



Jeremiah W. (Jay) Nixon, Governor

Sara Parker Pauley, Director

## DEPARTMENT OF NATURAL RESOURCES

dnr.mo.gov

September 18, 2013

CERTIFIED MAIL – 7009 3410 0001 8933 3863  
RETURN RECEIPT REQUESTED

Ms. Mary-Kay Tokar  
Operations Integration Manager  
WASTE MANAGEMENT  
1700 Broadway Street NE  
Minneapolis, MN 55413

RE: Class 1 Permit Modification with Prior Director's Approval  
Approval of Revised Closure Plan and Sampling and Analysis Plan  
Waste Management LampTracker, Incorporated, Kaiser, Missouri  
EPA ID# MOR000504456

Dear Ms. Tokar:

The Missouri Department of Natural Resources (Department) has reviewed Waste Management LampTracker, Incorporated's (WMLT) revised Closure Plan dated September 5, 2013, and associated Sampling and Analysis Plan (SAP) dated September 5, 2013, and hereby approves these plans as a Class 1 Permit Modification with prior Director's approval with the conditions noted below.

The subject plans amended the Closure Plan in Section 7 of the Missouri Hazardous Waste Management Facility (MHWMF) Permit application dated March 1, 2004, in preparation for closing the facility. Specifically, Section 7.4.3 was revised to better reflect the details of the sampling and analysis procedures for the closure confirmation sampling. The Department is approving the subject plans as a permit modification in accordance with WMLT's MHWMF Part I Permit Special Permit Condition I.I. which states: "If the Permittee is unable to close according to the Closure Plan, then the Permittee must submit a permit modification to the Department in accordance with 40 CFR 270.42 to modify the approved closure plan."

The decontamination procedures outlined in Section 7.4.2 of the MHWMF Permit application were explained in greater detail in Section 2.4 of the previously-submitted electronic Draft Closure Plan dated March 2013. The procedures contained in the electronic Draft Closure Plan were previously approved by the Department in a letter dated May 6, 2013, to expedite closure of the facility. This current approval covers the remainder of the revised Closure Plan along with the SAP to conduct sampling and complete closure.

The soil cleanup goals for closure and corrective action that the soil sampling results will be compared to the primary contaminants of concern at the facility (mercury, lead, and cadmium) are outlined in Section 1.6 of the revised Closure Plan and Section 2.2 of the Sampling and Analysis Plan. These soil cleanup goals are based on the current U.S. Environmental Protection Agency (EPA) Region 3 Regional Screening Levels (RSLs) for industrial soil. In addition to the



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industrial soil level comparison, WMLT shall compare the soil sampling results with the EPA Region 3 RSLs for residential soil and protection of groundwater. These comparisons will facilitate determinations by the Department concerning what, if any, additional investigation may be needed and/or if remediation may be necessary. In addition, these comparisons will be used to ultimately determine if any residual contamination proposed to be left on the facility property will necessitate implementation of an environmental covenant containing property-specific activity and use limitations.

The Department is also requiring additional soil sampling and analysis in the area of the trailer fire that occurred on June 14, 2008. Toxicity Characteristic Leaching Procedure soil sampling and analysis was conducted in this area at the time of the incident for waste characterization and material disposal purposes, however, no clean-up confirmation sampling was performed at that time. Sampling and analysis of soil for total metals using appropriate EPA SW-846 Methods, and polycyclic aromatic hydrocarbon (PAH) compounds using SW-846 Method 8270, shall be conducted and the results compared to the EPA Region 3 RSLs for industrial and residential soil and protection of groundwater for consistency with other soil samples taken at the facility and to assess what, if any, corrective action concerns may exist in this area. The PAH sampling is intended to assess if there are any residual PAHs present at levels of concern that are remnant of the previous fire in this area. A minimum of four samples of soil that are representative of soils remaining after previous removal of fire-related materials (i.e., the soil samples shall not consist of any post-fire fill materials that were brought in after the fire) shall be taken, preferably in soil sample locations #3, #5, #6, and #8 as outlined in the HTR Group Spill Report dated September 18, 2008.

WMLT must send a notice of the modification to everyone on their facility mailing list and the appropriate units of state and local government within 90 calendar days after the date of this letter, as outlined in Code of Federal Regulations 40 CFR 270.42(a)(1)(ii), incorporated by reference in Code of State Regulations 10 CSR 25-7.270(1) and modified by 10 CSR 25-7.270(2)(A)6 and 10 CSR 25-7.270(2)(B)10. WMLT must send a copy of the notice to the Department.

If you have any questions regarding this letter, please contact Mr. Dustin Thoenen, Project Manager, of my staff at the Missouri Department of Natural Resources, Hazardous Waste Program, P.O. Box 176, Jefferson City, MO 65102-0176, by telephone at (573) 751-3553 or 1-800-361-4827, or by e-mail at [dustin.thoenen@dnr.mo.gov](mailto:dustin.thoenen@dnr.mo.gov). Thank you.

Sincerely,

HAZARDOUS WASTE PROGRAM

[Original signed by Richard A. Nussbaum]

Richard A. Nussbaum, P.E., R.G.  
Chief, Permits Section

RAN:dtm

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- c: Mr. Marvin Dufner, Dufner Acquisition, L.L.C.  
Ms. Christine Jump, Project Manager, U.S. EPA Region 7  
Steven Voss, P.E., Conestoga-Rovers & Associates  
Southwest Regional Office, Missouri Department of Natural Resources