



Jeremiah W. (Jay) Nixon, Governor

Sara Parker Pauley, Director

DEPARTMENT OF NATURAL RESOURCES

dnr.mo.gov

October 18, 2013

CERTIFIED MAIL – 7009 3410 0001 8933 3733
RETURN RECEIPT REQUESTED

Mr. Innocent Chikunya
Plant Manager
Exide Technologies, Incorporated
P.O. Box 156, Canon Hollow Road
Forest City, MO 64451

RE: Class 2 Permit Modification Request Approval
For Changes to Comply with Federal NESHAPs and NAAQS Requirements
Exide Technologies, Incorporated, Forest City, Missouri
EPA ID# MOD030712822

Dear Mr. Chikunya:

The Missouri Department of Natural Resources (Department) hereby approves Exide Technologies, Incorporated's (Exide) Class 2 Permit Modification request, received September 24, 2013, with a conditional schedule of compliance. The request, which is a revision of the original request dated February 6, 2013, is to make changes throughout the facility's hazardous waste storage and treatment areas to facilitate the addition of negative pressure requirements for the entire facility in response to the federal National Emission Standards for Hazardous Air Pollutants (NESHAPs) and National Ambient Air Quality Standards (NAAQS) requirements. Our decision is based on a thorough technical review of the modification request and applicable federal and state laws and regulations. We are approving the Class 2 Permit Modification request with the following schedule of compliance:

1. Exide shall not utilize the newly permitted hazardous waste storage area(s) until the following have been completed:
 - a. Exide has submitted to the Director, by certified mail or by hand delivery, a letter signed by Exide and a professional engineer registered in Missouri stating the following:
 - i. The unit(s) have controls sufficient to prevent fugitive dust emissions to meet the no visible emission standard in 40 CFR 264.1101(c)(1)(iv); and, is

designed and operated to ensure containment of, and will be maintained effectively at all times to prevent the tracking of, materials from the unit(s) by personnel or equipment, and

- ii. Exide requests authorization to operate in accordance with 40 CFR 270.30(l)(2), as incorporated in 10 CSR 25-7.270(2)(C)1.B.
 - b. Exide has submitted to the Department, updated financial assurance documents accounting for the approved modifications; and
 - c. The Director has inspected, or waived inspection of, the newly permitted storage unit(s) and grants Exide authorization to operate the unit(s).
2. Within 60 calendar days of authorization to operate the newly permitted storage unit(s), Exide shall submit as-built design drawings of all modifications made to the facility affected by this permit modification. These drawings shall be certified by a professional engineer registered in Missouri.

Exide conducted the public participation activities for this Class 2 Permit Modification, as described in Code of Federal Regulations 40 CFR 270.42(b), as incorporated by reference in Code of State Regulations 10 CSR 25-7.270(2)(D). The 60-day public comment period began February 18, 2013, and ended April 18, 2013. Exide held a public meeting about the modification request on March 5, 2013. The Department did not receive any comments on the modification request during the public comment period.

The Department mailed a notification letter to everyone on the facility mailing list and the appropriate units of state and local government, as required in 40 CFR 270.42(f)(1), incorporated by reference in 10 CSR 25-7.270(2)(D). The notification letter is included with this approval letter.

The approved Class 2 Permit Modification is effective immediately. Please be aware that any parties adversely affected or aggrieved by the Department's decision to approve this Class 2 Permit Modification may be entitled to pursue an appeal before the Administrative Hearing Commission, according to 40 CFR 270.42(f)(2), incorporated by reference in 10 CSR 25-7.270(2)(D). The petition must be filed with the Administrative Hearing Commission by November 18, 2013, according to the procedures outlined in 10 CSR 25-2.020 and Missouri Revised Statutes, Sections 260.395.11 and 621.250, RSMo. If the petition is sent by registered mail or certified mail, it will be deemed filed on the date it is mailed. If it is sent by any other method, it will be deemed filed on the date it is received by the Administrative Hearing Commission. Appeals must be sent to the Administrative Hearing Commission, Truman State Office Building, Room 640, 301 West High Street, P.O. Box 1557, Jefferson City, MO 65102, or by fax to (573) 751-5018. The Department also asks that a copy of the petition be provided to

Mr. Innocent Chikunya
Page 3

Mr. David Lamb, Director, Missouri Department of Natural Resources, Hazardous Waste Program, P.O. Box 176, Jefferson City, MO 65102-0176, or by fax to (573) 751-7869.

If you have questions regarding this letter or the enclosed documents, please contact Mr. Nathan Kraus, of my staff at the Missouri Department of Natural Resources, Hazardous Waste Program, P.O. Box 176, Jefferson City, MO 65102-0176, by telephone at (573) 751-3553 or 1-800-361-4827, or by e-mail at nathan.kraus@dnr.mo.gov. Thank you.

Sincerely,

HAZARDOUS WASTE PROGRAM

[Original signed by David J. Lamb]

David J. Lamb
Director

DJL:nkm

Enclosure

c: Senator Roy Blunt, U.S. Senate
Senator Claire McCaskill, U.S. Senate
Congressman Sam Graves Jr., U.S. House of Representatives
Senator Brad Lager, Missouri Senate
Representative Mike Tomson, Missouri House of Representatives
Mayor T. Don Buckles, City of Forest City
Mayor Chris Krueger, City of Mound City
Mayor Bill McCully, City of Oregon
Presiding Commissioner Mark Sitherwood, Holt County
Michael Dandurand, P.E., Project Manager, U.S. EPA Region 7
Kansas City Regional Office, Missouri Department of Natural Resources