

# Hazardous Waste Management Commission Report

April through June 2008



Missouri  
Department of  
Natural Resources

*Quarterly Report*



These illegally stored drums containing hazardous waste were found in Missouri.

## **Hazardous Waste Management Commissioners**

Patrick M. Gleason, Chair

Andrew Bracker, Vice-Chair

Ben Kessler

James T. "Jamie" Frakes

Elizabeth Aull

Hanford Gross

Sharon Oetting

***"The goal of the Hazardous Waste Program is to protect human health and the environment from threats posed by hazardous waste."***

### **For more information**

Missouri Department of Natural Resources

Hazardous Waste Program

P.O. Box 176, Jefferson City, MO 65102-0176

[www.dnr.mo.gov/env/hwp/index.html](http://www.dnr.mo.gov/env/hwp/index.html)

Phone: (573) 751-3176

Fax: (573) 751-7869



**Missouri Department of Natural Resources**

## June 2008 Program Update

Summertime is a particularly busy time of the year in the Hazardous Waste Program. Staff are visiting sites, holding public meetings, assisting with file reviews and conducting inspections.

June not only ushers in summer months, but also marks the end of our state fiscal year. As our Budget and Planning Section works on developing future budgets, other sections are able to compile their own numbers as a gauge of the previous year. After finishing the paperwork to mark the end of the state's fiscal year, many sections go straight to finishing the paperwork and commitments for the close of the federal fiscal year.

One section that can claim success after counting the numbers is the Tanks Section, which ended the fiscal year with 25 tanks closures in June – nearly equal to what was completed the first five months of the year.

Although not obvious, an issue that has long plagued Missouri residents is contamination left behind from unsafe chemical disposal methods from dry cleaning facilities. The Drycleaning Environmental Response Trust Fund unit of the Brownfields/Voluntary Cleanup Program provides oversight for the cleanup of former and current drycleaning sites across Missouri. In this report, the details of the fund and upcoming activities are explained.

On behalf of the partnership of recyclers, governments, manufacturers and retail organizations formed to address how to manage discarded electronics, e-cycle Missouri received the Outstanding Achievement Award in the Citizen/Nonprofit Category. This award was given at the Missouri Waste Control Coalition Environmental Conference, held June 22-24. Many staff members in the Hazardous Waste Program have dedicated numerous hours to creating the framework to help Missourians know what to do with outdated and unwanted electronics. The program continues to be an item of interest, as media calls, both local and national, contact program staff.

Using the Missouri Risk-Based Corrective Action documents as a guide, the program is currently involved in the rulemaking process. This will be a big step and major accomplishment for not only the program, but also the department. Public meetings and other means to share information on this topic will occur in the coming months.

The environmental/tumor investigation in Cameron is a priority within the program. While Superfund staff, busy with the environmental investigation, are not involved with the tumor inquiry, they have maintained close contact with the Department of Health and Senior Services as both departments work to find answers. Hazardous Waste Program staff have participated in two large public meetings, and have responded to frequent media inquiries as they continue to investigate potential sources on the site.

We don't plan on slowing down any as summer fades to fall. Many of the items described above and through this report will remain priorities, and new issues will surface and require immediate and thorough attention. No matter how busy we may become, our focus remains a constant: To protect human health and the environment from threats posed by hazardous waste.

Sincerely,



Robert Geller, Director  
Hazardous Waste Program

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# Missouri Department of Natural Resources - Hazardous Waste Program

## Budget and Planning Section

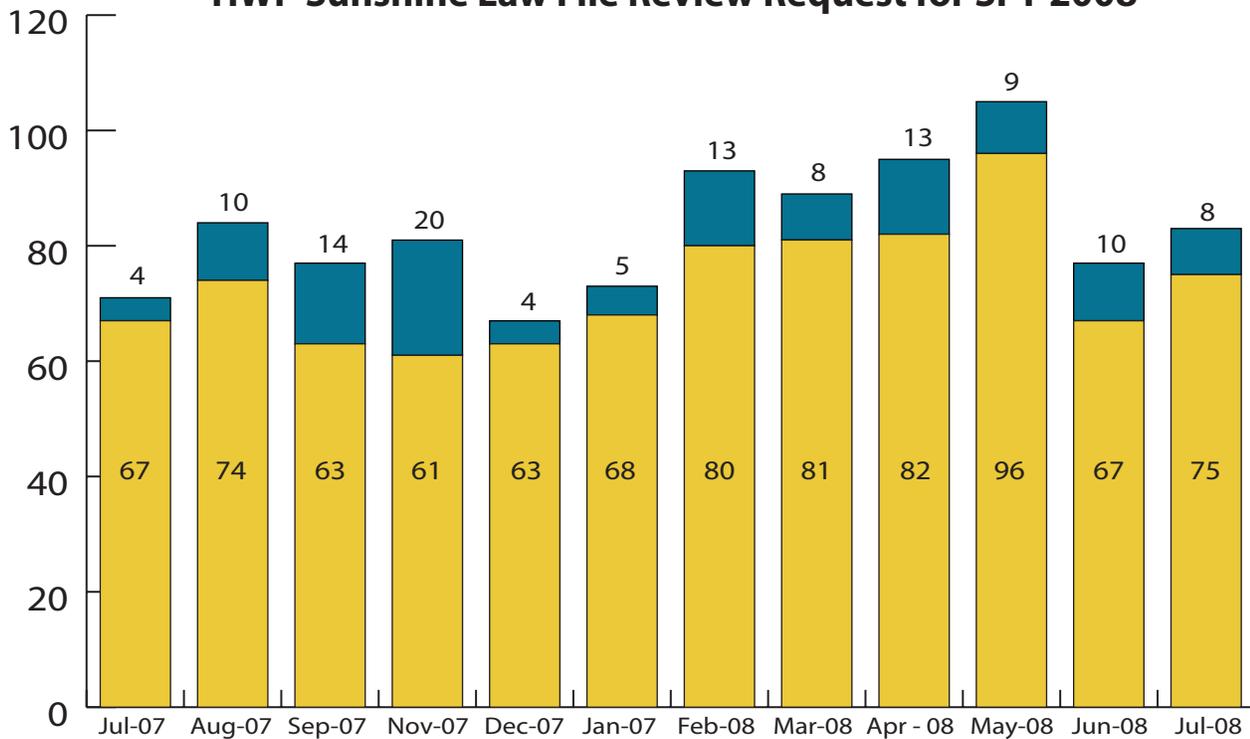
Budget and Planning Records Center staff maintain approximately 47,000 files stored on 5,808 linear feet of file shelving. The shelving units pictured here operate on movable tracks to make efficient use of space.



Budget and Planning Records Center staff oversee nearly 1,000 public requests each year to review files at our facility or to prepare and mail copies of files.

**Budget and Planning**

### HWP Sunshine Law File Review Request for SFY 2008



|                            |     |
|----------------------------|-----|
| Total Public File Reviews  | 118 |
| Total File Requests Mailed | 877 |
| Total SFY2008 File Request | 995 |

|  |
|--|
| <span style="display: inline-block; width: 15px; height: 15px; background-color: yellow; border: 1px solid black;"></span> Public File Reviews |
| <span style="display: inline-block; width: 15px; height: 15px; background-color: teal; border: 1px solid black;"></span> File Requests Mailed  |

**Sites in Brownfields/Voluntary Cleanup**

|       | <b>Active</b> | <b>Completed</b> | <b>Total</b> |
|-------|---------------|------------------|--------------|
| April | 342           | 373              | 715          |
| May   | 337           | 374              | 711          |
| June  | 340           | 376              | 716          |

**New Sites Received**

- April
- Siegel-Robert Automotive, Portageville
  - Farm and Home Savings Association Building, St. Louis
  - P.W. Shoe Lofts, St. Louis
  - Better Family Life Cultural Center & Museum, St. Louis
  - Kirk Welding Supply Inc. - Fremont, Kansas City
  - Kirk Welding Supply Inc. - Holmes, Kansas City
  - Raytown Dodge Company, Raytown

- May
- Olivia Redevelopment, Joplin
  - Water Street Lofts, Springfield

- June
- Amber Lakes, Kansas City
  - Steins Michigan, St. Louis
  - C. C. Dillon Spill Site, House Springs
  - The Life Cathedral, St. Louis
  - The Buell Building, St. Louis

**Sites Closed**

- April
- Mednik Wiping Materials Company, St. Louis

- May
- Central Shoe Building, St. Louis

- June
- ThyssenKrupp - Warrensburg, Warrensburg
  - Place`s Pamida, Gallatin

**Drycleaning Environmental Response Trust Fund**

|       | <b>Active</b> | <b>Completed</b> | <b>Total</b> |
|-------|---------------|------------------|--------------|
| April | 24            | 1                | 25           |
| May   | 24            | 2                | 26           |
| June  | 24            | 2                | 26           |

**New Sites Received**

April  
 VIP Cleaners, St. Peters

May  
 Busy Bee Laundry, Rolla

**Sites Closed**

May  
 Frontenac Cleaners West End, St. Louis

**Annual Dry Cleaning Facility Registration News**

The dry cleaning registration form and surcharge for calendar year 2007 were due April 1. There were 279 active facilities during 2007. To date, the department has received the forms and surcharges from 216 facilities for a compliance rate of 77 percent. Dry cleaning facilities that do not pay the required surcharge by April 1 are charged a 15 percent penalty and 10 percent per annum interest until the payment is made in full.

The department mailed registration receipts to dry cleaning facilities in June for payment of the 2007 surcharges.

Beginning Sept. 1, the Drycleaning Environmental Response Trust, or DERT, Fund notified the registered solvent suppliers of the active dry cleaning facilities that have not paid their required 2007 registration surcharge. According to 10 CSR 25-17.030(2)(G), "a solvent supplier shall not provide dry cleaning solvents to an active dry cleaning facility that has not paid its annual dry cleaning facility registration surcharge."

A solvent supplier who knowingly supplies solvent to a dry cleaning facility that is not in compliance with payment of the surcharges will be in violation of the regulation. The DERT Fund will post a listing of these dry cleaning facilities on its Web page similar to the listing of solvent suppliers that did not pay the required solvent surcharges.

In the future, the department will notify the solvent suppliers by June 15 of the dry cleaning facilities who have not paid the registration surcharge due April 1. For example, the registration surcharge for calendar year 2008 is due by April 1, 2009. By June 15, 2009, the department will notify the solvent suppliers of the dry cleaning facilities that have not paid their 2008 registration surcharge.

Facilities not in compliance with the DERT Fund statutes, rules and regulations are ineligible to receive monies for the investigation and cleanup of solvent contamination. Failure to comply with any other applicable federal or state environmental statute, rule and regulation would make the facility ineligible as well.

### **Notification of Abandoned Dry Cleaning Sites**

The deadline for notifying the department of abandoned dry cleaning sites is July 1, 2009. DERT Fund monies cannot be used to pay for corrective action costs at abandoned dry cleaning facilities that were taken out of service prior to July 1, 2009, and not documented by or reported to the department by July 1, 2009.

### **DERT Fund Cleanup News**

The DERT Fund unit provides state oversight for the investigation, assessment and cleanup of releases of chlorinated solvents at eligible dry cleaning facilities. Upon successful completion of the cleanup, the department will issue a Certification of Completion letter to the participant. This letter reduces the uncertainty associated with dry cleaner properties and allows property transactions to proceed. Abandoned dry cleaner sites that have been vacant can then be used for other productive and beneficial uses.

The DERT Fund will also reimburse participants for the eligible costs of the investigation and cleanup of dry cleaning facilities. However, there is a \$25,000 deductible that must be met before reimbursements are made. Reimbursements are also limited to a maximum of \$1 million at any one contaminated dry cleaning site.

Currently, the DERT Fund unit is providing oversight for the investigation or clean up of chlorinated solvent contamination at 20 sites. Certification of Completion letters were recently issued to the Frontenac Cleaners-West End site in St. Louis and the Colonial Cleaners (Brentwood Blvd.) site in Brentwood as well (July 2008). To date, the DERT Fund has reimbursed \$574,815 in eligible costs to participants.

In October 2007, the DERT Fund issued its first Certification of Completion letter to the Westgate Cleaners site in St. Louis.

### **2007 DERT Fund Annual Program Report**

The DERT Fund's 2007 Annual Program Report is now available on the department's Web site at [www.dnr.mo.gov/pubs/pub2262.pdf](http://www.dnr.mo.gov/pubs/pub2262.pdf). The DERT Fund is required by statute to submit this report annually to the governor and the general assembly. This report includes the receipts of the fund and the sources of the receipts; disbursements from the fund and the purposes of the disbursements; the extent of corrective action taken at sites enrolled in the fund; and the prioritization of those sites for expenditures from the fund.

As of June, the DERT fund balance was \$2,560,532.

## Compliance and Enforcement

- During April through June, regional office staff conducted 70 hazardous waste generator inspections: 26 at large quantity generators, 34 at small quantity generators, and 10 at conditionally exempt small quantity generators. Twenty-seven Letters of Warning and seven Notices of Violation were sent to require actions to correct violations. Staff also made 177 Environmental Assistance Visits to hazardous waste facilities during this three-month period. Hazardous Waste Program staff conducted 12 inspections of commercial hazardous waste treatment/storage/disposal facilities throughout this time period.
- The two PCB inspectors in the Hazardous Waste Program conducted 24 compliance inspections this quarter at various types of facilities throughout the state. The results from these inspections are reported to the U.S. Environmental Protection Agency Region 7 for enforcement actions.
- The hazardous waste transporter inspector conducted 16 commercial vehicle inspections this quarter during which five violations were observed. As part of the Commercial Vehicle Safety Association's protocol, the department sends the reports to the Missouri Highway Patrol. When the transporter corrects the violations, the inspector certifies to the Patrol the violations were corrected.

As of June, there were 221 licensed hazardous waste transporters in Missouri.

### **Natural Biodiesel LLC, Hayti Permisco County**

The Missouri Hazardous Waste Management Commission voted June 26 to refer this facility to the Attorney General's Office for pursuit of any necessary compliance, as well as civil penalties arising from a Nov. 26, 2007, inspection. Violations cited against the company were failure to identify hazardous waste, failure to prevent the release of hazardous waste or hazardous constituents and numerous violations of the safety standards for generation and storage of hazardous waste.



*Natural Biodiesel LLC, Hayti, Permisco County. The smaller tank at the far right held hazardous waste.*

### **Carmel Energy Incorporated, Deerfield Vernon County**

The Attorney General's Office filed suit April 4, 2000, against this Florida-based corporation for numerous violations of the Missouri regulations relating to solid waste, hazardous waste, water pollution and oil and gas wells. The company abandoned an oil lease and numerous wells, other production equipment, facilities, associated chemicals and materials. In addition to the failure to properly permit and manage its contaminated water discharges and prevent its abandoned wells from becoming safety and environmental hazards, the company failed to identify and safely manage hazardous chemicals that it abandoned and was accordingly cited for violations of the Missouri Hazardous Waste Management Law and Regulations. The company used many delaying tactics. On March 13, the Vernon County Circuit Court penalized the company \$5,000 for the hazardous waste violations. Because the verdict regarding the water pollution and well violations was not completely satisfactory, the Department of Natural Resources and the Attorney General's Office considered an appeal of the verdict. In July 2008, the appeal period ended and the verdict will, therefore, stand.

## Missouri Department of Natural Resources - Hazardous Waste Program Compliance and Enforcement Section

### Compliance and Enforcement

#### **Carman Chemical, Paris Monroe County**

At the urging of the Missouri Department of Natural Resources, U.S. EPA Region 7 undertook a removal action at Carman Chemical, an agricultural chemical business that began four years ago. The responsible parties removed more than 100,000 pounds of waste chemicals from the property, but failed to complete the removal and cleanup. Multiple containers of unknown agriculture chemicals including pesticides and fertilizers were removed from two locations in Paris, during the May 2008 EPA lead event.



*EPA contractor at Carman Chemical in May 2008.*

#### **New Listserv Postings**

During April through June, the Enforcement and Compliance Assistance Listserv for Hazardous Waste Generators focused on used oil, an important topic for many businesses. The listservs covered issues such as the used oil rebuttal presumption, used oil burners, management of used oil and proper hazardous waste container management. You may subscribe to the listserv on the Web at [www.dnr.mo.gov/env/subscribe\\_ecaahwg.htm](http://www.dnr.mo.gov/env/subscribe_ecaahwg.htm).

#### **New e-cycle Missouri Postings**

Hazardous Waste Compliance and Enforcement staff have updated the electronic and computer recycling list to reflect the new e-cycle Missouri tiered approach. Electronic and computer recyclers are categorized by the level, or tier, they choose to reach in the e-cycle Missouri program. Each tier reflects the recycler's commitment to the e-cycle Missouri program. Businesses can now contact a recycler on the list that meets their criteria for management, location or services offered such as data destruction. Businesses can choose a recycler with confidence by knowing more about their electronics recycler.

### **UST Energy Policy Act Progress**

The department continues to work towards achieving the 2005 Energy Policy Act requirement of inspecting all active and temporarily closed underground storage tanks every three years, which means more 1,200 inspections need to be conducted each year. The department is reviewing inspections performed by Rounds and Associates on active facilities. For each inspection, staff sends a letter either recognizing compliance or providing instruction and guidance to tank owners and operators to achieve compliance and requesting a response.

Department inspectors perform temporarily closed site inspections, complaint investigations, hazardous substance underground storage tank compliance inspections, new installation visits and contractor oversight inspections. Some of the activities involved in a temporarily closed inspection include:

- Verifying the tanks are emptied to less than 1 inch of liquid or monthly release detection is being conducted.
- The fill port caps and any other ways to access the tanks are locked.
- Any corrosion protection mechanism that may be present, such as interior lining and cathodic protection, are tested and maintained.

The department performs new installation oversight visits. These visits are conducted to provide assistance by identifying problems or incompatibilities before the project is complete. This early detection will ultimately save the tank owner money, as changes at installation are typically less costly than post-installation repairs. At the new installation visit, as well as in the follow up activities, the department collects specific information about the new tank system. This information can include manufacturer and size of tank, material, piping manufacturer and material, anticipated release detection method for the tanks and piping and spill and overfill prevention mechanisms.

Finally, fiscal year 2009 has begun and so has the second year of using Rounds and Associates contract inspections. The department is working with the Missouri Petroleum Storage Tank Insurance Fund, or PSTIF, and Williams and Company to select sites for inspections. Chosen sites will receive a letter from Rounds and Associates notifying them they will be inspected before June 30, 2009. Additionally, if a facility does not participate in the PSTIF, they will receive a request for underground storage tank records from the department. Facilities that participate in the PSTIF submit their records at policy renewal.

**Federal Facilities Section**

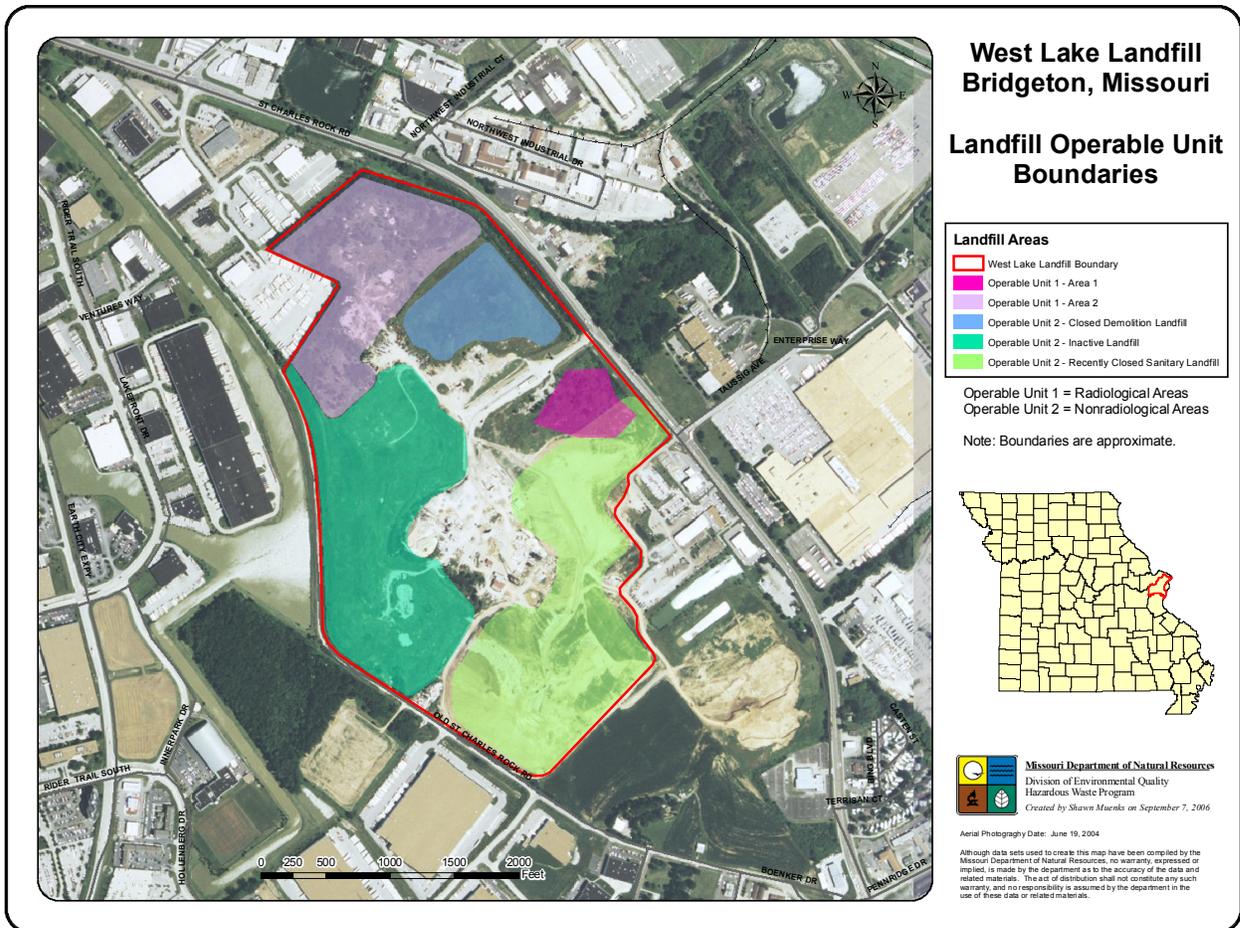
**A Record of Decision is on the Horizon for the West Lake Landfill in Bridgeton**

EPA is in the process of finalizing and signing the Operable Unit – 1 Record of Decision for the West Lake Landfill, anticipated to be completed in early June. The comment period on the draft Record of Decision was extended to April 9, as a result of the public meeting EPA held March 27, and all comments received by EPA will be addressed in the written Responsiveness Summary.

As a result of these activities, the EPA Regional Administrator has been responding to inquiries from state and federal senators. EPA has been handling these congressional inquiries on its own without requesting support from the department’s Hazardous Waste Program.

The concern from one of the senators revolved around a previous public comment concerning groundwater monitoring, in which several monitoring wells were identified that no longer exist. The questions focused on the frequency of monitoring on the wells and what is the impact of the missing wells being downgradient from Area 2. EPA explained in a conference call that the monitoring wells were removed since the Remedial Investigation was completed and tried to explain that many other monitoring wells around Area 2 are in position to detect a plume if it existed.

EPA clarified there is no ongoing groundwater monitoring at this time, but as part of the remedy detailed in the Record of Decision, EPA and the department will be overseeing the implementation of a long-term groundwater monitoring program involving installation of new monitoring wells, as deemed necessary. EPA is currently working on a letter to address the senator’s concern, detailing



this information. The department was not directly involved with this issue, but has requested to be copied on the response letter.

Another senator's concern focused on why West Lake radioactive waste is entombed in place while other St. Louis sites under the Formerly Utilized Sites Remedial Action Program, or FUSRAP, are excavated with out-of-state disposal. The senator wanted more information on other cases where radioactive waste was left in place. EPA responded via a conference call and discussed the distinctly different circumstances at West Lake Landfill in comparison to the St. Louis sites that comprise FUSRAP. EPA specifically pointed out the nature of waste disposal is consistent with land use at the West Lake Landfill, as opposed to the other St. Louis FUSRAP properties composed of residential, commercial and active industrial sites.

EPA also discussed the inaccessible soils at the FUSRAP areas will be managed in-place, requiring long-term stewardship plans and institutional controls, similar to the challenges at West Lake Landfill. EPA referenced the 1,000 plus superfund municipal landfill sites around the country and the presumptive approach of containment in place at those areas.

The department remains supportive of EPA's proposed remedy with the understanding that a durable long-term monitoring, maintenance and stewardship plan, including institutional controls, is employed. The department will continue its work with EPA as they finalize the documents.

### **U. S. Department of Energy is Planning to Move Kansas City Plant**

The U.S. Department of Energy - Kansas City Plant, in coordination with the General Services Administration, has revised the Environmental Assessment dealing with various options for reconfiguring the plant's operation. The revised document includes responses to comments from the public. Two additional options for the reconfiguration were considered after the initial release for comments in December 2007. These two options considered moving the plant operations to Albuquerque, N.M. or Lawrence-Livermore, Calif. Because these options involved potential locations in other "host" states, the Environmental Assessment is being submitted to California, New Mexico and Missouri for review and comment. Comments for this abbreviated review were due April 18.

Based on the revisions and responses to the department's comments on the initial assessment, the state's comment on this review will likely be supportive of the document's preferred option. The preferred option is to relocate the plant operations to another area in the southern part of Kansas City, near the intersection of Botts Road and Highway 150. Because of the time needed to construct and transfer operations, if this alternative should be the final decision, it is anticipated the new facility would not be in place until 2012-13. Again, should the preferred alternative be the final decision, the department expects to work with the community, the General Services Administration and Department of Energy on developing a viable reuse of the current Federal Complex at Bannister Road.

## RCRA PERMITS

### Beyond Permits...

In the last quarterly report, permits were discussed. The Permits Section is also responsible for overseeing facility activities under other regulatory instruments. This article discusses regulatory instruments other than permits.

Missouri Hazardous Waste Management Law requires all Missouri facilities operating as a hazardous waste treatment, storage, or disposal, or commonly called TSD facility to get a hazardous waste permit. A hazardous waste permit is actually two separate permits, a Missouri Hazardous Waste Management Facility Part I Permit and a U.S. Environmental Protection Agency - Part II Authorization Under the Hazardous and Solid Waste Amendments of 1984.

After a facility has stopped operating in an area on their property, that area goes through a closure period. During closure, facility owners and operators put final covers or caps on landfills and remove and clean their equipment, structures and soil. Areas where hazardous waste or hazardous constituents will remain in place after closure is finished, such as landfills or surface impoundments, must also enter into a period of post-closure care.

In many instances a hazardous waste permit regulates post-closure care for closed hazardous waste management units. Permits can also regulate corrective action for solid waste management units and areas of concern. Both general and unit-specific regulations and requirements for post-closure care and corrective action are usually incorporated into the new or existing hazardous waste permit. The majority of Missouri facilities currently performing post-closure care and corrective action are doing so under permits.

However, other regulatory instruments are also used to ensure these activities are conducted in a way that protects human health and the environment. In 1998, the U.S. Environmental Protection Agency created an alternative to permits by allowing the use of regulatory instruments, such as administrative orders. The alternative regulatory instrument must have the essential requirements that apply to facilities using a permit for post-closure care or corrective action. The alternative regulatory instruments were adopted to streamline activities and address historical difficulties encountered at facilities during the post-closure care and corrective action process.

### Remedial Action Plans

A Remedial Action Plan, or RAP, is a special hazardous waste permit a facility may get instead of a traditional hazardous waste permit to treat, store or dispose of hazardous remediation waste at a remediation waste management site. Remedial action, such as removal, containment, isolation, or treatment of hazardous substances released or threatened to be released into the environment from a site, minimizes health risks or negative environmental impact at a site. RAPs are not limited to hazardous waste TSD facilities. They can be used at other types of sites to perform activities that would otherwise require a traditional hazardous waste permit. Details about using RAPs are available in the federal code of regulations, 40 CFR Part 270 Subpart H, or by contacting the Hazardous Waste Program Permits Section.

#### What is the difference between Post-Closure and Corrective Action?

In general, post-closure is related to contamination remaining after a regulated facility stops treatment, storage and disposal operations and closes the area. Corrective action relates to releases of hazardous chemicals into the environment at a TSD facility caused by present or past hazardous waste and chemical handling practices.

### **“At Risk” Voluntary Corrective Action**

It has been 24 years since EPA’s Hazardous and Solid Waste Amendments subjected Resource Conservation and Recovery Act, or RCRA, hazardous waste treatment, storage and disposal facilities to corrective action requirements. During this time, some facilities have taken steps on their own initiative to investigate and remediate hazardous waste releases to the environment without state or EPA review, oversight or approval. Some facilities have also chosen to voluntarily perform corrective action activities with state review, oversight and approval, but without the benefit of a governing regulatory instrument, such as a letter of agreement.

Investigation and remediation activities performed by the facility with no state or EPA involvement are considered to be “at risk” because there is no guarantee the applicable corrective action requirements have been met or the activities are acceptable to the state or EPA. In these cases, an after-the-fact review of any applicable investigation, monitoring and remediation documents would be performed by the state or EPA to determine if it was adequate.

Facility corrective action activities performed with state or EPA involvement but without a governing regulatory instrument are “at risk” in a technical sense. These activities can, in certain instances, be “at risk” in a final administrative decision-making (enforcement) sense.

### **Letters of Agreement**

According to Missouri law, hazardous waste treatment, storage and disposal facilities are not allowed to perform corrective action under Missouri’s Brownfields/Voluntary Cleanup Program, also known as BVCP. The Letter of Agreement used by the Permits Section is similar to the agreements administered by the BVCP. It was created as part of the department’s Expedited Corrective Action Program as an alternative to traditional Corrective Action Orders to streamline the corrective action process. Letters of Agreement can only be used at hazardous waste treatment/storage/disposal facilities that are not required to get a Missouri Hazardous Waste Management Facility Part I Permit or a U.S. Environmental Protection Agency - Part II Authorization Under the Hazardous and Solid Waste Amendments of 1984. Letters of Agreement are designed for facilities that want to be proactive with their corrective action obligations.

#### **Additional Information**

More information about the department and EPA’s Missouri’s Expedited Corrective Action Program Memorandum of Understanding and “model” Letter of Agreement is available online at: [www.dnr.mo.gov/env/hwp/permits/ecap.htm](http://www.dnr.mo.gov/env/hwp/permits/ecap.htm).

A Letter of Agreement is an informal, non-legally binding, “handshake” agreement that can be ended at any time by the facility or the department. Letters of Agreement do not contain stipulated penalty or dispute resolution provisions that might be found in traditional orders. They offer the benefit of substantial flexibility in several areas provided that substantive corrective action requirements are met. There are currently several Missouri facilities performing corrective action under Letters of Agreement and several other facilities considering entering the agreements.

### **Orders**

Orders are formal, legally-binding instruments that can be issued under federal or state authority to address facility corrective action requirements. Corrective Action Orders can be negotiated with the facility or can be issued unilaterally by the state or EPA.

**Orders Issued by EPA** - EPA can issue orders for corrective action to RCRA interim status, or former interim status, facilities where there is or has been a release of hazardous waste or hazardous constituents into the environment. There are currently, several Corrective Action Orders in place in Missouri that were issued by EPA. The number of EPA-issued orders is expected to decrease as they are replaced by state-issued permits and orders. Currently Missouri provides technical oversight for several facilities performing corrective action under EPA-issued orders.

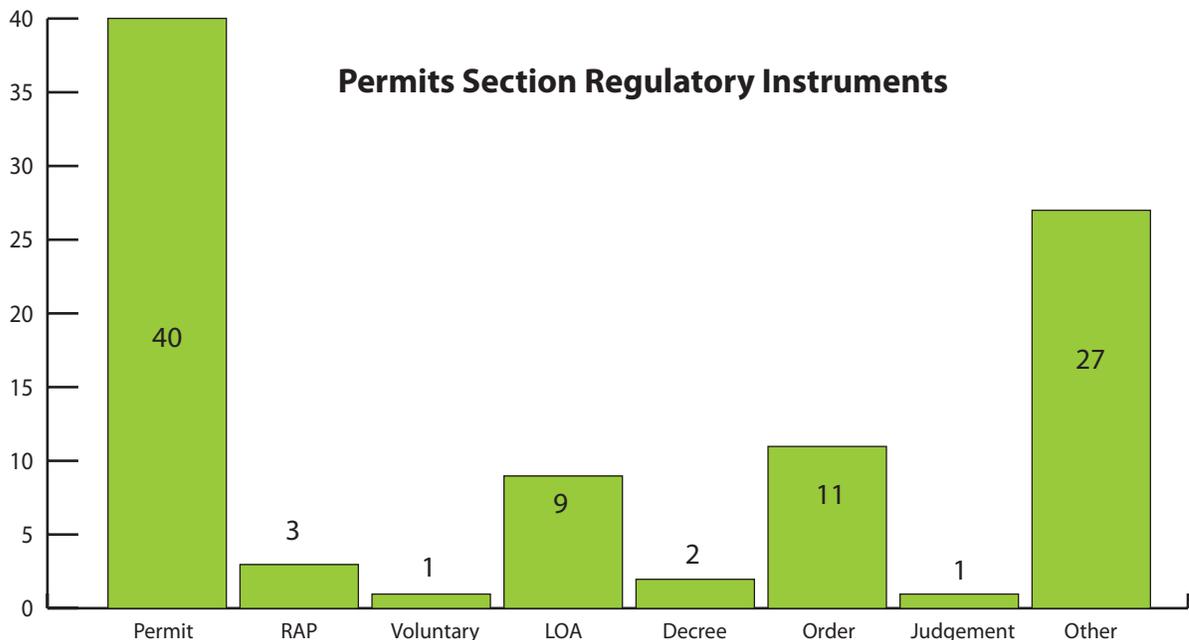
**Orders Issued by the State** - Under the authority of the Missouri Hazardous Waste Management Law, the state may issue orders for corrective action. There are currently two Missouri facilities performing corrective action under state issued orders where the state has both the technical oversight and administrative lead, with EPA serving in a support role. The use of state issued orders for corrective action is expected to increase as regulated facilities reach the final remedy selection stage and some EPA issued orders are replaced by state issued orders for final remedy implementation and long-term monitoring.

**Other**

Facilities may also have legal regulatory instruments in the form of legal decrees or judgments. A number of facilities are subject to interim status regulations and do not have another instrument in place at this time. Other facilities have become subject to hazardous waste regulations through illegal waste handling practices.

**Summary**

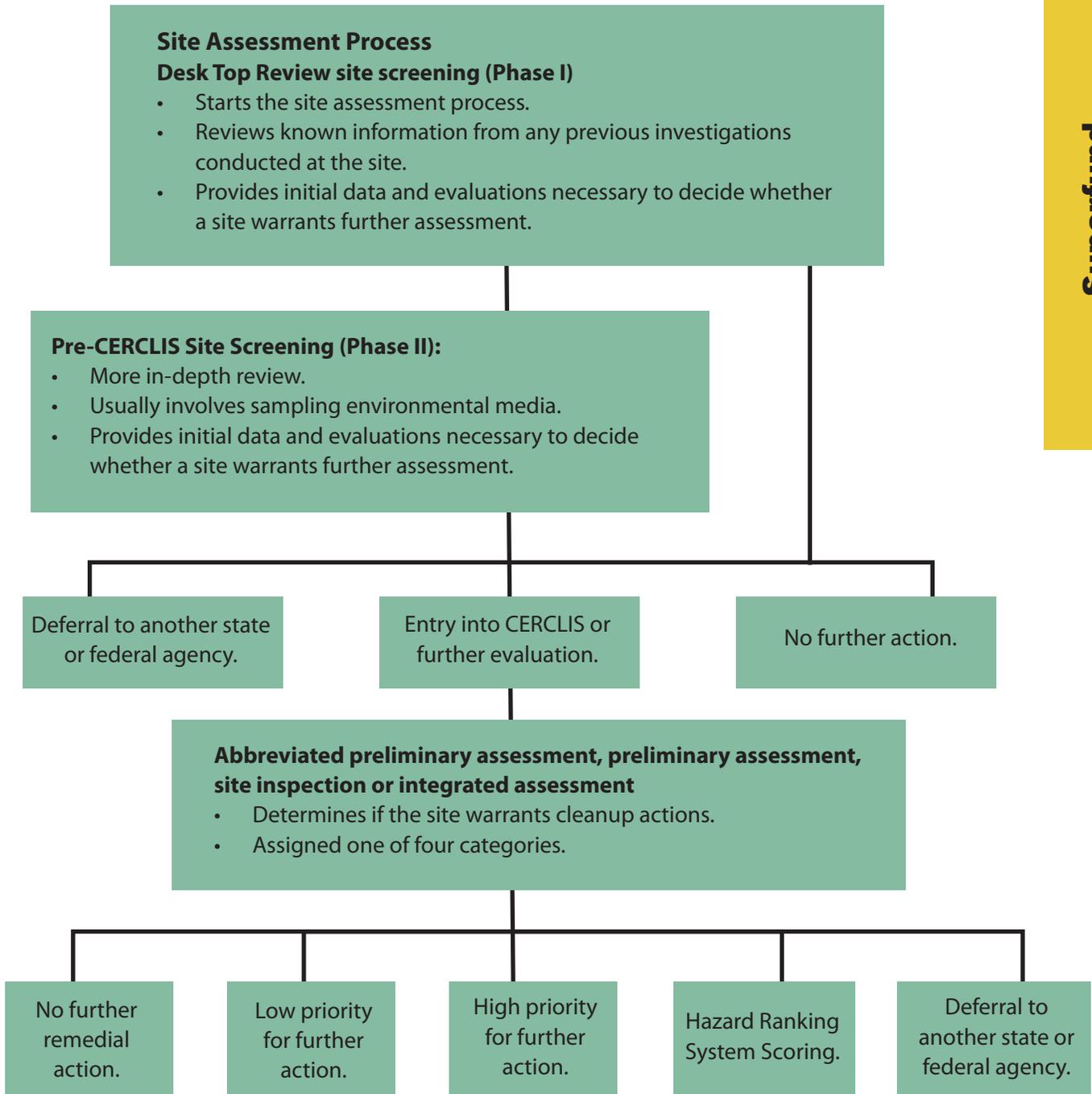
The Permits Section does much more than just issue hazardous waste permits. The Permits Section is involved in the creation, negotiation and long-term oversight of many types of regulatory instruments governing the corrective action site investigation, monitoring and remediation process. In its oversight role, the Permits Section also performs comprehensive technical and administrative review and approval of all activities conducted under these regulatory instruments.



Note: Remedial action plan and letters of agreement numbers include both those issued and those in development.

**SUPERFUND SECTION**

Site assessment activities help identify and evaluate the most serious hazardous substance sites. The Comprehensive Environmental Response, Compensation and Liability Act, or CERCLA, process for assessment and inspection of sites involves a sequence of successively more detailed studies to determine what hazards, if any, the site may pose.



High priority sites will receive additional investigation before low priority sites. No further remedial action planned sites will be dropped from the assessment process.

## Cameron Environmental Investigation

The department received a request May 13 from Rep. Jim Guest, King City, to test the drinking water and drinking water reservoirs of Cameron. Rep. Guest's office had been contacted by Cameron residents who believed citizens of the Clinton county community were suffering from brain tumors at a higher than expected rate. These citizens were worried that the city's water might be contributing to these tumors.

Department staff took water and sediment samples May 15 from the reservoirs from which the city's water treatment plant draws its water. Staff also took finished water samples at the plant as well as at a restaurant in the city.

No contaminants that would pose a public health threat were found. Like all public water systems in Missouri, Cameron's public water system is routinely tested to ensure the water is safe for the public to drink. Over many years of testing and evaluation, Cameron's public water historically has been found to be clean and safe for public consumption.

The Missouri Department of Health and Senior Services, or DHSS, is conducting a cancer inquiry to determine if there is a statistically significant number of brain tumors in the community. If a higher than expected number of cases of the same type of cancer or tumor is identified, the cancer inquiry process can try to find if there is a common cause and what it would be.

The department, in cooperation with DHSS, EPA and the Agency for Toxic Substances and Disease Registry, conducted a public meeting June 26 in Cameron to discuss steps taken to date to determine if there is a significant cancer cluster in Cameron and to identify possible environmental causes. Presenters from the Department of Natural Resources addressed the water testing done in May and the department's plan to test the Rockwool Industries manufacturing site in mid-July. Department of Health and Senior Services presenters outlined the process in determining whether a cancer cluster exists. The meeting was attended by approximately 200 people, including Rep. Guest, and several television, radio and newspaper outlets.



*Department staff runs a ground penetrating radar device over wasterock and slag at the former Rockwool Industries plant in Cameron in an effort to locate possible buried drums.*



*Department staff sampling soil at the former Rockwool Industries plant in Cameron.*

## Missouri Department of Natural Resources - Hazardous Waste Program Superfund Section

Staff from the department and the U.S. Environmental Protection Agency were in Cameron at the former Rockwool Industries site July 14-15 to collect surface soil, subsurface soil, groundwater and waste rock and slag samples. Rockwool Industries used steel slag as the base material to produce insulation from 1974 to 1982. A number of media, elected officials, including Rep. Guest, and private citizens were also at the facility to watch the sampling take place. Department staff conducted a number of media interviews, as did representatives from EPA.

Staff also collected surface water, sediment and waste rock samples from the quarry where waste rock from the former Rockwool facility was taken. Staff from EPA sampled the Burlington Reservoir July 16. Soil borings were conducted in the field south of the former Rockwool facility by EPA with assistance from the department July 18.

The department, again working with DHSS, EPA and ATSDR, hosted a public meeting on Aug. 21, in Cameron to present the sampling results. A few soil samples contained levels of lead and arsenic above screening levels. However, none of the results showed levels that would be hazardous. Approximately 300 people attended the Aug. 21 public meeting. Another meeting is being planned for October when DHSS will present the findings on the cancer cluster inquiry.

In an effort to help Cameron and Missouri residents stay as informed as possible regarding the environmental investigation, the department created a Web site at [www.dnr.mo.gov/env/hwp/sfund/cameron.htm](http://www.dnr.mo.gov/env/hwp/sfund/cameron.htm), so anyone can view the documents available.



*Concerned citizens at the June 26 public meeting in Cameron.*

### Tanks Section

June boasted the largest number of tank cleanups completed in a single month for the 2008 fiscal year. June's number of completed tank cleanups was 25 – five times the first three quarter's average of five cleanups a month. The dramatic spike in completed cleanups can be credited to a part-time contractor hired by the department to focus on tank remediation sites that had been ongoing for an extended period, but didn't necessarily pose an immediate health or environmental risk. There are a total of 387 storage tank sites that fit into this definition and had no activity in the past three years. A majority of these projects were active when the Missouri Department of Natural Resources implemented Missouri Risk Based Corrective Action in February 2004.

The new guidance detailed a process for the department's Tanks section to assess and complete cleanup efforts differently than what had previously been done. Implementation of the new guidance meant the Tanks section would need to reassess tank cleanups that were active during the transition using the new guidance. The contractor's job was to use the current guidance to re-evaluate and then categorize the 387 sites. These categories include recommending a site for closure, referring a site to the tank's investigatory list for a further evaluation period by the department or if the responsible party has neglected the cleanup, the responsible party can be referred to the Compliance and Enforcement Section.

Another part-time contractor hired by the Tanks section made dramatic steps in helping the section move forward with tank remediation sites. The large number of these sites across Missouri generates a lot of mail and documents to the section. The contractor has the task of sorting through the backlog of mail, which helps keep active tank remediation sites moving toward a completed cleanup.

The total number of documents processed in June was 278, the highest of the fiscal year, and a 25 percent increase from the next highest month, May, which had 230 documents processed.

Both contractors started work with the Tanks section May 19, and will continue to work until they reach a maximum of 1,000 hours or until May 19, 2009. The contract is renewable for four years if funding is available.

There are total of 1,417 active tank remediation sites across Missouri that are managed by eight project managers in the Tanks Section.



### Missouri Waste Coalition Conference

One of the highlights at the 2008 Missouri Waste Control Coalition Environmental Conference was an all-day Tanks Workshop, organized by the Tanks Section. Staff from Tanks and Blayne Hartman, H & P Mobile Geochemistry, were among the presenters.

Some the topics discussed at the workshop were creating a site conceptual model, soil vapor guidance, determining soil types and groundwater consumption pathways. More than 50 people attended the Tanks Workshop, and attendees included contractors, tank owners and federal, state and municipal government employees.

The Tanks section was one of 51 exhibitors at the conference. Staff was available at the display board throughout the two-day conference to answer questions and explain section functions.



*Presentation by Ken Koon, Tanks Section Chief*

Missouri Department of Natural Resources - Hazardous Waste Program  
Tanks Section

Petroleum Storage  
Tanks Regulation  
June 2008

| Staff Productivity                 | Jul-07 | Aug-07 | Sep-07 | Oct-07 | Nov-07 | Dec-07 | Jan-08 | Feb-08 | Mar-08 | Apr-08 | May-08 | Jun-08 | TOTAL |
|------------------------------------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|-------|
| Documents received for review      | 236    | 266    | 216    | 251    | 192    | 179    | 187    | 199    | 268    | 217    | 188    | 292    | 2,691 |
| Remediation documents processed    | 209    | 227    | 160    | 200    | 107    | 110    | 170    | 153    | 205    | 229    | 230    | 278    | 2,278 |
| Closure reports processed          | 11     | 19     | 15     | 10     | 3      | 6      | 21     | 10     | 24     | 30     | 9      | 10     | 168   |
| Closure notices approved           | 17     | 15     | 15     | 12     | 14     | 16     | 11     | 21     | 7      | 11     | 8      | 6      | 153   |
| Tank installation notices received | 4      | 5      | 8      | 4      | 5      | 4      | 3      | 5      | 2      | 9      | 2      | 5      | 56    |
| New site registrations             | 11     | 13     | 13     | 7      | 13     | 8      | 5      | 5      | 1      | 11     | 6      | 5      | 98    |
| <b>Facility Data</b>               |        |        |        |        |        |        |        |        |        |        |        |        |       |
| Total active and closed USTs       | 38,865 | 38,912 | 38,946 | 38,962 | 38,997 | 39,007 | 39,012 | 39,026 | 39,045 | 39,064 | 39,088 | 39,105 |       |
| Total permanently closed USTs      | 28,777 | 28,832 | 28,867 | 28,884 | 28,892 | 28,907 | 28,983 | 29,027 | 29,105 | 29,171 | 29,194 | 29,232 |       |
| USTs active and temporarily closed | 10,088 | 10,080 | 10,079 | 10,078 | 10,105 | 10,100 | 10,029 | 9,999  | 9,940  | 9,893  | 9,894  | 9,873  |       |
| USTs in temporary closure          | 967    | 1,004  | 1,009  | 1,027  | 1,054  | 1,082  | 1,082  | 1,077  | 1,085  | 1,058  | 1,060  | 1,078  |       |
| Total hazardous substance USTs     | 389    | 389    | 389    | 389    | 389    | 392    | 392    | 392    | 392    | 392    | 392    | 392    |       |
| Facilities with active USTs        | 3,772  | 3,772  | 3,772  | 3,782  | 3,784  | 3,786  | 3,771  | 3,759  | 3,734  | 3,721  | 3,719  | 3,716  |       |

Closures

| Underground Storage Tanks            | Jul-07 | Aug-07 | Sep-07 | Oct-07 | Nov-07 | Dec-07 | Jan-08 | Feb-08 | Mar-08 | Apr-08 | May-08 | Jun-08 | TOTAL |
|--------------------------------------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|-------|
| Closure Reports Reviewed             | 11     | 19     | 15     | 10     | 3      | 6      | 21     | 10     | 24     | 30     | 9      | 10     | 168   |
| Closure Notices Approved             | 17     | 15     | 15     | 12     | 14     | 16     | 11     | 21     | 7      | 11     | 8      | 6      | 153   |
| Number of Tanks Closed (Closure NFA) | 22     | 14     | 21     | 19     | 7      | 2      | 22     | 14     | 21     | 40     | 29     | 15     | 226   |

Cleanup

| Underground Storage Tanks           | Jul-07 | Aug-07 | Sep-07 | Oct-07 | Nov-07 | Dec-07 | Jan-08 | Feb-08 | Mar-08 | Apr-08 | May-08 | Jun-08 | TOTAL |
|-------------------------------------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|-------|
| UST release files opened this month | 8      | 7      | 3      | 6      | 2      | 4      | 3      | 1      | 3      | 6      | 7      | 6      | 56    |
| UST cleanups completed this month   | 8      | 5      | 0      | 6      | 3      | 8      | 1      | 3      | 5      | 13     | 4      | 22     | 78    |
| Ongoing UST cleanups                | 1,055  | 1,051  | 1,055  | 1,058  | 1,055  | 1,059  | 1,058  | 1,058  | 1,054  | 1,053  | 1,057  | 1,041  |       |
| <b>Aboveground Storage Tanks</b>    |        |        |        |        |        |        |        |        |        |        |        |        |       |
| AST release files opened this month | 1      | 4      | 2      | 1      | 0      | 0      | 1      | 0      | 0      | 4      | 2      | 1      | 16    |
| AST cleanups completed this month   | 0      | 3      | 0      | 2      | 0      | 1      | 0      | 1      | 0      | 0      | 2      | 10     | 19    |
| Ongoing AST cleanups                | 194    | 195    | 198    | 200    | 198    | 197    | 199    | 197    | 197    | 200    | 202    | 199    |       |
| <b>Both UST and AST</b>             |        |        |        |        |        |        |        |        |        |        |        |        |       |
| Total release files-both UST & AST  | 0      | 0      | 0      | 0      | 0      | 0      | 1      | 0      | 0      | 0      | 0      | 0      | 1     |
| Cleanups completed-both UST & AST   | 0      | 0      | 0      | 0      | 0      | 0      | 0      | 0      | 0      | 0      | 0      | 1      | 1     |
| Ongoing cleanups-both UST & AST     | 29     | 29     | 29     | 29     | 31     | 31     | 32     | 32     | 32     | 33     | 33     | 33     |       |
| <b>Unknown Source</b>               |        |        |        |        |        |        |        |        |        |        |        |        |       |
| Total release files-unknown source  | 3      | 1      | 0      | 0      | 0      | 1      | 0      | 0      | 0      | 1      | 0      | 5      | 11    |
| Cleanups completed-unknown source   | 0      | 0      | 0      | 1      | 1      | 1      | 0      | 1      | 1      | 0      | 0      | 1      | 6     |
| Ongoing cleanups-unknown source     | 161    | 162    | 161    | 156    | 156    | 154    | 152    | 151    | 151    | 149    | 145    | 144    |       |
| <b>Documents Processed</b>          | 209    | 227    | 160    | 200    | 107    | 110    | 170    | 153    | 205    | 229    | 230    | 278    | 2,278 |

Some activities are recalculated each month for all previous months to reflect items added or edited after the end of the previous reporting period.