

November 28, 2022

To: Board of County Commissioners  
Penny Postoak-Ferguson, County Manager  
Joe Connor, Assistant County Manager  
Jay Leipzig, Planning Director

Fr: Sean Pendley, Deputy Director

Re: Sunflower Quarry (Martin Marietta Kansas City/MMKC), 34135 W. 95<sup>th</sup> Street, Site Inspection

On February 27, 2020, the Board of County Commissioners granted a Conditional Use Permit for renewal of existing quarry and expansion of mine limits for the Sunflower Quarry. One of the requirements for the CUP is an annual inspection of the quarry. On October 21, 2022, Planning staff conducted an inspection of the property as stipulated in the CUP. In addition, staff obtained additional data regarding quarry activities. The following is a summary of CUP stipulations and inspection results.

**Term.** The BOCC granted an initial 5 year term for the CUP with an option for additional 5 year renewal upon notice and a public hearing. The term will expire on February 27, 2025, at which time the applicant may renew the CUP for an additional 5 years upon a finding that there are no significant violations.

**Permitted Use Area:** The 2020 CUP was approved with a quarry expansion in the north and east area of the property (Area 2NE) for an expansion of 53 acres for a total mining limits area of 353 acres. Martin Marietta installed security fencing around expansion area in October 2020 and began overburden removal in December 2020. The operator is currently working in the approved mining area 2N and 2NE. Prior to additional expansions of the quarry, the owner shall obtain a new CUP.

**Blasting:** There have been no changes to the blasting schedule for 2:00 p.m. on weekdays. The only exception is for a delay due to weather conditions in which case the blasts may be delayed to 4:30 p.m. on weekdays if there is a low altitude temperature inversion. New blast warning signs have been installed around the property and adjacent roads in accordance with the CUP stipulations. The quarry operator has remained in compliance with all blasting requirements.

**Screening Berm:** A new berm was constructed on the east side of Area 2NE in December 2020 to provide screening for the quarry expansion per CUP requirements. The berm is 10-15 feet in height.

**Mining Sequence.** Approximately 35 acres of land was open and being mined in Areas 2N and 2NE as of January 2022. Of this, 6 additional acres was new/disturbed during the latest reporting period ending 2021. A new mining report and map will be provided by February 2023 for the active mining and reclamation completed in 2022.

**Reclamation:** During the last reporting period, 3 acres of land was reclaimed, covered with topsoil, and seeded by the end of 2021. As required by the CUP, total active reclamation area for the quarry was 69.9 acres during the latest reporting period ending December 2021. The Reclamation Plan for the quarry has been updated to document completed reclamation. A Reclamation Agreement is also required for the quarry as part of the CUP and an updated agreement will be signed by the Chairman following signatures by Martin Marietta and respective land owners.

**Saturday Operations:** As allowed by the CUP, Saturday operations have occurred on 6 occasions during the last reporting period. Per the CUP, operations are limited to two Saturdays per month for non-blasting activities.

**Dust Control:** The Environmental Compliance-Air Quality Manager for Johnson County Department of Health and Environment (JCDHE) conducts regulatory inspections of rock crushing facilities. The most recent inspection for the Sunflower Quarry was conducted September 20, 2022 and the facility demonstrated compliance with the Kansas Air Quality Regulations. As required by the CUP, Martin Marietta also treated the haul road six times in 2022 with an oil based dust control.

**Calls/Inquiries.** As of November 23, 2022, County staff received four complaints for blasting related to the quarry in 2022. Staff checked the blast logs for all the respective events and the air blast and vibration data was found to be in compliance with County regulations and CUP stipulations. Staff also received two email messages from neighbors with questions regarding blasting and these messages were forwarded to Martin Marietta and they provided responses to the neighbors.

To date, there have been no violations reported for Sunflower Quarry in 2022. For any questions, please contact Sean Pendley, Planning Department.

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