



Jeremiah W. (Jay) Nixon, Governor • Harry D. Bozoian, Director

DEPARTMENT OF NATURAL RESOURCES

dnr.mo.gov

October 13, 2016

CERTIFIED MAIL – 7014 1200 0000 4389 3345
RETURN RECEIPT REQUESTED

Mr. James M. Lanzafame
Senior Environmental Technical Engineer
The Doe Run Company
Buick Resource Recycling Facility, LLC
18594 Highway KK
Boss, MO 65440

RE: Approval of Class 2 Permit Modification Request
Removing Emergency Equipment from Contingency Plan
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 (BRRF) Class 2 Permit Modification request, dated February 3, 2016. The modification request was to remove chlorine monitors from the emergency equipment list contained in the facility's contingency plan.

The Department agrees with BRRF that this is a Class 2 Permit Modification, according to Code of State Regulations 10 CSR 25-7.270(1), which incorporates Code of Federal Regulations 40 CFR 270.42, Appendix I, B.6.c. BRRF conducted the public participation activities for the Class 2 Permit Modification request, as required by 10 CSR 25-7.270(1), which incorporates 40 CFR 270.42(b). The 60-day public comment period began February 3, 2016, and ended April 3, 2016. BRRF held a public meeting about the modification request on February 24, 2016. The Department did not receive any comments on the modification request during the public comment period.

Our decision to approve the modification request is based on a thorough technical review of the permit modification request and applicable federal and state laws and regulations. The Department conducted the public participation activities for the final Class 2 Permit



Recycled paper

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Modification, as required by 10 CSR 25-7.270(1), which incorporates 40 CFR 270.42(f)(1). We mailed a notification letter to everyone on the facility mailing list and the appropriate units of state and local government. A copy of the letter is included with this letter. We also posted the final Class 2 Permit Modification on the Department's website at www.dnr.mo.gov/env/hwp/permits/notices.htm. Supporting documents are not available on the Department's website due to their file size.

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 25-8.124(2). The petition must be filed with the Administrative Hearing Commission by November 14, 2016, according to the procedures outlined in 10 CSR 25-2.020 and Missouri Revised Statutes, Sections 260.395.11 and 621.250, RSMo. Contact information for the Administrative Hearing Commission can be found online at <http://ahc.mo.gov>, or by calling (573) 751-2422. The Department also asks that a copy of the petition be provided to the Missouri Department of Natural Resources, ATTN: Hazardous Waste Program Director, P.O. Box 176, Jefferson City, MO 65102-0176, or by fax to (573) 751-7869.

This permit modification may include conditions that you are not familiar with or that are different from or in addition to the conditions of your current permit. We would be pleased to meet with you to discuss any questions you may have related to the permit modification conditions. An appointment can be set up by contacting Nathan Kraus, 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 nathan.kraus@dnr.mo.gov. Any follow-up in response to your meeting request, whether by telephone, in-person meeting, or on-site visit, is considered Compliance Assistance and will focus on explaining the permit modification conditions to you. Thank you.

Sincerely,

HAZARDOUS WASTE PROGRAM

[Original signed by Steve Sturgess]

Steve Sturgess
Director

SS:nkm

Enclosures

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- 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
- Senator Dan Brown, Missouri Senate
- Representative Jeff Pogue, Missouri House of Representatives
- Representative Paul Fitzwater, Missouri House of Representatives
- Mayor Johnny Setzer, City of Viburnum
- Presiding Commissioner Jim Scaggs, Iron County
- Mike Dandurand, P.E., Missouri State Coordinator, U.S. EPA Region 7
- Julie Marks, P.E., Barr Engineering Company
- Southeast Regional Office, Missouri Department of Natural Resources