



# K A N S A S

RODERICK L. BREMBY, SECRETARY

DEPARTMENT OF HEALTH AND ENVIRONMENT

KATHLEEN SEBELIUS, GOVERNOR

September 13, 2006

MoAg Co., Inc.  
2571 Road M  
Emporia, KS 66801

Re: Certification No. A-NELY-BA09

Enclosed is a Kansas Agricultural and Related Waste Certification of Compliance for your confined livestock operation. Your certification does not require structural pollution controls, but it does require proper management of livestock wastes to achieve compliance with federal and state pollution control laws and regulations.

We strongly recommend you carefully read and understand the terms and conditions of your certification of compliance. Violations of the terms and/or conditions of the certification are enforceable under state law. Violations can result in significant civil penalty.

Based upon present operating conditions, you are not required to obtain a Kansas Agricultural and Related Waste Permit. However, any significant operational changes or capacity increases must be reported to this agency prior to implementation. An evaluation of the proposed changes will determine if enhanced pollution controls and a permit are required.

If you have any questions, please contact our Southeast District Office at 620-431-2390.

Sincerely,

A handwritten signature in black ink, appearing to read "John Harsch".

John Harsch  
Section Chief  
Livestock Waste Management Program  
Bureau of Water

JH:lj  
enclosure

cc: SEDO

DIVISION OF ENVIRONMENT

Bureau of Water

CURTIS STATE OFFICE BUILDING, 1000 SW JACKSON ST., STE 420, TOPEKA, KS 66612-1367  
Phone 785-296-6432 Fax 785-296-5509 <http://www.kdhe.state.ks.us>

# Kansas Department of Health & Environment

Division of Environment  
Bureau of Water



Topeka, KS 66612-1367  
Telephone: 785-296-6432

## KANSAS AGRICULTURAL AND RELATED WASTE CERTIFICATION OF COMPLIANCE

Certification No. **A-NELY-BA09**

Pursuant to the provisions of the Kansas Statutes Annotated 65-164 *et seq.*,

### A CERTIFICATE OF COMPLIANCE IS HEREBY GRANTED TO:

MoAg Co., Inc., 2571 Road M, Emporia, Kansas 66801, with livestock confinement facilities for a maximum of 800 head (400 animal units) of beef cattle weighing less than 700 pounds each located in the Northeast Quarter of Section 35, Township 17 South, Range 11 East, Lyon County, Kansas within the Neosho River Basin. This operation is hereby certified as not requiring an agricultural and related waste control permit. Such certification is subject to the limitations, requirements and other conditions herein prescribed:

Provided, that the facility shall be operated and maintained in accordance with the terms and conditions of this certificate and in a manner to prevent the discharge of water pollutants into the waters of the state.

Provided, further, that best management practices and procedures shall be employed to contain, control and/or apply livestock or related agricultural wastes, wastewaters, and runoff upon agricultural land to prevent water pollution.

Provided, further, that any water pollution incident, or any violation of the conditions of this certification shall be reported to the Department by telephone at (785) 296-1679, immediately upon discovery [within two (2) hours]. A written report shall be submitted to the Department within three (3) days of the incident.

Provided, further, any significant operational changes, modifications, or capacity increases shall be reported and approved by this agency prior to implementation.

Provided, further, that the livestock operation shall be maintained in compliance with the applicable provisions of K.A.R. 28-18-1 through 15, K.A.R. 28-18a-1 through 32 and K.A.R. 28-29-25c and 25d and the stipulations contained in this Certification.

This Certification shall supersede all previous certifications and/or permits in effect between the Kansas Department of Health and Environment and the owner/operator concerning this facility. Any proposed expansion or modification of the herein described facilities shall require re-evaluation for significant water pollution potential and/or pollution controls.

  
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Secretary, Kansas Department of Health & Environment

September 13, 2006  
Date

## **LIMITATION AND REQUIREMENTS**

### **A. Facility Description**

The facility consists of 5.14 acres with eight (8) pens for the year around feeding of a maximum of 800 head (400 animal units) of beef cattle weighing less than 700 pounds each. Precipitation runoff from the pens flows east to a grass buffer area. The grass buffer area is graded to provide sheet flow and is 800 feet wide and 850 feet long. The slope of the buffer is between 1 and 1.5 percent. Extraneous drainage has been diverted from the facility.

### **B. Operation and Maintenance Requirements**

Open lots used on a continuous basis shall be cleaned of manure accumulations after each occupancy cycle or at least twice per year. Open lots used seasonally shall be cleaned of manure after each use.

Solids accumulations outside the lots in the runoff filtration/infiltration area(s) shall be removed routinely whenever lots are cleaned. Any damaged vegetation in runoff filtration areas shall be promptly re-established. Runoff filtration/infiltration areas shall be maintained free of channels or gullies.

Livestock wastes shall be applied to land using rates and methods that prevent surface runoff of pollutants and leaching of pollutants into groundwater. Waste application shall not exceed agronomic rates.

Livestock wastes shall not be land applied during a precipitation event, or when the ground is frozen, snow covered, or saturated except that solid wastes may be applied to frozen ground provided that the waste is retained at the application site. Solids such as manure shall be stockpiled only temporarily, not to exceed 6 months. Stockpiles shall be located in areas not subject to uncontrolled runoff or leaching.

Livestock wastes shall not be applied within 200 feet of an intermittent watercourse, stream, river, or lake, unless such wastes are incorporated into the soil within 12 hours of application. Incorporation shall be by disking, chiseling, injection, or other methods approved by the department.

Best management practices shall be employed at all times throughout the operation and maintenance of the facility.

A vigorous stand of vegetation shall be maintained in the buffer area. The vegetation shall be removed annually to control nutrient accumulation in the soil. The vegetation will be harvested for hay. Livestock grazing shall not occur on the buffer area. Weeds, trees and brush will be controlled within the buffer area. Eroded or bare areas will be repaired and re-vegetated. All repairs and earthwork will restore sheet flow conditions.

### **C. Monitoring Requirements**

None.

Division of Environment  
Southeast District Office  
308 W 14th Street  
Chanute, KS 66720



Phone: 620-431-2390  
Fax: 620-431-1211  
KDHE.SEDOADMIN@KS.GOV  
www.kdheks.gov

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Janet Stanek, Secretary

Laura Kelly, Governor

May 28, 2024

MOAG CO, INC.  
Attn: Jarret Moyer  
2371 Road M  
Emporia, KS 66801

RE: Facility Inspection  
**Permit No. A-NELY-BA09**  
NPDES Permit No.  
Lyon County

Dear Mr. Moyer:

You will find enclosed a copy of the inspection report reflecting the conditions of your animal feeding facility during my recent inspection on **May 24, 2024**. Your facility was found to be **in compliance** at this time.

Should you anticipate any significant operational changes, please report these to our office immediately. If you should have any questions, feel free to contact me at the address and telephone number listed in the header above. Your efforts in controlling water pollution are greatly appreciated.

Sincerely,

A handwritten signature in black ink, appearing to read "Gregory Patton".

Gregory Patton  
Environmental Compliance & Regulatory Specialist

c. Bureau of Environmental Field Service, Topeka  
SEDO, Chanute

MOAG CO, INC. : K0NW-B16B-T4M

LWMS Inspection Short Form

Inspector: Gregory Patton

<b>Facility Identification</b>	
1. Permit Number	A-NELY-BA09
2. Facility Name	MOAG CO, INC.
3. Facility Address	2571 ROAD M, EMPORIA, KS 66081
4. Facility County	Lyon
<b>Inspection Information</b>	
1. Person Contacted During Inspection	Jarret Moyer
2. Type of Inspection	Compliance
3. Date of Inspection	05/24/2024
4. Inspector/Other Staff Present	Gregory Patton
<b>Facility Inspection</b>	
1. Were Samples Collected?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
2. Describe Site Condition at Time of Inspection	Clear 70°F
3. At the time of the Inspection the facility was:	In Compliance
4. General Inspection Comments	Inspection done as part of the regular work schedule.
<b>Inspector Details</b>	
1. Inspector Name	Gregory Patton
2. Date	05/28/2024
3. Signature	