



Missouri Department of dnr.mo.gov

NATURAL RESOURCES

Michael L. Parson, Governor

Carol S. Comer, Director

December 28, 2020

David Cross
Environmental Engineering Manager
Lake City Army Ammunition Plant
25201 East 78 Highway
Independence, MO 64056

RE: Class 2 Permit Modification Approval
Lake City Army Ammunition Plant, Independence, Missouri
EPA ID# MO4213820489

Dear David Cross:

The Missouri Department of Natural Resources' Waste Management Program (WMP) hereby approves Lake City Army Ammunition Plant (LCAAP)'s Class 2 Permit Modification request, dated September 30, 2020, with a conditional schedule of compliance. The modification request, which is a revision of the original Post Closure Care Completion Report(s), dated September 18, 2019, was to extend the post-closure care period for:

- Oil and Grease Trenches located in Area 8E;
- Three East Industrial Wastewater Treatment Plant (IWTP) Impoundments, located in Area 7;
- Four Explosive Wastewater Lagoons located in Areas 2, 5, and 7;
- Seven Explosive Wastewater Surface Impoundments located in Areas 1 and 4; and
- The Area 8 IWTP Sludge Landfill, located in Area 8F.

The WMP agrees with LCAAP that this is a Class 2 Permit Modification request, according to 40 C.F.R. § 270.42, Appendix I, E.2., *Extension of post-closure care period*. LCAAP conducted public participation activities for the Class 2 Permit Modification request, as required by 40 C.F.R. § 270.42(b). The 60-day public comment period began October 7, 2020, and ended December 7, 2020. LCAAP held a public meeting about the modification request on November 18, 2020. The WMP did not receive any comments on the modification request during the public comment period.

Our decision to approve the Class 2 Permit Modification request is based on a thorough technical review of the modification request, and applicable federal and state hazardous waste laws and regulations. We are approving the permit modification request with the following conditions and schedule of compliance items:



1. LCAAP shall comply with the applicable maintenance, monitoring, and reporting requirements of 40 C.F.R. Part 264 Subparts F, G, K, and N, and shall submit to the Department's Environmental Remediation Program (ERP) all supporting documentation, as part of the annual submittal for Site-Wide Corrective Action Groundwater Monitoring Report.
2. In the event that a significant ground subsidence or collapse occurs within 1,000 feet of any area under post-closure care:
 - a. LCAAP must notify the Department by verbal communication or written correspondence, via email, within five calendar days of becoming aware of the subsidence or collapse;
 - b. LCAAP must also notify the Department of any subsidence or collapse within the facility property boundary that alters surface or groundwater flows to or from any land-based units closed with waste in-place;
 - c. LCAAP must allow the Department to inspect the feature in order to evaluate the subsidence or collapse prior to conducting any repairs;
 - d. Within 30 calendar days of the Department's written request, LCAAP must prepare and submit a plan for repair of the feature to the Department for review and approval. Any repair plan submitted to the Department shall contain post-repair reporting provisions that include providing detailed documentation of the location, repair work conducted, before and after photographs, etc., in a final report submitted to the Department; and
 - e. Unless otherwise specified in this letter, the Department is represented by both the WMP and ERP, and a copy of required correspondence, plan, and/or report generated by LCAAP must be submitted to both programs.
3. Within 60 calendar days from the date of final approval of the Explanation of Significant Differences for the Record of Decision: Installation-Wide Operable Unit (US-EPA, 2008), LCAAP shall continue to provide for the proper operation and maintenance, and restrictions of use for any engineering controls implemented as part of the approved Post-Closure care plans, as applicable.
4. Post-Closure care, groundwater monitoring, groundwater protection standards, and corrective action for releases of hazardous waste or hazardous constituents from hazardous waste management units, subject to post-closure care are deferred to the Comprehensive Environmental Response Compensation and Liability Act (CERCLA) program. This deferral shall continue as long as those actions being conducted under CERCLA are consistent with and otherwise address the substantive requirements of 40 C.F.R. Part 264 Subparts F, G, K, and N. If at any time, the Department determines that post-closure care and corrective action issues are not being addressed in accordance with these requirements, the Department shall notify

LCAAP pursuant to 40 C.F.R. § 270.41., and 42., as applicable to address the requirement(s) in question.

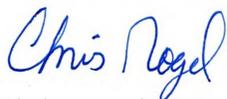
The WMP sent a notice of the approved Class 2 Permit Modification to everyone on the facility mailing list and the appropriate units of state and local government, as required by 40 C.F.R. § 270.42(f)(1), and posted this letter on the WMP's website at dnr.mo.gov/env/hwp/permits/notices.htm. Supporting documents are not available on the WMP's website due to their file size. A copy of the notification letter is included with this letter.

The approved Class 2 Permit Modification is effective immediately. Please be aware that any parties adversely affected or aggrieved by the WMP's decision to approve the Class 2 Permit Modification, or specific conditions of the Class 2 Permit Modification, may be entitled to pursue an appeal before the Administrative Hearing Commission (AHC), according to 40 C.F.R. § 270.42(f)(2), and 10 CSR 25-8.124(2). The written petition must be filed with the AHC by January 29, 2021, according to the procedures outlined in Missouri Revised Statutes, Sections 260.395.11 and 621.250, RSMo. Contact information for the AHC can be found online at ahc.mo.gov, or by calling 573-751-2422. The WMP also asks that a copy of the petition be provided to the Missouri Department of Natural Resources, ATTN: Waste Management Program Director, P.O. Box 176, Jefferson City, MO 65102-0176, or by fax to 573-526-3902.

This permit modification may include conditions you are not familiar with or are different from or in addition to the conditions of your current permit. We would be pleased to meet with you to discuss any questions you may have related to the permit modification conditions. An appointment can be set up by contacting Jillian Hunt, of my staff at the Missouri Department of Natural Resources, Waste Management Program, P.O. Box 176, Jefferson City, MO 65102-0176, by telephone at 573-751-6796 or 800-361-4827, or by e-mail at jillian.hunt@dnr.mo.gov. Any follow-up in response to your meeting request, whether by telephone, in-person meeting, or on-site visit, is considered Compliance Assistance and will focus on explaining the permit modification conditions to you.

Sincerely,

WASTE MANAGEMENT PROGRAM



Chris Nagel
Director

c: Senator Roy Blunt, U.S. Senate
Senator Josh Hawley, U.S. Senate
Congressman Emanuel Cleaver, U.S. House of Representatives

Senator John Rizzo, Missouri Senate
Representative Robert Sauls, Missouri House of Representatives
Mayor Eileen Weir, City of Independence
County Executive Frank White Jr., Jackson County
Missouri State Coordinator, U.S. EPA Region 7
Kristine Mitchell, P.E., Environmental Engineer, Burns & McDonnell
Branden Doster, Engineering Program Manager, Missouri Department of Natural
Resources
Kansas City Regional Office, Missouri Department of Natural Resources