



**MISSOURI**  
DEPARTMENT OF  
NATURAL RESOURCES

## ***DRAFT***

### **NOTICE OF OPEN MEETING**

The meeting will also be streamed live from the Department's website at:  
*[dnr.mo.gov/videos/live.htm](http://dnr.mo.gov/videos/live.htm).*

**DEPARTMENT OF NATURAL RESOURCES  
HAZARDOUS WASTE PROGRAM  
HAZARDOUS WASTE MANAGEMENT COMMISSION  
AGENDA**

**April 18, 2013**

**Department of Natural Resources, Hazardous Waste Program  
Bennett Springs/Roaring River Conference Rooms  
1730 E. Elm Street  
Jefferson City, MO 65102**

**Note: Persons with disabilities requiring special services or accommodations to attend the meeting can make arrangements by calling the commission assistant at (573) 751-2747 or writing to the Hazardous Waste Program, P.O. Box 176, Jefferson City, MO 65102. Hearing impaired persons may contact the Hazardous Waste Program through Relay Missouri at 1-800-735-2966.**

#### **9:45 A.M. EXECUTIVE (CLOSED) SESSION**

In accordance with Section 610.022 RSMo, this portion of the meeting may be closed by an affirmative vote of the Commission to discuss legal matters, causes of action or litigation as provided by Subsection 610.021(1). RSMo.

#### **10:00 A.M. GENERAL (OPEN) SESSION**

The General (Open) Session will begin promptly at 10:00 a.m., unless an Executive (Closed) Session has been requested; after which, the General Session will start as specified by the Commission's chairman.

#### **Commissioner Roll Call**

1. Pledge of Allegiance – Commissioners
2. Approval of Minutes – General (Open) Session, December 20, 2012 – Commissioners

#### **Action Items**

3. Finding of Necessity – Tanks Risk Based Corrective Action Rule Package– Tim Chibnall, Director's Office, Hazardous Waste Program (HWP)

Page Two

**Information Only:**

4. Energy Policy Act Compliance Update – Heather Peters, Compliance and Enforcement Section - HWP
5. Rulemaking Update – Tim Eiken, Rule Coordinator – HWP
6. HB1251 Implementation Update – Tim Eiken, Rule Coordinator - HWP
7. Tanks Financial Responsibility Update – Mike Martin, Compliance and Enforcement Section – HWP
8. Missouri Registry Annual Report – Dennis Stinson, Chief, Superfund Section – HWP
9. Missouri Pesticide Collection Update – Drew Reed, Compliance and Enforcement Section - HWP
10. Quarterly Report – Dee Goss, Public Information, HWP
11. Legal Update – Kara Valentine, Commission Counsel
12. Public Inquiries or Issues – David J. Lamb, Director, HWP
13. Other Business – David J. Lamb, Director, HWP
14. Future Meetings
  - Thursday, June 20, 2013 – to be held at the Bennett Springs/Roaring River Conference Rooms, 1730 E. Elm Street Conference Center, Jefferson City, MO

Adjournment

**MISSOURI DEPARTMENT OF NATURAL RESOURCES  
HAZARDOUS WASTE MANAGEMENT COMMISSION**

**Meeting Date: April 18, 2013**

**ROLL CALL ROSTER**

	<b>In Person:</b>	<b>By Phone:</b>	<b>Absent</b>
<b>Chairman Michael Foresman</b>	_____	_____	_____
<b>Vice-Chair Andrew Bracker</b>	_____	_____	_____
<b>Commissioner Elizabeth Aull</b>	_____	_____	_____
<b>Commissioner Jamie Frakes</b>	_____	_____	_____
<b>Commissioner Charles Adams</b>	_____	_____	_____
<b>Commissioner Deron Sugg</b>	_____	_____	_____

**Missouri Hazardous Waste Management Commission Meeting**

**April 18, 2013  
Agenda Item # 1**

**Pledge of Allegiance**

**Missouri Hazardous Waste Management Commission Meeting**

**April 18, 2013  
Agenda Item # 2**

**Approval of Minutes**

**Issue:**

Commission to review the General Session minutes from the December 20, 2012, Hazardous Waste Management Commission meeting.

**Recommended Action:**

Commission to approve the General Session minutes from the December 20, 2012, Hazardous Waste Management Commission meeting.

**GENERAL**

**SESSION**

**MEETING**

**MINUTES**

GENERAL SESSION  
HAZARDOUS WASTE MANAGEMENT COMMISSION  
December 20, 2012; 10:00 A.M.  
1730 E. Elm Street  
Bennett Springs/Roaring River Conference Rooms  
Jefferson City, MO 65102

(Note: *The minutes taken at Hazardous Waste Management Commission proceedings are just that, minutes, and are not verbatim records of the meeting. Consequently, the minutes are not intended to be and are not a word-for-word transcription.*)

The meeting was streamed live from the Department's website at: [dnr.mo.gov/videos/live.htm](http://dnr.mo.gov/videos/live.htm).

COMMISSIONERS PRESENT IN PERSON

Commissioner Deron Sugg

COMMISSIONERS PRESENT BY PHONE

Chairman Michael Foresman  
Vice-Chairman Andrew Bracker  
Commissioner Elizabeth Aull  
Commissioner Jamie Frakes

Commissioner Sugg called the General Session to order at approximately 10:02 a.m.

1. PLEDGE OF ALLEGIANCE

Commissioner Sugg led the Pledge of Allegiance, and it was recited by the Hazardous Waste Management Commission (Commission) and guests.

2. APPROVAL OF MINUTES

- General Session minutes from the October 18, 2012, meeting:

Commissioner Frakes made a motion to approve the October 18, 2012, General Session minutes. Commissioner Aull seconded the motion.

*A vote was taken; all were in favor, none opposed. Motion carried. Minutes were approved.*

*The vote was taken as a roll call with Commissioner Sugg, Chairman Foresman, Commissioner Aull, Commissioner Frakes and Commissioner Bracker providing an affirmative vote to the minutes. It was noted that Commissioner Adams was not in attendance and that there was a quorum in attendance.*

3. TANKS RISK BASED CORRECTIVE ACTION RULE DEVELOPMENT UPDATE

David J. Lamb, Director, Hazardous Waste Program, addressed the Commission and advised that Leanne Tippet Mosby would be presenting the information on this agenda item instead of Tim Eiken. Commissioner Sugg welcomed Ms. Tippet Mosby.

Leanne Tippet Mosby, Director, Division of Environmental Quality, addressed the Commission, noting that at the last meeting she had advised that the Department was making changes to the Tanks rules and that they had been working closely with the Petroleum Storage Tank Insurance Fund (PSTIF), and the Missouri Petroleum Marketers and Convenience Store Association (MPCA), on these changes. She went on to state that those changes were close to being ready to present, that it was down to just some wording changes, and they should be completed within the next couple weeks. Ms. Tippet Mosby also stated that the Department's Director, Sara Parker Pauley, had previously asked that the sunset date for the current guidance be removed and that staff had been working on how to best approach this. She advised that the Department had originally requested that this issue be placed as an action item on today's agenda, but had since decided not to request that the Commission go forward with an emergency rule, feeling that it was not necessary at this time. She advised that the Department had decided to update the guidance to reflect current practices, as the changes were already in practice for the most part.

Ms. Tippet Mosby also advised the Commission that the Department anticipated they would have a proposal by the next meeting, for the Commission to authorize a regular rulemaking to remove the sunset date and update the rule to reflect the revised guidance.

No questions were posed by the Commission. This was provided as information only and required no other action on the part of the Commission.

4. UPDATING COMMISSION OPERATING POLICIES

Mr. Tim Eiken, Rules Coordinator, HWP, addressed the Commission, and gave a brief overview of the history of the proposed changes to the Commission Operating Procedures, which had been discussed during the past three meetings. He noted that the procedures were originally developed in 2004, and that the revised procedures were available for the approval of the Commission. Mr. Eiken advised the Commissioners that a "clean" copy and a "red-line strike out" copy had been provided in their packets to allow them to review all the changes made.

Mr. Eiken turned the floor over to the Commissioners for comments and discussion.

Commissioner Sugg inquired as to whether there were any questions from the Commission. He then noted that Page 24 addressed a Commission Conference.

- Mr. Lamb responded that this was old language, that the group that used to do the formal training had disbanded and that this was now obsolete. He advised that he was not aware of any training the Department currently had for Commissioners, but that the Program had

been continuing to try to provide the Commission training opportunities, referencing the Sunshine Law training that had been provided to them during a recent meeting.

- Commissioner Sugg inquired as to whether it was believed that the procedures should be altered at this time with regards to this issue.
- Mr. Lamb responded that the current wording did not reflect what the Department currently has in place and that he was unsure of what the future plans were with regards to this.
- Chairman Foresman recommended that this be removed until something new was developed, that this language be struck from the procedures.
- Commissioner Sugg stated that he would rather have something not in the procedures than have something in there that the Commission ignored.
- Commissioner Frakes agreed that language that was obsolete should be struck from the document, but inquired as to whether it was possible for the Department to add some type of training prior to the end of 2013 that would meet the requirements of this portion of the procedures.
- Mr. Lamb advised that, if the Commission would like, he could see if it would be possible to develop a one day training that could meet those requirements.
- Commissioner Frakes noted that he believed this was put in place for updates to the Hazardous Waste Management Commission and advised that he was not against it being kept in, as the intent was good for its initial inclusion.
- Chairman Foresman stated that he had reviewed what the conference/training used to cover and noted that if DNR was not going to provide this on a department-wide basis, then it defeated the purpose. He stated he did not want to have it in the procedures if the Department was not going to provide the training.
- Commissioner Bracker inquired as to whether anything was required by statute. He noted that training was beneficial, but that including it in the procedures was unnecessary if DNR was not going to provide it or require it.
- Mr. Jack McManus, Missouri Attorney General's Office, advised that there was no state statute that governed this; but, that including or not including it would not affect any state statute requiring Commissioner training. *Mr. McManus was filling in for Kara Valentine, Commission Counsel, for this meeting.*
- Commissioner Sugg inquired as to whether the Commission could adopt this policy as written, with or without the provision for a conference, and revisit at a future date?
- Mr. Eiken responded that the Commission could revisit these policies/procedures at any time.

Commissioner Sugg made the following motion:

**“I move to adopt the policies as updated, as written, with the exception of the Commission conference provision, suggesting it be stricken and revisited at a later date.”**

The motion was seconded by Chairman Foresman.

*A vote was taken; all were in favor, none opposed. Motion carried.*

5. RULEMAKING UPDATE

Mr. Time Eiken, Rules Coordinator, HWP, addressed the Commission and noted that they had approved a Finding of Necessity at the previous meeting, related to the adoption to incorporate by reference, the new federal rules. He noted that this action added two years' worth of federal rules, which totaled 5 or 6 new rules, and advised the Commission that the Department had requested this following a review of these through the stakeholder process. Mr. Eiken reviewed the timing of this rule process and noted that we could only have one amendment open at a time. Because the Department is currently dealing with implementation of the "no stricter than" HB1251 provisions, Mr. Eiken advised the Commission that continuing to file this rule package would adversely impact the Department in this implementation. He stated that the Department was going to wait and file these when all the other changes to the rules had been worked out; and noted that this would postpone the filing for several months, but that it was not a significant issue.

Mr. Eiken went on to state that on a similar note, at the previous meeting the Commission had directed the Department to begin a rulemaking effort with regards to the Exide trailer parking issue. He advised that the Department faced the same issue with this as with the filing of the Federal rule package, as the entire rule was being reviewed and if we were to file an amendment to the current rule, it would interfere with the Department's ability to meet the provisions of HB1251. He noted that the "no stricter than" legislation created significant issues with the language provided by Exide with regards to paved areas and daily inspections. He advised the Commission that in the meantime, while the Department was developing amendments to the current rules, they would meet with representatives from Exide to develop language that best met the requirements of HB1251. He stated to the Commission that the Department was committed to addressing this issue for the Commission and that all amendments to the current hazardous waste rules would need to be in line by December 2015 to meet the provisions of the legislation. He advised that the legislation stated that anything inconsistent by that date would be void and that the Department did not want to be in that situation.

Mr. Eiken advised the Commission that he had also looked in to the Indiana rule that Exide had presented to the Commission and noted that it was not final yet, although it was almost ready. But, he noted, the Indiana rule stated that batteries that were broken or leaking could not be staged and be in compliance with their rule.

Commissioner Sugg inquired as to what point the Department had to determine the status of each of the rules. Mr. Eiken advised that he believed the legislation stated that rules had to be identified by December 2013, as to whether they were in compliance with the provisions, or would have to be amended or rescinded. Commissioner Sugg inquired as to whether it was the Department's duty to make these identifications, to which Mr. Eiken advised that it was.

No other questions were posed by the Commission. This was provided as information only and required no other action on the part of the Commission.

6. HAZARDOUS WASTE TRANSPORTATION COMPLIANCE ACTIVITIES

Mr. David Giarratano, Compliance and Enforcement Section, addressed the Commission and advised that he would be presenting this topic, in place of Billie Hains. He provided the Commission with a PowerPoint presentation on the Hazardous Waste Program's activities related to hazardous waste transportation regulatory compliance. This presentation outlined the laws and regulations; the inspection standards; the common violations; the goals of the inspection process; the manifest requirements and review process; hazardous waste transporter requirements and licenses; and resources for information on these activities.

Mr. Giarratano opened the floor for questions from the Commission:

- Commissioner Aull inquired as to whether Ms. Hains was the only certified inspector. Mr. Giarratano advised that she was.
- Commissioner Aull asked if there was a process for identifying the location of the inspections or if it was done at random. Mr. Giarratano advised that Ms. Hains did these inspections on a routine basis at the TSD's, inspecting the vehicles as they arrived at the sites.
- Commissioner Aull asked if she could be doing inspections at Doe Run or other like facilities at any given time. Mr. Giarratano responded that these facilities were inspected approximately twice a year. He noted that if a facility had a good safety record they may not be inspected as often. He explained that facilities with enforced plans in place may not be as much of a focus as smaller facilities with less structure.
- Commissioner Aull thanked Mr. Giarratano and noted that this was a good educational opportunity for the Commissioners.

No other questions were posed by the Commission. This was provided as information only and required no other action on the part of the Commission.

7. QUARTERLY REPORT

Dee Goss, Public Information Officer, Hazardous Waste Program, addressed the Commission and gave brief highlights from the April through June 2012 Quarterly Report. Items of interest included the various areas of Program oversight that were affected by HB1251.

Commissioner Frakes inquired as to whether the report was available on line. Ms. Goss replied that it was and noted where it could be located on the web.

No other questions were posed by the Commission. This was provided as information only and required no action on the part of the Commission.

8. LEGAL UPDATE

Mr. Jack McManus, Acting Commission Counsel, addressed the Commission and advised that he did not have anything to present to the Commission at this time.

No questions were posed by the Commission. This was provided as information only and required no action on the part of the Commission.

9. PUBLIC INQUIRIES OR ISSUES

Mr. David J. Lamb, Director, Hazardous Waste Program, addressed the Commission and advised that he had not received any requests to address the Commission. He provided the opportunity for any attendees to come forward, with no response.

No questions were posed by the Commission. This was provided as information only and required no action on the part of the Commission.

10. OTHER BUSINESS

Mr. David J. Lamb, Director, Hazardous Waste Program, addressed the Commission and provided them with an update on the HB1251 “no stricter than” activities that the Program had been involved in. He noted that the Department had posed a color coded version of the current rules to the Programs website on November 9th, with notations of which portions were in compliance, which would need to be rescinded and which rules needed further discussion. He noted that this was the basis for the recent December 10<sup>th</sup> Hazardous Waste Forum meeting discussion with stakeholders. He noted that it had been decided that the participants wanted to address this as a whole group and not through individual subgroups, and that the next Forum meeting had been scheduled for mid-January 2013.

Mr. Lamb advised the Commission that a major issue with the Forum continues to be the packaging, marking and labeling rule language. He reminded the Commission that the legislation does give the Commission the authority to retain, modify or rescind the rule; but they may be limited in that authority to only the labeling provisions, as packaging and marking are not specifically addressed in the statute. Because of this, there may be some issues with the draft rule language developed in the Forum last year, as it is currently written. He noted that the Department was reviewing it to determine how or if it could be reworded to comply with the restrictions of the legislation. He also advised the Commissioners that the reason that the hazard labeling exemption was in HB1251 was because the emergency response community had concerns and the legislators were sensitive to those concerns. He noted that the Department would put an options document together and seek the Commissions direction on an approach at a future meeting.

Mr. Lamb went on to advise the Commission that Program staff had participated in a REGFORM seminar on November 13<sup>th</sup>. He noted that there was a lot of discussion on the impacts of HB1251, and that there was a large turnout and good discussions. He advised the Commission that the Department’s presentations for that seminar were on REGFORM’s webpage and that there was a link to it on the Department’s web page as well. He noted that he felt the Commission may find the information useful and that he would provide each of them a link following the meeting.

An additional topic that Mr. Lamb addressed was the Energy Policy Act. He advised the Commission that the Program was working on issues with the US Environmental Protection Agency and concerns they had that may impact our grant funding. He noted that staff continued to work on this issue and that our compliance demonstration had been sent to the EPA, but that we had not received a response as of this date.

Another issue that Mr. Lamb relayed to the Commission was the status of vacancies within the Program. He noted that numerous interviews had been conducted recently and that of the 16 positions the program had open, 6 had been filled. He also relayed that interviews would be continuing and that the vacancies were from several of the sections. Mr. Lamb stated that turnover continued to be an issue, and advised the Commission that Dennis Hansen, a Unit Chief in the Compliance and Enforcement Section, had recently advised the Program he would be retiring.

Mr. Lamb reviewed other Departmental management changes with the Commission, noting that Dru Buntin, Judd Slivka and Derrick Steen were no longer with the Department. He advised that Peter Lyskowski was the new Deputy Department Director; that Leanne Tippet Mosby had returned as Director of the Division of Environmental Quality, and that Alan Reinkemeyer had returned as the Director of the Environmental Services Program.

Mr. Lamb then addressed a question that Commissioner Aull had raised at a previous meeting regarding a notation in the quarterly report of three sites that had been listed as reopened remediation cases in the Tanks Section report. He advised the Commission that there had been an error in the query and that there was actually only one reopened site. He noted that this site was located in Owensville, and that the site was originally closed to a non-residential standard. He advised that the site was determined later to have some residential use occurring on it and would need to be cleaned up to meet residential standards.

Mr. Lamb wished the Commissioners a Merry Christmas, advised them to have safe travel during this holiday season and hoped that those Commissioners who were ill would be feeling better.

## 11. FUTURE MEETINGS

Commissioner Sugg noted that the next meeting was scheduled for February 21, 2012. It was noted that this was different than what the Commissions had received in their packets, and that an updated schedule was provided. He noted that the webpage would also be updated to reflect the correct date.

*Commissioner Aull made the motion to adjourn the meeting at 11:12 a.m. The motion was seconded by Commissioner Frakes.*

*A vote was taken; all were in favor, none opposed. Motion carried.*

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Respectfully Submitted,

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Debra D. Dobson, Commission Assistant

APPROVED

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Michael Foresman, Chairman

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Date

## Missouri Hazardous Waste Management Commission Meeting

February 21, 2013

Agenda Item # 3

### Finding of Necessity – Tanks Rules

#### Issue:

Should the Commission approve a Finding of Necessity to allow the department to file three amended rules to incorporate by reference and specify the use of the 2013 *Missouri Risk-Based Corrective Action Process for Petroleum Storage Tanks* guidance document and delete the December 31, 2012, deadline for use of the 2004/2005 *Missouri Risk-Based Corrective Action Process for Petroleum Storage Tanks* guidance document?

#### Information:

In 2011, the Department incorporated by reference the 2004/2005 *Missouri Risk-Based Corrective Action Process for Petroleum Storage Tanks* guidance document. However, the language added to the rules at that time stipulated that owners and operators may use the 2004/2005 guidance only until December 31, 2012. This deadline was added to the rule in anticipation of the Department having comprehensive risk-based corrective action rules in-place by that time. However, due to protracted negotiations with stakeholders, this did not happen. Instead, the Department and stakeholders came to agreement regarding a finite number of guidance issues and, in 2012 and early 2013, updated the risk-based corrective action guidance accordingly.

The purposes of this rulemaking are to incorporate the 2013 updated guidance into rule by reference, allow owners and operators to continue to use the 2004/2005 risk-based corrective action guidance for tank release sites and tank closures as appropriate, and add a reference to the default target levels to two rules.

The individual rules affected by this rulemaking and the proposed actions are as follows:

- 10 CSR 26-2.062 Assessing the Site at Closure or Change in Service
  - Amend the rule to indicate that the discovery of contaminants at concentrations above the Default Target Levels triggers site investigation and corrective action
  - Amend the rule to incorporate by reference the 2013 version of the *Missouri Risk-Based Corrective Action Process for Petroleum Storage Tanks* guidance document as a written procedure.
- 10 CSR 26-2.078 Investigations for Soil and Groundwater Cleanup
  - Amend the rule to indicate that the discovery of contaminants at concentrations above the Default Target Levels triggers an investigation of the release, the release site, and the surrounding area to determine the full extent of soil and groundwater contamination.

- Amend the rule to allow owners and operators to comply with the rule by using the appropriate version of the *Missouri Risk-Based Corrective Action Process for Petroleum Storage Tanks* guidance as a written procedure.
- Amend the rule to incorporate by reference both the 2004/2005 and the 2013 versions of the *Missouri Risk-Based Corrective Action Process for Petroleum Storage Tanks* guidance document.
- 10 CSR 26-2.082 Corrective Action Plan
  - Amend the rule to allow owners and operators to comply with the rule by using the appropriate version of the *Missouri Risk-Based Corrective Action Process for Petroleum Storage Tanks* guidance document as a written procedure.
  - Amend the rule to incorporate by reference both the 2004/2005 and 2013 versions of the *Missouri Risk-Based Corrective Action Process for Petroleum Storage Tanks* guidance document.

**Recommended Action:**

Commission to approve a Finding of Necessity to allow the Department to file three amendments to Title 10, Division 26 of the Code of State Regulations.

**Presented by:**

Tim Chibnall, Director's Office, Hazardous Waste Program

**Suggested Motion Language:**

**“I move that the Commission adopt/not adopt/or adopt with modifications, the Finding of Necessity that the proposed amendments to Title 10, Division 26 are necessary to carry out the commission’s rulemaking authority and that the Department proceed/not proceed with the filing of the proposed amendments with the Secretary of State.”**

**Missouri Department of Natural Resources  
Hazardous Waste Management Commission  
Certification of Decision**

**“I move that the Commission adopt/not adopt/or adopt with modifications,  
the Finding of Necessity that the proposed amendments to Title 10, Division  
26 are necessary to carry out the commission’s rulemaking authority and that  
the Department proceed/not proceed with the filing of the proposed  
amendments with the Secretary of State.”**

**DATE: April 18, 2013**

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Michael Foresman, Chairman

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Elizabeth Aull, Commissioner

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Andrew Bracker, Vice-Chairman

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Jamie Frakes, Commissioner

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Deron Sugg, Commissioner

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Charles Adams, Commission

Missouri Department of  
**Natural Resources**

Guidance Update and Rulemaking  
 Tanks Risk-Based Corrective Action

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Timothy Chibnall, ESIV  
 Hazardous Waste Program  
 April 18, 2013




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Missouri Department of  
**Natural Resources**

**Overview**

- Finding of necessity: Commission approval to proceed with rulemaking
- Rules necessary because current rules allow use of Risk-Based Corrective Action (RBCA) guidance only until Dec. 31, 2012
- Three rules to be amended to remove deadline & incorporate updated guidance
- Limited update of RBCA guidance

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Missouri Department of  
**Natural Resources**

**Overview**

- DNR met with PSTIF and MPCA in 2012 to revise guidance
- Agreement reached on limited set of issues, guidance revised accordingly

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### Guidance Revision

- Update risk-based target levels (RBTLs)
- Eliminate soil type specific option at Tier 1
- Improve soil geotechnical data collection
- Amend requirements for analysis of Ethylene dibromide (EDB) & Ethylene dichloride (EDC)
- Clarify when polynuclear aromatic hydrocarbon (PAH) sampling/analysis required

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### Guidance Revision

- Allow soil vapor sampling at Tiers 1 or 2
- Amend requirements for documenting groundwater domestic use pathway analysis
- Clarify documentation needed to support future land use determinations

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### Guidance Revision

- Eliminate requirement to use reporting forms
- Add guidance transition language
- Define "site" as the property on which the UST release occurred
- Require use of Tier 2/3 site-specific target levels (SSTLs) if lower than Tier 1 RBTLs

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### Guidance Revision

- Require specific photographs at tank closure
- Clarify requirements for maps
- Amend sample preservation requirements
- Use “corrective action” rather than “risk management”
- Correct a conversion factor in Appendix D
- Eliminate redundant and obsolete text
- Incorporate current information on TPH fractions
- Change “LNAPL” to “free product” in most cases

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### Rulemaking

- 10 CSR 26-2.062 Assessing the Site at Closure or Change in Service
  - Amend to indicate that discovery of contaminants at concentrations above the Default Target Levels triggers site investigation and corrective action
  - Amend to remove reference to 2004/2005 guidance
  - Incorporate by reference the 2013 version of the *Missouri Risk-Based Corrective Action Process for Petroleum Storage Tanks* guidance document as a written procedure

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### Rulemaking

- 10 CSR 26-2.078 Investigations for Soil and Groundwater Cleanup
  - Amend to indicate that discovery of contaminants at concentrations above the Default Target Levels triggers an investigation of release to determine full extent of soil and groundwater contamination
  - Amend to allow owners and operators to comply with rule by using the appropriate version of the *Missouri Risk-Based Corrective Action Process for Petroleum Storage Tanks* guidance as a written procedure
  - Maintain reference to 2004/2005 RBCA guidance but delete deadline date
  - Amend to incorporate by reference the 2013 updated *Missouri Risk-Based Corrective Action Process for Petroleum Storage Tanks* guidance document

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### Rulemaking

- 10 CSR 26-2.082 Corrective Action Plan
  - Amend to allow owners and operators to comply by using the appropriate *Missouri Risk-Based Corrective Action Process for Petroleum Storage Tanks* guidance document as a written procedure
  - Maintain reference to 2004/2005 RBCA guidance but delete deadline date
  - Amend to incorporate by reference the 2013 updated *Missouri Risk-Based Corrective Action Process for Petroleum Storage Tanks* guidance document

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### Schedule

- Regulatory Impact Report published 3/3/13
- DNR/PSTIF webinars to explain guidance changes and rules: 3/22/13 and 3/29/13
- DNR presentation to PSTIF Advisory Committee 4/19/13
- End of RIR comment period 5/1/13

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### Schedule (cont.)

- File rules with Secretary of State 6/3/13
- Rules published in *MO Register* 7/1/13
- Public hearing 8/15/13
- Final HWMC action 10/17/13
- Publish rules in Code of State Regulations 1/31/14
- Rules effective 3/2/14

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### Outreach & Input

- Joint DNR/PSTIF webinars held 3/22/13 and 3/29/13 to explain rulemaking and guidance changes
- Email to stakeholders to alert them of guidance revision and rulemaking
- DNR will accept comments on revised guidance during public comment periods for the RIR and rule amendments

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### Finding of Necessity

- The HWP requests that the HWMC approve the Finding of Necessity and by that allow the Department to file the three amended rules with the Secretary of State

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### Questions?

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### Contact Information

Timothy Chibnall, ESIV, HWP  
[tim.chibnall@dnr.mo.gov](mailto:tim.chibnall@dnr.mo.gov)  
(573) 522-1833

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**Missouri Hazardous Waste Management Commission Meeting**

**April 18, 2013  
Agenda Item # 4**

**Energy Policy Act Compliance Update**

**Issue:**

The Environmental Protection Agency's 2005 Energy Policy Act included changes to the Underground Storage Tank (UST) Program. Missouri has already implemented many of these new requirements. A few outstanding issues remain for the State to address.

**Information:**

The following list outlines the UST components of the 2005 Energy Policy Act and Missouri's status for each requirement:

- Delivery prohibition ("red tag") - *EPA Approved*
- State reporting, tracking, and public records - *EPA Approved*
- UST inspection frequency - *EPA Approved*
- Operator training – *Unresolved, but ongoing progress*
- Financial responsibility for installers / manufacturers OR secondary containment – *EPA denied FR program. Secondary containment option being discussed.*

In the future, the Hazardous Waste Program may request the Hazardous Waste Management Commission promulgate rules to resolve the final item listed.

**Recommended Action:**

Information Only

**Presented by:**

Heather Peters, Compliance and Enforcement Section

Missouri Department of  
**Natural Resources**

Energy Policy Act 2005  
Underground Storage Tanks

Heather Peters  
April 18, 2013

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Missouri Department of  
**Natural Resources**

UST Requirements

- Reporting and Recordkeeping
- Delivery Prohibition
- Inspection Programs
- Financial Responsibility OR Secondary Containment
- Operator training

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Missouri Department of  
**Natural Resources**

How does EPA require these?

- Grant guidelines- may withhold some or all of our federal funding
- State Program Approval
- Federal regulations have been proposed (comment period closed, under review)
- Final rules to be published December 2013

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Missouri Department of  
**Natural Resources**

Status

- ✓ Reporting and Recordkeeping
- ✓ Delivery Prohibition
- ✓ Inspection Programs
- ✗ Operator training
- ✗ Financial Responsibility OR  
Secondary Containment

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Missouri Department of  
**Natural Resources**

Operator Training

- Senate Bill 135 (2011)
- 319.130 RSMo
- PSTIF must decide whether to  
create and fund an operator  
training program

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Missouri Department of  
**Natural Resources**

Operator Training

- March 14, 2012 public hearing
- July 25, 2012 PSTIF Board voted to move  
forward with operator training
- November 28, 2012 PSTIF Board  
presented with first, rough draft of potential  
regulations

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Missouri Department of  
**Natural Resources**

### Operator Training

- April 19, 2013- PSTIF Technical Advisory committee scheduled to discuss Operator training
- PSTIF will develop a regulation
- Test/training plan and bids

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Missouri Department of  
**Natural Resources**

### FR for installers/manufacturers

- Senate Bill 1020 (2006)
- 414.035 RSMo
- 2 CSR 90-30.085
- Missouri Department of Agriculture implements
- All UST installers/manufacturers must provide proof of financial responsibility
- Only MO and KS opted for FR

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Missouri Department of  
**Natural Resources**

### FR for installers/manufacturers

EPA deficiencies:

- First dollar coverage
- Length of coverage
- Documentation/explanation of existing program

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Missouri Department of  
**Natural Resources**

**Recent communication**

- October 12, 2012- PSTIF, MDA, MDNR submit detail documentation of FR program
- EPA sends questions via e-mail
- January 10, 2013- DNR requests formal FR submittal response
- January 18, 2013- EPA denies FR program

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Missouri Department of  
**Natural Resources**

**Secondary Containment**

- January 24, 2013- MDNR submitted plan to enact secondary containment
  - Requested release of federal funds being withheld
- February 6, 2013
  - Funds were released
  - Our compliance plan is not yet approved
  - May still put “conditions” on future funds

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Missouri Department of  
**Natural Resources**

**What is secondary containment?**

- Double walled tanks
- Double walled piping
- Containment sumps
  - Tank tops
  - Under dispensers
- Monitoring the “interstice”

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Missouri Department of  
**Natural Resources**



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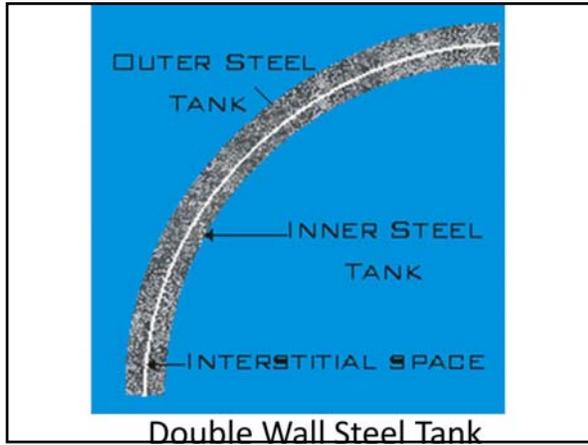
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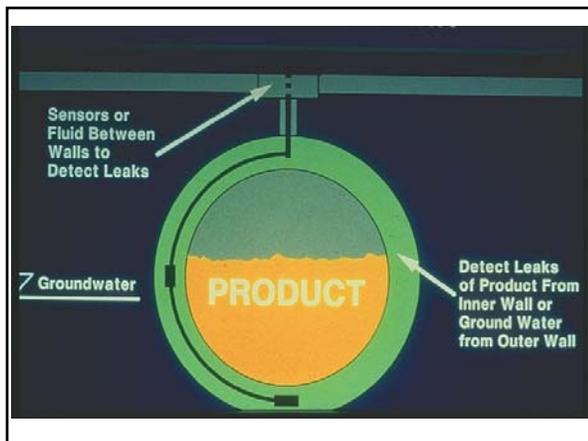
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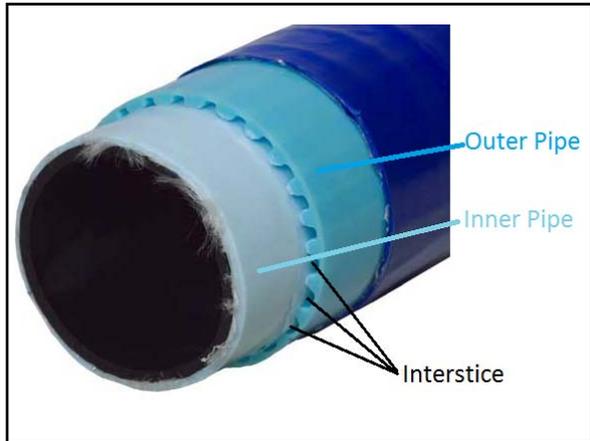
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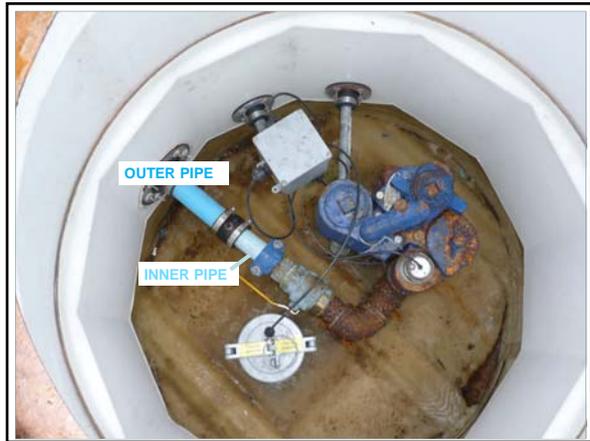
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Missouri Department of  
**Natural Resources**

### Future rule changes

- PSTIF operator training rulemaking
- EPA proposed regulations Spring 2012
  - Expected to be finalized December 2013
- MDNR beginning state rulemaking
- Federal regulation changes
  - Secondary containment requirements
  - Other 'optional' improvements

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Missouri Department of  
**Natural Resources**

### EPA's Energy Policy Act

- Many of the requirements have been met
- Progress has been made with the last two issues
- PSTIF, MDA, and MDNR are working with EPA to resolve the final issues



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Missouri Department of  
**Natural Resources**

### Missouri Tanks Partnership



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**Missouri Hazardous Waste Management Commission Meeting**

**April 18, 2013  
Agenda Item # 5**

**Rulemaking Update**

**Recommended Action:**

Information Only

**Presented by:**

Tim Eiken, Rules Coordinator, HWP

**Missouri Hazardous Waste Management Commission Meeting**

**April 18, 2013  
Agenda Item # 6**

**HB1251 Implementation Update**

**Issue:**

Program staff will provide an update on the Department's efforts to implement House Bill 1251, the "no stricter than" bill passed by the 2012 General Assembly. The bill limits the Commission's authority to adopt rules that are stricter than federal rules and required a review of existing rules to determine those that were inconsistent with the requirements of the bill and must be amended or repealed. The Department has been meeting with participants in the Hazardous Waste Forum to develop the list.

**Recommended Action:**

Information Only

**Presented by:**

Tim Eiken, Rules Coordinator, HWP

Missouri Department of  
**Natural Resources**

**Missouri Hazardous Waste  
Management Commission**

House Bill 1251 Implementation Update  
April 18, 2013



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Missouri Department of  
**Natural Resources**

**House Bill 1251 summary**

- Passed by General Assembly
- Signed into law by Governor on July 10, 2012
- Became effective on August 28, 2012

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Missouri Department of  
**Natural Resources**

**HB 1251 requirements**

- Section 260.373.1 of bill states that HWMC shall not promulgate rules stricter than EPA rules in certain subject areas
- Affected regulatory areas include:
  - Definitions (40 CFR Part 260, 10 CSR 25-3.260)
  - Identification of Hazardous Waste (40 CFR Part 261, 10 CSR 25-4.261)
  - Hazardous waste generators (40 CFR Part 262, 10 CSR 25-5.262)
  - Hazardous Waste TSDs (40 CFR Parts 264 and 265, 10 CSR 25 Chapter 7)

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Missouri Department of  
**Natural Resources**

HB 1251 requirements cont.

- Regulatory areas not affected include:
  - Hazardous waste transporters (40 CFR Part 263, 10 CSR 25-6.263)
  - Used oil (40 CFR 279, 10 CSR 25-11.279)
  - Universal waste (40 CFR 273, 10 CSR 25-16.273)
  - Resource recovery (10 CSR 25-9.010)
  - Underground storage tanks, solid waste
  - Other state programs including Brownfields, radioactive waste fee, DERT fund, Registry, etc.

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Missouri Department of  
**Natural Resources**

HB 1251 requirements cont.

- Bill gives commission authority to retain or modify rules for:
  - Generator thresholds for CESQG, SQG, and LQG
  - Descriptions of applicable registration requirements
  - Reporting of hazardous waste activities to department, provided that department adopts rules effective for reporting period of July 1, 2015, to June 30, 2016, that allow for electronic reporting on an annual basis by LQGs and TSDs
  - Display of hazard labels on containers and tanks during storage
  - Zinc fertilizer rule and hazardous secondary materials burned for fuel or recycled

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Missouri Department of  
**Natural Resources**

Review of existing rules

- In addition to limits on future rules being no stricter than EPA, department must identify existing hazardous waste rules that are inconsistent and file amendments to repeal
- Through the Hazardous Waste Forum, department has been reviewing affected rules in Chapters 3, 4, 5, and 7
- Hazardous Waste Forum includes department staff and hazardous waste stakeholders, consisting of environmental health and safety staff from laboratories, universities, permitted facilities, hazardous waste transporters and retailers;

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Missouri Department of  
**Natural Resources**

**Review of existing rules cont.**

- Department has prepared and reviewed with stakeholders color-coded rule text for each chapter
- Color-coded document is nearing completion pending final review and comment
- Once color-coded document is finalized, department staff will prepare report to commission

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Missouri Department of  
**Natural Resources**

**Additional regulatory changes identified**

- Correcting references, removing outdated language, or providing additional clarification
- Will involve rules in other chapters that are not affected by the statutory limitations
- Preparing a second document to track these items so there is no confusion about which rules are subject to statutory provision that voids rules that are inconsistent

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Missouri Department of  
**Natural Resources**

**Additional regulatory changes identified**  
**Topics to be addressed:**

- Removal of outdated definitions
- Fly ash
- Quarterly v. annual reporting
- Emergency procedures
- Exception reporting
- Requirements for ignitable waste
- Satellite accumulation and container labeling

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Missouri Department of  
**Natural Resources**

Packaging, Marking, and Labeling update

- Department preparing an options document which discusses various options for rules for labeling hazardous waste containers in storage
- Rule language developed previously with stakeholders through Hazardous Waste Forum
- HB 1251 allows only rules for the display of hazard labels
- Federal rules require only words “Hazardous Waste” and date on which accumulation begins

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Missouri Department of  
**Natural Resources**

Packaging, Marking, and Labeling update

- Options document shared with Forum participants and discussed at last Forum meeting
- Additional options being discussed
- Final draft of options document will be prepared and distributed for review and comment

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Missouri Department of  
**Natural Resources**

Questions and discussion

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**Missouri Hazardous Waste Management Commission Meeting**

**April 18, 2013  
Agenda Item # 7**

**Tanks Financial Responsibility – Quarterly Update**

**Issue:**

This is an update on the current status of the Hazardous Waste Program's (HWP's) expedited enforcement process for sites without a financial responsibility (FR) mechanism to cleanup releases from underground storage tanks (USTs).

**Information:**

- Missouri law and regulation requires tank owners and operators to maintain FR so that they will have funds to take corrective action and compensate third parties for bodily injury and property damage if they have petroleum releases from their USTs.
- The Compliance and Enforcement Section (CES) continues with the tasks and responsibilities of ensuring compliance with FR.
- The expedited program remains successful at prompting compliance. As of April 3, 2013, of the 3243 regulated active tank sites in Missouri, 2574 currently have coverage from the Missouri Petroleum Storage Tank Insurance Fund (PSTIF), 583 facilities have acceptable coverage other than PSTIF, 57 are exempt from FR requirements, and only 29 sites have unknown coverage.
- As of the April 3, 2013, report of the sites with unknown FR coverage, 9 sites have been sent initial letters, 5 were recently cited with Notices of Violation by the CES, 1 is being prepared for referral to the Attorney General's Office (AGO) by the CES, and 14 have been referred to the AGO for legal action.

**Recommended Action:**

Information Only

**Presented by:**

Mike Martin, Chief, Tanks Compliance and Enforcement Unit, CES, HWP

## **Missouri Hazardous Waste Management Commission Meeting**

**April 18, 2013**  
**Agenda Item # 8**

### **Registry of Confirmed Abandoned or Uncontrolled Hazardous Waste Disposal Sites in Missouri (Registry) Annual Report**

#### **Issue:**

The Registry of Confirmed Abandoned or Uncontrolled Hazardous Waste Disposal Sites in Missouri (Registry) is maintained by the Missouri Department of Natural Resources pursuant to the Missouri Hazardous Waste Management Law, Section 260.440, RSMo.

#### **Information:**

Sites listed on the Registry appear on a publicly available list, and a notice filed with the Recorder of Deeds documents hazardous waste contamination at the site. The use of a property listed on the Registry may not change substantially without the written approval of the Department.

When the presence of hazardous waste disposal is confirmed at a site, the Department notifies the owner(s) of the site that it intends to place the property on the Registry. The notification is sent by certified mail to the owner 30 days before the site is to be added to the Registry. The owner of the site can appeal the proposed placement on the Registry. If an appeal cannot be resolved, the Administrative Hearing Commission may convene a public hearing or assign a hearing officer to resolve the matter. A site can avoid Registry listing if the property owners elect to remove the contamination. This is achieved by the owner signing a consent agreement and implementing a cleanup with Department oversight. After cleanup of the property is completed, the Department will withdraw the proposal to place the property on the Registry.

According to state law, each site listed on the Registry is placed in one of the following categories\*:

- Class 1: Sites that are causing or presenting an imminent danger of causing irreversible or irreparable damage to the public health or environment. Immediate action is required.
- Class 2: Sites that are a significant threat to the environment. Action is required.
- Class 3: Sites that do not present a significant threat to the public health or the environment. Action may be deferred.
- Class 4: Sites that have been properly closed and require continued management.

*The Department publishes the "Missouri Registry Annual Report: Confirmed Abandoned or Uncontrolled Hazardous Waste Disposal Sites" each January.*

#### **Recommended Action:**

Information Only

#### **Presented by:**

Dennis Stinson, Chief, Superfund Section

## **Missouri Hazardous Waste Management Commission Meeting**

**April 18, 2013  
Agenda Item # 9**

### **Missouri Pesticide Collection Update**

#### **Issue:**

Hazardous Waste Program and Environmental Services Program staff has resumed activities under the Missouri Pesticide Collection Program, which began on March 9, 2013. A brief summary of last years' results and information on upcoming events is provided in this presentation.

#### **Information:**

- The Missouri Pesticide Collection Program is part of a Supplemental Environmental Project (SEP) funded by Walmart as the result of a hazardous waste enforcement case. The SEP was established in a Settlement Agreement that required that \$1,050,000.00, be spent to collect and dispose of pesticides and herbicides.
- The collection program is open only to households and farmers, and is focused on the rural areas of the state.
- Only pesticides and herbicides are accepted at these events.
- The preparation, advertising, and physical collections are being conducted by Environmental Quality Company, with oversight from Department staff.
- Nine events were conducted in 2012 collecting over 68,000 pounds of waste.
- Eight more events have been scheduled in 2013, with the first one having been held in West Plains, Missouri, on March 9th.
- Three events have been held so far in 2013, total waste collected from the first two events is 18,000 pounds.

#### **Recommended Action:**

Information Only

#### **Presented by:**

Andrew Reed, Compliance and Enforcement Section

Missouri Department of  
**Natural Resources**

April 18, 2013

**Missouri Pesticide Collection Program**

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Andrew Reed  
Environmental Specialist  
Hazardous Waste Program  
Compliance and Enforcement



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Missouri Department of  
**Natural Resources**

**Background**

- Walmart and DNR entered into a settlement agreement for civil penalties and SEP in March 2012.
- \$1,050,000 SEP to sponsor Pesticide collection events for rural Missouri.
- Began June 9, 2012 in Neosho, MO
- Nine events conducted in June – October 2012

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Missouri Department of  
**Natural Resources**

**2012 Event Locations**

1. **Neosho** - June 9, 2012
2. **Benton** - June 23, 2012
3. **St. Joseph** - July 7, 2012
4. **Cameron** - July 21, 2012
5. **Bunceton** - August 4, 2012
6. **Macon** - August 18, 2012
7. **Marshall** - September 8, 2012
8. **Warrenton** - September 22, 2012
9. **Kennett** - October 6, 2012



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Missouri Department of  
**Natural Resources**

### Missouri Pesticide Collection Program

A free program for Households and Farmers

- MISSOURI RESIDENTS ONLY
- A convenient, free opportunity to properly dispose of pesticide waste.
- Pesticides from businesses, pesticide production facilities, pesticide distributors, pesticide retailers and the like cannot be accepted.

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Missouri Department of  
**Natural Resources**

### Missouri Pesticide Collection Program

**What is accepted?**

- Fungicides
- Herbicides
- Insecticides
- Pesticides
- Rodenticides
- Fertilizers containing herbicides or pesticides
- De-wormers & fly-tags



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Missouri Department of  
**Natural Resources**

### Collection Events

- Saturday:  
9 a.m. – 4 p.m.
- Contracted to EQ (The Environmental Quality Company) and overseen by MDNR staff



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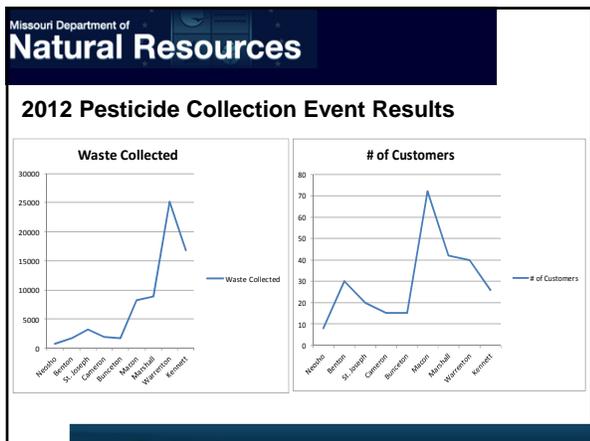
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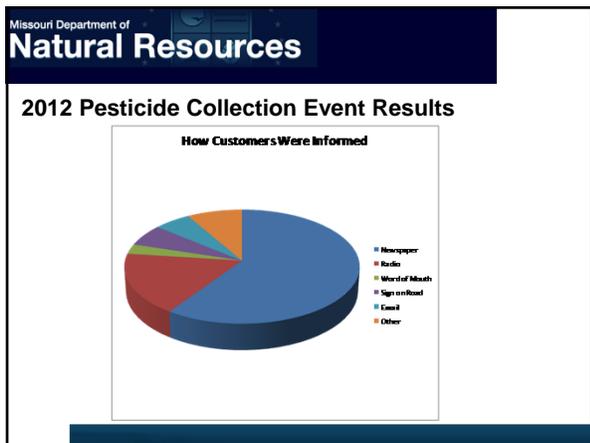
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- Missouri Department of  
**Natural Resources**
- ### 2012 Pesticide Collection Event Results
- Total weight collected, 85,650 pounds.
  - Total participants, 268 households and farmers.
  - Total cost for all nine events was \$531,370.
  - Most common pesticides collected were Diazinon, Chlordane, Lindane, DDT and Pyrethrins.
  - No accidents or major spills.

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Missouri Department of  
**Natural Resources**

**2013 Pesticide Collection Overview**

- Remaining Funds = \$278,167. This figure includes the first two events of 2013.
- Improvements
  - Increased advertising
  - Incorporating HHW collections
  - Locations selected based on agricultural census data, demonstrated need, population base, and geographic location
- Eight events scheduled for 2013.
  - Estimate at least five events will be completed, remaining are tentative

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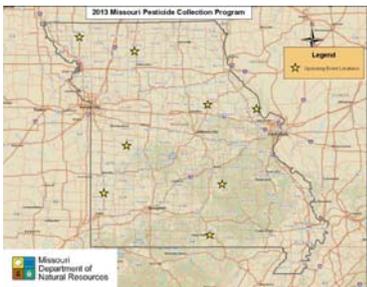
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Missouri Department of  
**Natural Resources**

**2013 Event Locations**

1. **West Plains** - March 9, 2013  
West Plains Recycling Center  
Howell County
2. **Mexico** - March 23, 2013  
Sydenstrickers  
Audrain County
3. **Maryville** - April 6, 2013  
Nodaway County Maint. Yard  
Nodaway County
4. **Trenton** - April 20, 2013  
Trenton City Hall  
Grundy County
5. **Troy** - May 18, 2013  
MoDOT Maintenance Facility  
Lincoln County
6. **Lamar** - June 1, 2013  
Barton County
7. **Salem** - June 15, 2013  
Dent County
8. **Clinton** - June 29, 2013  
Henry County



The map shows the state of Missouri with eight stars indicating collection locations: West Plains, Mexico, Maryville, Trenton, Troy, Lamar, Salem, and Clinton. A legend in the top right corner identifies the stars as 'Collection Locations'. The Missouri Department of Natural Resources logo is in the bottom left corner of the map area.

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Missouri Department of  
**Natural Resources**

**2013 Pesticide Collection Update**

- Three events have taken place.
- West Plains on March 9, yielded 6065 lbs.
- Mexico on March 23, yielded just under 12,000 lbs.
- Maryville on April 20, yielded 2,284 lbs.
- It is anticipated that funding will run out before the 8 scheduled events take place. At the time of this presentation, the fifth and possibly final event for 2013 will be on May 18<sup>th</sup> in Troy.

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Missouri Department of  
**Natural Resources**



West Plains Recycling Center, March 9

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Missouri Department of  
**Natural Resources**



Sydenstrickers, Mexico, March 23rd

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Missouri Department of  
**Natural Resources**



Sydenstrickers, Mexico, March 23rd

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Missouri Department of  
**Natural Resources**



Maryville, April 6th

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Missouri Department of  
**Natural Resources**



Maryville, April 6th

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Missouri Department of  
**Natural Resources**



Kennett Compost Station, October 6th

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Missouri Department of  
**Natural Resources**

Contact:  
Andrew Reed  
MDNR, HWP, Compliance & Enforcement Section  
573-526-2736  
[andrew.reed@dnr.mo.gov](mailto:andrew.reed@dnr.mo.gov)

or visit [dnr.mo.gov](http://dnr.mo.gov) for more info

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**Missouri Hazardous Waste Management Commission Meeting**

**April 18, 2013  
Agenda Item # 10**

**Quarterly Report**

**Issue:**

Presentation of the current Quarterly Report.

**Recommended Action:**

Information Only.

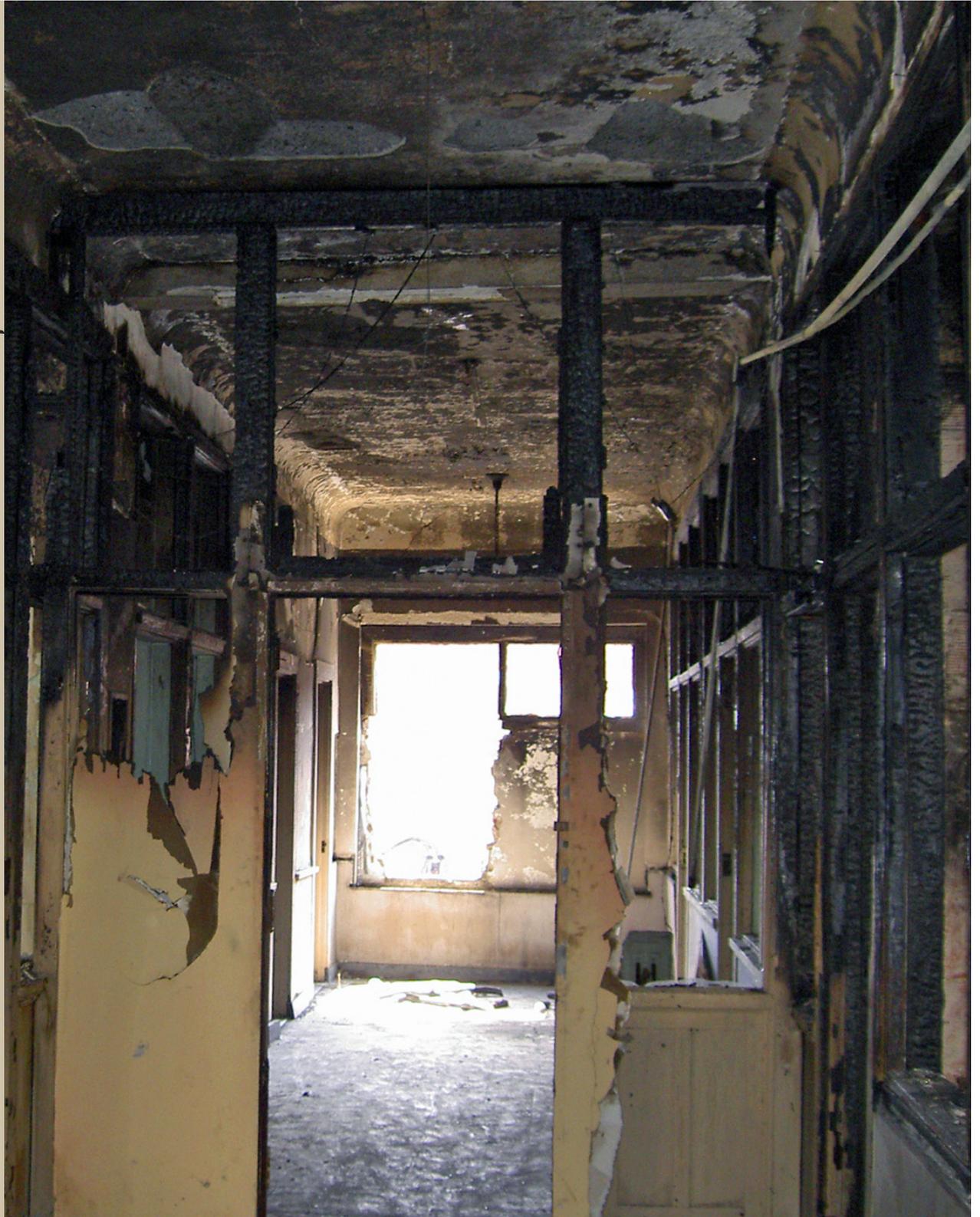
**Presented by:**

Dee Goss, Public Information Officer, Division of Environmental Quality

# Hazardous Waste Management Commission Report

October through December 2012

Quarterly Report



## **Hazardous Waste Management Commissioners**

Michael Foresman, Chair  
Andrew Bracker, Vice Chair  
James "Jamie" Frakes  
Elizabeth Aull  
Deron Sugg  
Charles "Eddie" Adams

**"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

Past issues of the Hazardous Waste Management Commission Report are available online at [www.dnr.mo.gov/env/hwp/quarterlyreport.htm](http://www.dnr.mo.gov/env/hwp/quarterlyreport.htm).



**Missouri Department of Natural Resources  
Hazardous Waste Program**

## Letter from the Director

This quarter brings to a close another calendar year. While we tend to focus more on the state and federal fiscal years, our calendar year gives us an opportunity to reflect on what the program has accomplished in the previous 12 months. In addition to our quarterly reporting of activities, you will find several articles dedicated to a discussion of some of the program's yearly accomplishments. There has been a lot of work accomplished this past year and I am very proud of the staff and their efforts.

In addition, you may also notice the format of this report has changed slightly from past editions. While the Hazardous Waste Program is comprised of seven sections, there are four main activity areas we will look to highlight in these reports: Remediation, Compliance/Enforcement, Permitting and Tanks. While this is very similar to the previous format, the Remediation Activities Section of the report will contain updates from the Brownfields, Superfund and Federal Facilities Sections, rather than providing a stand-alone report for each of these sections.

I hope you enjoy reading this edition of the Quarterly Report and agree that a significant amount of progress was made this year. We are certainly looking forward to another successful year!

Thank you,



David J. Lamb

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## Federal Facilities

### Another Productive Year for the Federal Facilities Section

In 2012, the Federal Facilities Section continued to successfully coordinate with the department and federal agencies. Much of what this section does, in regard to remediation oversight, requires many key players. Our section managers and staff as well as officials from the U.S. Department of Energy and the U.S. Department of Defense all play a part in federal facility cleanups.

Section staff participated in a number of national workgroups providing great information to staff and also offering a place for department staff to share their views and give input. The section actively participates in a number of workgroups within the Association of State and Territorial Solids Waste Management Officials, or ASTSWMO.

ASTSWMO's mission is to enhance and promote effective State and Territorial programs for waste and materials management, to encourage environmentally sustainable practices and to affect relevant national waste and materials management policies. Section staff participation includes a policy group, technical group and community involvement group. Staff participate in conference calls, attend meetings and create informative documents for the State of Missouri and the other states and territories. The section also supports other groups that provide opportunities for the State of Missouri to learn and contribute to technical and policy issues including those created by the Interstate Technology and Regulatory Council, State and Territorial Working Group and the Environmental Council of States.

Site specific objectives for the year were also met and exceeded. Long-Term Stewardship met a number of milestones, including:

1. All institutional controls have been implemented at the Department of Energy Weldon Spring Site.
2. A five-year review has been completed for the Former Richards-Gebaur Air Force Base.
3. Annual inspections were completed for St. Louis based Jefferson Barracks Post Dumping Ground and Forest Park Recreation Camp.

Supplemental environmental projects were also a part of section activities. Fort Leonard Wood installed additional wells through the implementation of a project resulting from improper soil disposal at the Fort Crowder Site.

Remedial actions were still a major part of the section's activities. Hematite Radioactive Site, near Festus, continued to make progress by hauling away 14,000 cubic yards of radioactive-contaminated soil from burial pits at the site. This contaminated soil was moved by rail to a licensed facility in Idaho. At the Formerly Utilized Sites Remedial Action Program, or FUSRAP site, progress was made at Building 101. The 57,000 square foot building was completely demolished. The total amount of debris and contaminated soil removed on completion is about 46,000 cubic yards.



Investigation is another important component of section duties. At West Lake Landfill the section provided comments about numerous documents related to the further investigation of the radiologically contaminated portion of the landfill. Section staff also provided support for numerous USDA Former Grain Bin sites located around the state. The section provided oversight at three grain bin sites on phase I and phase II investigations. Also, the section provided oversight for an injection pilot project to evaluate in-situ chemical reduction technology as a remedial option.



Radioactive transportation and material shipments duties were added to the section due to the passing of Missouri Revised Statute 260.392 and Missouri House Bill 1251. These bills put into law that shipments of radioactive materials are subject to a fee when traveling in or through Missouri.

There are five categories of radioactive material or waste:

1. High-level radioactive waste.
2. Transuranic radioactive waste.
3. Highway route controlled quantity shipments.
4. Spent nuclear fuel.
5. Low-level radioactive waste.

The fees will be used by the department, Health and Senior Services, Public Safety and Transportation for purposes related to:

- Escorts.
- Inspections.
- Security planning.
- Coordination of emergency response capability.
- Education and training of state, county and local emergency responders.
- Purchase and maintenance of necessary equipment.
- Environmental radiation monitoring.
- Oversight of any environmental remediation necessary as a result of an incident involving a shipment of radioactive material and administrative costs incurred by the agencies.

The section processed payments for 110 shipments of highway route controlled quantities and low-level shipments, including 48 trains and 270 trucks. The section also assisted in the training of first responders along corridors where the radioactive transportation will occur.

The Federal Facilities Section continues to move forward the cleanup of federal facility sites throughout Missouri by being actively involved with the remediation of specific sites, participating in workgroups and expanding the mission of the section to include radioactive shipments.

## Brownfields/Voluntary Cleanup Program Certificates of Completion

Brownfields are real property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant.

Through the Brownfields/Voluntary Cleanup Program, private parties agree to clean up a contaminated site and are offered some protection from future state and federal enforcement action at the site in the form of a "no further action" letter or "certificate of completion" from the State.

The program issued 10 certificates of completion for various sites from October through December 2012. This brings the total number of certificates of completion to 673.

### North Park – Phase II – Berkeley

The North Park site located at the NE Corner of I-70 and I-170 in Berkeley includes the northern portion of 600 acres, with North Hanley Road and the Maline Creek forming the southern boundaries. The environmental concerns of this portion of the property included asbestos and miscellaneous waste within on-site structures; miscellaneous solid waste within and around residential buildings; petroleum hydrocarbon contamination from an unknown spill; polychlorinated biphenyl, or PCBs, and miscellaneous hydrocarbons from a former power house.



Asbestos was removed from on-site buildings and disposed, along with miscellaneous buried debris, 55-gallon drums of oil and PCB-containing light ballasts. Approximately 150 tons of petroleum-contaminated soil was excavated and disposed from the area known as the Lurch Avenue spill. Confirmation samples revealed concentrations of contaminants in the soil were below residential risk-based target levels. A soil management plan was filed in the property's change of title. The soil management plan is an informational notice how to manage any debris on the site that might be excavated in the future.



The department determined the site is safe for its intended use.

### Isle of Capri Casino – Cape Girardeau

The Isle of Capri Casino (proposed site) site is located at 777 N. Main St., in Cape Girardeau. This site consists of 58 individual mixed residential, vacant, commercial and former industrial parcels situated on approximately 19 acres located to the northeast and east of the intersection of Mill and Lormier streets. The parcels are currently owned by Isle of Capri Casinos Inc., with the exception of parcel 3; it is owned by the City of Cape Girardeau. The city conducted an assessment of parcel 3 since the property was used as an auto repair and gasoline station. Site assessments performed as part of the proposed casino redevelopment project have identified and recognized environmental conditions including former and existing gasoline stations, automotive and engine repair shops, clandestine drug labs, cleaners and launderers, furniture repair shops, historical manufactured gas plant and electrical substation operations, a shoe factory and a salvage yard.

Site investigations indicated arsenic and lead detected in soil samples above the Missouri Risk-Based Corrective Action default target levels. Benzo(a)pyrene and naphthalene were also detected above the default target levels in one soil sample. Volatile organic compounds and semi-volatile organic compounds exceeded default target levels in groundwater samples and additional soil and groundwater delineation was recommended to determine the vertical and horizontal extent of the exceedances. A site characterization report and tier 1 risk assessment were performed for the chemicals of concern identified in the soil and groundwater at the site. The tier 1 risk assessment indicates there are no completed pathways for soil and groundwater. The site will be restricted to non-residential use. The department determined the site is safe for its intended use.

The Isle of Capri Casino has been granted a license to construct and operate a floating casino on this location by the Missouri Gaming Commission.

### **Chouteau Crossing - Lot B – St. Louis**

The Chouteau Crossing - Lot B site located at 2319 Chouteau Ave. in St. Louis is a 4.605 acre parcel of the Chouteau Crossing site with an approximately 80,000 square foot building. The site was developed in 1929 when the Missouri Boiler and Tank Company established its operations. The company operations included the manufacturing of tanks, pressure vessels and a repair and refabrication service. The site operated in this same capacity through 1995. Since 1995 the site has been used for truck parking and storage for plumbing supplies.

Four underground storage tanks were removed prior to the site being enrolled in the Brownfields/Voluntary Cleanup Program. Two additional underground storage tanks were discovered during site construction and removed.

Investigations showed elevated levels of mercury, arsenic, diesel and oil range hydrocarbons and polycyclic aromatic hydrocarbons, or PAHs, were present in its soil. Asbestos-containing material and lead-based paint were found in the building.

PAHs were found in surface soil at levels exceeding residential risk-based target levels. The risk assessment showed representative concentrations of all PAHs were below the risk-based target levels with the exception of benzo(a)pyrene, which exceeded non-residential risk-based target levels. A cap has been placed over certain areas that reduces the representative concentration of exposed benzo(a)pyrene to below the non-residential risk-based target levels. An environmental covenant placed in the chain of command restricts site use to nonresidential and requires the cap be kept in place and maintained.

Asbestos-containing material and lead-based paint were abated from the building, but some lead-based paint was left in the building, either enclosed or encapsulated. An operations and maintenance plan that governs inspection and maintenance of the lead-based paint was filed in the chain of title for the property. The department determined the site is safe for its intended use.



### **Independence Regional Entrepreneurial Center – Independence**

The Independence Regional Entrepreneurial Center site located at 1509-1515 West Truman Rd. in Independence is a hospital complex dating to an original building, also known as the Independence Sanitarium, constructed in 1908. Three expansion buildings, a parking garage and two parking lots were added over the years. The site was complex and contained several recognized environmental conditions, such as radioactive and hazardous materials use, an incinerator, laboratories, generators, an underground storage tank in temporary closure, printing, hydraulic elevators, boiler and transformers. Asbestos and lead-based paint were also suspected to be present throughout the buildings.

Heavy metals were detected in the soil, and its extent was identified. Asbestos-containing material, lead-based paint as well as other possible hazardous materials, such as fluorescent lights and ballasts, were removed and properly disposed. As metals remain in the soil above residential target levels, an environmental covenant is in effect to ensure continued non-residential land use. The site is to be used as a business incubator.

### **Artesian Ice & Cold Storage - Plant A – St. Joseph**

The Artesian Ice & Cold Storage - Plant A site located at 202-204 Main Street in St. Joseph appears to have been developed by at least 1883. The east buildings were constructed between 1883 and 1902. Historical building occupants have included a cracker manufacturer, candy factory, biscuit company, pot pie manufacture and cold storage. Prior to the current-day buildings, Western Fuel Company, a coal yard, wood piles and dwellings were located on the northeastern portion of the site. Black Snake Creek was located on the western portion of the site. The west building, or Building 6, and parking area were constructed in 1967.

Site investigations indicated fill-soil concentrations of arsenic, lead and benzo(a)pyrene above the Missouri Risk-Based Corrective Action default target levels in the parking lot on the western portion of the site. Additional investigations of the concentrations of arsenic and lead were reported above the non-residential risk based target levels for the surficial soil. Benzo(a)pyrene was detected at concentrations above the default target levels and residential risk based target levels but below non-residential risk based target levels. The soil samples with the elevated concentrations were collected from the fill material. Soil samples collected from the soil below the fill material did not have concentrations above the background levels. Generally, detected metals and poly aromatic hydrocarbons, or PAHs, decreased within the observed rubble fill.

Based on the tier 1 risk assessment, metals and PAHs soil contamination has been characterized and the representative concentrations are below the pathway specific tier 1 risk based target levels for non-residential use and construction worker use. A soil management plan has been developed to properly manage affected soils if encountered during future on-site activities. The department determined the site is safe for its intended use.

Artesian Ice & Cold Storage Company Inc. made application to the Missouri Department of Natural Resources Brownfields/Voluntary Cleanup Program in response to soil contamination identified through a phase I environmental site assessment.

Nor-Am Cold Storage is the current operator of the site. The proposed future use of the site is to remain similar to the current operations

### **Artesian Ice & Cold Storage - Plant B – St. Joseph**

The Artesian Ice & Cold Storage - Plant B site located at 2700 Stockyards Expressway, St. Joseph was developed around 1926. The previous site owner stated that originally the site was operated by Palmolive Peet Company. In 1917, the site was bought by St. Joseph Ice Manufacturing and by 1932 it was listed as Artesian Ice & Cold Storage Company in the historical city directories. Since 2009, Nor-Am Cold Storage has used the site for cold storage. The current building was constructed in several different phases.

Previous site investigations of soil and groundwater indicated concentrations of lead, arsenic and polynuclear aromatic hydrocarbons above the Missouri Risk Based Corrective Action residential risk-based target levels. Fill material was observed in a couple areas of the site. Black staining and tar-like substances were noted during the advancement of boring on the northeast portion of the site. Various concentrations of arsenic, lead, benzo(a)pyrene and naphthalene were also detected in groundwater, including some concentrations above the residential risk-based target levels.

The groundwater samples were analyzed for dissolved lead. The lead concentration does not appear to be from an on-site release and may be associated with natural concentrations, as metals are naturally occurring. The source area of the observed impact and detected concentrations appears to be either associated with historical dumping in the area or migration of impact from an off-site source.

The sampled groundwater was reportedly laboratory filtered and preserved prior to extraction and analysis, so there is a potential of matrix interference; a sample of characteristics that interferes with test method execution where reliable data cannot be generated. The groundwater samples were collected from temporary well points and not from a developed monitoring well.

A tier 1 risk assessment was performed and the representative concentrations are below the pathway specific tier 1 risk-based target levels for non-residential use and construction worker use. A soil management plan was prepared to properly manage affected soil if encountered during future on-site activities. The department determined the site is safe for its intended use.

Nor-Am Cold Storage is the current owner/operator of the site and will continue to use the site for the same business.

### **Artesian Ice & Cold Storage - Plant C – St. Joseph**

The Artesian Ice & Cold Storage - Plant C site located at 3400 Stockyards Expressway in St. Joseph\* was listed as St. Joseph Foods Inc. in 1963 and later listed as St. Joseph Woods in 1969 and 1974. An interview with a previous owner indicated the original building on the site was used to manufacture jelly and jams. This building burned down and was rebuilt by St. Joseph Woods and used as a gun stock storage. The previous owner also stated the northern portion of the current-day freezer was built in 1993; following the removal of the previous building. Several years after that, the southern portion of the site was purchased and an addition to the building was constructed in 2000.

Site investigations indicated ammonia nitrogen and nitrate-nitrite were detected in the groundwater samples above the Missouri Risk Based Corrective Action default target levels and Environmental Protection Agency maximum contaminant levels. Four permanent monitoring wells were installed for the collection of groundwater samples after the site characterization. After several rounds of groundwater sampling, the ammonia nitrogen and nitrate-nitrite impact to groundwater appears to be coming from an off-site source and has stable trends. The department determined the site is safe for its intended use.

Nor-Am Cold Storage is the current operator of the site and the proposed future use is to remain similar to current operations.

**\*Note:** The city directory indicates 3207 Highway 759 as an apparent former site address.

### **Artesian Ice & Cold Storage - Plant D – St. Joseph**

The Artesian Ice & Cold Storage - Plant D site located at 2800 Stockyards Expressway in St. Joseph appears to have been developed with several railroad spurs by around 1927. Additionally, the surrounding area appears to have been developed with industrial facilities also around 1926. A 1962 aerial photograph shows the railroad spurs, a possible small structure on the northeast corner of the site and unidentifiable materials located on the east portion of the site. Missouri Valley Veneer appears to have been developed on the site since between 1962 and 1969 with two current-day structures and two additional small structures south and southwest of the warehouse building. The previous site owner stated the site was originally developed by the Walnut Group to manufacture and store veneer products. In the 1990s, Artesian Ice & Cold Storage removed the two small buildings located southwest of the warehouse building. The previous site owner indicated there were large concrete vats filled with gravel located west of the warehouse building.

Five soil borings were taken during the investigation. Soil and groundwater samples were collected and fill material was observed in several areas. The metal and polycyclic aromatic hydrocarbons concentrations reported in the on-site fill material appear to be similar to fill materials on developed industrial land. Lead was detected in one of the soil samples above the Missouri Risk Based Corrective Action residential risk-based target levels. The lab analysis of the soil samples analyzed for the remaining compounds indicated concentrations were either not detected above the lab detection limits or were below the default target levels. The groundwater samples analyzed for metals either did not have concentrations above the lab detection limits or below the default target levels with the exception of lead. Lead was detected at concentrations above the default target level. The groundwater samples analyzed for dissolved lead were reportedly lab filtered and preserved prior to extraction and analysis. There is a potential of matrix interference as the groundwater samples were collected from temporary sampling points and not from a developed monitoring well. These lead concentrations do not appear to be from an on-site release and may be associated with natural concentrations.

Based on a tier 1 risk assessment, lead soil contamination has been characterized and the representative concentrations are below the pathway specific tier 1 risk-based target levels for non-residential use and construction worker use. A soil management plan has been developed to properly manage affected soils if encountered during future on-site activities. The department determined the site is safe for its intended use.

Nor-Am Cold Storage is the current owner/operator of the site and will continue to use the site for the same business.

### **The Former Gooch Brake Site – Kansas City**

The former Gooch Brake site is located at 506 Grand Blvd in Kansas City. This brick and concrete block building was built in 1965 on .19-acres. The property served functions as auto repair shops, a bag company, a catering business, moving company, and a truck equipment and brake repair company. Prior to the current improvements, the site included a single-family home, poultry and egg house, horse stable, junk yard, blacksmith and restaurant. Three underground storage tanks were noted on the east side of the site on 1939 and 1951 historic maps during the phase I environmental site assessment.

A total of six soil borings were taken to determine the soil contamination. The representative concentration of benzene from samples obtained at these six borings was below the applicable target level for non-residential land use. The continued non-residential use of this site will be ensured through the use of an environmental covenant. The department determined the site is safe for its intended use.

# Missouri Department of Natural Resources - Hazardous Waste Program

## REMEDIATION



### Metropolitan Lofts – St. Louis

The Metropolitan Lofts site at 500 N. Grand Avenue in St. Louis is located at the northeast corner of the intersection of Grand and Olive. It was constructed in 1902 and has eight stories and a basement. When enrolled in the Brownfields/Voluntary Cleanup Program, the building was vacant, with historical uses including office space and retail. No tenants were ever associated with the use, generation, storage or treatment of hazardous materials. Some varnish and paint containers were noted on one floor of the building and asbestos, lead-paint and other miscellaneous household hazardous wastes were noted throughout the building during inspection.

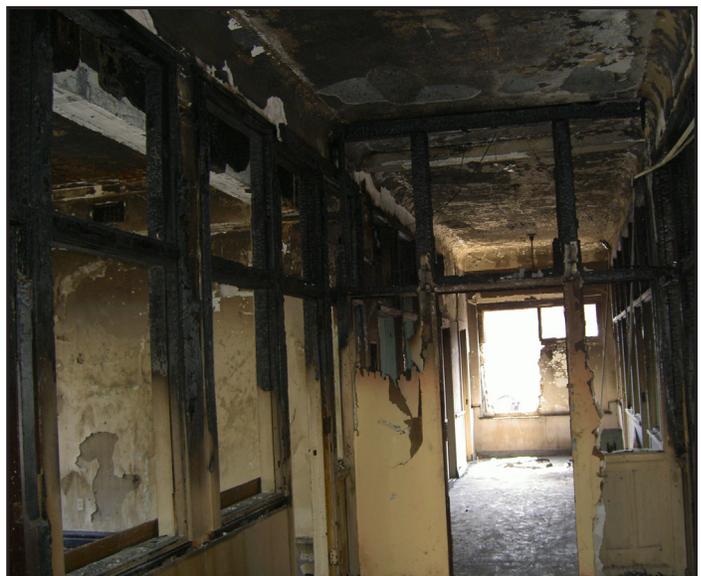
The following approximate amounts of asbestos-containing material were removed and properly disposed:

- 4,000 linear feet of pipe insulation.
- 95,000 sq. feet of floor tile and mastic.
- 70,000 square feet of ceiling tile mastic.
- 1,840 square feet of transite paneling.
- 12,000 square feet of window caulking.
- 3,000 square feet of miscellaneous asbestos-containing material.

Lead-based paint on the ceilings and support columns were encased in stud and drywall systems, walls, stairwell banisters and risers. Balusters were encapsulated and the paint dust covered floors were covered. An operation and maintenance plan is in place for the remaining lead-based paint. In addition, various miscellaneous household hazardous wastes were also disposed. The department determined the site is safe for its intended use.

### More Information about Brownfields sites

For more information about these sites, call the Missouri Department of Natural Resources at 800-361-4827 or the Brownfields/Voluntary Cleanup Program at 573-526-8913.



# Missouri Department of Natural Resources - Hazardous Waste Program

## Sites in Brownfields/Voluntary Cleanup Program

	Active	Completed	Total
October	248	645	893
November	251	645	896
December	253	647	900

### New Sites Received

#### October

Jordan Creek Realignment Project, Springfield  
Sun Theater Building (Former), St. Louis

#### November

Des Peres Center, St. Louis  
Baumann Safe Building, St. Louis

#### December

Heritage/AT&T Building (former), St. Louis  
Crescent Feed Company, Inc, Springfield  
Folgers Coffee Company (Former), Kansas City

### Sites Closed

#### October

North Park - 4700 N Hanley, Berkeley  
Isle of Capri Casino (proposed site), Cape Girardeau

#### November

Chouteau Crossing-Lot B, St. Louis  
Independence Regional Entrepreneurial Center, Independence  
Artesian Ice & Cold Storage - Plant A, St. Joseph  
Artesian Ice & Cold Storage - Plant B, St. Joseph  
Artesian Ice & Cold Storage - Plant C, St. Joseph  
Artesian Ice & Cold Storage - Plant D, St. Joseph

#### December

Metropolitan Lofts, St. Louis  
Gooch Brake (former), Kansas City

### Drycleaning Environmental Response Trust Fund

The department’s Drycleaning Environmental Response Trust, or DERT, Fund provides funding for the investigation, assessment and cleanup of releases of chlorinated solvents from dry cleaning facilities. The two main sources of revenue for the fund are the dry cleaning facility annual registration surcharge and the quarterly solvent surcharge.

#### Registrations

The registration surcharges are due by April 1 of each calendar year for solvent used during the previous calendar year. The solvent surcharges are due 30 days after each quarterly reporting period.

Calendar Year 2011	Active Dry Cleaning Facilities	Facilities Paid	Facilities in Compliance
Jan. - March 2012	207	99	47.83%
April - June 2012	207	180	86.96%
July - Sept 2012	207	192	92.75%
Oct. - Dec. 2012	207	195	94.20%

Calendar Year 2012	Active Solvent Suppliers	Facilities Paid	Suppliers in Compliance
Jan. - March 2012	11	11	100%
April - June 2012	11	11	100%
July - Sept 2012	11	11	100%
Oct. - Dec. 2012	11	10	90.91%

#### Cleanup Oversight

Calendar Year 2011	Active	Completed	Total
Jan. - March 2012	24	10	34
April - June 2012	24	10	34
July - Sept 2012	25	11	36
Oct. - Dec. 2012	25	11	36

#### No New Sites Received or Closed

# Missouri Department of Natural Resources - Hazardous Waste Program

## Reimbursement Claims

The applicant may submit a reimbursement claim after all work approved in the work plan is complete and the fund project manager has reviewed and approved the final completion report for that work. The fund applicant is liable for the first \$25,000 of corrective action costs incurred.

	Received	Under Review	Paid/Processed
October	0	5	2
November	8	10	2
December	4	3	0

	Received	Under Review	Paid/Processed
October	\$0	\$52,819.70	\$41,677.20
November	\$105,635.25	\$100,040.58	\$26,228.25
December	\$48,837.79	\$9,875.37	\$0

## Reimbursement Claims Processed:

Site Name	Location	Paid
Bright and Free Laundry & Dry Cleaners	St. Louis	\$17,855.25
Clayton Cleaners	St. Louis	\$27,107.70
Yorkshire Cleaners	Marlborough	\$22,942.50

**Total reimbursements as of Dec. 31, 2012: \$2,115,356.31**

**DERT Fund Balance as of Dec. 31, 2012: \$ 982,203.04**

### **Inspections and Assistance**

#### **Regional Office Hazardous Waste Compliance Efforts**

Conducted 123 hazardous waste generator compliance inspections:

- 14 at large quantity generators.
- 51 at small quantity generators.
- 44 at conditionally exempt small quantity generators.
- 13 at E-waste recycling facilities.
- One targeted reinspection.

Conducted nine compliance assistance visits at hazardous waste generators.

Issued 46 letters of warning and one notice of violation requiring actions to correct violations cited during the 123 inspections conducted.

Received and investigated a total of 34 citizen concerns.

#### **Hazardous Waste Compliance and Enforcement Efforts**

Conducted seven inspections of commercial hazardous waste treatment, storage and disposal facilities.

One inspection resulted in the issuance of a notice of violation.

Resolved and closed three hazardous waste enforcement cases.

Issued five letters of intent to initiate enforcement action.

Finalized one settlement agreement.

#### **Tanks Compliance and Enforcement Unit**

The Tanks Compliance and Enforcement Unit staff continues to assist owners, operators and contractors with questions about the amended underground storage tank regulations. On a daily basis, questions are answered about how the regulations are interpreted and applied regarding closure requirements, assessing out-of-use tank systems, assessments to allow steel tanks to remain in use and reporting of underground storage tank, or UST, system tests and evaluations. These efforts are having positive results with the closure of out-of-use UST systems.

To satisfy federal law requiring states to have tank operator training, the Missouri Legislature passed a bill during the 2011 session for the Petroleum Storage Tank Insurance Fund, or PSTIF, to initiate action for UST operator training. During its July 25, 2012, meeting, the PSTIF Board voted in favor of moving forward with the development of this federal requirement. Heather Peters will continue to serve as the liaison with PSTIF on this project, working with staff from the Tanks Section, other department programs and management to provide input and support

During October through December 2012, staff created 13 enforcement records for UST sites that had lapsed financial responsibility coverage. UST owners or operators subject to financial responsibility requirements must have a financial mechanism to clean up a site if a release occurs, to correct environmental damages and to compensate third parties for injury to their property and themselves. Releases can be costly and financial responsibility is an important component in protecting the health and property of tank owners or operators and neighbors. Staff resolved 21 enforcement cases, including 16 that also had financial responsibility violations. The unit also referred nine facilities to the Attorney General's Office to take action for continuing financial responsibility violations.

## Polychlorinated Biphenyl Inspector

The inspector conducted 20 compliance inspections at various types of facilities throughout the state. The inspector's reports are forwarded to the U.S. EPA Region 7, which has authority for taking any necessary enforcement action regarding Polychlorinated Biphenyls according to the Toxic Substances Control Act.

## Hazardous Waste Transporter Inspector

The inspector conducted 13 commercial vehicle inspections, during which one vehicle was placed out of service. The inspector also wrote up four other Department of Transportation safety violations. Currently, the inspector is putting seven percent of inspected trucks out of service for safety violations. As part of the Commercial Vehicle Safety Association's protocol, the department sends the inspection reports to the Missouri State Highway Patrol. The transporter must certify to the patrol the violations were corrected.

The inspector sent 49 letters to inactive, unregistered or conditionally exempt small quantity generators that shipped either small or large quantities of hazardous waste. These facilities are required to register as generators with the department.

As of Dec. 31, 2012, there were 264 licensed hazardous waste transporters in Missouri. The number of licensed hazardous waste transporters has slowly increased over the past two years.

## Missouri Pesticide Collection Program

During summer and fall 2012, the department's Hazardous Waste Program and Environmental Services Program staff oversaw the Missouri Pesticide Collection Program. The Missouri Pesticide Collection Program is part of a Supplemental Environmental Project funded by Walmart in settlement of a hazardous waste enforcement case and executed by a contractor, The Environmental Company. The settlement agreement was signed in March 2012 and required that \$1,050,000 be spent to provide an opportunity for farmers and households in Missouri to properly dispose of their waste pesticides and herbicides.

The collection events for 2012 were completed in October with more than 68,000 pounds of waste collected from nine different locations across the state with about half of the funds expended. On Jan. 7, 2013, Walmart officially requested to extend the program through 2013. Collection events for 2013 are scheduled to begin on March 9, 2013. Currently, Hazardous Waste Program and the Environmental Services Program employees are working on planning for the events including selecting the locations and advertising.

The dates and cities for the upcoming events are:

- March 9, 2012 – West Plains.
- March 23, 2012 – Mexico.
- April 6, 2013 – Maryville.
- April 20, 2013 – Trenton.
- May 18, 2013 – Elsberry.
- June 1, 2013 – Lamar.
- June 15, 2013 – Salem.
- June 29, 2013 – Clinton.

The events will only continue as long as funds remain, so all of these events may not occur.

For more information or questions about the pesticide collection program, visit [www.dnr.mo.gov/env/hwp/pesticide](http://www.dnr.mo.gov/env/hwp/pesticide) or contact Andrew Reed at 573-526-2736.

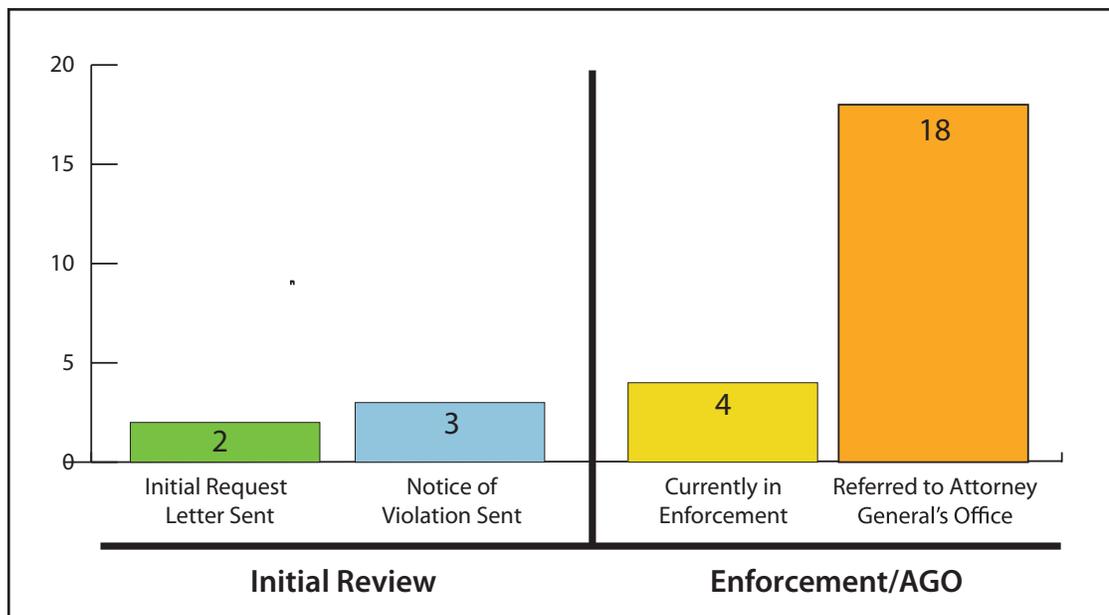
## Girton Propane Services – Clay Center, Kansas

Girton Propane Services is a hazardous materials transporter located in Clay Center, Kansas. Girton transported hazardous waste from Lone Star Industries in Cape Girardeau without first obtaining a Missouri hazardous waste transporter license. The company was issued a notice of violation in August 2010. The company provided a response in which they stated they had accidentally allowed the license to expire.

As a result of the violation the company was assessed a \$500 civil penalty, and an additional \$1,000 in cost recovery, paid to the Hazardous Waste Program, for failing to obtain a Missouri hazardous waste transporter license. All of these penalties were to be paid up-front. The company and the department finalized this agreement with an administrative order of consent signed Dec. 13, 2012. The civil penalties and cost recovery were received by the accounting program on Nov. 26, 2012.

## Financial Responsibility Update

Financial Responsibility Status	Number of Facilities
Initial Request Letter Sent	2
Notice of Violation Sent	3
Currently in Enforcement	4
Referred to Attorney General's Office	18
<b>Total Number of Facilities with Unknown Financial Responsibility</b>	<b>27</b>



## Permit Modifications List Available Online

Facilities or businesses that actively treat, dispose of, or store (for periods longer than allowed by the hazardous waste generator regulations) hazardous waste in Missouri must get a hazardous waste permit. The permit lists what kinds of hazardous waste the facility is allowed to handle and how the waste is managed. It also contains the facility's operating conditions and closure, corrective action and financial assurance requirements.

The department or the facility can make changes to the hazardous waste permit throughout its life. Permit modifications are labeled as Class 1, 2, 3 or department-initiated, depending on how much they change the original permit conditions. The public is invited to review the Department of Natural Resources' list of all completed hazardous waste permit modifications for calendar year 2012. The permit modifications list is online at [www.dnr.mo.gov/env/hwp/permits/publications.htm](http://www.dnr.mo.gov/env/hwp/permits/publications.htm).

For more information or a hard copy of the list, contact the department's Hazardous Waste Program, Permits Section, at 800-361-4827. Hearing and speech impaired individuals may reach the department through Relay Missouri at 800-735-2966.

## Permits 2012 - A Year in Review

Each year, the Permits Section coordinates with the U.S. Environmental Protection Agency to prioritize activities at hazardous waste facilities subject to the section's oversight. The section and EPA jointly negotiate general activity goals for the section. These general goals are listed in the *Performance Partnership Grant Work Plan*, an overarching plan that covers the department's air, water and hazardous waste programs. Specific current and future goals for the Permits Section and EPA's hazardous waste staff were also negotiated and are contained in a related document called the *Multi-Year Facility Planning Strategy*. Together these documents guide the section in planning resources and performing activities for the current and future federal fiscal years.

The *Multi-Year Facility Planning Strategy* includes goals anticipated to be accomplished if all of the section's staff positions are filled and all projects go relatively smoothly. The *Multi-Year Facility Planning Strategy* is a "living" document. Projected tasks and project completion dates are routinely updated for a variety of reasons, such as staff turnover and resources, facility bankruptcy, permit appeals, corrective action dispute resolution, investigation findings leading to additional work, public comments, and intervening short-term priorities. The section routinely updates EPA about the status of the section's goals based on the most recent information available and coordinates new projected completion dates with EPA for any delayed goals.

At the end of each federal fiscal year, the section prepares a report for EPA documenting progress about all planned and unplanned activities during that fiscal year. The report focuses mainly on permitting, corrective action and groundwater inspection, and evaluation activities. The following summary information is taken from the 2012 federal fiscal year report, which includes Oct. 1, 2011 through Sept. 30, 2012.

### Federal Fiscal Year 2012 Hazardous Waste Permitting Activities

The section coordinated, both internally and with EPA, on the priority of individual projects and tasks as dictated by the National Corrective Action Prioritization System and Overall Priority Ranking System ranking for each facility, as well as goals established by the federal Government Performance and Results Act of 1993. Facility rankings are periodically revised to reflect current environmental and section/EPA project priorities. During 2012, the section did not adjust any facility rankings, but did adjust certain priorities in response to the Government Performance and Results Act goals and the needs of the regulated facilities.

During federal fiscal year 2012, the section completed the following permitting-related activities:

- Five emergency permits: four to the U.S. Army Corps of Engineers/Local Levee districts to manage undetonated explosives related to opening the New Madrid floodway on the Mississippi River, and one to Dyno-Nobel to facilitate timely handling and disposition of explosives contaminated buildings.
- 16 class 1 permit modifications without prior director approval.
- 10 class 1 permit modifications with prior director approval.
- Two class 3 permit modifications: one to Buzzi Unicem/Lone Star and one to U.S. Department of Energy/U.S. General Services Administration - Bannister Federal Complex. Both modifications substantially updated many conditions in these previously-issued permits.
- Four temporary authorizations: one to Green America Recycling LLC, one to Lake City Army Ammunition Plant and two to EBV Explosives Environmental Co.

During federal fiscal year 2012, the section made progress on the reissuance of 14 hazardous waste management facility permits and completion of four closures. Though not complete, the section also worked on three additional class 3 permit modification requests (EBV, Green America and Waste Express) that will substantially update many conditions in these previously-issued permits. The section also resolved the Exide hazardous waste management facility permit appeal. The Doe Run Company withdrew its 2010 hazardous waste management facility permit appeal for the Buick Smelter, which was accepted by the Administrative Hearing Commission in June 2012.

### Federal Fiscal Year 2012 Corrective Action Activities

During federal fiscal year 2012, the section made progress on many corrective action activities related to site investigation, monitoring and remediation. The section completed final remedy construction at Beazer East Inc. - Kansas City and the Kansas City International Airport Maintenance Base (MCI) - Kansas City.

The section approved an interim groundwater monitoring work plan for Bayer CropScience - Kansas City and a corrective measures study report for BASF Corp. - Palmyra. The section also approved other work plans and reports for incremental/phased work done in support of longer-term corrective action investigation and cleanup goals at several facilities.

EPA, in coordination with the state, previously developed a format for facility "Ready for Anticipated Use" determination to demonstrate environmental progress at facilities. EPA requested the section incorporate "Ready for Anticipated Use" documentation preparation goals in the current Performance Partnership Grant Agreement. The commitment to prepare Ready for Anticipated Use documentation at appropriate times was included in the Performance Partnership Grant Agreement but not the *Multi-Year Facility Planning Strategy*. The section continues to track Ready for Anticipated Use status and prepare Ready for Anticipated Use documentation for facilities during the corrective action process. The Ready for Anticipated Use determinations are one of a continuum of ongoing EPA initiatives that are essentially an unfunded federal mandate.

## Federal Fiscal Year 2012 Groundwater Activities

As part of the *Performance Partnership Grant Work Plan*, the State is obligated by its EPA hazardous waste program authorization to conduct periodic groundwater evaluations at selected hazardous waste facilities. These evaluations are conducted at corrective action facilities with active groundwater monitoring programs and facilities with active and closed land disposal units such as landfills and surface impoundments, where groundwater contamination is present or needs to be monitored to detect releases. These evaluations come in two forms, the comprehensive groundwater monitoring evaluation and the operation and maintenance inspection. The comprehensive groundwater monitoring evaluation is an overarching evaluation of the facility's groundwater monitoring systems and programs. The operation and maintenance inspection is more focused on the examination of groundwater sampling plans, procedures and monitoring well maintenance issues. In each case, the section assesses compliance with the applicable groundwater monitoring regulations and permit conditions. The section continues to coordinate these evaluations with the department's Division of Geology and Land Survey and Environmental Services Program. Each evaluation includes the collection of split groundwater samples to compare and verify the results of samples collected and analyzed by the facility.

During federal fiscal year 2012, no comprehensive groundwater monitoring evaluations were scheduled. Five operation and maintenance reports are typically scheduled for each federal fiscal year. All field work for the five operation and maintenance reports scheduled for federal fiscal year 2012 was completed; however the associated reports were not finalized during the federal fiscal year. These reports are projected to be complete by the middle of federal fiscal 2013, along with four other operation and maintenance reports that were carryovers from 2010 and 2011. The delays in report finalization are mainly the result of staff turnover and competing priorities.

In addition to operation and maintenance reports and comprehensive groundwater monitoring evaluations, the section routinely performs a detailed review of groundwater reports submitted by the facilities, using comprehensive internal checklists. These reviews identify both minor and potentially significant shortcomings with report content or project issues. Since there has been a long history of these reviews and feedback to facilities, any shortcomings from current reviews are usually minor and are handled by including the findings in the facility's next operation and maintenance report or comprehensive groundwater monitoring evaluation. The section sends significant issues that might influence the representative nature of groundwater samples or data, regulatory compliance or otherwise affect project progress to the facility when discovered, rather than waiting until the next operation and maintenance report or comprehensive groundwater monitoring evaluation. Regulatory compliance issues are of major concern and are handled promptly through appropriate enforcement actions.

## Financial Assurance Activities

Owners and operators of facilities actively handling hazardous waste as a permitted treatment, storage or disposal facility and facilities with post-closure care or corrective action obligations under other regulatory instruments (e.g., consent orders) are required to meet certain financial assurance and third party liability requirements. This ensures they will have enough funds set aside to close their facility, cleanup any releases of hazardous wastes or hazardous constituents and compensate third parties for bodily injury or property damage resulting from the release of those wastes or constituents, even if the facility declares bankruptcy.

The facility owners and operators submit closure, post-closure or corrective action plans and cost estimates based on those plans and financial assurance instrument documents to the department. The section monitors the facility's financial health and conducts annual financial assurance reviews to make sure enough funding is available to cover the cost estimates for their activities. The section's goal was to conduct 43 financial reviews by the end of federal fiscal 2012. The section exceeded this goal by conducting 43 Resource Conservation and Recovery Act financial reviews and 20 trust reconciliations. In addition to these reviews, the section conducted six Resource Recovery financial assurance reviews. More information concerning financial assurance requirements is available in the *March 2009 Hazardous Waste Management Commission Report*, located online at [www.dnr.mo.gov/env/hwp/commission/docs/hwmc-qt-rpt-2009-1st.pdf](http://www.dnr.mo.gov/env/hwp/commission/docs/hwmc-qt-rpt-2009-1st.pdf).

### **Data Management Activities**

The section tracks, both internally and externally, all section activities and accomplishments. Internal tracking is done through the section's Master Task List database and the Division of Environmental Quality's Permit Action Management System database. External tracking is through EPA's Resource Conservation and Recovery Act Information, or RCRAInfo, database. EPA relies almost exclusively on the information entered into RCRAInfo to assess project progress and achievement of regional and national Government Performance and Results Act goals. The section enters permitting, corrective action, financial assurance, inspection, enforcement, institutional control and geographic information system, or GIS, information into RCRAInfo for all state-and joint-lead activities. The section negotiates additional data entry obligations with EPA and outlines them in the Performance Partnership Grant Work Plan.

The section typically enters data in RCRAInfo as soon as a milestone or goal is achieved, but in no case more than 30 days after the event has occurred or documentation regarding the event is received. As new entries are made, the section assesses the accuracy of historical state and EPA data. The section corrects errors for State and joint database entries and forwards potential corrections to EPA's database entries to EPA's Missouri State Coordinator for reconciliation by EPA.

### **Other Activities**

The section uses the *Multi-Year Facility Planning Strategy* process to identify and prioritize major tasks associated with individual projects. The Multi-Year Facility Planning Strategy document does not capture the many "unplanned" activities that come about during the year including facility-proposed permit modifications and incremental/phased work done in support of the listed *Multi-Year Facility Planning Strategy* goals. Completion of some of the unplanned work can be substituted for equivalent planned work to address federal grant requirements for formal *Multi-Year Facility Planning Strategy* goals that could not be completed as planned.

In addition to facility-proposed permit modifications and phased or incremental work, unplanned activities include such things as facility-proposed interim measures, newly-identified Solid Waste Management Unit and area of concern investigations, ongoing involvement in national permitting and corrective action initiatives, permit modifications and state resource recovery certification and modification activities. The section reports all planned and unplanned activities that were completed to EPA in attachments to the section's comprehensive annual report.

## Missouri Department of Natural Resources - Hazardous Waste Program

During federal fiscal year 2012, the section spent considerable time and resources on several activities related to the Department of Energy and General Services Administration, or GSA, Bannister Federal Complex Class 3 Permit Modification. The permits were modified to include the entire federal complex under the permits that originally regulated the Kansas City Plant, and add GSA as a permittee. Activities included weekly issues reports, weekly EPA/State technical staff teleconferences, bi-weekly community involvement team teleconferences, numerous website updates to make various documents available to the public, a public availability session and a public hearing. In the time since the modification became effective, the section has spent additional time reviewing documents required by the permit modification compliance schedule, including an original and revised community involvement plan; revised sampling and analysis plan; updated long-term operation, maintenance and monitoring plan; updated spill control/emergency plan and a polychlorinated biphenyl, or PCB, fate and transport study work plan.

The section also spent considerable time and resources following up on facility bankruptcy issues including review, approval and reconciliation of proposed expenditures of trust fund monies recovered during bankruptcy proceedings to perform facility maintenance and monitoring and providing post-bankruptcy information and technical support to department managers, legal staff and the Missouri Attorney General's office regarding bankruptcy-related issues.

The section spent considerable time and resources on bankruptcy issues related to the following companies:

- Doe Run (formerly ASARCO) Glover Smelter.
- Greenfield Environmental Trust LLC (formerly Tronox) - Kansas City.
- Greenfield Environmental Trust LLC (formerly Tronox) – Springfield.
- U.S. Liquids (formerly City Environmental) - Kansas City.

Section staff continue to routinely participate in monthly national EPA/State teleconferences including:

- EPA Groundwater Forum.
- State Hazardous Waste Forum
- National Enforcement Strategy for Corrective Action Workgroup.
- RCRA Financial Assurance Workgroup.
- RCRA Permit Writers Workgroup.
- RCRA Reuse and Brownfields Prevention Workgroup.
- RCRA/TSCA Remediation Workgroup.
- RCRAInfo Change Management Process Financial Assurance Expert and Permitting/Closure groups.
- RCRAInfo Data Workgroup.

Section staff also participate in two Association of State and Territorial Solid Waste Management Officials Hazardous Waste subcommittees:

- Program Operations Task Force and Corrective Action.
- Permitting Task Force.

### **Annual Underground Storage Tank Sources and Causes Report**

The Tanks Section's *Annual Public Record Report* for the period of Oct. 1, 2011, through Sept. 30, 2012 was completed in December 2012. The department has placed this report on the online at [www.dnr.mo.gov/env/hwp/tanks/tanks.htm](http://www.dnr.mo.gov/env/hwp/tanks/tanks.htm). The report is located under the quick links. This report is also available by request to those without Internet access.

Subsection (c) of Section 1526 of the Energy Policy Act amended Section 9002 in Subtitle I of the Solid Waste Disposal Act to add requirements for states to maintain, update and make available to the public a record of underground storage tanks regulated under Subtitle I. EPA requires each state receiving funding under Subtitle I to meet the public record requirements. Subsection (d) of Section 9002 in Subtitle I requires EPA to prescribe the manner and form of the public record and says the public record of a state must include:

1. The number, sources and causes of underground storage tank releases in the state.
2. The record of compliance by underground storage tanks in the state with Subtitle I or a State program approved under Section 9004 of Subtitle I.
3. Data about the number of underground storage tank equipment failures in the state.

The first section of the report describes the number of underground storage tank facilities, individual regulated tanks, compliance rates in Missouri and an individual breakdown of the sources and causes of releases opened in federal fiscal 2012.

The website also includes reports about the sources and causes of Underground Storage Tank leaks for previous years. The first report was completed in December 2008.

### **Tanks Accomplishments for 2012**

The Tanks Section held the Fifth Annual UST workshop as part of the Missouri Waste Coalition Conference in June. The topics of the workshop were training for new monitoring well regulations, new well driller website and database, and common issues with site characterization and risk assessment reports.

The Tanks Section and the Compliance and Enforcement Section are participating in the Planning Team for the National Tanks Conference to be held in Denver in September 2013.

Continued an expedited review process ensuring remediation reviews of high priority sites are completed in a timely manner.

Continued an initiative for closing tank sites that have been open for more than 20 years. The goal is to help provide additional information to the consultant to facilitate completion of these projects and help to achieve no further action status for these sites.

Valerie Garrett is participating on a workgroup for the International Technology and Regulatory Council on Petroleum Vapor Intrusion.

The Tanks and the Compliance and Enforcement Section provided technical assistance at the annual PACE convention in Kansas City in February. The convention is an annual Missouri owned marketers and convenience store officials trade show.

The Tanks Section continues to investigate drinking water contamination in Portageville and will conduct an investigation to determine the source of contamination.

In Buffalo, the Tanks Section has placed a filter on the well and will be looking for funding to perform source removal and well replacement.

## Missouri Department of Natural Resources - Hazardous Waste Program

In Potosi, the Tanks Section is currently determining the source of the drinking water contamination. Public water has recently been made available to the residents, so no further use of filters on drinking water wells is necessary.

After complaints in Gravois Mills, the Tanks Section installed a carbon filtration system on the drinking water well and is evaluating the extent of benzene contamination in the drinking water.

The Tanks Section applied for and received a grant of \$43,000 to conduct cleanup activities at seven former gasoline stations previously investigated with American Recovery and Reinvestment Act funds for which a responsible party does not exist. At these sites, action by the department are necessary to mitigate unacceptable human health and environmental risks posed by petroleum underground storage tanks. This project would fund work by the department and the department's hired contractors to reduce risks associated with these sites. Work began on the project in 2012 and will be completed in 2013.

Continued to refine the system for tracking financial responsibility to identify sites that previously could have fallen through the cracks. Maintained a high compliance rate of more than 99 percent for facilities with acceptable financial responsibility.

An automated registration form is in the works. The user will be able to generate a prefilled registration from a button in the Tanks database. This feature will be of great assistance to both department staff and the public.

Updated GIS data to conform to department standards.

Generated, processed and mailed the large fee cycle invoices for 2011 - 2016. Extra effort was made to reach the facilities and owners. Out of 285 invoices, only six facilities still have a balance due, resulting in a success rate of revenue collection of 97.9 percent.

Continued development of database enhancements and tracking systems: Remediation Mail Tracking was further developed in 2012. Remediation follow-up was added to the sections tracking system to ensure correspondence is dealt with in a prompt and consistent manner. This tracking system is directly linked to the mail log. The project manager is immediately notified as soon as the mail is received and entered. Added additional due dates to tracking system to ensure follow up is accomplished.

Continued a temporary closure initiative aimed at ensuring non-upgraded tanks are not in temporary closure beyond the 12 months allowed. This has led to permanent closure at many of these sites and a reduction of temporary closed tanks.

The Tanks Section continues to participate in an historic highways revitalization project and has identified several opportunities in Missouri for EPA targeted Brownfields assessments.

The Tanks Section produced the Fifth Annual Public Record Report to EPA in December 2012. This report includes the sources and causes of releases by tanks in Missouri.

The Tanks Section continued participation with the Underground Storage Tank ASTSWMO Federal Rulemaking Group. This group is tasked with providing regulatory and state input into rulemaking involving federal UST regulations.

The Tanks Section continued participation on ASTSWMO UST Task Force. This task force is responsible for providing the states viewpoint to EPA about tank issues. Also, the Tanks Section continued to participate in the ASTSWMO Program Information Exchange Committee to help plan ASTSWMO meetings

# Missouri Department of Natural Resources - Hazardous Waste Program Tanks

## TANKS

Laura Luther from the Tanks Section continued to participate in the ASTSWMO Leaking Underground Storage Tanks Task Force. This task force is responsible for providing the State's viewpoint to EPA about tank cleanup issues. Her involvement in this task force ended in March 2012.

Participated in the planning of a UST Forum in Washington D.C. in August 2012.

Continued use of contractors to help reduce turn-around times and conduct additional remediation reviews. This effort was funded through May.

The Tanks Section continued to maintain an average turn-around time of 37.7 days that meets section goals. This was accomplished even with vacancies of four project managers for the bulk of the year.

The Tanks Section was able to maintain a reduced turn-around time for closures of less than 25 days throughout much of 2012.

During calendar year 2012, the department accomplished the following work related to petroleum storage tanks:

- Properly closed 376 tanks.
- Reviewed 280 closure reports.
- Approved 145 closure notices.
- Conducted 38 closure inspections.
- Conducted five site investigations.
- Responded to 13 emergencies involving petroleum releases.
- Oversaw completion of 142 remediation sites.
- Issued 210 certificates of registration.
- A total of 145 new releases were reported during calendar year 2012.
- Remediation staff received 2,143 remediation documents and generated 1,521 response letters.
- Department staff were notified of 71 new installations at tank sites and received 62 new site registrations.
- Compliance and Enforcement Section staff resolved 98 cases involving violations.
- At the end of the 2012 calendar year, there were 266 active enforcement cases.
- Financial responsibility compliance was at 99.1 percent. This number reflects insurance coverage from both PSTIF and other private policies and statements.
- The department currently regulates 3,548 facilities with 9,299 active underground storage tanks.

The Tanks Section finalized, routed for review, signature, copied and mailed 2,153 documents.

**Petroleum Storage  
Tanks Regulation  
December 2012**

<b>Staff Productivity</b>	<b>Jul-12</b>	<b>Aug-12</b>	<b>Sep-12</b>	<b>Oct-12</b>	<b>Nov-12</b>	<b>Dec-12</b>	<b>Jan-13</b>	<b>Feb-13</b>	<b>Mar-13</b>	<b>Apr-13</b>	<b>May-13</b>	<b>Jun-13</b>	<b>TOTAL</b>
Documents received for review	158	184	160	207	164	128	0	0	0	0	0	0	1,001
Remediation documents processed	87	123	146	131	112	127	0	0	0	0	0	0	726
Closure reports processed	8	20	16	7	10	11	0	0	0	0	0	0	72
Closure notices approved	18	9	16	17	12	5	0	0	0	0	0	0	77
Tank installation notices received	7	10	2	5	2	6	0	0	0	0	0	0	32
New site registrations	2	7	9	5	3	2	0	0	0	0	0	0	28
<b>Facility Data</b>													
Total in use, out of use and closed USTs	40,425	40,441	40,478	40,501	40,511	40,522	0	0	0	0	0	0	
Total permanently closed USTs	31,072	31,095	31,146	31,173	31,185	31,221	0	0	0	0	0	0	
In use and out of use USTs	9,335	9,341	9,346	9,343	9,324	9,299	0	0	0	0	0	0	
Out of use USTs	836	843	850	837	832	840	0	0	0	0	0	0	
Total hazardous substance USTs	398	398	398	398	398	398	0	0	0	0	0	0	
Facilities with in use and out of use USTs	3,557	3,562	3,563	3,562	3,555	3,548	0	0	0	0	0	0	
Facilities with one or more tank in use	3,260	3,260	3,259	3,263	3,263	3,258	0	0	0	0	0	0	

**Closures**

<b>Underground Storage Tanks</b>	<b>Jul-12</b>	<b>Aug-12</b>	<b>Sep-12</b>	<b>Oct-12</b>	<b>Nov-12</b>	<b>Dec-12</b>	<b>Jan-13</b>	<b>Feb-13</b>	<b>Mar-13</b>	<b>Apr-13</b>	<b>May-13</b>	<b>Jun-13</b>	<b>TOTAL</b>	<b>All Yrs</b>
Closure Reports Reviewed	8	20	16	7	10	11	0	0	0	0	0	0	72	
Closure Notices Approved	18	9	16	17	12	5	0	0	0	0	0	0	77	
Number of Tanks Closed (Closure NFA)	30	23	51	27	12	17	0	0	0	0	0	0	160	

**Cleanup**

<b>Underground Storage Tanks</b>	<b>Jul-12</b>	<b>Aug-12</b>	<b>Sep-12</b>	<b>Oct-12</b>	<b>Nov-12</b>	<b>Dec-12</b>	<b>Jan-13</b>	<b>Feb-13</b>	<b>Mar-13</b>	<b>Apr-13</b>	<b>May-13</b>	<b>Jun-13</b>	<b>TOTAL</b>	<b>All Yrs</b>
UST release files opened this month	11	7	10	10	5	15	0	0	0	0	0	0	58	6,477
UST cleanups completed this month	4	12	23	11	6	6	0	0	0	0	0	0	62	5,576
Ongoing UST cleanups	907	905	894	892	892	901	0	0	0	0	0	0		
<b>Aboveground Storage Tanks</b>														
AST release files opened this month	3	1	1	0	3	0	0	0	0	0	0	0	8	455
AST cleanups completed this month	0	2	2	1	2	0	0	0	0	0	0	0	7	265
Ongoing AST cleanups	193	192	189	189	190	190	0	0	0	0	0	0		
<b>Both UST and AST</b>														
Total release files-both UST & AST	0	0	0	0	0	0	0	0	0	0	0	0	0	75
Cleanups completed-both UST & AST	1	0	1	0	0	0	0	0	0	0	0	0	2	46
Ongoing cleanups-both UST & AST	29	29	28	29	29	29	0	0	0	0	0	0		
<b>Unknown Source</b>														
Total release files-unknown source	0	0	0	0	0	0	0	0	0	0	0	0	0	215
Cleanups completed-unknown source	0	0	1	0	0	0	0	0	0	0	0	0	1	177
Ongoing cleanups-unknown source	18	16	15	14	13	12	0	0	0	0	0	0		
<b>Documents Processed</b>	87	123	146	131	112	127	0	0	0	0	0	0	726	
<b>*Reopened Remediation Cases</b>	1	1	0	0	0	0	0	0	0	0	0	0	2	76

Effective December 2008 tanks with unknown substance will be included in total figures. Some measures are re-calculated each month for all previous months to reflect items added or edited after the end of the previous reporting period.

**Missouri Hazardous Waste Management Commission Meeting**

**April 18, 2013  
Agenda Item # 11**

**Legal Update**

**Issue:**

Routine update to the Commission on legal issues, appeals, etc.

**Information:**

Information Only

**Presented by:**

Kara Valentine, Commission Counsel – Missouri Attorney General's Office

**Missouri Hazardous Waste Management Commission Meeting**

**April 18, 2013  
Agenda Item # 12**

**Public Inquiries or Issues**

**Recommended Action:**

Information Only

**Presented by:**

David J. Lamb, Director, HWP

**Missouri Hazardous Waste Management Commission Meeting**

**April 18, 2013  
Agenda Item # 13**

**Other Business**

**Recommended Action:**

Information Only

**Presented by:**

David J. Lamb, Director, HWP

**Missouri Hazardous Waste Management Commission Meeting**

**April 18, 2013  
Agenda Item # 14**

**Future Meetings**

**Information:**

**Meeting Dates:**

Date	Time	Location
Thursday, June 20, 2013	9:45 A.M.	Bennett Spring / Roaring River Room 1730 East Elm Jefferson City, Missouri 65101
Thursday, August 15, 2013	9:45 A.M.	Bennett Spring / Roaring River Room 1730 East Elm Jefferson City, Missouri 65101
Thursday, October 17, 2013	9:45 A.M.	Bennett Spring / Roaring River Room 1730 East Elm Jefferson City, Missouri 65101
Thursday, December 19, 2013	9:45 A.M.	Bennett Spring / Roaring River Room 1730 East Elm Jefferson City, Missouri 65101
Thursday, February 20, 2014	9:45 A.M.	Bennett Spring / Roaring River Room 1730 East Elm Jefferson City, Missouri 65101
Thursday, April 17, 2014	9:45 A.M.	Bennett Spring / Roaring River Room 1730 East Elm Jefferson City, Missouri 65101

**Recommended Action:**

Information Only