

Hazardous Waste Management Commission Report

January through March 2008

Quarterly Report



Missouri
Department of
Natural Resources



BVCP Site, Flat Branch Park, Columbia - Before and After



Hazardous Waste Management Commissioners

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

For more information

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Missouri Department of Natural Resources

Program Update Letter from the Program Director

With warm weather finally here and the long winter behind us, the Hazardous Waste Program works on many fronts to move forward with extensive field work, oversight and coordination with our many interested people. Our staff continually provides support and guidance at many cleanups in Missouri.

This is our second quarterly report using this format. The information in this report is to provide members of the Hazardous Waste Management Commission with the current status of various sites and sections. This report is also for our many stakeholders and interested public. It is my hope that all can learn more about the work we do and role we play.

In this quarter's report, we show some of the trends with hazardous waste generation in Missouri, based on the reports we receive. We also highlight cleanup and reuse of the Flat Branch Park in Columbia, Missouri. In addition we've included information on our contract inspections for underground storage tanks; an overview of the hazardous waste permitting process; site assessment; the Hazard Ranking System and the status of various Superfund sites. We're also providing a table on various activities associated with underground storage tank closures and cleanups. We hope this information is useful, answers some questions and helps you think about other questions we can answer for you.

The department is saddened by the loss of Mike Menneke, who passed away on March 29. Many people knew Mike through his work on hazardous waste and dry cleaner enforcement cases and Missouri's E-scrap efforts. He will be deeply missed, but the work he did to protect and improve the environment and human health for Missouri citizens will live on.

Sincerely,



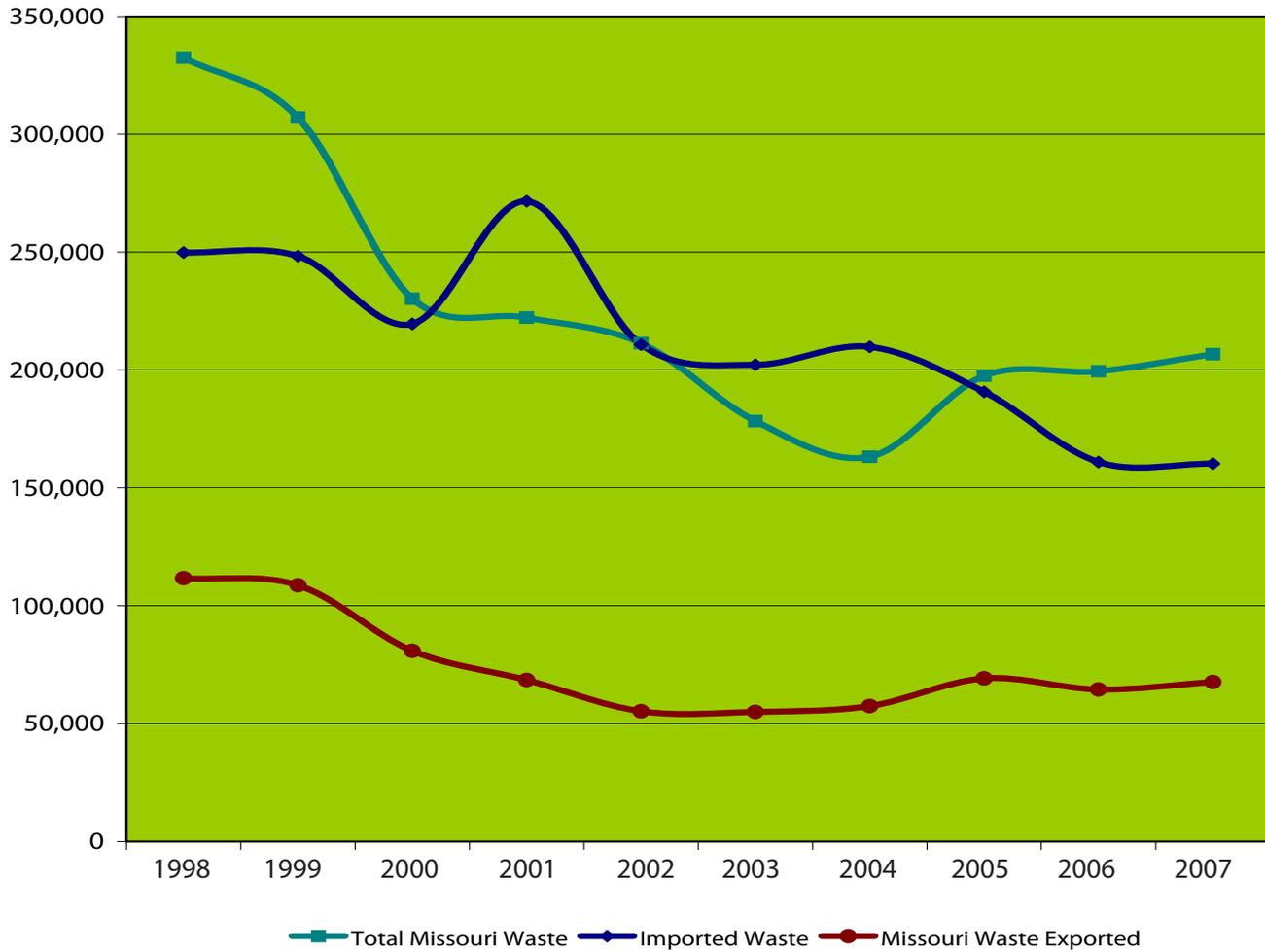
Robert Geller, Director
Hazardous Waste Program

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**Missouri Department of Natural Resources - Hazardous Waste Program
Budget and Planning Section**

Hazardous Waste Trends - Shown in Tons (2,000 pounds)

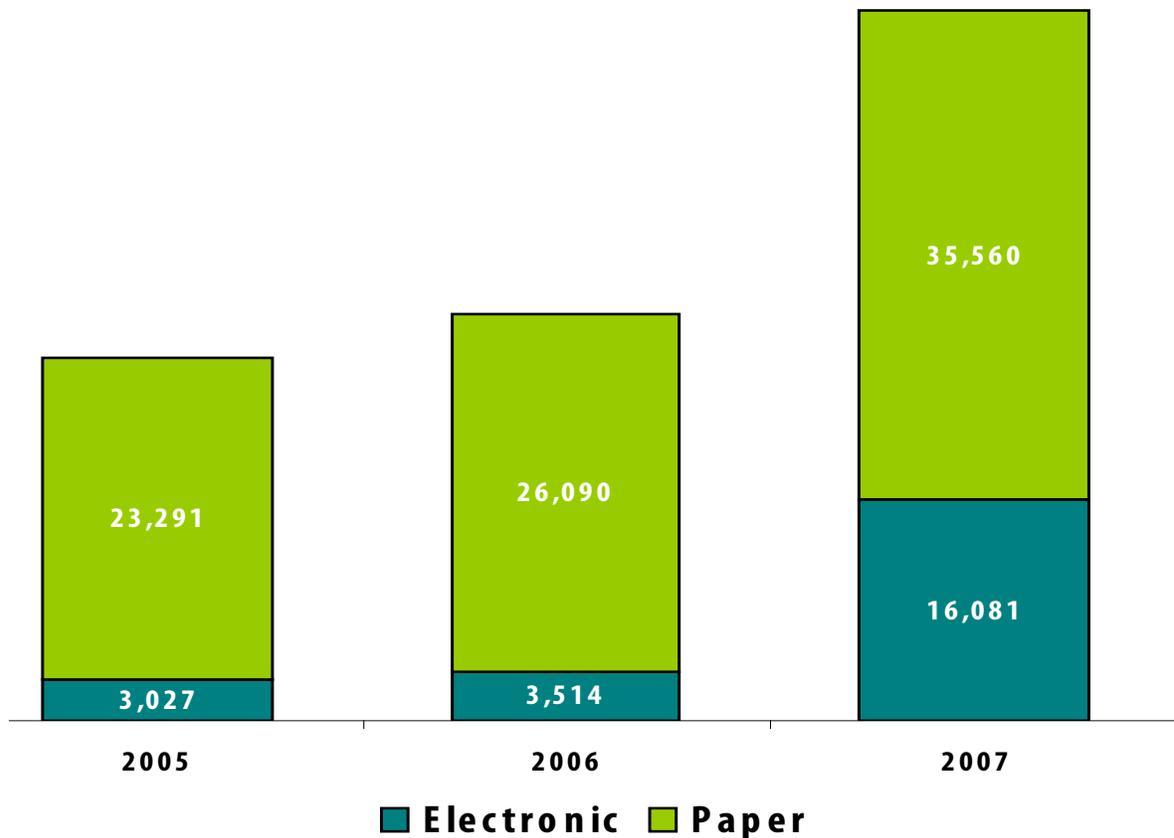


These figures do include any remediation waste reported.

Fiscal Year	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
Total MO Waste	332,488	307,092	230,258	222,219	211,373	178,295	163,215	197,576	199,463	206,694
MO Waste Exported	111,702	108,703	80,906	68,527	55,252	54,987	57,451	69,219	64,490	67,684
Imported Waste	249,828	248,305	219,523	271,578	210,813	202,245	209,810	190,779	160,933	160,235

Hazardous Waste Generator and Facility Report Records by Reporting Year

- Generators complete a separate record in their report for each individual treatment, storage and disposal facility where waste is sent.
- Treatment, storage and disposal facilities complete a separate record in their report for each individual generator from which they receive waste.
- In 2007, these treatment, storage and disposal facilities received waste from a significantly increased number of generators. This increased the total number of reporting records.
- A simpler method of transferring electronic data from the treatment, storage and disposal facilities to the Hazardous Waste Program was developed in 2007, resulting in the increase of electronic records filed.



Sites in the Brownfields/Voluntary Cleanup

	Active	Completed	Total
January	338	359	697
February	334	368	702
March	339	370	709

New Active Sites Received

January

- South Pier, Springfield

February

- Rall Leasing, Cuba
- Habitat For Humanity St. Louis-JVL Ward 19 2008 Project-West of Webster Ave, St. Louis
- Holliday Sand & Gravel Company, Randolph Plant #9, Randolph
- Wharf Street Property, St. Louis
- Saint Boniface Rectory, St. Louis
- Siegel Building, St. Louis
- El Mundo, St. Louis
- Arco & Lik-Nu Cleaners (former), St. Louis
- National Oil and Supply Co. Inc., Springfield

March

- Mullberry MoDot, Kansas City
- Cape Fair Spill Site, Cape Fair
- Interstate Grocery Building, Joplin
- Wright Way Truck & Trailer, Wright City
- Bryant Motor Company, Sedalia
- Laurel (The), St. Louis
- Aviator Business Park LLC, Hazelwood

Sites Completed

February

- Cherry Hills Golf Course, Wildwood
- McDonalds (Former), St. Louis
- Ludwig Lofts, St. Louis
- ThyssenKrupp - Kingsville, Kingsville
- Monkey Building, St. Louis
- Kimmswick Elementary School, Imperial
- Vistar Corporation - Springfield, Springfield
- Save-A-Lot Distribution Center, St. Louis
- Brentwood Plaza, Brentwood

March

- Continental Screw Conveyor, St. Joseph
- Green Quarries Inc, Lexington

Flat Branch Park Phase II Dedication, May 3

It's not often a city dedicates a major downtown park. A park is the sort of thing that lasts for generations, so opening a new one is a historic event. The dedication of Flat Branch Park Phase II in Columbia on May 3, was made even more historic because the park was built on a former contaminated industrial site. The Missouri Department of Natural Resources, the U.S. Environmental Protection Agency and the Columbia Parks and Recreation spent more than two years in a cooperative effort to remediate the site so the park could be built. The dedication was in conjunction with the kickoff of Bike, Walk and Wheel Week, Columbia's annual event to promote non-motorized transportation.

Columbia Mayor Darwin Hindman, Parks and Recreation Director Mike Hood, EPA Region 7 Brownfields Branch Chief Steve Kovac, and downtown property owner John Ott were speakers at the event. They all spoke of the multi-agency and public-private partnerships that made the park possible.

The 1.3-acre site lies between Flat Branch Creek, Locust and Elm streets in the historic heart of Columbia. The first phase of the park, on the next block to the north, was cleaned up in 1999 and turned into a trailhead park for the MKT Trail. Historically, both sites were on the MKT rail line near Katy Station. Bulk oil terminals with above and underground storage tanks were located on the sites. The Phase II site had petroleum tanks for more than 60 years before the site became a parking lot in the 1980s. The cleanup removed 8,300 cubic yards of petroleum-contaminated soils and 12,000 gallons of contaminated stormwater. The cleanup was financed by a Brownfield Remediation Grant from EPA. The park was financed by a Land and Water Conservation Fund grant from the Department of Natural Resources, local parks sales tax and private donations.



Before and after images at Flat Branch Park



Drycleaning Environmental Response Trust Fund

The Drycleaning Environmental Response Trust Fund has had no new sites entered and there were no sites closed for this quarter. There are currently 22 active sites. The Drycleaning Environmental Response Trust Fund Balance as of March 31 was \$2,645,536.

Compliance and Enforcement

From January to March, regional office staff conducted 70 hazardous waste generator inspections including 26 at large quantity generators, 34 at small quantity generators and 10 conditionally exempt small quantity generators. The department sent 27 Letters of Warning and five Notices of Violation that require action to correct the violations. Twelve inspections of commercial hazardous waste treatment or storage and disposal facilities were conducted, one of which resulted in a Notice of Violation. Staff also made 177 Environmental Assistance Visits to hazardous waste facilities during this three-month period.

The Underground Storage Tank Compliance and Enforcement Unit reviewed all 219 inspections performed by U.S. Environmental Protection Agency contractors in summer 2007. At this time, 151 sites have received return-to-compliance letters. The remaining sites are working through the department's conference, conciliation and persuasion process. If compliance cannot be achieved, the facilities are presented to the Hazardous Waste Management Commission for referral to the Attorney General's Office.

The Underground Storage Tank Compliance and Enforcement Unit continues to receive and review inspection findings from the department's contractor, Rounds and Associates. Rounds and Associates documents problems and notifies facilities of these issues. Facilities are given 15 days to resolve serious issues and 60 days to resolve all other deficiencies. The inspection results, including photographs and response documentation, are forwarded to the Underground Storage Tank Compliance and Enforcement Unit for review. Unit staff reviews each inspection for compliance purposes under the Underground Storage Tank Law and Regulations and sends a return-to-compliance letter or a letter asking for additional documentation. The standard conference, conciliation and persuasion process is followed until compliance is achieved. If compliance cannot be achieved, the facilities are presented to the Hazardous Waste Management Commission for referral to the Attorney General's Office.

Commonly Cited Underground Storage Tank Facility Violations

Spill Buckets

One of the most commonly cited violations relates to the spill bucket. Spill catchment basins, or spill buckets, are required to prevent a release of product to the environment when the transfer hose is detached from the fill pipe. To function properly and to its fullest capacity, all spill buckets must be kept clean, empty and in good condition. Occasionally, spill buckets must be repaired or replaced when cracks (denoted by the red arrow) or other damage occurs. Drain valves (denoted by the red oval) must be operable to prevent routine drainage of water into the tank and to allow for drainage of product into the tank when opened. When spill buckets are emptied, waste must be properly characterized and disposed, in accordance with the Resource Conservation and Recovery Act.



Clean and empty spill bucket.



Spill bucket with liquid present.



Cracked spill bucket.

Unprotected Metal in Contact with Soil or Water

Another commonly cited violation is unprotected metal components in contact with soil or water. All metal components of an underground storage tank system that routinely contain product and are in contact with soil or water must be protected from corrosion. Corrosion protection can be accomplished by cathodically protecting the metal component or isolating it from the soil or water (i.e. isolation boots on flex connectors, dry sumps around metal fittings). If the soil or water is removed, to ensure compliance, the department recommends the areas are routinely checked to ensure backfill, soil or water do not contact metal again. In addition, it is suggested these “checks” are logged to document compliance efforts.



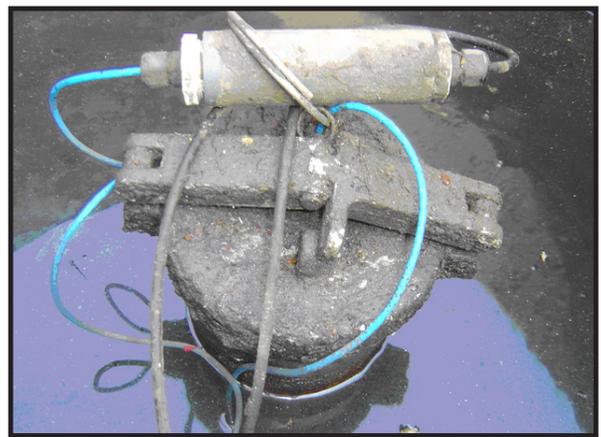
Unprotected metal is not in contact with soil or liquid in the piping sump.



Unprotected metal in contact with soil or water.



Unprotected metal components are in contact with liquid in the piping sump.



Unprotected metal components are in contact with liquid.

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

From January through March, the two Polychlorinated Biphenyl, or PCB, inspectors in the Hazardous Waste Program conducted one complaint investigation and 24 compliance inspections at various types of facilities throughout the state. The results from these inspections are reported to EPA for enforcement actions .

Also, during this quarter, the hazardous waste transporter inspector conducted six commercial vehicle inspections during which two violations were observed. As part of Commercial Vehicle Safety Association's protocol, the department sends the reports to the Missouri Highway Patrol. When the transporter corrects the violations, they certify to the Patrol that violations were corrected. In addition, two violations were discovered when the inspector conducted four transporter facility inspections. Inspections at four transporter facilities revealed two locations with violations. Both facilities submitted documentation to the department showing a return to compliance.

As of March, there are 220 licensed hazardous waste transporters in Missouri.

Park-Mark Inc. of Kirkwood

Park-Mark Inc. of Kirkwood was referred to the Attorney General's Office by the commission in February.

Assistant Attorney General Raymond Haight is assigned to the case. Haight is working with the owner to get the waste correctly identified and removed in a reasonable time frame. Preliminary estimates show more than 100 drums containing hazardous waste at the site. There are also questions about the current waste management practices for on-site waste during the department's January and February inspections .



Hazardous waste drums at Park-Mark Inc., Kirkwood

The Listserv

The Enforcement and Compliance Assistance Listserv for Hazardous Waste Generators is distributed by e-mail to those interested in receiving information and updates about environmental compliance from the Missouri Department of Natural Resources. From January through March, the listserv discussed how to determine if you have a characteristic hazardous waste, updating your contingency plan, gross versus net weight when transporting hazardous waste, and tips for spring cleaning hazardous waste at a business. Subscribe to the listserv on the Web at www.dnr.mo.gov/env/subscribe_ecaHWG.htm.

E-Scrap Update

e-cycle Missouri finalized the host registration form available on the Department of Natural Resources Web site at www.dnr.mo.gov/forms/780-1981.pdf. The host site self-audit forms are also located on the Web at www.dnr.mo.gov/forms/780-1980.pdf. Both forms are available as Adobe® Reader® and Microsoft® Fill-In documents.

The department's current list of computer recyclers will be removed on June 1, and replaced with the new Tiered Registration list. Recyclers are already showing interest in the new list, and we already received one Host Site Self-Audit Form.

Federal Facilities Section

Jefferson Barracks Air National Guard, St. Louis

The Missouri Air National Guard hosted a public meeting on Jan. 11 in conjunction with the Jefferson Barracks Community Council. This was the first official meeting of this council since becoming incorporated and moving towards non-profit status. There were a number of public figures present including Senator Claire McCaskill and Congressman Carnahan as well as State Senator Kennedy and Adjutant General Sidwell. Stakeholders present included representatives from veterans' hospital, the county park, the Friends of Jefferson Barracks, the local chamber of commerce and local base personnel.



Historic building at Jefferson Barracks where the Council meeting was held.



Senator Claire McCaskill speaks at the Jefferson Barracks Council Meeting.

From Jan. 2 through Feb 4, the Guard accepted comments about the No Further Action Record of Decision document related to the closure of the environmental sites at Jefferson Barracks. This document summarizes all the environmental activities at four sites. Based on remediation efforts, the document indicates the Guard is ready to close the sites related to the Environmental Restoration Program.

Kansas City Plant, Kansas City

The Department of Energy's National Nuclear Security Administration is proposing to reconfigure its non-nuclear production facility from the present footprint. The preferred alternative is to relocate the Kansas City Plant from its current location in the Bannister Federal Complex at Troost and Bannister Roads in Kansas City to

an undeveloped site at Hwy. 150 and Botts Road several miles south of the current site. The General Services Administration, which would manage contracts for the construction of the new facility, hosted an Environmental Assessment Scoping Meeting in May 2007. The draft Environmental Assessment for the new facility was published Dec. 10, 2007 in the Federal Register. The original deadline for comments on the draft assessment was Jan. 14. This deadline was extended to Jan. 30.

The Kansas City Plant produces 85 percent of the non-nuclear components for the nation's nuclear weapons complex and has operated in its current location since 1949. The new facility would be smaller, more efficient and less expensive to operate. The assessment considers the proposed new location, which is the preferred alternative, as well as several alternatives for a new facility within the current Bannister Federal Complex.

Missouri Department of Natural Resources - Hazardous Waste Program Federal Facilities Section

On Jan. 15, the department submitted detailed comments on all aspects of the draft Environmental Assessment. The department suggested a coordinated effort to develop reuse options following the ultimate disposition of the current Bannister Federal Complex. The remedies in place at the Kansas City Plant would have to be revisited if they are impacted by any changes to the Bannister Federal Complex related to its reuse.

Members of the department's Agreement in Principle Program, with Department of Energy's National Nuclear Security Administration, sit on committees with this group and the General Services Administration that address issues for the new site, as well as the disposition options for the current site. The Department of Natural Resources will review the Department of Energy's responsiveness summary for the assessment and continue proactive relations with Department of Energy's National Nuclear Security Administration as they progress with plans for a new plant.

Weldon Spring Ordnance Works, St. Charles

The U.S. Army Reserve, 89th Regional Readiness Command, is working to adjourn the Restoration Advisory Board. It appears the many years of work may be coming to an end for this board, a citizens group led by the Department of Defense to provide input into the remediation of the Weldon Spring Ordnance Works site in St. Charles. So, with approval from the board and input from the citizens of Missouri, the board may be adjourned by July. A 30-day comment period was held to let people know the status of the board and the plans to adjourn it. If the comments received concur with this assessment, then the Army Reserve will adjourn the board. A ceremony was held for the last board meeting to thank the citizens and various agencies involved in this board.

The Department of Defense site is now carrying out the approved remedy of monitored natural attenuation with institutional controls for the contaminated groundwater. Monitored natural attenuation is regular monitoring of the groundwater to ensure that contaminant levels are decreasing. Since summer 2007, additional well drilling regulations have been in place in Special Area 4. Special Area 4 was designated by the department.



Karl Daubel (above) and Tom Nelson (below) each received a certificate of appreciation for their work on the Restoration Advisory Board, from Branden Doster of the Federal Facilities Section and William 'Tex' Titterington with the 89th Regional Readiness Command.



West Lake Landfill, Bridgeton

On March 27, EPA hosted its third public meeting for the West Lake Landfill. The meeting was prompted by a letter submitted to EPA from Senator Kit Bond's office and other similar requests from the St. Louis City Mayor's office and local activist groups. About 75 to 100 people attended the public meeting, along with local media. The presentations focused on discussions about the levee system around the landfill and the effects of flooding on the landfill.

In addition, EPA touched on the history of the landfill and the remedial alternatives presented in the Proposed Plan. After the presentations, the floor was opened for a question and answer session. The main topics discussed during this portion included groundwater contamination and data management, radon gas migration issues, proposed excavation methods and challenges and the inability of the agencies to provide long-term monitoring and stewardship of a site with such long-lived radiological contaminants.

Presentations on the levee system provided support for the current flood prevention efforts in Earth City. There was less opposition from local citizens on the issue of flooding in the subsequent question and answer session. It is anticipated that more comments about the draft Record of Decisions will be generated during the extended comment period. As a result of the information provided at the public meeting, EPA reopened the comment period until April 9. EPA will address public comments in its written Responsiveness Summary. The department remains supportive of EPA's proposed remedy with the understanding that a durable long-term monitoring, maintenance and stewardship plan, including institutional controls, are employed.

EPA had planned to have the Record of Decisions and Responsiveness Summary finalized by March. That schedule is now no longer applicable. The new target date is May or June.

The Resource Conservation and Recovery Act Permitting Process – In a Nutshell

Several decades ago, the U.S. Congress passed new laws to address public concerns about the management of hazardous waste. The laws are known as the Resource Conservation and Recovery Act of 1976, also known as RCRA, and the Hazardous and Solid Waste Amendments of 1984. The Environmental Protection Agency wrote regulations to implement these laws. EPA can authorize states to carry out all or part of these regulations. To receive authorization, state requirements must be as strict as, or stricter than, the federal requirements. Federal or state agencies that implement RCRA are known as permitting agencies. Missouri is authorized to implement the RCRA regulations and some, but not all, of the Hazardous and Solid Waste Amendment regulations. These regulations are designed to make sure that facilities that handle hazardous waste operate safely and protect people and the environment.

Facilities that currently treat, store or dispose of hazardous waste or did so in the past may be regulated under several types of legally enforceable instruments. These include permits, administrative orders, court orders and other legal instruments. Under certain conditions specified in the regulations, facilities conducting these activities may be required to obtain hazardous waste permits. In general, businesses producing hazardous wastes do not need permits if they store it for less than 90 days and do not treat it. Additionally, businesses only transporting hazardous wastes may need various other types of permits or licenses but they do not need hazardous waste permits. This article is limited to discussing hazardous waste permits.

A complete hazardous waste permit is actually two separate permits. The Missouri Department of Natural Resources issues a permit called a *Missouri Hazardous Waste Management Facility Part I Permit*. EPA issues the second permit called the *U.S. Environmental Protection Agency - Part II Authorization Under the Hazardous and Solid Waste Amendments of 1984*.

A Part I Permit contains the requirements that EPA authorized Missouri to administer and additional state requirements. EPA deemed that these Missouri requirements are at least as stringent and are equivalent and consistent with the federally administered RCRA program. A Part II Permit contains certain federal requirements administered by EPA because Missouri has not adopted or is not yet authorized to do so. Under certain circumstances, both permits may contain the same conditions.

A facility submits one application for both permits to both the department and EPA. The application may be multiple volumes (consisting of hundreds or thousands of pages) containing very detailed and highly technical information about how the facility intends to handle the hazardous waste and how they intend to close when they no longer wish to be permitted. The department and EPA must carefully review every detail of the information submitted by the facility. This technical review almost always requires lengthy technical comments from the permit writer, revisions by the facility and always involves public involvement at various stages of the process. As a result, to be protective of human health and the environment, adequate review and revision of an application may take years and requires a great deal of coordination between the department, EPA and the facility.

If approved by both the department and EPA, the two permits are normally issued together and are good for up to 10 years. The length of the permit is limited to ensure that the facility's activities are periodically reviewed. Even so, the permits may become outdated before its end date by

Missouri Department of Natural Resources - Hazardous Waste Program

Permits Section

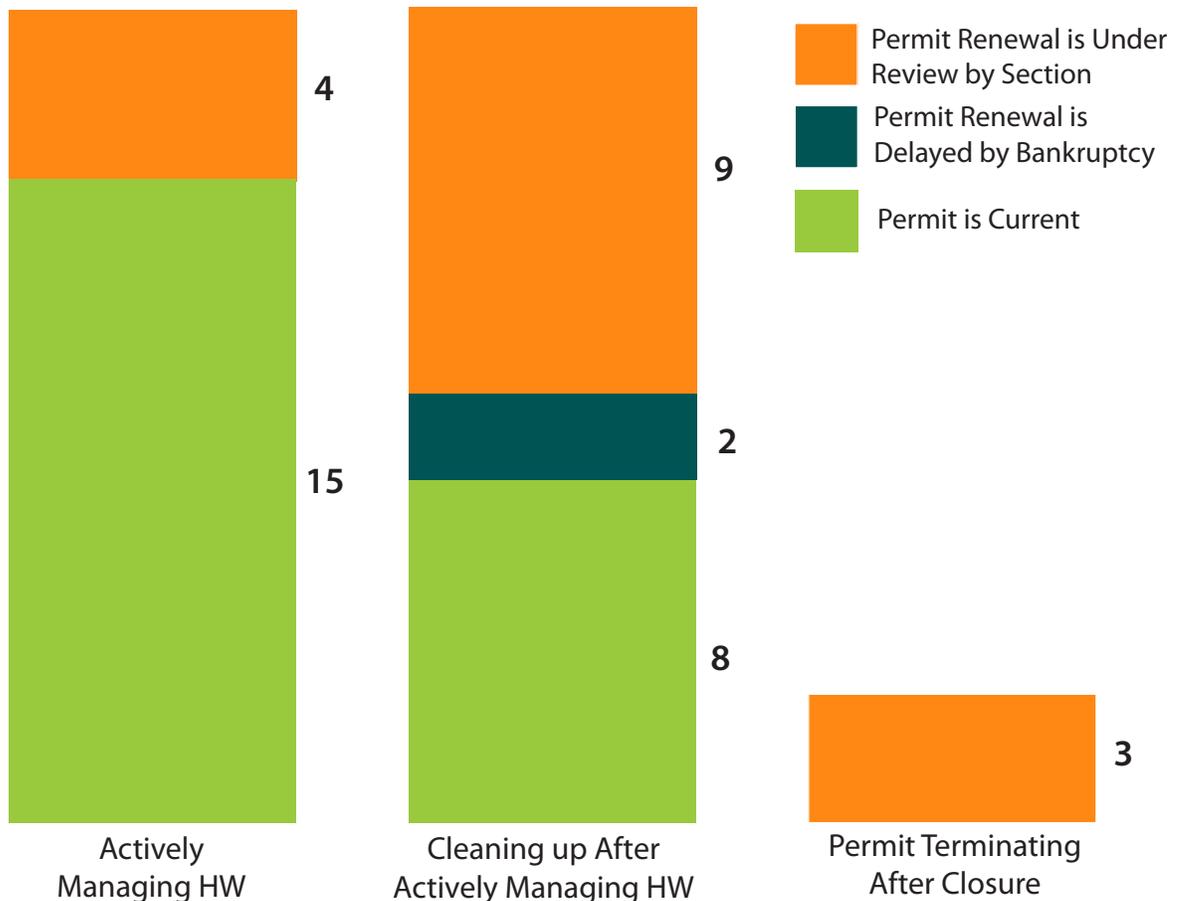
Permits

changing conditions at the facility, scientific improvements or new laws. To address this problem, permits may be modified throughout their duration to keep them current. Either the facility or the department may initiate modifications. Most permits are modified many times. Hazardous waste permits may authorize facilities to actively treat, store or dispose of hazardous waste, to perform certain types of remediation activities, such as post-closure care for regulated units or corrective actions for solid waste management units or a combination of both.

Hazardous waste permits are legally binding enforceable documents that establish the hazardous waste management activities a facility may conduct and the conditions under which it may conduct them. The permits outline facility design and operation, safety standards and describe activities that the facility must perform, such as monitoring and reporting. The permits typically require the facility to develop emergency plans, provide insurance and financial backing and train employees to handle potentially dangerous situations. The permits can also include facility-specific requirements such as groundwater monitoring. The permitting agency has the authority to issue or deny permits and is responsible for monitoring the facility to ensure that it is following the conditions in the permit.

New facilities must receive hazardous waste permits before beginning construction. A facility must prove that it can manage hazardous waste safely and responsibly. The department and EPA review the permit application and decide whether the facility is qualified to receive Part I and Part II permits.

Status of 41 Current Permits Issued by Hazardous Waste Program



Missouri Department of Natural Resources - Hazardous Waste Program

Permits Section

Facilities with hazardous waste permits must submit a new permit application six months before the end date of existing permits. When this happens, a facility may continue to operate under the existing permits until the new permits are issued even if the permits are issued after the end date of the existing permits.

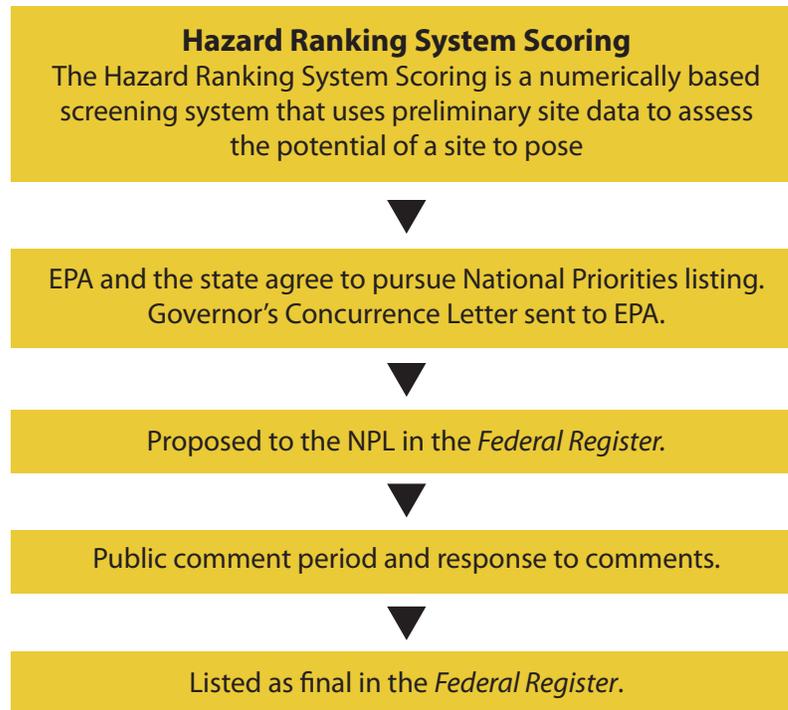
The permitting process for a hazardous waste management facility requires a significant amount of time and effort. Each participant plays a distinct and essential role. The facility must carefully consider the hazardous waste regulations when developing and submitting an application and planning public involvement activities. The department and EPA must review the permit application to ensure it is complete, adequate and protective of public health and the environment. The permitting agencies must also coordinate this review to ensure community involvement. Not only does public input help the department and EPA reach better technical solutions, it can also help the facility make better business and technical decisions. It allows members of the community to stay informed and have an active role in the decision-making process. This coordination of efforts helps to ensure the environment and citizens of Missouri are protected by proper management of hazardous wastes.



The application may be multiple volumes consisting of hundreds or thousands of pages containing very detailed and highly technical information about how the facility intends to handle the hazardous waste and how they intend to close when they no longer wish to be permitted.

National Priorities Listing

When site assessments are complete, sites with extensive contamination and significant risks to public health and the environment may be added to the National Priorities List, or NPL. National Priorities listing notifies the public that EPA believes a site requires further study and possible cleanup under the Superfund program. Sites with an Hazard Ranking System Scoring of 28.5 or higher may, with state concurrence, be added to the federal Superfund National Priorities List.



Cleanup at NPL sites may be technically complex and require a number of years to complete. The state has a vested interest in activities at all NPL sites. The state is responsible for paying 10 percent of EPA's remedial action costs at federal fund-lead NPL sites. After remedial actions are complete, the state is responsible for 100 percent of long-term operation and maintenance at federal fund-lead NPL sites. The state may also be the lead agency at NPL sites through site-specific cooperative agreements with the EPA, or by entering into legal agreements directly with the potentially responsible parties for the conduct of remedial response actions, and direct reimbursement of state oversight costs. There are currently 29 final NPL sites in Missouri. Three new sites in Missouri were recently added to the final NPL. Missouri has five sites that have been deleted from the NPL.

Three Washington County Lead Sites Added to the NPL

The department, in cooperation with EPA, found lead contamination during investigations at the Washington County Lead Mining District sites. Sampling at the Washington County Lead District sites was conducted in cooperation with EPA as part of a statewide project identifying all lead and zinc mining, milling, smelting and processing sites. The purpose of this project is to evaluate and categorize sites based on their potential risk to human health and the environment. The investigations of Washington County Lead District sites were planned and implemented with cooperation from city and county officials, the Washington County Health Department, the Department of Health and Senior Services, EPA and the Agency for Toxic Substances and Disease Registry.

The Washington County Lead District has been divided into three sites for removal actions and for scoring using the Hazard Ranking System:

1. Washington County Lead District-Potosi Area site.
2. Washington County Lead District-Old Mines site.
3. Washington County Lead District-Richwoods Area site.

With the support of the State, EPA proposed the addition of these three sites to the federal Superfund NPL on Sept. 19, 2007. The comment period for this proposal ended Nov. 19, 2007. On March 19, the EPA listed the three Washington County Lead District sites as final on the NPL.

Washington County Lead District-Potosi Area

To date, 1,600 residential yards have been sampled in the Washington County Lead District-Potosi Area site. Of those, 163 are contaminated with lead above 1,200 parts per million (EPA time-critical action level). Time critical residential yard excavations began in October 2006 and 91 have been completed. A total of 752 private residential drinking water wells have been sampled. Of those, 138 are contaminated with lead above the drinking water action level of 15 parts per billion. Currently, EPA is supplying bottled water to 120 residences with contaminated wells. Point-source water treatment options (under sink) are being explored for possible implementation.

Washington County Lead District-Old Mines

To date, 962 residential yards have been sampled in the Washington County Lead District-Old Mines site. Of those, 60 are contaminated with lead above 1,200 parts per million. To date, 230 properties showed contamination between 400 and 1,199 parts per million. Time critical residential yard excavations began in October 2006, and 40 have been completed. A total of 787 private residential drinking water wells have been sampled. Of those, 117 are contaminated with lead above 15 parts per billion. EPA is supplying 124 residences with bottled water.



Lead mine and mill foundation remnants in Washington County.

Missouri Department of Natural Resources - Hazardous Waste Program Superfund Section

Washington County Lead District-Richwoods

Time critical residential yard excavation began in November 2006. EPA reports all are done as of March 19. A total of 16 residential yards were excavated. Currently, the EPA is supplying 52 residences with bottled water.

Natural Resources Damages Activities

The Superfund Section has a program to conduct natural resources damages assessments at state and federal Superfund sites and other types of sites with injured natural resources. The program was developed pursuant to the authority provided in the federal Superfund Law that allows natural resources trustees, such as the Missouri Department of Natural Resources, to seek compensation for injuries to natural resources caused by hazardous substances contamination at various sites. Natural resources include, but are not limited to, land, fish, wildlife, surface water, groundwater and drinking water supplies. The Natural Resource Damages program identifies injured sites and conducts assessments of injured natural resources to support damages claims. Claims are then filed against responsible parties, who are requested to provide monetary compensation for injured resources, or conduct restoration activities.



Department staff sampling residential yard soil in Washington County.

The Missouri Department of Natural Resources and the U.S. Fish and Wildlife Service' Missouri Ecological Services Field Office collectively comprise the Missouri Natural Resource Damage Assessment and Restoration Trustee Council. The U.S. Department of Justice, the U.S. Department of the Interior, Office of the Solicitor, and the Missouri Attorney General, on behalf of the Missouri Trustee Council, reached a settlement agreement with ASARCO LLC. ASARCO was a former operator of lead and zinc mines and mills in Jasper and Newton counties in southwest Missouri. The settlement agreement gives the Missouri Trustee Council an allowed general unsecured claim of \$17.1 million for natural resource damages for injuries to trust resources in Missouri. The Missouri Trustee Council was part of a larger Tri-State Mining District natural resources claim, which included the states of Kansas and Oklahoma, six Native American Tribal governments and the Department of Interior. Trustees in Missouri, Kansas and Oklahoma agreed to a total allowed general unsecured claim of \$51 million, which includes the \$17.1 million Missouri claim, plus \$2 million for past federal assessment costs. Additionally, Missouri agreed to an allowed general unsecured claim of \$3.25 million for past assessment costs, operation and maintenance costs and damages for groundwater injuries. The Bankruptcy Court approved the Settlement Agreement for the Tri-State Mining District Sites on Feb. 4.

The Missouri Trustee Council also reached a settlement agreement for claims against Asarco in Southeast Missouri, specifically for the Federal Tailings Pile, which is part of the Big River Mine Tailings Superfund Site; Catherine Mine, which is part of the Madison Mines Superfund Site; Sweetwater Mine/Mill Complex; West Fork Mine/Mill Complex; and Glover Smelter. The U.S. Department of Justice, the Department of Interior, Office of the Solicitor, and the Missouri Attorney General, on behalf of the Missouri Trustee Council, reached a settlement agreement giving the Missouri Trustee Council an allowed general unsecured claim of \$35 million. Additionally, Missouri agreed to an allowed general unsecured claim of \$1.25 million for past assessment costs and operation and maintenance costs. The Bankruptcy Court approved the Settlement Agreement on May 12.

The final settlement amounts realized by the Missouri Trustee Council will depend on the financial status of the company following its emergence from bankruptcy.

- The number of tank closure reports increased in the reporting period. This is attributed to an temporary closure initiative that began in January 2008.
- The Tanks Section continued its efforts to provide information to tank consultants by releasing a second tanks "consultant connection" and by organizing a tanks workshop to be held in conjunction with the Missouri Waste Coalition Conference in June.

**Petroleum Storage
Tanks Regulation
March 2008**

Staff Productivity	Jul-07	Aug-07	Sep-07	Oct-07	Nov-07	Dec-07	Jan-08	Feb-08	Mar-08	Apr-08	May-08	Jun-08	TOTAL
Documents received for review	236	266	216	251	192	178	187	197	226	0	0	0	1,949
Remediation documents processed	207	227	160	198	106	110	165	141	201	0	0	0	1,515
Closure reports processed	10	19	14	10	3	6	17	4	15	0	0	0	98
Closure notices approved	17	15	16	12	14	16	11	20	7	0	0	0	128
Tank installation notices received	4	5	8	4	5	4	3	5	2	0	0	0	40
New site registrations	11	13	14	7	13	8	5	5	1	0	0	0	77
Facility Data													
Total active and closed USTs	38,865	38,912	38,946	38,962	38,997	39,007	39,012	39,026	39,045	0	0	0	
Total permanently closed USTs	28,777	28,832	28,867	28,884	28,892	28,907	28,983	29,027	29,105	0	0	0	
USTs active and temporarily closed	10,088	10,080	10,079	10,078	10,105	10,100	10,029	9,999	9,940	0	0	0	
USTs in temporary closure	967	1,004	1,009	1,027	1,054	1,082	1,082	1,077	1,085	0	0	0	
Total hazardous substance USTs	389	389	389	389	389	392	392	392	392	0	0	0	
Facilities with active USTs	3,772	3,772	3,772	3,782	3,784	3,786	3,771	3,759	3,734	0	0	0	

Closures

Underground Storage Tanks	Jul-07	Aug-07	Sep-07	Oct-07	Nov-07	Dec-07	Jan-08	Feb-08	Mar-08	Apr-08	May-08	Jun-08	TOTAL	All Yrs
Closure Reports Reviewed	10	19	14	10	3	6	17	4	15	0	0	0	98	
Closure Notices Approved	17	15	16	12	14	16	11	20	7	0	0	0	128	
Number of Tanks Closed (Closure NFA)	22	14	21	18	4	2	20	14	11	0	0	0	126	

Cleanups

CLEANUP														
Underground Storage Tanks	Jul-07	Aug-07	Sep-07	Oct-07	Nov-07	Dec-07	Jan-08	Feb-08	Mar-08	Apr-08	May-08	Jun-08	TOTAL	
UST release files opened this month	7	5	3	6	2	4	3	1	1	0	0	0	32	5,980
UST cleanups completed this month	8	4	0	6	3	7	1	3	4	0	0	0	36	4,921
Ongoing UST cleanups	1,055	1,051	1,055	1,058	1,055	1,059	1,058	1,058	1,054	0	0	0		
Aboveground Storage Tanks														
AST release files opened this month	1	4	2	1	0	0	1	0	0	0	0	0	9	398
AST cleanups completed this month	0	3	0	2	0	1	0	1	0	0	0	0	7	201
Ongoing AST cleanups	194	195	198	200	198	197	199	197	197	0	0	0		
Both UST and AST														
Total release files-both UST & AST	0	0	0	0	0	0	1	0	0	0	0	0	1	64
Cleanups completed-both UST & AST	0	0	0	0	0	0	0	0	0	0	0	0	0	31
Ongoing cleanups-both UST & AST	29	29	29	29	31	31	32	32	32	0	0	0		
Unknown Source														
Total release files-unknown source	4	3	1	0	0	1	0	0	2	0	0	0	11	274
Cleanups completed-unknown source	0	0	0	1	1	0	0	1	1	0	0	0	4	123
Ongoing cleanups-unknown source	161	162	161	156	156	154	152	151	151	0	0	0		
Documents Processed	207	227	160	198	106	110	165	141	201	0	0	0	1,515	

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