

Dairy Processing Facility Licensing Guide

The Kansas Department of Agriculture (KDA) is devoted to the total support of agriculture in Kansas. While we must fulfill our statutory obligations, the department is dedicated to providing support and assistance to make Kansas farms, ranches and agribusinesses successful and help them grow if that is their desire. We also encourage more farms, ranches and other agriculture businesses to expand in or relocate to Kansas. This checklist will help guide you through various resources and requirements for opening and operating a typical Kansas dairy processing facility. In addition to license requirements by KDA, other Kansas agencies, as well as local or federal government agencies, may have regulatory requirements to follow. Contact your local planning authority to ensure you follow all local business development laws, rules, regulations and guidelines. This guide is designed to assist you as you work to build and operate a successful dairy processing facility in Kansas.

| ✓ | Department | Description | Renewal |
|---|---|---|--|
| | Office of the Secretary of State https://sos.ks.gov/ | Complete the appropriate business entity filings and forms required by the Kansas Secretary of State. Call (785) 296-4564 for more information. | Prior to starting |
| | Department of Revenue www.ksrevenue.org | Visit the Department of Revenue website to find important business tax information . Call (785) 368-8222 for more information. | Prior to starting |
| | Department of Agriculture — Dairy and Feed Safety www.agriculture.ks.gov | Complete the Dairy Manufacturing Plant License Application . Visit the Dairy Inspection Program webpage for additional applications and required reports, if applicable. For more information, call the Dairy Inspection Program (785) 564-6761. | Prior to opening, Annual renewal January 1 |
| | Department of Agriculture — Division of Water Resources www.agriculture.ks.gov | The state of Kansas requires a permit to appropriate water if used for industrial water purposes, in connection with the manufacture, production, transport, or storage of products, unless water is obtained from a rural or municipal water source. Review the Kansas Water Law Basics . Complete the appropriate Water Appropriation Forms . For more information on water use, visit the Division of Water Resources webpage or call | Yearly report of water use, March 1 |
| | Department of Agriculture — Weights and Measures www.agriculture.ks.gov | No license is needed from Weights and Measures. Any business with a weighing or measuring device (e.g. scales, fertilizer meters, oil meters, measuring tapes, electric car chargers, taxi meters, etc.) must hire a licensed service company to inspect and test devices once annually, and any time additional maintenance, repairs, adjustments and calibrations are made throughout the year if the devices are used to determine the cost of any transaction. Examples include scales at grocery stores, yogurt shops, restaurants, hardware stores, nurseries, seed dealers, etc. Examples of meters include meters used at a car service center to add oil to your engine, fertilizer meters at agronomy centers, water meters in grocery stores for sale of bottled water, etc. For more information, visit the Weights and Measures Program webpage or call (785) 564-6681. | Annual service |
| | U.S. Food and Drug Administration (FDA) www.fda.gov | Owners, operators or agents in charge of facilities that distribute, manufacture, process, pack or hold food for consumption in the United States, including dairy products, are required to register the facility with the Food and Drug Administration (FDA). Log in and create an account to register a food facility . | Prior to starting |
| | Department of Health and Environment — Bureau of Water, Municipal Program Section www.kdheks.gov | If the facility will employ an on-site wastewater treatment system for human wastewater rather than utilize a municipal sanitary sewer for handling and disposal of sewage from the facility, contact the KDHE Municipal Program Section at (785) 296-5527 for construction and permitting requirements. | Prior to construction |

Dairy Processing Facility Licensing Guide

| ✓ | Department | Description | Renewal |
|---|---|--|---|
| | Department of Health and Environment — Bureau of Water, Industrial Program Section www.kdheks.gov | <p>NPDES Industrial Stormwater Permit is required for the operation of the facility and must be obtained prior to the start of operation. In lieu of this permit, the operator can obtain a 'No Exposure Waiver,' found in the NPDES Industrial Stormwater Permit, if waiver requirements are met. Call (785) 296-4347 for more information.</p> <p>NPDES Construction Stormwater Permit is required only if one or more acres are disturbed during construction. The permit is required prior to the start of soil disturbing activities (construction). For more information, contact (785) 296-5549.</p> <p>Any on-site water pollution control system will have to be permitted. The permit has to be issued prior to the start of construction. If wastewater will be directed to a municipal wastewater collection and treatment system for treatment and disposal, approval for use of the municipal system along with any permits need to be secured from the municipality. Contact (785) 296-5551 for more information.</p> | Prior to construction |
| | Department of Health and Environment — Bureau of Water, Public Water Supply and Geology & Well Technology Section www.kdheks.gov | <p>If the facility will not utilize a municipal public water supply or rural water supply as the source of drinking water and the facility will serve 25 people or more per day, 60 or more days per year, it will be considered a public water supply subject to state/federal drinking water requirements. Contact the KDHE Public Water Supply Section at (785) 296-5514.</p> <p>Water wells shall be constructed by Kansas-licensed water well contractors. There are special construction requirements for water wells serving public water supplies. Contact the KDHE Geology & Well Technology Section at (785) 296-3565 for more information.</p> | Prior to construction |
| | Department of Health and Environment — Bureau of Waste Management www.kdheks.gov | <p>Facilities producing specialized organic waste may compost or apply this material to the land. Composting facilities less than one-half acre must register with KDHE and facilities greater than one-half acre must obtain a permit. An application for approval must be obtained to apply organic waste to land. For more information, review the KDHE Solid Waste webpage or call (785) 296-2751.</p> | Prior to composting or land application |
| | Department of Health and Environment — Bureau of Air www.kdheks.gov | <p>A permit may be required if proposing to install equipment such as a fuel combustion device (e.g., boiler, engine, fuel burning unit). You must submit the Notification of Construction or Modification application form, appropriate Process/Equipment forms and receive a permit before commencing construction or installation of the equipment. Gasoline dispensing facilities are subject to federal air regulation. Refer to the Standard Construction Permit/Approval for Gasoline Dispensing Facilities if applicable. For more information, review the KDHE Bureau of Air website or call (785) 296-6024.</p> | Prior to starting construction |

Kansas Department of Agriculture
1320 Research Park Drive
Manhattan, KS 66502
Phone: (785) 564-6700
Email: ksag@ks.gov
Website: <http://agriculture.ks.gov>

This guide is for informational purposes only. It is not intended to be an exhaustive list of requirements for operating a Kansas agribusiness entity. Please contact the appropriate agencies or organizations for specific requirements applicable to your business.