

Schaben, Darlene

From: Lanzafame, Jim <jlanzafame@doerun.com>
Sent: Thursday, September 12, 2013 2:35 PM
To: Hoke, John
Cc: DNRContact, egalbraith@barr.com
Subject: Comments on proposed "Lake" Classification and Use Designations in Proposed Rule 10 CSR 20-7.031
Attachments: 1227_001.pdf

Dear Mr. Hoke,

Please find attached the Buick Resource Recycling Facility's comments concerning proposed rule 10 CSR 20-7.031. Should you or any of your staff have any questions, please feel free to contact me by phone or email and we will make arrangements to have your inquiries addressed. A hardcopy will follow by certified US mail.

Sincerely,

James M. Lanzafame
Environmental Health & Safety Manager
Buick Resource Recycling Facility
18594 Highway KK
Boss, MO 65440
Phone 573-626-3406

This message is intended solely for the designated recipient and may contain confidential, privileged or proprietary information. If you have received it in error, please notify the sender immediately and delete the original and any copy or printout. Please note that any views or opinions presented in this e-mail are solely those of the author and do not necessarily represent those of The Doe Run Company. Finally, the recipient should check this message and any attachments for the presence of viruses or malware. The Doe Run Company accepts no liability for any loss or damage caused through the transmission of this e-mail.



James M. Lanzafame
Environmental, Health & Safety Manager
jlanzafame@doerun.com

Via Email: john.hoke@dnr.mo.gov

September 12, 2013

Mr. John Hoke
Missouri Department of Natural Resources
Water Protection Program
P.O. Box 176
Jefferson City, MO 65102

Re: Comment on Proposed Lake Classification and Use Designations in Proposed Rule 10 CSR 20-7.031; Missouri Register Volume 38, Number 12, June 17, 2013

Dear Mr. Hoke:

This letter is to provide comments regarding proposed Water Quality Standards changes in Missouri Register Vol. 38, No.12, that assign the presumptive uses of paragraph (2)(A)4 to all "...lakes and reservoirs that intersect the flow lines of rivers and streams identified in paragraph (2)(A)3 of this rule."

Subsection (2)(E) of the rule indicates that the department shall maintain a geospatial dataset and associated list of waters as described in this rule. On August 12, 2013, the department released a draft set of the lake data prepared by the department to implement the data set required by subsection (2)(E). Within the data, there are three figures representing impoundments located on property owned by Buick Resource Recycling Facility, LLC, in Iron County that should not receive the presumptive use designations of paragraph (2)(A)4. We request that these three figures be removed from the data set.

Two of the figures roughly correspond with existing impoundments, i.e., Impoundment E and the facilities Mine Water Impoundment. The third figure appears to be a historic impoundment that no longer exists; however, there are currently two permitted structures in the general area. As explained below, we believe that the rule is not intended to apply to these water bodies, based upon their construction and use.

18594 Highway KK
Hwy KK
Boss, MO 65440
Telephone # 573-626-3406
Fax # 573-626-3304



Impoundment E. Impoundment E is a constructed stormwater treatment unit permitted under Missouri State Operating Permit (MSOP) MO-0000337. Proposed regulation 10 CSR 25-7.031(2)(D)4 provides that presumed uses do not apply to “Man-made systems constructed solely to treat or

convey wastewater or stormwater.” Under the proposed regulation, presumed uses do not apply to this structure.



Six Million Gallon Tank and Domestic Lagoon. The Six Million Gallon Tank and the Domestic Lagoon are structures permitted under MSOP MO-0000337 to capture and treat stormwater and wastewater. Proposed regulation 10 CSR 25-7.031(2)(D)4 provides that presumed uses do not apply to “Man-made systems

constructed solely to treat or convey wastewater or stormwater.” Under the proposed regulation, presumed uses do not apply to this structure.

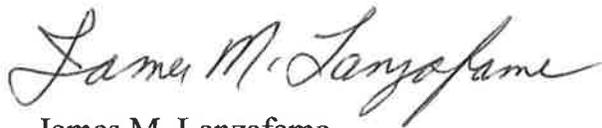
Mine Water Impoundment. The Mine Water Impoundment is a holding basin for mine water pumped to the surface for use at the Buick Secondary Smelter. The plant is a



net water user. Proposed regulation 10 CSR 25-7.031(2)(D)4 provides that presumed uses do not apply to “Man-made systems constructed solely to treat or convey wastewater or stormwater.” Under the proposed regulation, presumed uses do not apply to this structure.

Thank you for considering these comments. If you have any questions, please feel free to contact me at (573) 626-3406 or via email at JLanzafame@DoeRun.com.

Sincerely,

A handwritten signature in cursive script that reads "James M. Lanzafame". The signature is written in black ink and is positioned above the printed name and title.

James M. Lanzafame
Environmental and Health Manager

cc: Ed Galbraith, Barr Engineering Co.