



Hedrick, Terry

From: Hedrick, Terry
Sent: Wednesday, March 16, 2005 3:53 PM
To: Empson, Jon; Williams, Denny; Keefe, Glenn; Huslig, Carl; Lutes, Leroy; 'paulb@brydonlaw.com'
Cc: Minter, George; Zimmers, Jan; 'Chris Rogers (E-mail)'
Subject: Item #2 Proposed Road Response

The following is a summary of items to respond concerning road issues:

- As part of the ruling from the 1/5/05 District Court Hearing with Judge Dandurand Aquila has posted a \$350,000 Bond which will address road damage as required.

In addition to the Bond, the following items are relevant to the road issues:

- The facility is in the County and the City has requested that the construction utilize 243rd street which is a county road. Aquila has complied with this request.
- The concrete trucks and construction vehicles utilize 243rd street which as a result has received damage. Aquila has consistently worked with Robert Leeper (Superintendent, Road & Bridge for Cass County). Robert requested through Sega (Mike Blake) that the 243rd street be maintained and provided a letter detailing Aquila's willingness to make the repairs and a recommendation of how to make the repairs. Aquila has complied with this request and performs road maintenance on an average of 2-3 times per week.
- Attached is the document showing correspondence with Cass County on the issue.



Robert Leeper Letter

- It should be noted that in the same general area, there is a Quarry operated by Martin Marietta (the source of gravel trucks for the entire surrounding area):

Peculiar Quarry
7410 E State YY
Peculiar, MO 64078
816/779-5522

- The Quarry is located approximately 2-3 miles north/west of the South Harper Facility. This Quarry serves the entire area, and as a result many of the trucks identified during the March 15th Public meeting could be servicing other entities (not South Harper). In addition, at the District Court Hearing on 1/5/05 on the witness stand during cross-examination, Robert Leeper (Superintendent, Road & Bridge for Cass County) noted that the traffic from the Quarry utilized roads in and around the facility, but that the deliveries from the Quarry were not all going to South Harper.
- Aquila's Project Manager and Site Manager met with Robert Leeper (Superintendent, Road & Bridge for Cass County) on 3/8/05 to discuss a better way to address 243rd. Robert Leeper has suggested a joint effort by Cass County and Aquila on this issue. The proposal is that Cass County grade and prepare 243rd street and that Aquila provide Black Top Asphalt (5" as per their standard specification). Aquila expects a formal proposal on 3/18/05 and has suggested to Mr. Leeper that this work begin within the Month if possible. The preliminary pricing has been received by Aquila and has received verbal approval from upper Management (Jon Empson).
- Aerial of: Quarry, City of Peculiar, South Harper, and 243rd street:



Area Aerial

Note: Aerial taken from www.terraserver.com which is a few years old and does not show all the houses and infrastructure in and around the area, but is the most current photo that can be obtained from this site.

- The Aerial above shows a white line for 243rd street that is the authorized route for construction traffic.
- It should be noted that the MoDOT has a specified route utilizing 227th and South Harper for 9 Heavy Haul Loads.
- Emmert has obtained a permit from MoDOT and is responsible for road damage during the Heavy Haul.

Additional Notes on Truck Traffic:

- 1) Pavelich trucking services the quarry for the entire area.
- 2) All trucks use Knight Road to access Highway C (from there they use 71 hwy to access the entire Kansas City area).
- 3) At the height of Civil Construction at South Harper it is estimated (by Kissick the Civil contractor) that 20% of the trucks leaving the quarry had a destination of South Harper.
- 4) Currently it is estimated that only 1% of the quarry truck traffic has a destination of South Harper.
- 5) Aquila has maintained a request to not speed to the supplier and has also discussed having the Sheriff patrol the area.

6) As stated earlier, 243rd street is the construction route, however, the trucks must use other roads from the quarry to arrive on 243rd street.

Terry S. Hedrick
316/737-7854

CASS COUNTY COMMISSION

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Harrisonville, MO. 64701

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commission@casscounty.com

Gary Mallory
Presiding Commissioner

January 18, 2005

VIA HAND DELIVERY TO:

Mike Blake
SEGA, Inc.
16041 Foster
Stilwell, KS 66085-1000

Re: Road Repairs – 243rd Street, C Route to Harper Road, Cass County, Missouri

Dear Mr. Blake:

As you are aware, Aquila, Inc. is involved in construction activities on real property located at 243rd Street and Harper Road in Cass County, Missouri. Heavy truck traffic to and from this location is continuing to cause damage to the public roadways.

It is my understanding that Aquila's contractors have indicated they will repair damage caused to the roadways and maintain a safe driving surface during construction of Aquila's power plant and substation in Cass County.

It is my recommendation that additional rock (1" crusher run) be placed and bladed on 243rd Street in the immediate future. Additionally, Cass County requests that 243rd Street be the only route utilized by any Aquila contractors during the construction phase of the power plant.

Please contact me at (816) 380-8362 or (816) 810-9815 (cell) if you have questions about this matter.

Regards,



Robert Leeper
Superintendent, Road & Bridge

cc: Gary Mallory, Presiding Commissioner

Quarry

City of Peculiar

227th Street

South Harper Road

South Harper Facility

243th Street

Highway



ENVIRONMENTAL
STUDIES AND
PERMITTING

MEMORANDUM

Date: March 22, 2005

To: Terry Hedrick, Aquila
Block Andrews, Aquila

From: Burns & McDonnell

Regarding: Ambient Noise Monitoring and Noise Projections for Aquila South Harper Peaking Facility

Project No.: 38273

At the Missouri Public Service Commission Public Hearing on March 15, 2005 several comments were stated regarding expected noise at the proposed Aquila South Harper Peaking Facility. This memo comments on the noise issues brought up at the hearing.

On September 7th and 8th of 2004 background noise measurements were taken at nearby residences in the vicinity of the proposed South Harper Peaking Facility by Burns & McDonnell. (See attached Figure 4-1 from the October 2004 Noise Assessment Study.) Four measurement locations near residence were selected for their proximity to the proposed facility. The background noise measurements taken on September 7th and 8th are presented in Table 1. The locations and addresses of applicable locations are also presented in this table.

Table 1:
Existing Background Sound Pressure Levels, dBA

Measurement Points Locations	Time Period	L _{eq} (dBA)	Description of Location
MP1	Morning	44	Near residence east of the site at the intersection of East 243 rd Street and South Harper Road
MP2	Morning	44	North of site near residence at 9812 East 241 st Street
MP3	Morning	41	Northwest of site near residence at 9601 East 241 st Street
MP4	Morning	42	Southeast of site on South Harper Road near residence
MP1	Afternoon	55	Near residence east of the site at the intersection of East 243 rd Street and South Harper Road
MP2	Afternoon	51	North of site near residence at 9812 East 241 st Street
MP3	Afternoon	49	Northwest of site near residence at 9601 East 241 st Street
MP4	Afternoon	50	Southeast of site on South Harper Road near residence
MP1	Evening	54	Near residence east of the site at the intersection of East 243 rd Street and South Harper Road
MP2	Evening	54	North of site near residence at 9812 East 241 st Street
MP3	Evening	51	Northwest of site near residence at 9601 East 241 st Street
MP4	Evening	56	Southeast of site on South Harper Road near residence

MEMORANDUM

During operation noise levels at each measurement point were calculated by a noise modeling program, based on the guaranteed sound power levels of each piece of noise emitting equipment at the site. The projected overall noise levels at each measurement location after the facility is constructed, as discussed in the noise study listed Table 2, below.

Table 2:
Total Expected Sound Pressure Levels, dBA

Measurement Points	Total New Sound Pressure Levels, dBA
MP 1	62
MP 2	59
MP 3	58
MP 4	62

Mr. Mike Tunicliff, who resides approximately 1.25 miles to the northwest of the location of the Aquila South Harper Peaking Facility turbines, requested a noise assessment for his home with regards to the potential noise impacts from the new power plant. To demonstrate an intent to be a good neighbor to the surrounding community, Aquila had Burns & McDonnell perform additional ambient noise monitoring and generate a noise projection study specific for Mr. Tunicliff's residence location. Background noise measurements were taken at this house and found to be around 37 dBA which is typical of a rural neighborhood. The modeled operational noise level at this residence is expected to be 40 dBA when the facility is operating, an increase of 3 dB. The acoustic community accepts that a 3 to 5 dB difference in noise levels is barely perceptible to the human ear. The expected noise level at this home is also significantly below the Federal Highway Administration Noise Criteria Level for residences of 67 dBA.

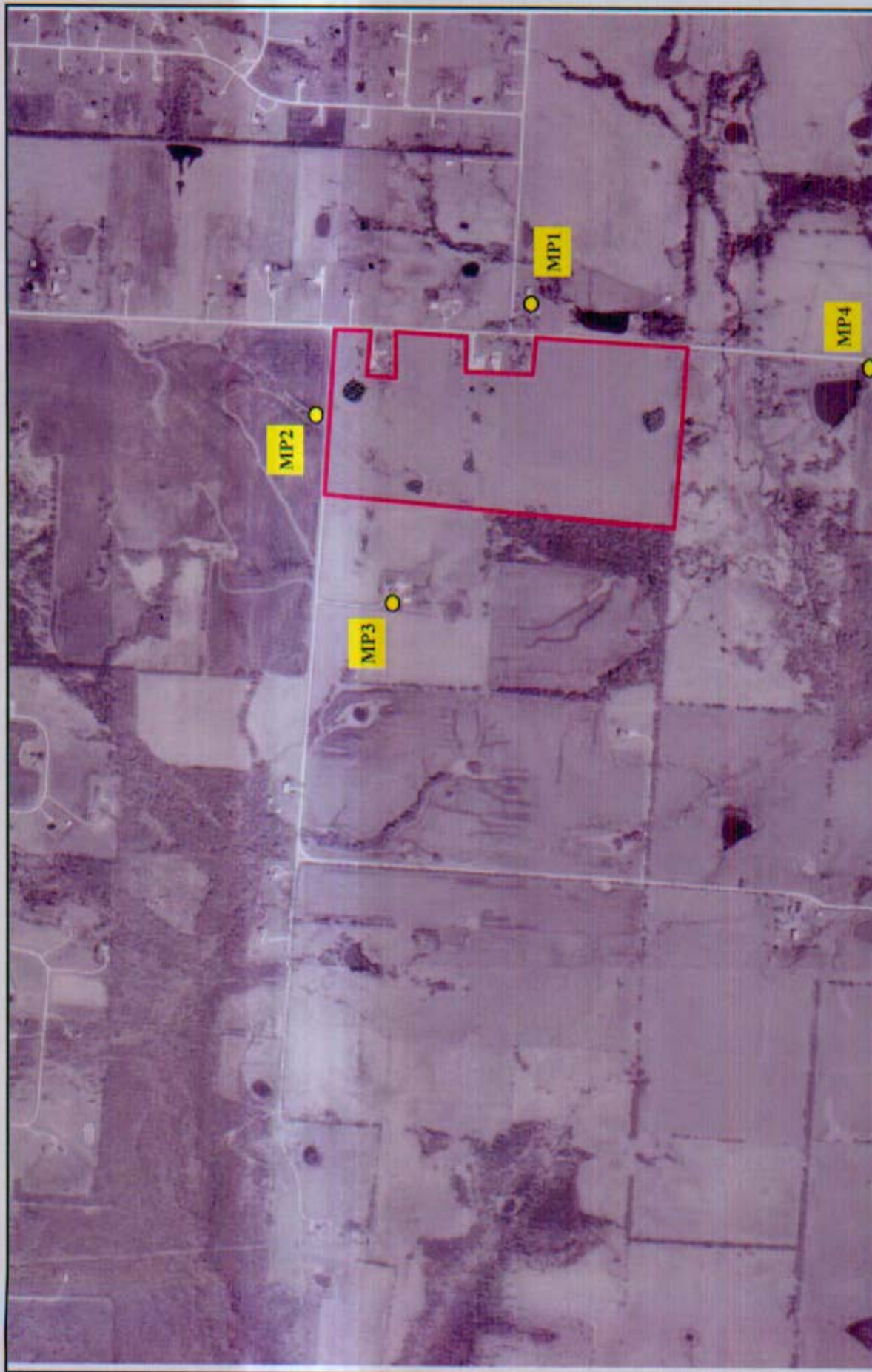
Aquila, in an effort to be a good neighbor, has proactively incurred the additional costs to attenuate the sound generated by the South Harper Facility. These good intentions don't come without a significant cost to Aquila, nearly \$1.2 million of additional costs for thicker stack base materials, taller stacks and additional sound attenuating materials (that have specified vendor guarantees). The exhaust stacks proposed for the South Harper Peaking Facility were specified with extra sound attenuation baffles and additional sound attenuation materials to reduce noise levels from the plant. In addition to the internal noise attenuating features of the exhaust stacks, the stacks will also be fitted with external noise features. Specifically, the exhaust stacks will be enclosed in a noise reducing encasement.

Unfortunately, a direct result of Aquila's efforts to reduce the noise impacts of this facility upon its new neighbors necessitated that the stack heights of the turbines be increased to accommodate the additional necessary noise attenuation materials. The inclusion of additional sound attenuation materials directly resulted in an increase in the original anticipated height of the stack (approximately 50 feet above ground) to 70 feet above plant elevation.

MEMORANDUM

The closest location the noise projection study actually "projected noise for" was at the nearest residence (location MP1) which is approximately 200' due east across Harper Road from the site entrance and had a projected new sound pressure level of only 62 dBA when all three units were operating. After the facility is constructed and operating, Aquila proposes to perform a second noise study to confirm that the actual facility noise emissions are at or below the predicted noise levels. A noise testing protocol similar to the one performed prior to the construction of the facility will be followed. Background noise measurements will be taken while the turbines and the other equipment at the facility are not operating. Operational noise measurements will be taken while all of the turbines are operating at base load at each of the same measurement points identified in the pre-operational noise study (which includes the closest residence). If the noise measurements exceed 62 dBA at any of these locations, Aquila has agreed to pursue appropriate possible solutions to help further mitigate the noise.

ATTACHMENT

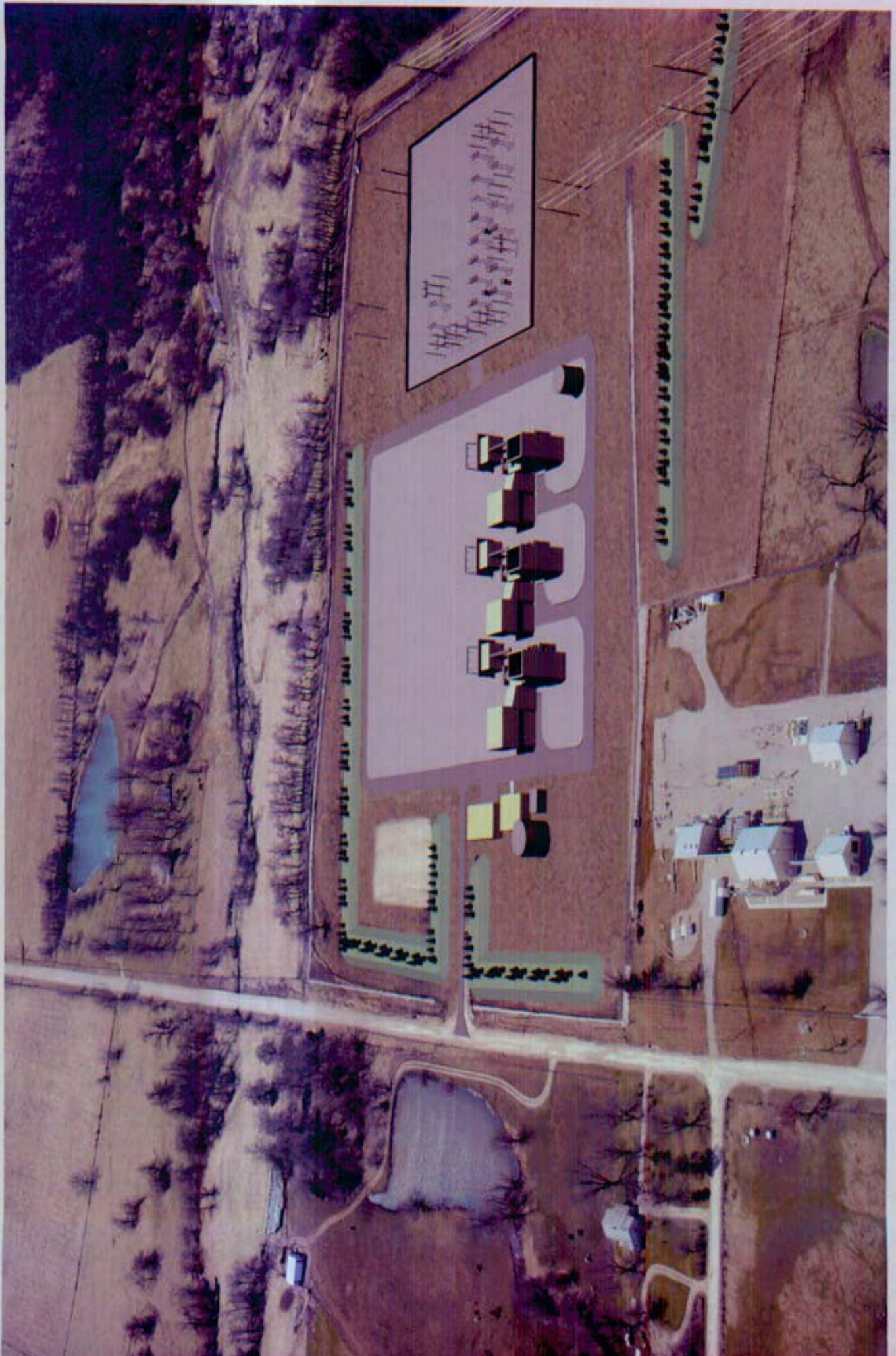


Project Site Area



Figure 4-1
Aerial Photograph
South Harper Peaking Facility

Source: <http://narraserver.microsoft.com>, USGS Aerial 1997



Hedrick, Terry

From: Hedrick, Terry
Sent: Friday, March 18, 2005 9:59 AM
To: Empson, Jon; Keefe, Glenn; Williams, Denny; 'paulb@brydonlaw.com'
Cc: 'Chris Rogers (E-mail)'
Subject: Aerials showing the surrounding area taken 3/11/05

Aerial showing West of site (Aquila is working with Latrel and Andrews):



DSC_5022.JPG

Aerial showing North and East of site (New Home to North sold this month, 94% of Contractor price):



DSC_5026.JPG

Aerial showing East of site which is also a Bremer property (Bremer is the land owner who sold Aquila the site and will continue to live on the site), the existing Southern Star Compressor Station is also shown:



DSC_5030.JPG

Aerial showing South of site:



DSC_5017.JPG

Note that if we need Aerials showing a greater surrounding area, please let me know and they will fly over next Thursday (the 24th).

Terry S. Hedrick
816/737-7854

West of site

Aquila is working with Mark Andrews
who lives West of this photo
Fence at the tree line)

K
Aquila is working with Mary Latrel
(Fence and screening discussions)

South of site



New Home sold in March North of site
for 94% of Contractor price



Bremer

Bremer



East of Site

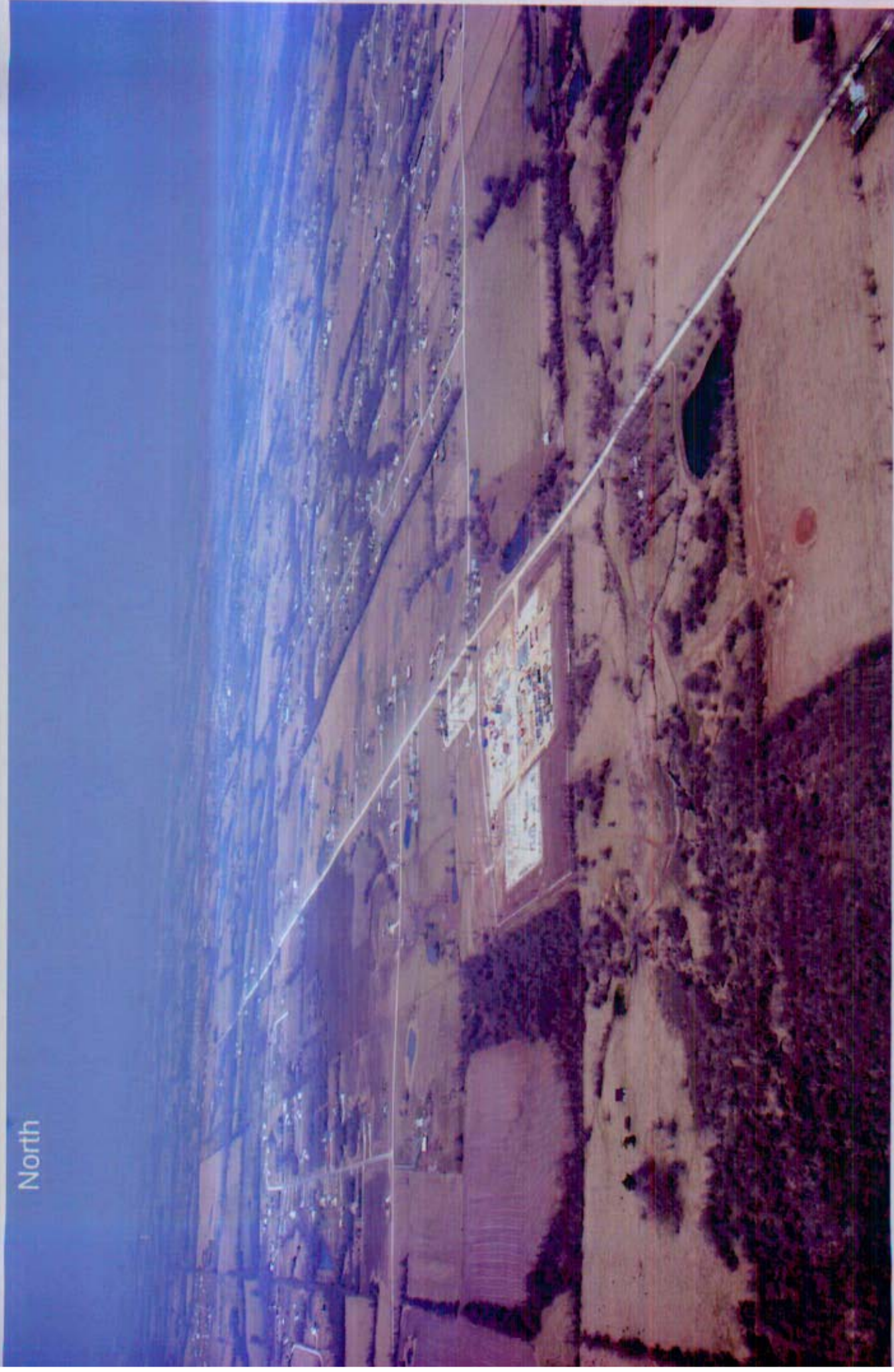
Bremer

Prior Existing Gas
Compressor Station





North



South



South-East



East



West

