



Jeremiah W. (Jay) Nixon, Governor

Sara Parker Pauley, Director

## DEPARTMENT OF NATURAL RESOURCES

dnr.mo.gov

May 1, 2015

CERTIFIED MAIL – 7009 0960 0000 8848 4085  
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 2 Permit Modification Approval  
Changes to the Breaker, Separation and Neutralization (BSN) Building  
Buick Resource Recycling Facility, LLC, Boss, Missouri  
EPA ID# MOD059200089

Dear Mr. Lanzafame:

The Missouri Department of Natural Resources (Department) hereby approves Buick Resource Recycling Facility, LLC's (Buick) Class 2 Permit Modification request, dated February 3, 2015, with a conditional schedule of compliance. The request was to change the conveyance system between the receiving dock and the battery shredder for battery transport. The modification request also included adding three "less than 90-day" storage tanks for the treatment and storage of sulfuric acid and lead sulfate paste inside the BSN building. 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 with the following schedule of compliance. Within 60 calendar days of receiving this approval, Buick shall:

1. Submit an updated drawing of the BSN building, identifying the layout of the Battery Shredder and the ancillary conveyance system and equipment and the locations of the three new, and one existing, 90-day storage tanks.



Recycled Paper

2. Submit a report detailing the closure activities and final disposition of the removed wall (between the battery receiving area and the palletized storage area) and the old conveyor system.
3. Submit an assessment and certification by a qualified professional engineer, that the existing and installed tank systems meet the tank requirements of Code of State Regulations 10 CSR 25-7.264(2)(J), which incorporates and modifies Code of Federal Regulations 40 CFR 264.192(a) and (b).
4. Submit an updated inspection checklist for the BSN building that includes the added 90-day storage/treatment tanks and the ancillary conveyance equipment.

Buick conducted the public participation activities for the Class 2 Permit Modification request, as required by 10 CSR 25-7.270(2)(D) incorporating 40 CFR 270.42(b). The 60-day public comment period began on February 4, 2015, and ended April 5, 2015. Buick held a public meeting about the modification request on February 25, 2015. The Department did not receive any comments on the modification request during the public comment period. The Department mailed a notification letter to everyone on the facility mailing list and the appropriate units of state and local government as required by 10 CSR 25-7.270(2)(D) incorporating 40 CFR 270.42(f)(1). 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 according to 10 CSR 25-7.270(2)(D) incorporating 40 CFR 270.42(f)(2). The petition must be filed with the Administrative Hearing Commission by May 31, 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 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 Lanzafame  
Page Three

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:nkt

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 John Setzer, City of Viburnum  
       Presiding Commissioner Jim Scaggs, Iron County  
       Ms. Christine Jump, Missouri State Coordinator, U.S. EPA Region 7  
       Julie Marks, P.E., Barr Engineering Company, LLC  
       Southeast Regional Office, Missouri Department of Natural Resources