



May 19, 2010

CERTIFIED MAIL – 7004 1160 0000 8176 6614
RETURN RECEIPT REQUESTED

Mr. David R. Zoghby
Vice President and Business
Director
EBV Explosives Environmental
Company
P.O. Box 1386
Joplin, MO 64802

RE: Class 1 Permit Modification with Prior Director's Approval
EBV Explosives Environmental Company, Joplin, Missouri
EPA ID# MOD985798164

Dear Mr. Zoghby:

This letter is to notify you that the Missouri Department of Natural Resources (Department) reviewed EBV Explosives Environmental Company's (EBV EEC's) Class 1 Permit Modification request, dated February 26, 2010. The request was to increase the capacity of each Propellant Thermal Treatment Unit (PTTU) in Building #3 to six rocket motors per hour (instead of three) and limit them such that only one thermal treatment unit would run at any time (instead of both of them running at the same time). The capacity of the continuous system remains the same at six rocket motors per hour. The treatment limit of the PTTU would be 1256 lbs per hour net explosive weight and 2010 lbs per hour gross weight and limit the operation to only one PTTU at a time. It should be made clear that EBV EEC is not increasing the capacity of the rocket motor saw units or the air pollution control system, only to increase the PTTU limit and restrict operation to one PTTU at a time. Thus, there is no overall increase in the continuous treatment process as a whole.

Please note that in the Missouri Hazardous Waste Management Facility Permit dated August 19, 2009, Special Permit Condition II.E., Building #3, condition 5 states, "The Permittee shall not burn, in each chamber of the Propellant Thermal Treatment Units, more than 1005 lbs per hour of net explosive weight of explosive material generated from the cutting of the MLRS Rocket Motor into segments in Building #3." It should be made clear that the permit was

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incorrect such that it should have stated that “The Permittee shall not burn, in each chamber of the Propellant Thermal Treatment Units, more than 1005 lbs per *hour gross weight*...” instead of 1005 lbs per hour of net explosive weight. This permit modification now modifies that the rate of operation of 1005 lbs per hour gross weight to 2010 lbs per hour gross weight and to limit the operation to only one PTTU at a time.

The Department agrees with EBV EEC that this is a Class 1 Permit Modification requiring prior director approval. We are approving the modification request. EBV EEC must send a notice of the modification 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, as outlined in Code of Federal Regulations 40 CFR 270.42(a)(1)(ii). EBV EEC must send a copy of the notice to the Department.

If you have any questions regarding this letter, please contact Mr. Richard Hock, Environmental Engineer, 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 richard.hock@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: rhs

c: Ken Herstowski, P.E., Project Manager, U.S. EPA Region VII
Southwest Regional Office, Missouri Department of Natural Resources