

US EPA ARCHIVE DOCUMENT

## **APPENDIX E**

### **Supplemental Environmental Project Plan**

This Appendix “E” describes the Supplemental Environmental Project (“SEP”) to be funded by the City as part of the Consent Decree resolving the allegations in the Complaint filed concurrently with this consent decree. The City will spend One Million Six Hundred Thousand Dollars (\$1,600,000) and perform certain additional functions as set forth herein to implement this SEP.

#### **SEP Overview:**

Septic systems present both public health and environmental risks that can be avoided by connection to public sewers. Many homeowners do not want to connect because of the upfront capital costs and the ongoing monthly bills associated with public sewer. These financial obstacles are particularly acute for low income residents.

In 2008-2009, the Water Services Department (WSD) assisted the Mayor-appointed Infill Sewer Advisory Committee in developing a long-range plan to provide sanitary sewer service to the residential areas of the City that currently use septic systems. The culmination of the Committee’s work is a plan entitled, “A Strategic Plan for Infill Sewers and Septic Tanks in Kansas City, Missouri.” Design and construction for several of these infill sewer projects is underway. The Advisory Committee also recognized that once the sewers were constructed, some homeowners may be financially unable to install their private lateral. The plan’s septic tank closure strategy and corresponding background data provide a timely basis for implementing this SEP.

The SEP shall include the implementation of a Sewer Connection & Septic Tank Closure Program (“Program”). The program shall include the installation of a sewer service line (i.e. lateral) to the homes of participating property owners, removal of their septic tank from operation by capping, filling, or other means as determined and approved by the City and consistent with City ordinances. The Program is generally set up as a sliding-scale grant program for income eligible residential property owners who elect to close their septic tank and connect to the adjacent public sewer.

The Program will be focused in the thirty-two (32) sewer assessment districts, which include approximately 1363 residences (also known as “Completed Project Areas”). The Program is voluntary and will be available to all residents of owner-occupied, single family homes with septic tanks that are on properties served by a public sanitary sewer. In the Completed Project Areas, it is estimated that 50% of the homes are still on septic systems. The City will target program information and applications for assistance to homes within the Completed Project Areas.

#### **SEP Budget and Implementation Period:**

Based on a one million six hundred thousand dollar (\$1,600,000) budget, at an average subsidy level of three thousand dollars (\$3,000) per home, the Program is anticipated to assist five

hundred and thirty-three (533) residents; however, this number may vary depending on the subsidy level. This program provides grant funding assistance on a sliding scale to households at or below 100% of the area median income. The grant amounts at the outset will range from \$2,000 - \$4,000, based on family income and size. SEP funds shall not be used for City administrative expenses.

The SEP shall be completed at a date no later than five (5) years from the date of entry of this Consent Decree.

### **Project Processing:**

The City will use a streamlined administrative approach to enhance implementation, while providing appropriate management oversight. The processes will include:

- City to verify applicant's income, property ownership, occupancy, and current billing status;
- Upon approval of eligibility, owners required to get bids from licensed plumbers;
- City inspection of each sewer lateral connection to verify that connections are properly made;
- Use a special program voucher requiring sign-offs of all parties, including certification that owner funds are paid and documented, all permits acquired, City inspections completed, lien waivers signed, and other program requirements are met prior to City's final payment to the plumber; and
- City payment will be made directly to the plumber.

### **Progress Reports**

The City shall submit to EPA SEP Progress Reports beginning with the first full year after the commencement of the implementation of the SEP, and continuing annually thereafter until the SEP is completed, as set forth in Subsection XII.D of the Consent Decree.

### **Compliance**

The City SEP shall be deemed in compliance upon completion of the SEP Program as set forth in this SEP Plan and Section XII of the Consent Decree.

To the extent the City is unable to complete the SEP Program described in this SEP Plan due to lack of homeowner participation, the City may submit the following requests to EPA:

1. The City may request additional time from EPA to complete the above described SEP. Such request shall be made at least sixty (60) days prior to the final completion date as set forth above. However, if EPA denies the request for additional time, then the City shall continue to implement the SEP and be subject to stipulated penalties as set forth in

Section XIII of this Consent Decree. If the City is granted additional time to complete the SEP, the SEP shall be deemed in compliance as described above.

2. The City may propose an alternate SEP proposal and schedule to EPA equal in cost to the difference in the amount the City has expended on the SEP as described above to date, and \$1,600,000. Such request shall be made no later than four (4) years from the Effective Date of the Consent Decree. EPA may approve the alternate SEP proposal and schedule for immediate implementation. If EPA approves an alternate SEP and schedule, the SEP shall be deemed in compliance upon completion of the alternate SEP. If EPA does not approve the alternate SEP proposal, the City shall be subject to stipulated penalties as set forth in Section XIII of this Consent Decree.

### **SEP Completion Report**

Within one hundred and twenty (120) days after the completion of the SEP, the City shall submit to EPA a SEP Completion Report as set forth in Subsection XII.B of the Consent Decree.