



Jeremiah W. (Jay) Nixon, Governor

Sara Parker Pauley, Director

DEPARTMENT OF NATURAL RESOURCES

dnr.mo.gov

April 6, 2012

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

RE: Class 1 Permit Modification with Prior Director's Approval
Buick Resource Recycling Facility, LLC, Boss, Missouri
EPA ID# MOD059200089

Dear Mr. Lanzafame:

The Missouri Department of Natural Resources (Department) approves the Buick Resource Recycling Facility, LLC's (BRRF) Class 1 Permit Modification request, dated August 23, 2011, with revisions and clarifications dated November 23, 2011, and finally information provided by Mr. James M. Lanzafame in an e-mail dated March 20, 2012. The request was for the addition of a third option for preparation of the sub-base for the portion of the Impoundment Area D that will be impacted by liner phase 4 of the permitted Slag Storage Area (SSA). The third option for preparation of the sub-base is to utilize sheet piling to separate two areas under the liner phase 4. The two areas are to be separated by a sheet pile. The area to the northeast of the sheet pile will be excavated up to a depth of 30 feet, and clay will be placed in 6" lifts to provide a stable base for the construction of Cell 4 of the SSA landfill. The area to the south of the sheet piling will not be excavated; BRRF will continue to utilize the previously approved sub-base preparation methods.

We are approving the Class 1 Permit Modification requiring prior director approval with the following conditions:

- BRRF shall notify Darleen Groner, P.E., of my staff 15 days prior to the initiation of sheet pile installation.



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- Once the notification has been made, BRRF shall provide weekly updates to Ms. Groner, via e-mail at darleen.groner@dnr.mo.gov, and Mr. Randy Rohrman of the U.S. Environmental Protection Agency at rohrman.wray@epa.gov, of the status of activities associated with this modification.
- BRRF shall submit a final report to the Department detailing the activities associated with this modification within 60 days of completion of these activities. The report shall also include a drawing indicating the depths of excavation, the quantities of material that was excavated, results of testing on the excavated material if necessary, and the final disposition of the material.
- No material from the excavation shall be used as cover material unless written approval from the Hazardous Waste Program has been received. If the material requires treatment, then it must be treated to meet the Universal Treatment Standards for all Underlying Hazardous Constituents and disposed of properly.
- All concrete that is found during the excavation shall be analyzed for total metals and compared to the metal screening levels contained in “An Analysis of Selected Trace Metals in Cement and Kiln Dust,” from the Portland Cement Association. If the concrete has a total metals concentration higher than those found in “An Analysis of Selected Trace Metals in Cement and Kiln Dust,” the concrete shall be analyzed using the Toxicity Characteristic Leaching Procedure (TCLP) and the results shall be compared to the applicable regulatory concentrations.
- Any concrete that passes the initial screening for total metals may be used in accordance with applicable Solid Waste Management Program rules and regulations.
- Any concrete that fails TCLP is a hazardous waste and must be managed accordingly.
- All concrete that is excavated shall be washed on a concreted surface. BRRF shall ensure that all liquids are transported to the wastewater treatment plant or pumped directly into a drain that is connected to the wastewater treatment plant. At no time shall the liquids be allowed to flow over/along the ground.
- BRRF may relocate slag from primary smelting activities that is excavated from the permitted metallic minerals area to other areas of the permitted metallic minerals area with prior approval from the Department’s Land Reclamation Program.

BRRF 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), incorporated by reference in Code of State Regulations 10 CSR 25-7.270(1). BRRF must send a copy of the notice to the Department.

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If you have questions regarding this letter, please contact George Fletcher, 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 george.fletcher@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:gfm

c: Mr. Randy Rohrman, Project Manager, U.S. EPA Region 7
Mr. Bill Zeaman, Land Reclamation Program, Missouri Department of Natural Resources
Southeast Regional Office, Missouri Department of Natural Resources