



Jeremiah W. (Jay) Nixon, Governor

Sara Parker Pauley, Director

DEPARTMENT OF NATURAL RESOURCES

dnr.mo.gov

October 27, 2015

CERTIFIED MAIL – 7009 0960 0000 8848 7291
RETURN RECEIPT REQUESTED

Curt Gardner, P.E.
EHS Team Member
BASF Corporation
3150 Highway JJ
Palmyra, MO 63461-2611

RE: Approval of Class 1 Permit Modification with Prior Director's Approval
Incinerator Feed System Changes
BASF Corporation, Hannibal Plant, Palmyra, Missouri
EPA ID No. MOD050226075

Dear Mr. Gardner:

The Missouri Department of Natural Resources (Department) hereby approves BASF Corporation's (BASF) Class 1 Permit Modification request, dated October 2, 2015, with clarifications received by e-mail on October 13, 2015. The request was for the following changes to the feed systems for the incinerators at the BASF facility:

- I. *The addition of piping in order to accommodate aqueous waste routing from the production of Pendimethalin (PROWL[®]) to the south incineration area, incinerator "D".*

The aqueous waste created by the production of Pendimethalin carries waste numbers already permitted for treatment within incinerator "D," and the Department's Air Pollution Control Program has concurred that "D" incinerator is capable of treating this waste stream while operating within all parameters of the Permittee's Notice of Compliance. After reviewing this modification request and the Code of State Regulations 10 CSR 25-7.270(1), which incorporates Code of Federal Regulations 40 CFR 270.42., Appendix I.L, the Department has determined that this request does not necessitate a Class 2 Permit Modification. Therefore, the Department agrees with BASF that this is a Class 1 Permit Modification requiring prior director approval.



Recycled Paper

II. The addition of piping in order to accommodate aqueous waste routing from the production of Chlorfenapyr to either the north incineration area, incinerators A, B, or C, or the south incineration area, incinerator D.

This request was initially granted through a Temporary Authorization (TA) on January 30, 2015, which generally means that, at the time, the Department believed the request would have to follow the requirements of a Class 2 Permit Modification to be made permanent. However, BASF has requested this to be a permanent change at the facility in order to accommodate future production needs. BASF notified their mailing list of the TA request and did not receive comments regarding the change. Based on further review of the 40 CFR 270.42., Appendix I, the Department agrees that this modification request can best be handled as a Class 1 Permit Modification requiring prior director approval.

III. The installation of appurtenances onto the Pyrrole Basic Aqueous Waste Tank 14-633-001 capable of transferring the waste for off-site transport. This tank would then be a less than 90-day generator storage tank (not requiring updated financial assurance and/or closure plan).

This has been requested by BASF for the chance that production exceeds their waste handling capabilities, which may never be used, but would allow BASF the flexibility to handle the situation should it occur in the future. BASF has requested to add this mechanism and up to 180 days from the date of this letter in order to implement the request. If, after 180 days, BASF has not used the off-loading capabilities of this tank, and BASF wishes to utilize it, they shall submit another modification request. Because this change would be to a currently exempt tank, this modification does not meet the requirements of a Class 2 Permit Modification; therefore, the Department agrees with BASF that this is a Class 1 Permit Modification requiring prior director approval.

We are approving these Class 1 Permit Modification requests with the following conditions:

1. Within 60 days of receiving this letter BASF shall submit an updated feed system flow diagram for each of the four incinerators at the facility to incorporate the modifications listed at numbers I and II, above.
2. If BASF determines the need exists to implement number III, above, the following shall occur:
 - a. The Department shall be notified within 7 days of the initial use of any off-site bound, manifested loading. This notification should identify to the Department that Tank 14-633-001 will no longer meet the exemption for on-site wastewater treatment storage.

- b. Within 30 calendar days of removing this tank from its exemption, BASF shall:
 - i. Submit BASF's plan to the Department for assuring that this tank's turnover will comply with the less than 90-day hazardous waste generator storage tank requirements requested by BASF.
 - ii. Submit the assessment and certification by a qualified Professional Engineer to the Department that the existing tank meets the hazardous waste generator tank requirements of 10 CSR 25-7.265(2)(J) which incorporates and modifies 40 CFR 265.192(a) and (b).
 - iii. Submit an inspection logsheet for the facility's added 90-day hazardous waste generator storage tank which identifies frequency for inspection.

BASF must send a notice of the modification, including Item *III*, above (caveated with language identifying this portion of the modification approval as a possibility within the next 180 days), to everyone on their facility mailing list and the appropriate units of state and local government within 90 calendar days after the date of this letter, according to 10 CSR 25-7.270(1), which incorporates 40 CFR 270.42(a)(1)(ii). BASF must send a copy of the notice to the Department.

If you have questions regarding this letter, please contact Nathan Kraus, P.E., 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 Richard A. Nussbaum]

Richard A. Nussbaum, P.E., R.G.
Chief, Permits Section

RAN:nkm

- c: Ken Herstowski, P.E., Project Manager, U.S. EPA Region 7
Steve Sidebottom, E.S., Missouri Department of Natural Resources, Air Pollution Control Program
Northeast Regional Office, Missouri Department of Natural Resources