

KCPL GMO
Case Name: Solar Generation Facilities
Case Number: EA-2015-0256

Response to Lyons Karen Interrogatories - MPSC_20151124
Date of Response:

FILED
February 16, 2016
Data Center
Missouri Public
Service Commission

Question:0012

Provide the date KCPL-GMO requested, or intends to request, each permit/approval for the proposed facility and when KCPL-GMO anticipates receipt of the permit/approval. Please provide copies of all permits/approvals for construction upon receipt. DR requested by: Karen Lyons
(karen.lyons@psc.mo.gov)

RESPONSE: (do not edit or delete this line or anything above this)

The response to this DR is considered HIGHLY CONFIDENTIAL (HC) as it contains information concerning marketing analysis or other market-specific information relating to goods or services purchased or acquired for use by a company in providing services to customers.

The permits for the Greenwood Solar Project are as follows:

1. Land Disturbance Permit
 - a. Requested/applied for: November 5, 2015
 - b. Obtained: November 5, 2015 – See attached file, Q0012 KCPL MDNR Permit HC.pdf.
2. Grading and Drainage Permit
 - a. Requested: November 6, 2015
 - b. Expected: December 4, 2015
3. Building Permit
 - a. N/A: Per Jackson Count Code 5409.4.f, the project does not require a permit under the Public Service Agencies exemption. Letter from the county attached as Q0012 KCPL letter of no zoning change HC.pdf.

Information provided by:
John Arthur

Attachments:

- ✓Q0012 KCPL letter of no zoning change HC.pdf
- ✓Q0012 KCPL MDNR Permit HC.pdf
- Q0012_Verification.pdf

KCPL/GMO
Exhibit No. 23
Date 2/11/16 Reporter AT
File No. EA-2015-0256



JACKSON COUNTY Public Works and Facilities Management Departments

303 West Walnut Street
Independence, Missouri 64050
www.jacksongov.org

Administration Offices
303 W. Walnut
Independence, MO
64050
(816) 881-4530
Fax: (816) 881-4448

*Planning and
Environmental Health*
303 W. Walnut
Independence, MO
64050
(816) 881-4634
Fax: (816) 881-1650

Road Maintenance
34900 E. Old U.S. 40 Hwy.
P.O. Box 160
Train Valley, MO
64029
(816) 847-7050
Fax: (816) 847-7051

November 12, 2015

Brian Hill, PE
Project Manager
MKEC
11827 W. 112th St., Ste. 200
Overland Park, KS 66210

Re: KCPL Solar Array

Dear Mr. Hill,

The Greenwood Energy Center is located within both District AG, Agricultural and District HI, Heavy Industrial.


According to the Unified Development Code (Chapter 240, Jackson County Code), District AG 24004.2.b.16 states that *Public service facilities, including but not limited to park-and-ride areas, safety and emergency services facilities, public works facilities, schools, parks and other uses required to efficiently provide public services to rural residents* is a Permitted Use.

District HI 24004.12.c.15 UDC) states that "Power plants" are an allowable use within that zoning district.

Therefore, a change in zoning would not be required for the proposed array.

In reference to a building permit, Chapter 54 of the Jackson County Code (5409.4.f) provides as an exemption: Public Service Agencies: *A permit shall not be required for the installation, alteration, or repair of generation, transmission, distribution or metering, or other related equipment that is under the ownership and control of public service agencies by established rights.*

This exemption would apply only for the solar array, and is hereby granted by Jackson County. Grading, ground preparation, detention, and all soil and erosion control, would need to be permitted by the County.


Randy Diehl
Administrator
Development Division
Public Works Department

RDD:redd

CC: Christopher Jenkins
CC: Marlon Southard

Michael D. Sanders, County Executive



Jeremiah W. (Jay) Nixon, Governor

Sara Parker Pauley, Director

DEPARTMENT OF NATURAL RESOURCES

dnr.mo.gov

Greenwood Generating Station
MORA07448, Jackson County
KCPL Greater Missouri Operations Company
P.O. Box 418679
KANSAS CITY, MO 64141

Enclosed please find your Missouri State Operating Permit which authorizes land disturbance activities for MORA07448. This permit has been issued as requested and is based upon application information entered in the Missouri Department of Natural Resources' (Department) ePermitting program. This permit contains several requirements and should be thoroughly read and understood. Please reference General Operating Permit number MORA07448 for future correspondences with the Department with regards to this land disturbance activity.

Acquisition of the permit does not imply that the requirements or ordinances of other local, state or federal permits are replaced or superseded. This permit does not authorize land disturbance activity in jurisdictional waters of the United States as defined by the Army Corps of Engineers (Corps), unless the permittee has obtained the required Clean Water Act Section 404 Permit. Not all land disturbance projects will require a 404 permit; however, if a 404 permit is required, land disturbance activities are not to be conducted in the jurisdictional area of the project until the 404 permit has been obtained. Information for the Missouri Corps offices can be found in the general operating permit's Fact Sheet.

Please contact the applicable Regional Office if you would like to schedule an Environmental Assistance Visit (EAV). Regional Office contact information is contained with the documents issued with the operating permit. During the visit, Department staff will review the requirements of the permit and answer questions pertaining to Land Disturbance activities.

Sincerely,

Water Protection Program

A handwritten signature in cursive script that reads "John Madras".

John Madras
Director

JM

Greenwood Generating Station
MORA07448

ePermitting Certification and Signature Document

Missouri State Operating General Permit number MORA07448 was issued on 11/05/2015 based on information entered into the Missouri Department of Natural Resources' electronic Permitting (ePermitting) system. Missouri Regulation 10 CSR 20-6.010(2)(B) requires that all applications for construction and operating permits be signed. Please print, review, sign, and mail this document to the Missouri Department of Natural Resources (Department) within 30 days of the Issue Date (11/05/2015).

If the Department does not receive this document with signature within 30 days, this general operating permit may be considered not valid and subsequently revoked.

Greenwood Generating Station, Jackson County
14015 Smart Road
GREENWOOD, MO 64034
Total Permitted Area: 18.41 Acres
Total Number of Permitted Features: 1

The below Certifications were electronically certified in the ePermitting system by:
Name: Brian Hill
Title: Civil Engineer
Date: 11/05/2015

Based upon the selection you made on the 'New Permit' screen; it was indicated that a single polygon was drawn indicating the entire disturbance area.

Is any part of the area that is being disturbed in a jurisdictional water of the United States? If yes, you must also receive a Clean Water Act, Section 404 Permit for this site from the United States Army Corp of Engineers.
No

I understand there may be an established Local Authority Erosion Control Plan in the city or the unincorporated area of the county where land disturbance activities covered under this general permit will occur. (Note - you may want to contact your local authority to determine if there are any requirements).
Agreed

A Storm Water Pollution Prevention Plan (SWPPP) must be developed for this site. This plan must be developed in accordance with requirements and guidelines specified within the general permit for storm water discharges from land disturbance activities. The application, as completed in ePermitting is considered incomplete if the SWPPP has not been developed.
Agreed

I certify that I am familiar with the information contained in the application, that to the best of my knowledge and belief such information is true, complete and accurate, and being granted this permit, I agree to abide by the Missouri Clean Water Law and all rules, regulations, orders and decisions, and terms of this permit, subject to any legitimate appeal available to an applicant under the Missouri Clean Water Commission.
Agreed

Signature

Date

The above must be signed by the Owner, Continuing Authority, or Main Facility Contact. Please send this document with original signature to the Water Protection Program, PO Box 176, Jefferson City, MO 65102. If you do not agree with the above Certifications, please contact the Department by phone at (573) 751-1300.

STATE OF MISSOURI
DEPARTMENT OF NATURAL RESOURCES
MISSOURI CLEAN WATER COMMISSION

HIGHLY CONFIDENTIAL



MISSOURI STATE OPERATING PERMIT

General Operating Permit

In compliance with the Missouri Clean Water Law, (chapter 644 R.S. Mo as amended, hereinafter, the Law), and the Federal Water Pollution Control Act (Public Law 92-500, 92nd Congress) as amended,

Permit No.: MORA07448
Owner: KCPL Greater Missouri Operations Company
Address: P.O. Box 418679
KANSAS CITY, MO 64141
Continuing Authority: KCPL Greater Missouri Operations Company
P.O. Box 418679
KANSAS CITY, MO 64141
Facility Name: Greenwood Generating Station
Facility Address: 14015 Smart Road
GREENWOOD, MO 64034
Legal Description: Sec. 25, T 47N, R 31W, Jackson County
UTM Coordinates: 387387.288 / 4302394.141
Receiving Stream: Nelly Don Lake (U)
First Classified Stream - ID#: Big Cr. (P) 303(d) 1250.00
USGS# and Sub Watershed#: 10290108 - 0302

is authorized to discharge from the facility described herein, in accordance with the effluent limitations and monitoring requirements as set forth herein.

FACILITY DESCRIPTION All Outfalls SIC # 1629

All Outfalls - Construction or land disturbance activity (e.g., clearing, grubbing, excavating, grading and other activities that result in the destruction of the root zone and/or land disturbance activity that is reasonably certain to cause pollution to waters of the state).

This permit authorizes only wastewater, including storm water, discharges under the Missouri Clean Water Law and the National Pollutant Discharge Elimination System, it does not apply to other regulated areas. This permit may be appealed in accordance with RSMo Section 644.051.6 and 621.250, 10 CSR 20-6.020, and 10 CSR 20-1.020.

11/05/2015

Issue date

Sara Parker Pauley, Director
Department of Natural Resources

02/07/2017

Expiration date

John Madras
Director, Water Protection Program

A. APPLICABILITY

1. This general permit authorizes the discharge of stormwater and certain non-stormwater discharges from land disturbance sites that disturb one or more acres or disturb less than one acre when part of a larger common plan of development or sale that will disturb a cumulative total of one or more acres over the life of the project. This general permit also authorizes the discharge of stormwater and certain non-stormwater discharges from smaller projects where the Missouri Department of Natural Resources (Department) has exercised its discretion to require a permit [10 CSR 20-6.200 (1)(B)].

A Missouri State Operating Permit that specifically identifies the project must be issued before any site vegetation is removed or the site disturbed.

Any site owner/operator subject to these requirements for stormwater discharges and who disturbs land prior to permit issuance from the Department is in violation of both State and Federal Laws.

The legal owner of the property or the holder of an easement on the property, and operator on which the site is located are responsible for compliance with this permit.

2. This permit authorizes non-stormwater discharges from the following activities provided that these discharges are addressed in the permittee's specific Stormwater Pollution Prevention Plan (SWPPP) required by this general permit:
 - a. De-watering activities if there are no contaminants other than sediment present in the discharge, and the discharge is treated as specified in Requirements, Section C.3.m. of this permit;
 - b. Flushing water hydrants and potable water lines;
 - c. Water only (i.e., without detergents or additives) rinsing of streets and buildings; and
 - d. Site watering to establish vegetation.
3. This general permit does not authorize the placement of fill materials in flood plains, the obstruction of stream flow, directing stormwaters across private property not owned or operated by the permittee, or changing the channel of a defined drainage course. This general permit addresses only the quality of the stormwater runoff and the minimization of off-site migration of sediments and other water contaminants.
4. This general permit does not authorize any discharge to waters of the state of sewage or pollutants including but not limited to:
 - a. Any hazardous material, oil, lubricant, solid waste or other non-naturally occurring substance from the site, including fuels, oils, or other pollutants used in vehicle and equipment operation and maintenance;
 - b. Soaps or solvents used in vehicle and equipment washing;
 - c. Hazardous substances or petroleum products from an on-site spill or handling and disposal practices;
 - d. Wash and/or rinse waters from concrete mixing equipment including ready mix concrete trucks, unless managed by an appropriate control. Any such pollutants must be adequately treated and addressed in the SWPPP, and cannot be discharged to waters of the state;
 - e. Wastewater from washout and cleanout of stucco, paint, form release oils, curing compounds and other construction materials;
 - f. Wastewater generated from air pollution control equipment or the containment of scrubber water in lined ponds;
 - g. Domestic wastewaters, including gray waters; or
 - h. Industrial stormwater runoff.