



Jeremiah W. (Jay) Nixon, Governor

Sara Parker Pauley, Director

DEPARTMENT OF NATURAL RESOURCES

dnr.mo.gov

July 25, 2013

CERTIFIED MAIL – 7009 3410 0001 9352 0877

RETURN RECEIPT REQUESTED

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
Gypsum Placement in the Slag Storage Area Landfill
Buick Resource Recycling Facility, LLC, Boss, Missouri
EPA ID# MOD059200089

Dear Mr. Lanzafame:

On June 28, 2013, staff from the Missouri Department of Natural Resources (Department) and Missouri Attorney General's Office met with representatives of The Doe Run Company's Buick Resource Recycling Facility (BRRF) to discuss multiple topics. Among these topics was a request regarding placing gypsum generated from the facility's air pollution control equipment into the Slag Storage Area (SSA) Landfill. During the meeting, BRRF representatives expressed interest in disposing of the gypsum into the SSA Landfill as a means to address operational difficulties that tend to arise over weekends. The Department considers BRRF's request to be a Class 1 Permit Modification with prior director approval as discussed below.

A January 9, 2009, Department letter to BRRF previously provided a permit clarification regarding the type of wastes that may be placed in the SSA Landfill. This letter stated that:

"If wastes generated from the facility recycling processes slag, soda slag, etc., do not fail the Toxicity Characteristic Leaching Procedure they do not require treatment prior to placement into the on-site landfill."

The letter goes on to state:

"The Buick Resource Recycling Facility may not use the landfill for any other types of solid waste without written approval of the Department."



Recycled Paper

At the time of the January 9, 2009, letter, BRRF was not generating gypsum since upgrades to the on-site air pollution control equipment that subsequently resulted in gypsum generation were not yet in operation. Consequently, the above-referenced permit clarification letter could not have applied to the gypsum.

The Department hereby approves BRRF's request from the June 28, 2013, meeting to dispose of gypsum in the SSA Landfill as a Class 1 Permit Modification with prior director approval, with the following comments and conditions.

1. The Department obtained a sample of stockpiled gypsum for waste characterization purposes during a site visit on September 5, 2012. Based on the analytical results of the gypsum, the determination was that the gypsum was not a characteristic hazardous waste. Based on discussions with BRRF, the Department understands that BRRF has been routinely sampling and analyzing the gypsum for characterization purposes prior to off-site disposal.

On July 9, 2013, BRRF submitted a draft revised (Version 30) Waste Analysis Plan/Quality Assurance Project Plan (WAP/QAPP) with a table detailing results from past gypsum testing. Of the 24 samples listed in the WAP/QAPP, none of the gypsum samples tested failed Toxicity Characteristic Leaching (TCLP) for characteristic metals listed in the Permit.

Based on the Department's preliminary review of BRRF's draft WAP/QAPP for the handling, treatment, and disposal of the gypsum, procedures are included in the draft plan should it fail the TCLP. The Department acknowledges the inclusion of these elements but cautions that the WAP/QAPP elements related to gypsum may require revision based on the Department's final review of the WAP/QAPP. BRRF shall continue to follow the procedures outlined in the draft WAP/QAPP until a final WAP/QAPP is approved.

2. Please note that the approval to place gypsum in the SSA Landfill applies only to gypsum that is generated at the facility. Future requests for placement of any other materials into the SSA Landfill will, at a minimum, require a Class 1 Permit Modification with prior director approval.

BRRF must send a notice of this 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) and modified by 10 CSR 25-7.270(2)(A)6 and 10 CSR 25-7.270(2)(B)10. BRRF must send a copy of the notice to the Department.

Mr. James Lanzafame
July 25, 2013
Page 3

If you have questions regarding this letter, please contact Nathan Graessle, P.E., 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 nathan.graessle@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:ngm

c: Mr. Wray Rohrman, Project Manager, U.S. EPA Region 7
Southeast Regional Office, Missouri Department of Natural Resources