving Water
Dillwyn Feedyard 187 NW 70th Ave. Macksville, KS 67557	W/2 of Section 09 T24S, R14W Stafford County	Lower Arkansas River Basin

Kansas Permit No. A-ARSF-C003  
Federal Permit No. KS0115681

The proposed action is to reissue an existing NPDES permit for an existing facility for 4,000 head (4,000 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.

Name and Address of Applicant	Legal Description	Receiving Water
Wildcat Feeders, LLC 975 Limestone Trail Scandia, KS 66966	SE/4 of Section 21 T03S, R04W Republic County	Lower Republican River Basin

Kansas Permit No. A-LRRP-B003

The proposed action is to reissue an existing state permit for an existing facility for 999 head (999 animal units) of cattle 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.

Name and Address of Applicant	Legal Description	Receiving Water
Keott Farms, Inc. 970 18th Rd. Clay Center, KS 67432	SW/4 of Section 27 T07S, R02E Clay County	Lower Republican River Basin

Kansas Permit No. A-LRCY-H004  
Federal Permit No. KS0094471

The proposed action is to approve an update to the Nutrient Management Plan (NMP) received for this existing facility currently permitted for 3,220 head (1,288 animal units) of swine weighing greater than 55 pounds and 1,600 head (160 animal units) of swine weighing 55 pounds or less for a total of 1,448 animal units of swine. The facility's NMP was updated to include changes in application rate limitations for their fields. Three of the fields application rate limitation 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.

Name and Address of Applicant	Legal Description	Receiving Water
KRB Pork, Inc. 4th and Jade Rd. Palmer, KS 66962	SE/4 of Section 10 T05S, R02E Washington County	Lower Republican River Basin

(continued)

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 more than 55 pounds. The facility's NMP was updated to include changes in the application rate limitations for their fields. Two of the fields application rate limitation became less restrictive than the previous permit. 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.

Name and Address of Applicant	Legal Description	Receiving Water
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Dunn Swine, LLC 863 NW 10th Ave. St. John, KS 67576	NE/4 of Section 05 T23S, R13W Stafford County	Lower Arkansas River Basin
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Kansas Permit No. A-ARFS-H001  
Federal Permit No. KS0089958

The proposed action is to approve an update to the Nutrient Management Plan (NMP) received for this existing facility currently permitted for 1,855 head (742 animal units) of swine weighing more than 55 pounds and 2,675 head (267.5 animal units) of swine weighing 55 pounds or less; for a total of 1,009.5 animal units of swine. The facility's NMP was updated to include changes to the application rate limitations. 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.

Name and Address of Applicant	Legal Description	Receiving Water
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Hanson Farming Co. 1009 X Rd. Pawnee Rock, KS 67567	NE/4 of Section 15 T20S, R16W Pawnee County	Upper Arkansas River Basin
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Kansas Permit No. A-UAPN-C007  
Federal Permit No. KS0093688

The proposed action is to approve an update to the Nutrient Management Plan (NMP) received for this existing facility currently permitted for 2,000 head (2,000 animal units) of cattle weighing more than 700 pounds. The facility's NMP was updated to include changes in application rate limitations for their fields. Three of the fields application rate limitation 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.

Name and Address of Applicant	Legal Description	Receiving Water
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Gottsch Feeding Corporation Bill Oats 13231 Parallel Rd. Rosalia, KS 67132	NW/4 of Section 06 T26S, R08E Butler County	Walnut River Basin
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Kansas Permit No. A-WABU-C013  
Federal Permit No. KS0097942

The proposed action is to modify the current NPDES permit and Nutrient Management Plan (NMP) for an existing facility for 1,500 head (750 animal units) of cattle weighing less than 700 pounds. The proposed modification is to change the method of mortality management from rendering to burial. There are no other changes to the permit or NMP. Only the portions of the permit and NMP being modified are subject to comment.

Name and Address of Applicant	Legal Description	Receiving Water
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Janssen Hog Farm, Inc. Steven Janssen 980 Ave. B Geneseo, KS 67444	NE/4 of Section 09 T18S, R09W Rice County	Lower Arkansas River Basin
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Kansas Permit No. A-ARRC-S002

The proposed action is to reissue an existing state permit for an existing facility for 1,450 head (580 animal units) of swine more than 55 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.

Name and Address of Applicant	Legal Description	Receiving Water
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Wooden Cross Cattle Co. Merle Schlehuber 557 190th Rd. Hillsboro, KS 67063	NW/4 of Section 02 T20S, R01E Marion County	Neosho River Basin
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Kansas Permit No. A-NEMN-B015

The proposed action is to reissue an existing state permit for an existing facility for 400 head (400 animal units) of cattle 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.

Name and Address of Applicant	Legal Description	Receiving Water
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Tim Wiebe Farms 259 130th Newton, KS 67114	NE/4 of Section 05 T21S, R01E Marion County	Little Arkansas River Basin
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Kansas Permit No. A-LAMN-B001

The proposed action is to reissue an existing state permit for an existing facility for 800 head (800 animal units) of cattle 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.

Name and Address of Applicant	Legal Description	Receiving Water
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Simon Dairy Nicholas Simon 4961 S. Maize Rd. Clearwater, KS 67026	NE/4 of Section 19 T28S, R01W Sedgwick County	Lower Arkansas River Basin
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Kansas Permit No. A-ARSG-B005

The proposed action is to reissue an existing state permit for an existing facility for 60 head (60 animal units) of cattle weighing greater than 700 pounds and 60 head (30 animal units) of cattle weighing less than 700 pounds for a total of 90 animal units. 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.

Name and Address of Applicant	Legal Description	Receiving Water
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Perrier Feed Yard – Whirlwind John Perrier 10550 Whirlwind Rd. Dodge City, KS 67801	SE/4 of Section 25 & NE/4 of Section 36 T28S, R26W Ford County	Cimarron River Basin
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Kansas Permit No. A-CIFO-C002  
Federal Permit No. KS0115711

The proposed action is to reissue an existing NPDES permit for an existing facility for 4,500 head (4,500 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.

Name and Address of Applicant	Legal Description	Receiving Water
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Ruff Farms, Inc. - Ruff Farms Feedlot 39344 SE O Rd. Hanston, KS 67849	S/2 of Section 24 T22S, R22W Hodgeman County	Upper Arkansas River Basin
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Kansas Permit No. A-UAHG-C004  
 Kansas Permit No. KS0085413

The proposed action is to reissue an existing NPDES permit for an existing facility for 4,950 head (4,950 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.

Name and Address of Applicant	Legal Description	Receiving Water
TMC Feeders LLC dba Cutler Cattle 5010 Big Valley Dr. Scott City, KS 67871	SW/4 of Section 22 T17S, R33W Scott County	Smoky Hill River Basin

Kansas Permit No. A-SHSC-C011  
 Federal Permit No. KS0087513

The proposed action is to reissue an existing NPDES permit for an existing facility for 4,900 head (4,900 animal units) of cattle weighing more than 700 pounds and 10 head (20 animal units) of horses. 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.

**Public Notice No. KS-AG-R-23-015/018**

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

Name and Address of Registrant	Legal Description	County
Mike Ellis 7821 N. US-83 Hwy. Scott City, KS 67871	NE/4 of Section 12 T17S, R33W	Scott County

Name and Address of Registrant	Legal Description	County
Murphy Brown, LLC - Kansas Site 2070250 3803 Enterprise Dr., Suite B Nevada, MO 64772	NW/4 of Section 16 T09S, R18W	Rooks

Name and Address of Registrant	Legal Description	County
Blue Sky Farms Harry DeWit 2450 Hwy. 86 Friona, TX 79035	All of Section 18 T25S, R17W	Edwards

Name and Address of Registrant	Legal Description	County
4J Land & Cattle, LLC 1223 20th Ave. Galva, KS 67443	SE/4 of Section 32 T19S, R02W	McPherson

**Public Notice No. KS-Q-23-101/139**

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	Receiving Stream	Type of Discharge
Altamont, City of PO Box 305 Altamont, KS 67330	Deer Creek via unnamed tributary	Treated Domestic Wastewater

Kansas Permit No. M-NE01-OO01  
 Federal Permit No. KS0045918

Legal Description: W½, SW¼, SE¼, Section 11, Township 33S, Range 19E of Labette County, Kansas

Facility Location: Latitude: 37.18029, Longitude: -95.29419

The proposed action is to reissue an existing State/NPDES 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 and commercial areas. The proposed permit contains limits for Biochemical Oxygen Demand, Total Suspended Solids, and Ammonia; as well as monitoring for pH, E. coli, and Total Phosphorus. 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 March 3, 2023 by calculating the 99th percentile ammonia value from the facility's discharge monitoring reports resulting in an ammonia limit of 4.8 mg/L for this facility. However, due to anti-backsliding, the ammonia limit of 4.5 will be applied.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Arma, City of PO Box 829 Arma, KS 66712-0829	First Cow Creek via unnamed tributary	Treated Domestic Wastewater

Kansas Permit No. M-NE03-OO01  
 Federal Permit No. KS0045926

Legal Description: SW¼, NE¼, Section 7, Township 29S, Range 25E of Crawford County, Kansas

Facility Location: Latitude: 37.53779, Longitude: -94.71160

The proposed action is to reissue an existing State/NPDES 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 and commercial areas and industrial wastewater from local manufacturers. The detention time at design flow is 129 days. The proposed permit contains limits for Biochemical Oxygen Demand, Total Suspended Solids, and Ammonia; as well as monitoring for pH, E. coli, and Total Phosphorus. This NPDES discharging lagoon wastewater treatment facility has been reviewed for eligibility for the MDV and has been determined to be eligible for the MDV. The ammonia effluent limit was determined on February 23, 2023 by calculating the 99th percentile ammonia value from the facility's discharge monitoring reports, resulting in an ammonia limit of 9.2 mg/L for this facility. The 99th percentile monthly average decreased during the current permit cycle resulting in a lower limit for the proposed permit.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Bern, City of PO Box 99 Bern, KS 66408	Fourmile Creek (Neb) via unnamed stream (KS/Neb Line)	Treated Domestic Wastewater

Kansas Permit No. M-MO02-OO01  
 Federal Permit No. KS0047244

Legal Description: SE¼, NW¼, NW¼, Section 16, Township 1S, Range 13E Nemaha County, Kansas

Facility Location: Latitude: 39.96845, Longitude: -95.97369

The proposed action is to reissue an existing State/NPDES permit for an existing facility. The existing facility is a three-cell wastewater stabilization lagoon system with a two cell industrial wastewater pretreatment system with a minimum of 120 days detention time. The facility receives domestic wastewater from residential and commercial areas and industrial wastewater from local manufacturers. The proposed action is to issue a new State/NPDES permit for a new facility. The proposed permit contains limits for Biochemical Oxygen Demand, Total Suspended Solids, and Ammonia; as well monitoring for pH and E. coli.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Florence, City of 511 Main St. Florence, KS 66851	Cottonwood River via Doyle Creek	Treated Domestic Wastewater

(continued)

Kansas Permit No. M-NE26-001  
Federal Permit No. KS0093068

Legal Description: SW¼, SW¼, NE¼, Section 7, Township 21S, Range 5E of Marion County, Kansas

Facility Location: Latitude: 38.23855, Longitude: -96.92186

The proposed action is to reissue an existing State/NPDES 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 and commercial areas. The proposed permit contains limits for Biochemical Oxygen Demand and Total Suspended Solids, as well as monitoring for pH, Ammonia, E. coli, and Sulfate.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Highland, City of PO Box 387 Highland, KS 66035	Mission Creek	Treated Domestic Wastewater

Kansas Permit No. M-MO09-001  
Federal Permit No. KS0047457

Legal Description: SW¼, NE¼ and N½, SE¼, Section 23, Township 2S, Range 19E of Doniphan County, Kansas

Facility Location: Latitude: 39.86255, Longitude: -95.25211

The proposed action is to reissue an existing State/NPDES permit for an existing facility. The existing facility is a five-cell wastewater stabilization lagoon system with a minimum of 120 days detention time. The facility receives domestic wastewater from residential and commercial areas. The detention time at design flow is 144 days. The proposed permit contains limits for Biochemical Oxygen Demand, Total Suspended Solids, and Ammonia; as well as monitoring for pH and E. coli. 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 February 27, 2023 by calculating the 99th percentile ammonia value from the facility's discharge monitoring reports resulting in an ammonia limit of 8.0 mg/L for this facility. The 99th percentile monthly average decreased during the current permit cycle resulting in a lower limit for the proposed permit.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Scammon, City of PO Box 205 Scammon, KS 66773	Cherry Creek via Little Cherry Creek	Treated Domestic Wastewater

Kansas Permit No. M-NE61-001  
Federal Permit No. KS0080357

Legal Description: NE¼, SW¼, NW¼, Section 7, Township 32S, Range 24E

Facility Location: Latitude: 37.27722, Longitude: -94.82843

The proposed action is to reissue an existing State/NPDES permit for an existing facility. The existing facility is a four-cell wastewater stabilization lagoon system with a minimum of 120 days detention time. The facility receives domestic wastewater from residential and commercial areas. The detention time at design flow is 127 days. The proposed permit contains limits for Biochemical Oxygen Demand, Total Suspended Solids, and Ammonia; as well as monitoring for pH and E. coli.

Name and Address of Applicant	Receiving Stream	Type of Discharge
St. Paul, City of PO Box 311 St. Paul, KS 66771	Neosho River via Flat Rock Creek via KDWP&T Neosho Wildlife area wetlands	Treated Domestic Wastewater

Kansas Permit No. M-NE59-002  
Federal Permit No. KS0084174

Legal Description: S½,SE¼ NE¼, Section 24, Township 29S, Range 20E and SW¼, SW¼, NW¼, Section 19, Township 29S, Range 21E of Neosho County, Kansas

Facility Location: Latitude: 37.50794, Longitude: -95.16251

The proposed action is to reissue an existing State/NPDES 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 and commercial areas. The detention time at design flow is 118 days. The proposed permit contains limits for Biochemical Oxygen Demand, Total Suspended Solids, and Ammonia; as well as pH, E. coli, and Total Phosphorus. 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 February 9, 2023 by calculating the 99th percentile ammonia value from the facility's discharge monitoring reports resulting in an ammonia limit of 1.6 mg/L for this facility.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Midwest Minerals 709 Locust St. Pittsburg, KS 66073	Verdigris River via Pumpkin Creek via unnamed tributary	Processed Wastewater

Kansas Permit No. I-VE09-PO14  
Federal Permit No. KS0200013

Legal Description: NE1/2 of Section 35, Township 34S, Range 17E of Labette County, Kansas

Facility Location: Latitude: 37.0448, Longitude: -95.5103

The proposed action is to issue a new State/NPDES permit for a new facility. This is a new limestone quarrying and crushing operation with no washing. Outfalls 001A, 002A and 003A consists of stormwater runoff, which will be treated by a sedimentation pond. The proposed permit contains generic language to protect the waters of the state. In compliance with Kansas and federal law, KDHE has approved an antidegradation review for this new facility for increased concentrations and mass of some pollutants to the receiving stream. The water quality of the receiving stream will not be lowered below the quality necessary to support existing designated uses.

Name and Address of Applicant	Receiving Stream	Type of Discharge
USDA/Farm Production and Conservation Business Center 1400 Independence Ave. SW, Stop 0563, Room 4089-S Washington, DC 20250-0563	Kansas River via Delaware River via Grasshopper Creek via dry drainage via storm sewer	Processed Wastewater

Kansas Permit No. I-KS60-PO01  
Federal Permit No. KS0200002

Legal Description: SW 1/4, Section 28, Township 3S, Range 016E of Brown County, Kansas

Facility Location: Latitude: 39.76158, Longitude: -95.63287

The proposed action is to issue a new State/NPDES permit for a new facility. This facility is a groundwater extraction and treatment system installed to control and remediate the carbon tetrachloride contamination associated with USDA's former facility. The system will also remediate chloroform and ethylene dibromide. The proposed permit contains limits for Carbon Tetrachloride, Chloroform, Ethylene Dibromide, and pH; as well as monitoring for Flow, Nitrite + Nitrate, Carbon Tetrachloride, Chloroform, and Ethylene Dibromide. In compliance with Kansas and federal law, KDHE has approved an antidegradation review for this new facility for increased concentrations and mass of some pollutants to the receiving stream. The water quality of the receiving stream will not be lowered below the quality necessary to support existing designated uses.



**Name and Address of Applicant**      **Receiving Stream**      **Type of Discharge**

Sunflower Electric Power Corporation  
301 W. 13th St.  
Hays, KS 67601-0980

Arkansas River via Dry Walnut Creek via unnamed tributary

Processed Wastewater

Kansas Permit No. I-UA16-PO02  
Federal Permit No. KS0080012

Legal Description: SE ¼ Section 9, Township 19S, Range 14 W of Barton County, Kansas

Facility Location: Latitude: 38.41001, Longitude: -98.86978

The proposed action is to reissue an existing State/NPDES permit for an existing facility. This is a peaking natural gas fired steam electric power generating station which operates about 1-3 weeks in a year. Steam electric generating units #1 and #2 were permanently retired in 1983. Unit #3 has a generator nameplate rating of 82 megawatts. During operation of any unit or the auxiliary boiler, wastewater consisting of cooling tower blowdown, boiler blowdown, and floor drains is discharged to Dry Walnut Creek through Outfall 001A. The average design discharge is about 0.3 million gallons per day when the station is on-line and about 55 gpd when the station is off-line. Domestic waste is directed to a leach field. The proposed permit contains limits for Total Residual Oxidant and pH, as well as monitoring for Flow, Electric Power Generation, Temperature, Nitrate + Nitrite, Total Phosphorus, Sulfate, and Total Recoverable Selenium.

**Name and Address of Applicant**      **Receiving Stream**      **Type of Discharge**

Bartlett, City of  
PO Box 4652  
Bartlett, KS 67332

Lake Creek via unnamed tributary

Treated Domestic Wastewater

Kansas Permit No. M-NE04-OO01  
Federal Permit No. KS0080900

Legal Description: NE¼, NE¼, NE¼, Section 28, Township 34S, Range 20E of Labette County, Kansas

Facility Location: Latitude: 37.06196, Longitude: -95.21555

The proposed action is to reissue an existing State/NPDES 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 and commercial areas. The proposed permit contains limits for Biochemical Oxygen Demand, Total Suspended Solids, and Ammonia; as well as monitoring for pH, E. Coli, and Total Phosphorus. The following schedule is enforceable under this permit. Permittee shall retain a KDHE-certified operator by October 15, 2023.

**Name and Address of Applicant**      **Receiving Stream**      **Type of Discharge**

Robinson, City of  
PO Box 38  
Robinson, KS 66532

Wolf River

Treated Domestic Wastewater

Kansas Permit No. M-MO17-OO01  
Federal Permit No. KS0047546

Legal Description: SW¼, SW ¼, SE ¼, Section 4, Township 3S, Range 18E of Brown County, Kansas

Facility Location: Latitude: 39.081311, Longitude: -95.40492

The proposed action is to reissue an existing State/NPDES 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 areas. The proposed permit contains limits for Biochemical Oxygen Demand, Total Suspended Solids, Ammonia, and E. Coli; as well as monitoring for pH.

**Name and Address of Applicant**      **Receiving Stream**      **Type of Discharge**

Lehigh, City of  
PO Box 208  
Lehigh, KS 67073

French Creek via unnamed tributary

Treated Domestic Wastewater

Kansas Permit No. M-NE41-OO01  
Federal Permit No. KS0026417

Legal Description: NW¼, SW ¼, NE ¼, Section 26, Township 19S, Range 1E of Marion County, Kansas

Facility Location: Latitude: 38.37192, Longitude: -97.28832

The proposed action is to reissue an existing State/NPDES 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 proposed permit contains limits for Biochemical Oxygen Demand, Total Suspended Solids, and Ammonia; as well as monitoring for pH, E. Coli, Total Phosphorus, Total Kjeldahl Nitrogen, Nitrate, and Total Nitrogen.

**Name and Address of Applicant**      **Receiving Stream**      **Type of Discharge**

Galeburg, City of  
PO Box 65  
Galesburg, KS 66740

Labette Creek via unnamed tributary

Treated Domestic Wastewater

Kansas Permit No. M-NE29-OO02  
Federal Permit No. KS0092193

Legal Description: SE¼, SE ¼, SE ¼, Section 31, Township 29S, Range 19E of Neosho County, Kansas

Facility Location: Latitude: 37.47206, Longitude: -95.36297

The proposed action is to reissue an existing State/NPDES 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 and commercial areas. The proposed permit contains limits for Biochemical Oxygen Demand, Total Suspended Solids, and Ammonia; as well as monitoring for pH, E. Coli, and Total Phosphorus.

**Name and Address of Applicant**      **Receiving Stream**      **Type of Discharge**

Dwight, City of  
PO Box 157  
Dwight, KS 66849

Laird's Creek via unnamed tributary

Treated Domestic Wastewater

Kansas Permit No. M-NE20-OO01  
Federal Permit No. KS0051675

Legal Description: N ½, NE ¼, Section 13, Township 14S, Range 7E of Morris County, Kansas

Facility Location: Latitude: 38.83976, Longitude: -96.60025

The proposed action is to reissue an existing State/NPDES 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 proposed permit contains limits for Biochemical Oxygen Demand and Total Suspended Solids; as well as monitoring for pH, E. Coli, and Ammonia.

**Name and Address of Applicant**      **Receiving Stream**      **Type of Discharge**

Hepler, City of  
PO Box 75  
Hepler, KS 66746

Walnut Creek via unnamed tributary

Treated Domestic Wastewater

Kansas Permit No. M-NE34-OO01  
Federal Permit No. KS0028533

Legal Description: NE¼, SE ¼, NE ¼, Section 35, Township 27S, Range 22E of Crawford County, Kansas

Facility Location: Latitude: 37.65588, Longitude: -94.96124

The proposed action is to reissue an existing State/NPDES 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 areas. The proposed permit contains limits for Biochemical Oxygen Demand, Total Suspended Solids, and Ammonia; as well as monitoring for pH,

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and E. Coli. 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 and an Economic Eligibility Determination (EED) that assessed the impact of the cost of a new mechanical facility to the community's rate payers. The ammonia effluent limit was determined on February 24, 2023, by calculating the 99th percentile ammonia value from the facility's discharge monitoring reports resulting in an ammonia limit of 16.3 mg/L for the facility. The EED was completed on March 29, 2023.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Wellington, City of 317 S. Washington Ave. Wellington, KS 67152	Arkansas River via Slate Creek via Beaver Creek via unnamed tributary	Treated Domestic Wastewater

Kansas Permit No. M-AR92-OO02  
Federal Permit No. KS0099571

Legal Description: NE¼, NW ¼, SW ¼, Section 24, Township 32S, Range 1W of Sumner County, Kansas

Facility Location: Latitude: 37.25264, Longitude: -97.38076

The proposed action is to reissue an existing State/NPDES permit for an existing facility. The existing facility is a mechanical wastewater treatment plant consisting of: off-site and on-site raw wastewater pumping stations, drum screen headworks, BNR activated sludge treatment system, two final clarifiers, two UV disinfection units, cascade reaeration, two aerobic digesters, centrifuge dewatering with storage barn, and effluent holding pond. The facility receives domestic wastewater from residential and commercial areas and industrial wastewater from local manufacturers. The proposed permit contains limits for Biochemical Oxygen Demand, Total Suspended Solids, Ammonia, pH, E. Coli, Total Phosphorus, and whole Effluent Toxicity; as well as monitoring for Total Kjeldahl Nitrogen, Total Nitrogen, Total Phosphorus, and Sulfates. The proposed permit includes a Schedule of Compliance for facility improvements to address nutrient reduction which shall be completed by December 31, 2027.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Wichita, City of 455 N. Main St. Wichita, KS 67202	Arkansas River	Treated Domestic Wastewater

Kansas Permit No. M-AR94-IO01  
Federal Permit No. KS0043036

Legal Description: Center Section, Section 27, Township 28S, Range 1E of Sedgwick County, Kansas

Facility Location: Plant 1: Latitude: 37.63414, Longitude: -97.30793;  
Plant 2: Latitude: 37.58564, Longitude: -97.30697

Facility Address: 2305 E. 57th St. South, Wichita, KS 67216

The proposed action is to reissue an existing State/NPDES permit for an existing facility. The existing facility is a mechanical wastewater treatment plant consisting of Plant 1: raw wastewater pumping, mechanical bar screen, and extraneous flow basin; Plant 2: raw wastewater pumping, mechanical bar screen, grit chambers, primary clarification, settled wastewater pumping, trickling filters, clarification, screw pumps, intermediate pumping station, activated sludge aeration basins, final clarification, UV disinfection, reaeration, gravity belt sludge thickener, belt filter press, anaerobic digestion, sludge processing, dissolved air floatation sludge thickener, sludge screening, sludge storage, biofilter odor control system, and septage receiving station. The facility will conduct plant upgrades consisting of: mechanical bar screen, raw sewage pump station, vortex grit removal, primary clarifiers, settled sewage pump station, biological nutrient removal basin, aeration basins, ferric chloride storage tanks, supplemental carbon storage tanks, hydrocyclone facility, final clarifiers UV disinfection, reaeration, extraneous flow basin, sludge holding tanks, rotary drum thickeners, anaerobic digestion, digested sludge storage tanks, centrifuge dewatering, centrate storage tank and pump station, sludge storage building, biofilter odor control

system, and septage receiving station. The facility receives domestic wastewater from residential and commercial areas and industrial wastewater from local manufacturers. The proposed permit contains limits for Biochemical Oxygen Demand, Total Suspended Solids, ammonia, E. Coli, pH, Dissolved Oxygen, nitrates, Total Phosphorus, and Whole Effluent Toxicity; as well as monitoring for Total Kjeldahl Nitrogen, Total Nitrogen, Total Phosphorus, and Chlorides. The proposed permit includes a Schedule of Compliance for facility improvements to address nutrient reduction which shall be completed by June 30, 2028.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Fairway, City of 5240 Belinder Fairway, KS 66205	Missouri River	Stormwater Point Source

Kansas Permit No. M-MO34-SU01  
Federal Permit No. KSR410005

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 any identified total maximum daily load (TMDL) regulated pollutants if listed in the permit (TMDL Table). If there is an identified TMDL regulated pollutant, surface water monitoring may be required on the impaired water body to evaluate performance of the best management practices. Monitoring of industrial stormwater discharges and oversight 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.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Mission, City of 6090 Woodson Mission, KS 66202	Kansas River	Stormwater Point Source

Kansas Permit No. M-KS45-SU01  
Federal Permit No. KSR410021

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 any identified total maximum daily load (TMDL) regulated pollutants if listed in the permit (TMDL Table). If there is an identified TMDL regulated pollutant, surface water monitoring may be required on the impaired water body to evaluate performance of the best management practices. Monitoring of industrial stormwater discharges and oversight 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.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Mission Hills, City of 6300 State Line Rd. Mission Hills, KS 66208	Missouri River	Stormwater Point Source

Kansas Permit No. M-MO37-SU01  
Federal Permit No. KSR410022

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 any identified total maximum daily load (TMDL) regulated pollutants if listed in the permit (TMDL Table). If there is an identified TMDL regulated pollutant, surface water monitoring may be required on the impaired water body to evaluate performance of the best management practices. Monitoring of industrial stormwater discharges and oversight 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.

**Name and Address      Receiving Stream      Type of Discharge  
of Applicant**

Mission Woods, City of      Missouri River      Stormwater Point  
4700 Rainbow Blvd.           Source  
Mission Woods, KS  
66205

Kansas Permit No. M-MO40-SU01  
Federal Permit No. KSR410046

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 any identified total maximum daily load (TMDL) regulated pollutants if listed in the permit (TMDL Table). If there is an identified TMDL regulated pollutant, surface water monitoring may be required on the impaired water body to evaluate performance of the best management practices. Monitoring of industrial stormwater discharges and oversight 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.

**Name and Address      Receiving Stream      Type of Discharge  
of Applicant**

Prairie Village, City of      Missouri River      Stormwater Point  
3535 Somerset Dr.           Source  
Prairie Village, KS  
66208

Kansas Permit No. M-MO38-SU01  
Federal Permit No. KSR410028

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 any identified total maximum daily load (TMDL) regulated pollutants if listed in the permit (TMDL Table). If there is an identified TMDL regulated pollutant, surface water monitoring may be required on the impaired water body to evaluate performance of the best management practices. Monitoring of industrial stormwater discharges and oversight 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.

**Name and Address      Receiving Stream      Type of Discharge  
of Applicant**

Roeland Park, City of      Missouri River      Stormwater Point  
5600 W. 51st St.           Source  
Roeland Park, KS  
66205

Kansas Permit No. M-MO35-SU01  
Federal Permit No. KSR410030

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 any identified total maximum daily load (TMDL) regulated pollutants if listed in the permit (TMDL Table). If there is an identified TMDL regulated pollutant, surface water monitoring may be required on the impaired water body to evaluate performance of the best management practices. Monitoring of industrial stormwater discharges and oversight 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.

**Name and Address      Receiving Stream      Type of Discharge  
of Applicant**

Westwood, City of      Missouri River      Stormwater Point  
4700 Rainbow Blvd.           Source  
Westwood, KS 66205

Kansas Permit No. M-MO36-SU01  
Federal Permit No. KSR410038

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 any identified total maximum daily load (TMDL) regulated pollutants if listed in the permit (TMDL Table). If there is an identified TMDL regulated pollutant, surface water monitoring may be required on the impaired water body to evaluate performance of the best management practices. Monitoring of industrial stormwater discharges and oversight 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.

**Name and Address      Receiving Stream      Type of Discharge  
of Applicant**

Westwood Hills,      Missouri River      Stormwater Point  
City of           Source  
2216 W. 49th St.  
Westwood Hills, KS  
66205

Kansas Permit No. M-MO39-SU01  
Federal Permit No. KSR410049

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

*(continued)*

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 any identified total maximum daily load (TMDL) regulated pollutants if listed in the permit (TMDL Table). If there is an identified TMDL regulated pollutant, surface water monitoring may be required on the impaired water body to evaluate performance of the best management practices. Monitoring of industrial stormwater discharges and oversight 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.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Cherokee, City of PO Box 201 Cherokee, KS 66724	Limestone Creek via Wolf Creek via unnamed tributary	Treated Domestic Wastewater

Kansas Permit No. M-NE12-OO01  
Federal Permit No. KS0081230

Legal Description: SE¼, SW¼, Section 13, Township 31S, Range 23E of Crawford County, Kansas

Facility Location: Latitude: 37.34137, Longitude: -94.84358

The proposed action is to reissue an existing State/NPDES 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 detention time at design flow is 209 days. The proposed permit contains limits for Biochemical Oxygen Demand, Total Suspended Solids, and Ammonia; as well as monitoring for pH and E. coli.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Lincolnville, City of PO Box 96 Lincolnville, KS 66858	Cottonwood River via Clear Creek	Treated Domestic Wastewater

Kansas Permit No. M-NE43-OO01  
Federal Permit No. KS0090581

Legal Description: NE¼, NW¼, NE¼, Section 14, Township 18S, Range 4E of Marion County, Kansas

Facility Location: Latitude: 38.49283, Longitude: -96.95453

The proposed action is to reissue an existing State/NPDES permit for an existing facility. The existing facility consists of a three-cell wastewater stabilization lagoon system with a minimum of 120 days detention time. The facility receives domestic wastewater from residential and commercial areas. The detention time at design flow is 143 days. The proposed permit contains limits for Biochemical Oxygen Demand, Total Suspended Solids, and Ammonia; as well as monitoring for pH, E. coli, and Sulfates.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Norma and Chet Hiatt 1908 S. Locust Pittsburg, KS 66762	Spring River via Cow Creek	Treated Domestic Wastewater

Kansas Permit No. C-NE57-OO02  
Federal Permit No. KS0085782

Legal Description: SW¼, SE¼, NE¼, Section 34, Township 30S, Range 24E of Crawford County, Kansas

Facility Location: Latitude: 37.39079, Longitude: -94.76275

The proposed action is to reissue an existing State/NPDES 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 areas. The detention time at design flow is 152 days. The facility has not been in use since 2016. The proposed permit contains limits for Biochemical Oxygen Demand and Total Suspended Solids, as well as monitoring for pH, Ammonia, E. coli, Total Phosphorus, and Sulfate.

Name and Address of Applicant	Receiving Stream	Type of Discharge
AKASI, LLC 10867 NE US-69 Hwy. Pittsburg, KS 66762	Cow Creek via unnamed tributary	Treated Domestic Wastewater

Kansas Permit No. C-NE57-OO04  
Federal Permit No. KS0094391

Legal Description: NW¼, NW¼, NW¼, Section 20, Township 31S, Range 25E of Cherokee County, Kansas

Facility Location: Latitude: 37.33755, Longitude: -94.70471

The proposed action is to reissue an existing State/NPDES permit for an existing facility. The existing facility is a three-cell wastewater stabilization lagoon system preceded by a septic tank with a minimum of 120 days detention time. The facility receives domestic wastewater from a commercial establishment. The proposed permit contains limits for Biochemical Oxygen Demand and Total Suspended Solids, as well as monitoring for pH, Ammonia, E. coli, and Total Phosphorus.

Name and Address of Applicant	Receiving Stream	Type of Discharge
TC Oil Pipeline Operations, Inc. 13710 FNB Pkwy., Suite 300 Omaha, NE 68154	Mill Creek	Processed Wastewater

Facility Name: TC Energy Keystone Pipeline Milepost #14 Crude Oil Release Project

Kansas Permit No. I-BB21-PO02  
Federal Permit No. KS0200012

Legal Description: Section 20 & 21, Township 02S, Range 04E of Washington County, Kansas

Facility Location: Latitude: 39.861132, Longitude: -96.996557

The proposed action is to issue a new State/NPDES permit for a new facility. The temporary wastewater treatment facility was constructed onsite for the purpose of treating impacted surface and groundwater from Mill Creek that resulted from the TC Energy Keystone Pipeline Milepost #14 crude oil spill on December 7, 2022. The facility consists of a granular activated carbon (GAC) system with a 5-acre of storage lagoons for remediation of surface water and groundwater of impacted portion of Mill Creek. The treatment system also includes an upstream 3-acre phase separation lagoons with a dissolved air flotation (DAF) unit. The wastewater treatment system removes crude oil and volatile organic compounds (VOCs) from crude oil-impacted surface water and groundwater. Both lagoons have single 60-mil synthetic liners. The proposed permit contains limits for Flow, Benzene, Daily Maximum (D.M.), Toluene, D.M., Ethylbenzene, D.M., Total Xylenes, D.M., Total Petroleum Hydrocarbons – Low-Range, Total Petroleum Hydrocarbons – Mid-Range Hydrocarbons, Total Petroleum Hydrocarbons – High-Range Hydrocarbons, Total Suspended Solids, Monthly Average (M.A.)/D.M., pH – Standard Units, Oil and Grease M.A./D.M., Total Arsenic, D.M., Total Barium, D.M., Total Chromium, D.M., Total Mercury, D.M., and Total Selenium, D.M.; as well as monitoring for Total Phosphorous, Total Lead, Total Copper, Total Nickel, Total Zinc, Total Molybdenum, Sulfate, and Total Cyanide.

Name and Address of Applicant	Receiving Stream	Type of Discharge
White City, City of PO Box 4 White City, KS 66872	Neosho River via unnamed tributary	Treated Domestic Wastewater

Kansas Permit No. M-NE68-OO02  
Federal Permit No. KS0096873

Legal Description: SE¼, NW¼, SE¼, Section 35, Township 14S, Range 6E of Morris County, Kansas

Facility Location: Latitude: 38.78717, Longitude: -96.72941

The proposed action is to reissue an existing State/NPDES 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 and commercial areas. The detention time at design flow is 121 days. The proposed permit contains limits for Biochemical Oxygen Demand, Total Suspended Solids, and Ammonia; as well as monitoring for pH, E. coli, Total Phosphorus, Nitrates + Nitrites, Total Kjeldahl Nitrogen, and Total Nitrogen.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Hiawatha, City of 701 Oregon St. Hiawatha, KS 66434	Missouri River via North Fork Wolf Creek	Treated Domestic Wastewater

Kansas Permit No. M-MO08-0003  
Federal Permit No. KS0096440

Legal Description: NE¼, SW¼, NE¼, Section 32, Township 2S, Range 17E of Brown County, Kansas

Facility Location: Latitude: 39.83642, Longitude: -95.53264

The proposed action is to reissue an existing State/NPDES permit for an existing facility. The existing facility is a mechanical wastewater treatment plant consisting of: Lift station, vortex grit removal, mechanical screen, extended aeration activated sludge Aero-Mod system, UV disinfection, sludge belt filter press, and effluent reuse for golf course irrigation. The facility receives domestic wastewater from residential and commercial areas and industrial wastewater from local manufacturers. The proposed permit contains limits for Biochemical Oxygen Demand, Total Suspended Solids, pH, Ammonia, and E. coli; as well as monitoring for Total Phosphorus, Nitrates + Nitrites, Total Kjeldahl Nitrogen, and Total Nitrogen. Permittee has received a Consent Order Case Docket No. 21-E-036 BOW from KDHE. Permittee shall implement the requirements of the Consent Order and any amendments or replacements thereto. The final effluent limits shall be effective September 1, 2025.

Name and Address of Applicant	Receiving Stream	Type of Discharge
La Harpe, City of PO Box 10 La Harpe, KS 66751	Elm Creek via unnamed tributary via constructed wetlands	Treated Domestic Wastewater

Kansas Permit No. M-NE39-0002  
Federal Permit No. KS0094251

Legal Description: NE¼, SW¼, Section 34, Township 24S, Range 19E of Allen County, Kansas

Facility Location: Latitude: 37.91281, Longitude: -95.31094

The proposed action is to reissue an existing State/NPDES 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 and commercial areas and leachate from a local solid waste landfill. The detention time at design flow is 121 days. The proposed permit contains limits for Biochemical Oxygen Demand, Total Suspended Solids, and Ammonia; as well as monitoring for pH, E. coli, Total Phosphorus, Nitrates + Nitrites, Total Kjeldahl Nitrogen, and Total Nitrogen.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Oswego, City of PO Box 210 Oswego, KS 67356	Labette Creek via unnamed tributary	Treated Domestic Wastewater

Kansas Permit No. M-NE53-0001  
Federal Permit No. KS0047554

Legal Description: S½, NW¼, Section 20, Township 33S, Range 21E of Labette County, Kansas

Facility Location: Latitude: 37.15878, Longitude: -95.13577

The proposed action is to reissue an existing State/NPDES permit for an existing facility. The existing facility is a three-cell wastewater stabilization lagoon system with a minimum of 120 days detention time and performs disinfection of effluent for irrigation of the local golf course. The facility receives domestic wastewater from residential and commercial areas. The detention time at design flow is 209 days. The proposed permit contains limits for Biochemical Oxygen Demand, Total Suspended Solids, and Ammonia; as well as monitoring for pH, E. coli, and Total Phosphorus.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Parsons, City of PO Box 1037 Parsons, KS 67357	Neosho River via Labette Creek	Treated Domestic Wastewater

Kansas Permit No. M-NE55-0002  
Federal Permit No. KS0097560

Legal Description: SE¼, SW¼, Section 29, Township 31S, Range 20E of Labette County, Kansas

Facility Location: Latitude: 37.31247, Longitude: -95.24248

The proposed action is to reissue an existing State/NPDES permit for an existing facility. The existing facility is a mechanical wastewater treatment plant consisting of: Headworks, Aeration Basins (2), Final Clarifiers (2), Aerobic Digesters (2), Sludge Holding Tanks, Belt Filter Press, Peak Flow Pump Station, Peak Wet Weather Flow Holding Basins, UV Disinfection, Reaeration, and Septage Receiving Station. The facility receives domestic wastewater from residential and commercial areas and industrial wastewater from local manufacturers. The proposed permit contains limits for Biochemical Oxygen Demand, Total Suspended Solids, pH, Ammonia, E. coli, Dissolved Oxygen, and Total Phosphorus; as well as monitoring for Total Phosphorus, Nitrates + Nitrites, Total Kjeldahl Nitrogen, and Total Nitrogen.

Name and Address of Applicant	Receiving Stream	Type of Discharge
USDA/Farm Production and Conservation Business Center PO Box 37 Agra, KS, 67621	Solomon River via Deer Creek/ Turner Creek via unnamed tributary	Processed Wastewater

Kansas Permit No. I-SO01-PO01  
Federal Permit No. KS0200007

Legal Description: NW 1/4, Section 27, Township 3S, Range 16W of Phillips County, Kansas

Facility Location: Latitude: 39.764022, Longitude: -99.118872770

The proposed action is to issue a new State/NPDES permit for a new facility. This facility is a groundwater extraction and treatment system installed to control and remediate the carbon tetrachloride contamination associated with Commodity Credit Corporation (CCC)/USDA's former facility. Groundwater is pumped from three (3) extraction wells and conveyed to the treatment system via underground piping. The carbon tetrachloride will be removed from the extracted groundwater by an air stripper with tray aeration. Treated groundwater will then be conveyed through underground piping to an outfall structure. Treated water will be surface discharged to Turner Creek via Outfall 001A. The extraction wells are expected to produce a total of approximately six gallons per minute (gpm); the air stripper is designed to be capable of treating the contaminated groundwater at a slightly higher rate. The proposed permit contains limits for Carbon Tetrachloride and pH, as well as monitoring for Flow, Arsenic, Selenium, Total Phosphorus, Sulfate, and Nitrate. In compliance with Kansas and federal law, KDHE has approved an antidegradation review for this new facility for increased concentrations and mass of some pollutants to the receiving stream. The water quality of the receiving stream will not be lowered below the quality necessary to support existing designated uses.

(continued)

**Name and Address of Applicant      Receiving Stream      Type of Discharge**

Cloud Ceramics,  
Division of  
General Finance  
Incorporated  
PO Box 369  
Concordia, KS 66901

Lower Republican  
River  
via Oak Creek

Processed  
Wastewater

Kansas Permit No. I-LR08-PO02  
Federal Permit No. KS0002682

Legal Description: W ½ of NE ¼ of Section 13, Township 6S, Range 3W of Cloud County, Kansas

Facility Location: Latitude: 39.53586, Longitude: -97.59849

The proposed action is to reissue an existing State/NPDES permit for an existing facility. This facility is engaged in mining of clay used in brick manufacturing. Clay pit dewatering is employed when necessary, to remove rainwater, spring water or melted snow from clay pits and is pumped to settling ponds, before being discharged. Stormwater around the clay pits is also discharged from Outfalls 001A, 002A and 003A. The proposed permit contains generic language to protect the waters of the state.

**Public Notice No. KS-PT-23-011**

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.

**Name and Address of Applicant      POTW Receiving Wastes      Type of Discharge**

Cross Manufacturing,  
Inc.  
11011 King St., Suite  
210  
Overland Park, KS  
66210

Hays MWWTTP

Processed  
Wastewater

Kansas Permit No. P-SH16-0003  
Federal Permit No. KSP000050

Facility Address: 901 Canterbury Dr., Hays, KS 66201

Facility Location: Latitude: 38.86807, Longitude: -99.30008

The proposed action is to reissue an existing State/NPDES permit for an existing facility. The proposed action is to issue a new State/NPDES permit for a new facility. This facility manufactures hydraulic control valves, cylinders, pumps and motors. Steel parts are processed in a 3-stage conversion coating operation, in the northeast part of the plant, to prepare the steel parts for paint. This is referred to as Outfall 001A, even though the regulated wastes from this process are normally directed to an on-site evaporator system and are not discharged to the city sanitary sewer. This facility also has a wash station for the aluminum impregnator and a valve wash station that cleans grey iron and ductile castings. These operations normally do not discharge to the city sewer and is designated as Outfall 002A, if they would discharge. The proposed permit contains limits for pH, Total Toxic Organics, Cadmium, Chromium, Copper, Lead, Nickel, Silver, Zinc, and Cyanide.

**Public Notice No. KS-EG-23-008/010**

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**

Kanza Coop Iuka  
PO Box 175  
Iuka, KS 67066

Permit No. KS-05-151-004

Legal Description: Section 3, Township 27 South, Range 13 West of Pratt County, Kansas

**Well Number**

INJ01:

**Location**

Latitude: 37.7275523,  
Longitude: -98.727614

INJ02:

Latitude: 37.7269935,  
Longitude: -98.727605

INJ03:

Latitude: 37.7267066,  
Longitude: -98.728252

An application has been filed with the Kansas Department of Health and Environment (KDHE) for an aquifer remediation project which includes the use of injection wells INJ01, INJ02, and INJ03. Iuka, Kansas is located along U.S. Highway 281, approximately 6 miles north of Pratt, Kansas. The Kanza Cooperative Association is located in the extreme southern portion of the City of Iuka and was a grain storage facility. Carbon tetrachloride was first discovered in the groundwater at the site (previously known as the Iuka Cooperative Exchange) in December 1996. On December 14, 1998, the Iuka Coop entered the site into the Voluntary Cleanup and Property Redevelopment Program (VCPRP) under Voluntary Agreement No. 98VCP0031. Under the VCRP, the permittee withdraws contaminated groundwater, treats the groundwater using a granulated activated carbon (GAC) adsorption system, and is authorized to inject treated groundwater into the Quaternary alluvial aquifer. The proposed permit contains limits for Maximum Daily Wellhead Injection Pressure, Maximum Weekly Injection Volume, pH, Nitrate, and Carbon Tetrachloride.

**Name and Address of Applicant**

Occidental Chemical Corporation  
6200 S. Ridge Rd.  
Wichita, KS 67215

Permit No. KS-03-173-OP4

Legal Description:

Sec 29, T29S, R2W of  
Sedgwick County, Kansas

**Well Number**

Pauly 4-1:

Latitude: 37.501319  
Longitude: -97.565517

Pauly 4-2:

Latitude: 37.501322  
Longitude: -97.564483

Pauly 4-3:

Latitude: 37.501324  
Longitude: -97.563449

Pauly 4-4:

Latitude: 37.501327  
Longitude: -97.562415

Pauly 4-5:

Latitude: 37.501330  
Longitude: -97.561381

Permit applications have been filed with the Department to repermit five salt solution mining wells in Section 29, T29S, R2W, Sedgwick County, Kansas. This area permit is for the Pauly 4 Gallery, with area permit number KS-03-173-OP4. The production of brine will be by gallery system. These wells were formerly under Kansas Permit Numbers KS-03-173-284 through KS-03-173-288.

**Name and Address of Applicant**

Redbarn Pet Products-KAN-CAN  
30 SE 10 Rd.  
Great Bend, KS 67530

Permit No. KS-01-009-001

Legal Description: NW 1/4, Section 4, T.20S. R.13W of Barton County, Kansas

**Well Number**

Redbarn #1

**Location**

Latitude: 38.3454820  
Longitude: -98.7710203

This renewal application for permits pertains to one active Underground Injection Control (UIC) Class I disposal well, Redbarn #1 (Permit # KS-01-009-001). The well is located in NW 1/4, Section 4, T.20S. R.13W., Latitude: 38.3454820, Longitude: -98.7710203, Barton County, Kansas.

**Public Notice No. KS-NQ-23-003**

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).

Name and Address of Applicant	Facility Location	Type of Discharge
Kansas Army National Guard 2722 SW Topeka Blvd. Topeka, KS 66611	Latitude: 38.730203, Longitude: -97.739116	Non-Overflowing

Kansas Permit No. M-SH33-NO02  
Federal Permit No. KSJ001013

Facility Name: Smoky Hill Army Range

Legal Description: SE¼, NW¼, SW¼, Section 23, Township 15S, Range 4W of Saline County, Kansas

The proposed action is to issue a new, non-discharging State/NPDES permit for an existing non-discharging facility. Two cell lagoon system with 31,000 sq ft surface area that received wastewater from an office building and barracks used sporadically. Synthetic HDPE liner installed = less than 0.1 in/day seepage (assumed 0). SCHEDULE OF COMPLIANCE: Within 60 days of the effective date of this permit, the facility shall have a KDHE-certified operator to supervise the operation of this facility in compliance with K.S.A. 65-4501 et seq. and K.A.R. 28-16-30 et seq. In compliance with Kansas and federal law, KDHE has approved an antidegradation review for this new facility for increased concentrations and mass of some pollutants to the receiving stream. The water quality of the receiving stream will not be lowered below the quality necessary to support existing designated uses.

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 5, 2023 will be considered in the formulation of the final determination regarding this public notice. Please refer to the appropriate Kansas document number (KS-AG-23-156/203, KS-AG-R-23-015/018, KS-Q-23-101/139, KS-PT-23-011, KS-EG-23-008/010, KS-NQ-23-003) 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, Section Chief, 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 Mirina Landry at 1000 SW Jackson St., Suite 430, Topeka, KS 66612, telephone 785-296-0076 or email at [kdhe.feedlots@ks.gov](mailto:kdhe.feedlots@ks.gov). For all other proposed permits or actions an appointment can be scheduled, or copies requested by contacting Neal Niceswanger, Bureau of Water, 1000 SW Jackson St., Suite 420, Topeka, KS 66612, telephone 785-296-6804 or email at [Neal.Niceswanger@ks.gov](mailto:Neal.Niceswanger@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 at <http://www.kdhe.ks.gov/livestock>. Division of Environment offices are open from 8:00 a.m. to 5:00 p.m., Monday through Friday, excluding holidays.

Janet Stanek  
Secretary

Department of Health and Environment

Doc. No. 051289

State of Kansas

Attorney General

Opinion 2022-8

**Re: Counties and County Officers – County Commissioners – Eligibility to Office of Commissioner; State, County, Township or City Office; County Hospital Clinic Director; Incompatibility of Offices.**

**County and County Officers – Hospitals and Related Facilities – County Hospitals; Management of Hospital; Hospital Board; Powers and Duties of Board; Clinic Director; County Commissioner; Incompatibility of Offices September 14, 2022.**

**Synopsis:** Sheridan County has established a hospital and provided for its governance by an elected board pursuant to K.S.A. 19-4601 *et seq.* K.S.A. 19-205 does not preclude a person employed in the hospital as a clinic director from serving as a county commissioner. The common law doctrine of incompatibility of offices does not preclude a person from concurrently serving as Sheridan County commissioner and clinic director. Cited herein: K.S.A. 19-205; 19-4601; 19-4605; 19-4606; 19-4607; 19-4610; 77-109. RDS

Opinion 2022-9

**Re: Public Utilities – Miscellaneous Provisions – Kansas Energy Choice Act; Customer’s Use of Utility Service; Limitations on Municipalities Related Thereto December 12, 2022.**

**Synopsis:** The Kansas Energy Choice Act prohibits city ordinances that restrict where propane or natural gas tanks may be used but does not prohibit the regulation of the size and placement of these tanks in all instances. Cities cannot directly enforce federal Occupational Safety and Health Administration regulations. Cited herein:

(continued)

K.S.A. 55-1802; K.S.A. 2022 Supp. 66-1288; Kan. Const., Art. 12, § 5. PK

### Opinion 2023-1

**Re: Waters and Watercourses – Appropriation of Water for Beneficial Use – Multi-Year Flex Accounts; Definitions, Establishment, Conditions; Term Permits; Fees Waters and Watercourses – Appropriation of Water for Beneficial Use – Kansas Water Banking Act January 6, 2023.**

**Synopsis:** Holders of groundwater rights may establish either a multi-year flex account or place their water in a safe deposit account in a water bank, but not both. Cited herein: K.S.A. 82a-736; 82a-761; 82a-762; 82a-763. KKW

Derek Schmidt  
Former Attorney General

Doc. No. 051283

State of Kansas

### Board of Pharmacy

#### Notice of Hearing on Proposed Administrative Regulation

A public hearing will be conducted at 8:30 a.m. Thursday, September 28, 2023, at the Office of Administrative Hearings, 1020 S. Kansas Ave., Topeka, Kansas, to review and consider the adoption of a proposed permanent regulation of the Kansas State Board of Pharmacy.

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed regulation. All interested parties may submit written comments prior to the public hearing to Alexandra Blasi, Executive Secretary, 800 SW Jackson, Suite 1414, Topeka, KS 66612-1244, or by email to [pharmacy@ks.gov](mailto:pharmacy@ks.gov). All interested parties will be given a reasonable opportunity to present their views orally regarding the adoption of the proposed regulation during the public hearing. In order to provide all parties an opportunity to present their views, it may be necessary to request that each participant limit any oral presentation to five minutes.

Any individual with a disability may request an accommodation in order to participate in the public hearing and may request the regulation and economic impact statement in an accessible format. Requests for accommodation to participate in the public hearing should be made at least 10 business days in advance of the hearing by contacting Alexandra Blasi, Executive Secretary, 800 SW Jackson, Suite 1414, Topeka, KS 66612-1244 or by phone at 785-296-4056. Handicapped parking is located at the north entrance to the building. Curbs at the north entrance are accessible to individuals with disabilities.

A summary of the proposed regulation and its economic impact follow. Copies of the regulation and economic impact statement may be viewed at <https://pharmacy.ks.gov/statutes-regs/proposed-changes>. (Note: Statements indicating that “The Board anticipates that the proposed new regulation will have minor to no economic impact” are intended to indicate that no economic impact on the Board, other state agencies, state employees, or the general public have been identified.)

**K.A.R. 68-20-32. 8-bromo-6-(2-fluorophenyl)-1-methyl-4H-benzof[1,2,4]triazolo[4,3-a][1,4]diazepine included in schedule I.** Pursuant to the Board’s emergency scheduling authority, the proposed permanent regulation would place flubromazolam in schedule I of the Kansas Uniform Controlled Substances Act until July 1, 2024, giving the Kansas legislature sufficient time to consider the drug for permanent scheduling. This schedule is reserved for drugs that have no known medicinal use. Any economic impact would be related to prosecution of alleged criminals for possession or sale of flubromazolam and any resultant conviction.

Alexandra Blasi  
Executive Secretary  
Board of Pharmacy

Doc. No. 051285

State of Kansas

### Wildlife and Parks Commission

#### Notice of Hearing on Proposed Administrative Regulation

A public hearing will be conducted by the Wildlife and Parks Commission (the Commission) at 12:00 p.m., September 7, 2023, at The Finnup Center for Conservation Education at the Lee Richardson Zoo, 312 E. Finnup Dr., Garden City, KS 67846-6561, to consider the approval and adoption of a proposed administrative regulation of the Kansas Department of Wildlife and Parks.

Other Commission business will follow and will include general discussions, which may include educational presentations, workshop sessions, and public comment opportunities following the public hearing and again toward the end of the meeting. The meeting will continue until all business is complete.

Any individual with a disability may request an accommodation in order to participate in the public hearing and may request the proposed regulation and economic impact statement in an accessible format. Requests for accommodation to participate in the hearing should be made at least five working days in advance of the hearing by contacting Sheila Kemmis, Commission Secretary, at 620-672-5911. Persons with a hearing impairment may call the Kansas Commission for the Deaf and Hard of Hearing at 1-800-432-0698 to request special accommodations.

This 60-day notice period prior to the hearing constitutes a public comment period for the purpose of receiving written public comments on the proposed administrative regulation.

All interested parties may submit written comments prior to the hearing to the Chairman of the Commission, Kansas Department of Wildlife and Parks, 1020 S. Kansas Avenue, Suite 200, Topeka, KS 66612, or to [sheila.kemmis@ks.gov](mailto:sheila.kemmis@ks.gov), if submitted electronically. All interested parties will be given a reasonable opportunity at the hearing to express their views orally regarding the adoption of the proposed regulation. During the hearing, all written and oral comments submitted by interested parties will be considered by the Commission as a basis for approving, amending and approving, or rejecting the proposed regulation.



The regulation that will be heard during the regulatory hearing portion of the meeting is as follows:

**K.A.R. 115-20-2.** This regulation amendment covers the provision and restrictions for certain wildlife, legal equipment, taking methods, possession, and license requirement.

**Economic Impact Summary:** There are no changes in aggregate state revenue or expenditures, nor is there any immediate or long-range impact on any legitimate activity of any individual, small employer, or the general public that is anticipated as a result of the proposed regulation.

Copies of the complete text of the regulation and economic impact statement may be obtained by writing the Chairperson of the Commission at the address above, electronically on the Department's website at <http://www.ksoutdoors.com>, or by calling 785-296-2281.

Gerald Lauber  
Chairman

Wildlife and Parks Commission

Doc. No. 051282

## State of Kansas

### Department of Wildlife and Parks

#### Permanent Administrative Regulations

#### Article 4.—BIG GAME

**115-4-11. Big game and wild turkey permit applications.** (a) General application provisions.

(1) Unless otherwise authorized by law or regulation, an individual shall not apply for or obtain more than one antlered or horned big game or wild turkey permit for each big game species or wild turkey, except when the individual is unsuccessful in a limited quota drawing and alternative permits for the species are available at the time of subsequent application or when the individual is the final recipient of a commission permit.

(2) Unless otherwise authorized by law or regulation, each big game or wild turkey permit application shall be signed by the individual applying for the permit.

(3) Subject to any priority draw system established by this regulation, if the number of permit applications of a specific species and type received by the designated application deadline exceeds the number of available permits of that species and type, a random drawing to issue permits of that species and type shall be conducted by the secretary.

(4) A hunt-on-your-own-land permit shall not be tabulated in a priority draw system if the permit would otherwise reduce the applicant's odds of receiving a big game permit through that draw system.

(b) Deer permit applications.

(1) Subject to any priority draw system established by this subsection, in awarding deer permits in units having a limited number of permits, the first priority shall be given to those applicants who did not receive, in the previous year, a deer permit that allowed the taking of an antlered deer. All other deer permit applicants shall be given equal priority.

(2) In awarding a limited number of deer permits by a priority draw system, the first priority shall be given to those individuals who have earned the highest number of preference points. Preference points shall be awarded as follows:

(A) One point shall be awarded to an individual for each year the individual is unsuccessful in obtaining, by a priority draw system, a deer permit that allows the taking of an antlered deer.

(B) If the individual fails to make at least one application or purchase one preference point within a period of five consecutive years, all earned points shall be lost.

(C) If an applicant obtains, by a priority draw system, a deer permit that allows the taking of an antlered deer, all earned points shall be lost.

(D) If the number of applicants with the most preference points exceeds the number of permits for specified units or permit types, then a drawing shall be held to determine the successful applicants.

(E) If an individual wants to apply for a preference point for a deer permit that allows the taking of antlered deer and not receive a permit, the person may apply for and receive a preference point by paying the proper application or preference point fee and submitting an application during the application period specified in this regulation. No individual may apply for more than one preference point in the same calendar year, and no individual shall apply for a preference point in the same calendar year as the calendar year in which the individual is applying for a permit.

(3) If an individual is a final recipient of a commission deer permit, the individual shall not possess more than one regular antlered deer permit and one commission deer permit.

(4) Applications for nonresident limited-quota antlered deer permits shall be accepted in the Pratt office from the earliest date that applications are available through the last Friday of April each year. Any nonresident applicant may select, at the time of application, one deer management unit and up to one adjacent management unit where that permit shall be valid.

(5) Applications for resident firearms either-species, either-sex permits shall be accepted at designated locations from the earliest date that applications are available through the second Friday of June.

(6) Applications for resident any-season white-tailed either-sex deer permits, resident archery deer permits, resident muzzleloader either-species either-sex permits, and hunt-on-your-own-land deer permits shall be accepted at designated locations from the earliest date that applications are available through December 30.

(7) Each resident applicant for either-species, either-sex muzzleloader or firearm deer permits shall select, at the time of application, the unit where the permit shall be valid. The west unit permit shall be valid in units 1, 2, 17, and 18. The east unit permit shall be valid in units 3, 4, 5, 7, and 16.

(8) Applications for antlerless white-tailed deer permits shall be accepted at designated locations from the earliest date that applications are available through January 30 of the following year.

(continued)

(9) Each nonresident applicant for a regular deer permit shall have purchased a nonresident hunting license before submitting the application or shall purchase a nonresident hunting license when submitting the application.

(c) Antelope permit applications. In awarding antelope permits, the first priority shall be given to those individuals who have earned the highest number of preference points. Preference points shall be awarded as follows:

(1) One point shall be awarded to an individual for each year the individual is unsuccessful in obtaining an antelope permit.

(2) If the individual fails to submit at least one application or purchase one preference point within five consecutive years, all earned points shall be lost.

(3) If an applicant obtains an antelope permit by a priority draw system, all earned points shall be lost.

(4) If the number of applicants with the most preference points exceeds the number of permits for specified units or permit types, then a drawing shall be held to determine the successful applicants.

(5) If an individual wants to apply for a preference point for an antelope permit and does not receive a permit, the person may apply for and receive a preference point by paying the preference point fee and submitting an application during the application period specified in this regulation. No individual may apply for more than one preference point in the same calendar year, and no individual shall apply for a preference point in the same calendar year as the calendar year in which the individual is applying for a permit.

(6) Applications for resident permits shall be accepted in the Pratt office from the earliest date that applications are available through the second Friday of June.

(7) Applications for resident and nonresident archery permits shall be accepted at designated locations from the earliest date that applications are available through October 30.

(8) If there are any unfilled permits after all timely applications have been considered, the application period may be extended by the secretary.

(9) Any applicant unsuccessful in obtaining a permit through a drawing may apply for any permit made available during an extended application period, or any other permit that is available on an unlimited basis. If the applicant receives a permit made available during an extended application period or on an unlimited basis, that individual shall not receive a preference point in the same calendar year as the calendar year in which the individual received that other permit.

(d) Elk permit applications.

(1) An individual receiving a limited-quota elk permit shall not be eligible to apply for or receive an elk permit in subsequent seasons, with the following exceptions:

(A) An individual receiving an any-elk or a bull-only elk permit may apply for and receive an antlerless-only elk permit in subsequent seasons.

(B) An individual receiving a limited-quota, antlerless-only elk hunting permit shall not be eligible to apply for or receive a limited-quota, antlerless-only elk permit for a five-year period thereafter. Subject to this subsection, however, this individual may apply for and receive an any-elk or bull-only elk permit without a waiting period.

(C) When a limited number of elk permits are awarded by a random draw system, each individual shall have an additional opportunity of drawing for each bonus point earned by the individual in addition to the current application. Bonus points shall be awarded as follows:

(i) One bonus point shall be awarded to an individual for each year the individual is unsuccessful in obtaining, by a random draw system, an elk permit that allows the taking of an elk.

(ii) If an individual fails to make at least one application or purchase one bonus point within five consecutive years, all earned bonus points shall be lost.

(iii) If an applicant obtains, by a random draw system, an elk permit that allows the taking of an elk, all earned points shall be lost.

(iv) If an individual wants to apply for a bonus point for an elk permit that allows the taking of elk and not receive a permit, the person may apply for and receive a bonus point by paying the proper application or bonus point fee and submitting an application during the application period specified in this regulation. No individual may apply for more than one bonus point in the same calendar year, and no individual shall apply for a bonus point in the same calendar year as the calendar year in which the individual is applying for a permit.

(D) Each individual who is the final recipient of a commission elk permit shall be eligible for a limited-quota elk permit, subject to the provisions of this subsection.

(E) Limited-quota antlerless-only elk permits and limited-quota either-sex elk permits shall be awarded from a pool of applicants who are Fort Riley military personnel and applicants who are not Fort Riley military personnel.

(2) Applications for hunt-on-your-own-land and unlimited over-the-counter elk permits shall be accepted at designated locations from the earliest date that applications are available through March 14 of the following year.

(3) Applications for limited-quota antlerless-only elk permits and limited-quota either-sex elk permits shall be accepted at designated locations from the earliest date that applications are available through the second Friday in June.

(4) If there are leftover limited-quota antlerless-only elk permits or limited-quota either-sex permits after all timely applications have been considered, the application periods for those permits may be reopened by the secretary. Leftover permits shall be drawn and issued on a daily basis for those application periods reopened by the secretary. Any applicant unsuccessful in obtaining a permit through a drawing may apply for any leftover permit or any other permit that is available on an unlimited basis.

(5) Any individual may apply for or obtain no more than one permit that allows the taking of an elk, unless the individual is unsuccessful in a limited-quota drawing and alternative permits for elk are available at the time of subsequent application or the individual obtains a commission permit pursuant to this subsection.

(e) Wild turkey permit applications.

(1) When awarding wild turkey permits in units having a limited number of permits, the first priority shall be

given to those individuals who did not receive a permit in a limited wild turkey unit during the previous year. All other applicants shall be given equal priority.

(2) In awarding a limited number of wild turkey permits by a priority draw system, the first priority shall be given to those individuals who have earned the highest number of preference points. Preference points shall be awarded as follows:

(A) One point shall be awarded to an individual for each year the individual is unsuccessful in obtaining, by a priority draw system, a wild turkey permit.

(B) If the individual fails to submit at least one application or purchase one preference point within five consecutive years, all earned points shall be lost.

(C) If an applicant obtains, by a priority draw system, a wild turkey permit, all earned points shall be lost.

(D) If the number of applicants with the most preference points exceeds the number of permits for specified units or permit types, then a drawing shall be held to determine the successful applicants.

(E) If an individual wants to apply for a preference point for a wild turkey permit and not receive a permit, the person may apply for and receive a preference point by paying the preference point fee and submitting an application during the application period specified in this regulation. No individual may apply for more than one preference point in the same calendar year, and no individual shall apply for a preference point in the same calendar year as the calendar year in which the individual is applying for a permit.

(3) Fall wild turkey permits for unit 1, unit 2, unit 3, unit 5, and unit 6, youth turkey permits, and game tags for unit 2, unit 3, unit 5, and unit 6 may be purchased over the counter at designated locations, from the earliest date in the year that applications are available through 5:00 p.m. on January 30 of the following year.

(4) Applications for spring wild turkey permits in unit 4 shall be accepted by the department from the earliest date that applications are available until midnight on the second Friday of February. If there are turkey permits left over after all timely applications have been considered, the application period may be reopened by the secretary. Leftover turkey permits shall be issued on a daily competitive basis until the day before the last day of the turkey season or until all turkey permits are issued.

(5) Spring wild turkey resident permits in unit 1, unit 2, unit 3, unit 5, and unit 6, youth turkey permits, and game tags in unit 1, unit 2, unit 3, unit 5, and unit 6 may be purchased over the counter at designated locations from the earliest date that applications are available until midnight on the day before the closing date for the season.

(6) Applications for spring wild turkey for nonresident permits in unit 1, unit 2, unit 3, unit 5, and unit 6, and game tags in unit 1, unit 2, unit 3, unit 5, and unit 6 shall be accepted by the department when applications are available approximately four weeks prior to the second Friday of February until midnight on the second Friday of February. If there are turkey permits left over after all timely applications have been considered, the application period may be reopened by the secretary. Leftover

turkey permits shall be issued on a daily competitive basis until the day before the last day of the turkey season or until all turkey permits are issued. Any nonresident applicant may select, at the time of application, one turkey management unit where that permit shall be valid. (Authorized by K.S.A. 32-807, K.S.A. 32-937, K.S.A. 32-969, and K.S.A. 32-970; implementing K.S.A. 32-937, K.S.A. 32-969, and K.S.A. 32-970; effective Sept. 10, 1990; amended May 27, 1991; amended June 1, 2001; amended April 18, 2003; amended Feb. 18, 2005; amended May 15, 2009; amended Feb. 5, 2010; amended April 8, 2011; amended May 24, 2013; amended Nov. 30, 2015; amended April 21, 2017; amended April 26, 2019; amended Oct. 7, 2022, amended July 21, 2023.)

#### Article 8. — DEPARTMENT LANDS AND WATERS

**115-8-23. Bait; hunting.** (a) No person shall place, deposit, expose, or scatter bait on department lands or place, deposit, expose, or scatter bait in a manner that causes another person to be in violation of this regulation.

(1) This regulation shall include those areas designated by the agency as Walk-in Hunting Areas (WIHA) and Integrated Walk-in Hunting Areas (iWIHA).

(2) This shall not apply to licensed furharvesters as permitted in K.A.R. 115-5-1.

(b) (1) Nothing in this regulation shall prohibit the hunting or taking of wildlife over any of the following:

(A) Standing crops, grain or crop residue following harvest, or flooded standing crops, including aquatic crops;

(B) standing, flooded, or manipulated natural vegetation;

(C) flooded harvested croplands;

(D) lands or areas where seeds or grains have been scattered solely as the result of normal agricultural planting, harvesting, postharvest manipulation, or soil stabilization practice; or

(E) standing or flooded standing agricultural crops over which grain is inadvertently scattered solely as a result of a hunter entering or exiting a hunting area, placing decoys, or retrieving downed wildlife.

(2) The taking of wildlife, except migratory waterfowl, coots, and cranes, on or over any lands or areas meeting the following conditions shall not be prohibited:

(A) Are not otherwise baited; and

(B) have grain or other feed that has been distributed or scattered solely as the result of manipulation of an agricultural crop or other feed on the land where grown, scattered solely as the result of normal agricultural operations, or scattered solely as the result of normal weather conditions.

(c) For the purposes of this regulation, "bait" shall mean any grain, fruit, vegetable, nut, hay, salt, sorghum, feed, other food, or mineral that is capable of attracting wildlife. Liquid scents and sprays shall not be considered bait. (Authorized by and implementing K.S.A. 32-807; effective July 20, 2012; amended July 26, 2013; amended July 21, 2023.)

Brad Loveless  
Secretary

Department of Wildlife and Parks

Doc. No. 051288

**INDEX TO ADMINISTRATIVE REGULATIONS**

This index lists in numerical order the new, amended, and revoked administrative regulations with a future effective date and the *Kansas Register* issue in which the regulation can be found. A complete listing and the complete text of all currently effective regulations required to be published in the *Kansas Administrative Regulations* can be found at [https://www.sos.ks.gov/pubs/pubs\\_kar.aspx](https://www.sos.ks.gov/pubs/pubs_kar.aspx).

**AGENCY 40: INSURANCE DEPARTMENT**

Reg. No.	Action	Register
40-1-53	New	V. 42, Issue 24

**AGENCY 60: BOARD OF NURSING**

Reg. No.	Action	Register
60-9-105	Amended	V. 42, Issue 26
60-9-106	Amended	V. 42, Issue 26
60-9-107	Amended	V. 42, Issue 26

**AGENCY 111: KANSAS LOTTERY**

A complete index listing all regulations filed by the Kansas Lottery from 1988 through 2000 can be found in the Vol. 19, No. 52, December 28, 2000 *Kansas Register*. A list of regulations filed from 2001 through 2003 can be found in the Vol. 22, No. 52, December 25, 2003 *Kansas Register*. A list of regulations filed from 2004 through 2005 can be found in the Vol. 24, No. 52, December 29, 2005 *Kansas Register*. A list of regulations filed from 2006 through 2007 can be found in the Vol. 26, No. 52, December 27, 2007 *Kansas Register*. A list of regulations filed from 2008 through November 2009 can be found in the Vol. 28, No. 53, December 31, 2009 *Kansas Register*. A list of regulations filed from December 1, 2009, through December 21, 2011, can be found in the Vol. 30, No. 52, December 29, 2011 *Kansas Register*. A list of regulations filed from December 22, 2011, through November 6, 2013, can be found in the Vol. 32, No. 52, December 26, 2013 *Kansas Register*. A list of regulations filed from November 7, 2013, through December 31, 2015, can be found in the Vol. 34, No. 53, December 31, 2015 *Kansas Register*. A list of regulations filed from 2016 through 2017, can be found in the Vol. 36, No. 52, December 28, 2017 *Kansas Register*. A list of regulations filed from 2018 through 2019, can be found in the Vol. 38, No. 52, December 26, 2019 *Kansas Register*. A list of regulations filed from 2020 through 2021, can be found in the Vol. 40, No. 52, December 30, 2021 *Kansas Register*.

Reg. No.	Action	Register
111-2-329	New	V. 41, Issue 40
111-4-3547	Amended	V. 41, Issue 33
111-4-3681	Amended	V. 41, Issue 6
111-4-3695	New	V. 41, Issue 6

111-4-3696	New	V. 41, Issue 6
111-4-3697	New	V. 41, Issue 6
111-4-3698	New	V. 41, Issue 6
111-4-3699	New	V. 41, Issue 6
111-4-3700	New	V. 41, Issue 6
111-4-3701	New	V. 41, Issue 6
111-4-3702	New	V. 41, Issue 6
111-4-3703	New	V. 41, Issue 9
111-4-3704	New	V. 41, Issue 9
111-4-3705	New	V. 41, Issue 9
111-4-3706	New	V. 41, Issue 9
111-4-3707	New	V. 41, Issue 9
111-4-3708	Amended	V. 41, Issue 19
111-4-3709	Amended	V. 41, Issue 19
111-4-3710	New	V. 41, Issue 19
111-4-3711	New	V. 41, Issue 19
111-4-3712	New	V. 41, Issue 19
111-4-3713	Amended	V. 41, Issue 29
111-4-3714	New	V. 41, Issue 19
111-4-3715	New	V. 41, Issue 24
111-4-3716	New	V. 41, Issue 24
111-4-3717	New	V. 41, Issue 24
111-4-3718	New	V. 41, Issue 29
111-4-3719	New	V. 41, Issue 29
111-4-3720	New	V. 41, Issue 29
111-4-3721	New	V. 41, Issue 29
111-4-3722	New	V. 41, Issue 29
111-4-3723	New	V. 41, Issue 33
111-4-3724	New	V. 41, Issue 33
111-4-3725	New	V. 41, Issue 33
111-4-3726	New	V. 41, Issue 33
111-4-3727	New	V. 41, Issue 40
111-4-3728	New	V. 41, Issue 44
111-4-3729	New	V. 41, Issue 44
111-4-3730	New	V. 41, Issue 51
111-4-3731	New	V. 41, Issue 51
111-4-3732	New	V. 41, Issue 51
111-4-3733	New	V. 41, Issue 51
111-4-3734	New	V. 41, Issue 51
111-4-3735	New	V. 41, Issue 51
111-4-3736	New	V. 41, Issue 51
111-4-3737	New	V. 41, Issue 51
111-4-3738	New	V. 41, Issue 51
111-4-3739	New	V. 41, Issue 51
111-4-3740	New	V. 42, Issue 7
111-4-3741	New	V. 42, Issue 15
111-4-3742	New	V. 42, Issue 15
111-4-3743	New	V. 42, Issue 18
111-4-3744	New	V. 42, Issue 22
111-4-3745	New	V. 42, Issue 22
111-4-3746	New	V. 42, Issue 22
111-4-3747	New	V. 42, Issue 22
111-4-3748	New	V. 42, Issue 22
111-5-230	Amended	V. 42, Issue 18
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**AGENCY 129: DEPARTMENT OF HEALTH AND ENVIRONMENT - DIVISION OF HEALTH CARE FINANCE**

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