



Jeremiah W. (Jay) Nixon, Governor • Harry D. Bozoian, Director

DEPARTMENT OF NATURAL RESOURCES

dnr.mo.gov

November 14, 2016

CERTIFIED MAIL – 7014 1200 0000 4389 3390
RETURN RECEIPT REQUESTED

Curt Gardner, P.E.
Senior EHS Specialist
BASF Corporation
Agriculture Division
3150 Highway JJ
Palmyra, MO 63461-2611

RE: Approval of Class 2 Permit Modification Request
Adding Flexibility for Mode of Thermal Oxidizer Combustion Gas Quenching
BASF Corporation, Hannibal, Missouri
EPA ID# MOD050226075

Dear Mr. Gardner:

The Missouri Department of Natural Resources (Department) hereby approves BASF Corporation's (BASF) Class 2 Permit Modification request, dated August 17, 2016, with conditions. The modification request, which is a revision of the original Class 1 Permit Modification request, dated September 9, 2014, was to change the mode of thermal oxidizer combustion gas quenching in BASF's "A" and "B" incinerators. Specifically, BASF is requesting flexibility to operate in either spray quench mode or submerged quench mode. Spray quench mode is when combustion gases are cooled as it exits the oxidation chamber by quench water sprayed through spray nozzles. Submerged quench mode is when combustion gases are cooled by being discharged subsurface into quench water in the incinerator's quench tank.

The Department determined this permit modification most closely fits the Class 2 Permit Modification defined in Code of State Regulations 10 CSR 25-7.270(1), which incorporates Code of Federal Regulations 40 CFR 270.42, Appendix I, L.4. BASF conducted the public participation activities for the Class 2 Permit Modification request, as required by 10 CSR 25-7.270(1), which incorporates 40 CFR 270.42(b). The 60-day public comment period began August 24, 2016, and ended October 24, 2016. BASF held a public meeting about the

modification request on September 26, 2016. The Department did not receive any comments on the modification request during the public comment period.

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

1. BASF shall notify the Department within 7 calendar days of switching between either mode of thermal oxidizer combustion gas quenching in their "A" and "B" incinerators. This notification can be either in writing or through e-mail.
2. BASF shall keep a record of the current status of the mode of thermal oxidizer combustion gas quenching and the dates when switching between the spray quench and submerged quench modes for their "A" and "B" incinerators.
3. The Department reserves the right to request that BASF provide documentation of the current and/or historical quenching status mode of either incinerator for review and inspection.

The Department conducted the public participation activities for the final Class 2 Permit Modification, as required by 10 CSR 25-7.270(1), which incorporates 40 CFR 270.42(f)(1). We mailed a notification letter to everyone on the facility mailing list and the appropriate units of state and local government. We also posted the final Class 2 Permit Modification on the Department's website at dnr.mo.gov/env/hwp/permits/notices.htm. Supporting documents are not available on the Department'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 Department's decision to approve the Class 2 Permit Modification may be entitled to pursue an appeal before the Administrative Hearing Commission, according to 10 CSR 25-8.124(2). The petition must be filed with the Administrative Hearing Commission by December 14, 2016, according to the procedures outlined in 10 CSR 25-2.020 and Missouri Revised Statutes, Sections 260.395.11 and 621.250, RSMo. Contact information for the Administrative Hearing Commission can be found online at ahc.mo.gov, or by calling (573) 751-2422. The Department also asks that a copy of the petition be provided to the Missouri Department of Natural Resources, ATTN: Hazardous Waste Program Director, P.O. Box 176, Jefferson City, MO 65102-0176, or by fax to (573) 751-7869.

This permit modification may include conditions that you are not familiar with or that 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 Nathan Kraus, P.E., of my staff at the

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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. 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. Thank you.

Sincerely,

HAZARDOUS WASTE PROGRAM

[Original signed by Steve Sturgess]

Steve Sturgess
Director

SS: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 Brian Munzlinger, Missouri Senate
Representative Lindell Shamake, Missouri House of Representatives
Mayor Loren Graham, City of Palmyra
Presiding Commissioner Lyndon Bode, Marion County
Mike Dandurand, P.E., Project Manager, U.S. EPA Region 7
Andrea J. Farr, CHMM MBA, EHS Specialist Sr. I, BASF Corporation
Northeast Regional Office, Missouri Department of Natural Resources