



KC WATER
FACILITIES & PLANTS ENGINEERING

4800 E. 63rd Street
Kansas City, Missouri 64130
www.kcwater.us

816-513-0331
Fax: 816-513-0343

Date: November 30th, 2023

To: Chairman O’Neill, Councilwoman Robinson, Councilman Bunch, Councilman Duncan, Councilwoman French, & Councilman Willett

From: Blake Anderson, Facilities Engineering Division Head

Subject: Todd Creek Plant Site Environmental and Geotechnical (Mining) Concerns

North Site Environmental Concerns

During public testimony and public meetings, allegations of pollution were made regarding the proposed North Treatment Site for Todd Creek. Water Services hired Olsson and Associates to complete a Phase I environmental report. Olsson completed the report per American Society for Testing and Materials (ASTM) E1527-13. The report did not find any recognized environmental concerns that would have triggered a phase 2 environmental report that would involve taking samples on the site to be tested for potential pollutants. An omission was discovered by the community for the Phase I Environmental Report. This omission was a violation from improperly stored biosolids that resulted in runoff reaching an unnamed tributary to Todd Creek upstream of the existing Todd Creek Wastewater plant. This runoff caused water quality concerns in the unnamed tributary. The violator was not found to be sufficiently responsible, so the matter was escalated to a Unilateral Order (Order No. 2020-WPCB-1648) issued by the Missouri Department of Natural Resource(MDNR) to the North Site on September 18, 2020, stemming from noted violations of the Clean Water Act from September 20, 2018 to May 6, 2019.. A statement from Olsson was requested. Olsson indicated that this violation was not present in any database when they performed their Phase I assessment and was not added to any databases until 2023. In addition, Olsson indicated that “historical use of the site as a surface mine does not indicate a recognized environmental condition for the project site.” This statement implies that ground water is not likely to be impacted by the surface mining.

In response to learning about the omission, Water Servies intends to complete a Phase 2 environmental site assessment at the North Site.

Southeast Site Environmental Concerns

The City has not completed Environmental assessments for the Southeast Site. The Site is currently being used for row crop farming. Water Services will do our due diligence on investigating environmental concerns at the southeast site if Council directs a site change. If the environmental analysis shows pollution that would significantly increase the project cost then we will notify Council.

General Health Concerns

During public testimony at TIO and the two public meetings, comments were made that the existing and potential Wastewater Treatment Plant negatively effects public health. The purpose of a wastewater treatment plant is to treat sewage and release the treated water (effluent) to the environment to protect public

health. The effluent from Todd Creek is treated to a level where a person can safely swim just downstream of the Wastewater Plant. There have been odor emissions from the current Todd Creek Plant, however, odor emissions outside of treatment plants are extremely unlikely to be dangerous to human health which is why Missouri Department of Natural Resources does not regulate odor emissions.

Mining and Geotech Risks

Concerns were brought up about the risks of potential mining under the proposed north Todd Creek Site. The current north site has not been subsurface mined. In the event the site's mineral rights are utilized, our design professional provided 5 recommendations that the City intends to implement when necessary. Their analysis concluded that "if these preventative activities are established and put into regular practice for the subject property, then the data suggest that the subject property is an appropriate site for the Todd Creek WWTP and risks to use of this property will be minimal."

CC:

Brian Platt, City Manager

Melissa Kozakiewicz, Assistant City Manager

Wes Minder, Director Water Services

Kelly Postlewait, Announced Interim Water Services Director

Jeff Martin Chief Engineering Officer

Attachments

Phase I Environmental Site Assessment

Notice and Order to Abate Violations and Pay Administrative Penalties

Todd Creek Plant North Site Environmental Staff Summary

KC Water Letter

Site Investigation Mining Report