



Jeremiah W. (Jay) Nixon, Governor

Sara Parker Pauley, Director

## DEPARTMENT OF NATURAL RESOURCES

dnr.mo.gov

AUG 10 2015

CERTIFIED MAIL – 7009 0960 0000 8848 7055  
RETURN RECEIPT REQUESTED

Mr. James M. Lanzafame  
Environmental and Health Manger  
The Doe Run Company  
Buick Resource Recycling Facility, LLC  
18594 Highway KK  
Boss, MO 65440

RE: Class 2 Permit Modification Approval  
Two Openings in Containment Building Wall Separating Battery Bunker Area and  
Breaker, Separation, and Neutralization Building  
Buick Resource Recycling Facility, LLC, Boss, Missouri  
EPA ID# MOD059200089

Dear Mr. Lanzafame:

The Missouri Department of Natural Resources (Department) hereby approves The Doe Run Company Buick Resource Recycling Facility, LLC's (Buick), Class 2 Permit Modification request, dated May 21, 2015, with conditions. The request, which is a revision of the original Class 1 Permit Modification request, dated May 1, 2015, was to construct two permanent openings in the wall between the Battery Bunker Area, a regulated containment building, and the Breaker, Separation, and Neutralization (BSN) Building. One opening is to be a hinged 10 foot by 10 foot opening and the other a 4 foot by 4 foot opening with plastic strips for a conveyor belt. 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 conditions:

1. The 10 foot by 10 foot opening shall be closed and sealed at all times during normal operation, in order to maintain the primary barrier between the BSN Building and the Battery Bunker Area.
2. When the 10 foot by 10 foot opening is needed for maintenance, controls shall be installed and maintained in place over the opening to control fugitive emissions and tracking of materials into the BSN Building.



Recycled Paper

3. The plastic strips over the 4 foot by 4 foot opening shall be installed and maintained in order to minimize fugitive emissions into the BSN Building and shall be added to the weekly inspection for the Battery Bunker Area. Any repairs performed on the plastic sheeting shall be documented in the operating record.
4. Any releases of material from the Battery Bunker Area shall be cleaned up immediately and reported to the Department within 24 hours, detailing the amount of the release, the actions taken to remediate the release, and what additional controls have been instituted to prevent further releases.

Buick conducted the public participation activities for the Class 2 Permit Modification request, as required by Code of State Regulations 10 CSR 25-7.270(1), which incorporates Code of Federal Regulations 40 CFR 270.42(b). The 60-day public comment period began May 27, 2015, and ended July 26, 2015. Buick held a public meeting about the modification request on June 16, 2015. The Department did not receive any comments on the modification request during the public comment period.

The Department conducted the public participation activities for the final Class 2 Permit Modifications, as required in 10 CSR 25-7.270(1), which incorporates 40 CFR 270.42(f)(1). The Department 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 [www.dnr.mo.gov/env/hwp/permits/notices.htm](http://www.dnr.mo.gov/env/hwp/permits/notices.htm). Supporting documents are not available on the Department's website due to their size. 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 in accordance with 10 CSR 25-8.124(2). The petition must be filed with the Administrative Hearing Commission by ~~September 9, 2015~~, 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. David J. 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 Nathan Kraus, P.E., of my staff at the Missouri Department of Natural Resources, Hazardous

Mr. James M. Lanzafame  
Page 3

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 Jason Smith, U.S. House of Representatives  
       Senator Gary Romine, Missouri Senate  
       Representative Paul Fitzwater, Missouri House of Representatives  
       Mayor Johnny R. Setzer, City of Viburnum  
       Presiding Commissioner Jim Skaggs, Iron County  
       Ms. Christine Jump, Missouri State Coordinator, U.S. EPA Region 7  
       Julie Marks, P.E., Barr Engineering Company  
       Southeast Regional Office, Missouri Department of Natural Resources